

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 37-20365
Date Received: 2/3/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHIRLEY M SIMON Phone: (208) 764-2324
PO BOX 364
FAIRFIELD ID 83327

WILLIAM A SIMON Phone: (208) 764-2324
PO BOX 364
FAIRFIELD ID 83327

2. Date of Priority: 09/27/1976

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	15E	8	NW SE	CAMAS	

5. Description of diverting works:

WELL 12" CASING, 140 FEET DEEP, 100 HP MOTOR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.1	42.7

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 42.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	15E	8	NW	SE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			NW	NE	IRRIGATION	8
			NE	NE	IRRIGATION	8
			SE	SE	IRRIGATION	39
			SW	SE	IRRIGATION	39
					Section Acres	254
					Total Acres	254

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7528.

This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.

Rights 37-20365 and 37-20367 when combined shall not exceed a total annual maximum diversion volume of 117.5 af at the field headgate, and the irrigation of 38 acres.

Rights 37-20365, 37-20367, and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.

Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

15. Basis of Claim: License

COPY

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

Case No. 39576

Subcase No: 37-7288A, 37-20365,

37-20367, 37-20369

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

- ☐ Change in Ownership
- ☐ Point of Diversion
- ☐ Period of Use

- ☐ Split of Water Right
- ☒ Place of Use
- ☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 3/18/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/19, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

William Simon
Shirley Simon
PO Box 364
Fairfield ID 83327



Signature of person or attorney mailing the form

02/25/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7288A

NAME AND ADDRESS: WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.890 CFS
618.00 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.

PRIORITY DATE: 10/01/1973

POINT OF
DIVERSION:

T01S R15E S8 SWNWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

1.890 CFS
618.00 AFY

PLACE OF USE:

IRRIGATION in CAMAS County

T01S R15E S05	SWSW	40.00	T01S R15E S05	SESW	40.00
T01S R15E S08	NENE	8.00	T01S R15E S08	NWNE	8.00
T01S R15E S08	SWNE	40.00	T01S R15E S08	SENE	40.00
T01S R15E S08	NENW	40.00	T01S R15E S08	NWNW	40.00
T01S R15E S08	SWNW	40.00	T01S R15E S08	SENW	40.00
T01S R15E S08	NESE	40.00	T01S R15E S08	NWSE	40.00
T01S R15E S08	SWSE	39.00	T01S R15E S08	SESE	39.00

494 ACRES TOTAL

This right is limited to the irrigation of 206 acres within the place of use described above in a single irrigation season.

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

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.

02/25/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-20365

NAME AND ADDRESS: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
42.70 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.

PRIORITY DATE: 09/27/1976

POINT OF
DIVERSION:

T01S R15E S8 SWNWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 11/01	0.100 CFS 42.70 AFY
PLACE OF USE:	<u>IRRIGATION in CAMAS County</u>		
	T01S R15E S05 SWSW 40.00	T01S R15E S05 SESW 40.00	
	T01S R15E S08 NENE 8.00	T01S R15E S08 NWNE 8.00	
	T01S R15E S08 SWNE 40.00	T01S R15E S08 SENE 40.00	
	T01S R15E S08 NENW 40.00	T01S R15E S08 NWNW 40.00	
	T01S R15E S08 SWNW 40.00	T01S R15E S08 SENW 40.00	
	T01S R15E S08 NESE 40.00	T01S R15E S08 NWSE 40.00	
	T01S R15E S08 SWSE 39.00	T01S R15E S08 SESE 39.00	

494 ACRES TOTAL

This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

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.

02/25/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-20367
NAME AND ADDRESS: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.270 CFS
115.10 AFY

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.

PRIORITY DATE: 07/27/1953

POINT OF
DIVERSION:

T01S R15E S8 SWNWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 11/01	0.270 CFS 115.10 AFY
PLACE OF USE:	<u>IRRIGATION in CAMAS County</u>		
	T01S R15E S05 SWSW 40.00	T01S R15E S05 SESW 40.00	
	T01S R15E S08 NENE 8.00	T01S R15E S08 NWNE 8.00	
	T01S R15E S08 SWNE 40.00	T01S R15E S08 SENE 40.00	
	T01S R15E S08 NENW 40.00	T01S R15E S08 NWNW 40.00	
	T01S R15E S08 SWNW 40.00	T01S R15E S08 SENW 40.00	
	T01S R15E S08 NESE 40.00	T01S R15E S08 NWSE 40.00	
	T01S R15E S08 SWSE 39.00	T01S R15E S08 SESE 39.00	

494 ACRES TOTAL

This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-20369

NAME AND ADDRESS: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

SOURCE: GROUND WATER

QUANTITY: 0.060 CFS
12.00 AFY

TRIBUTARY:

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate.

PRIORITY DATE: 10/01/1973

POINT OF
DIVERSION:

T01S R15E S8 SWNWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 11/01	0.060 CFS 12.00 AFY
PLACE OF USE:	<u>IRRIGATION in CAMAS County</u>		
	T01S R15E S05 SWSW 40.00	T01S R15E S05 SESW 40.00	
	T01S R15E S08 NENE 8.00	T01S R15E S08 NWNE 8.00	
	T01S R15E S08 SWNE 40.00	T01S R15E S08 SENE 40.00	
	T01S R15E S08 NENW 40.00	T01S R15E S08 NWNW 40.00	
	T01S R15E S08 SWNW 40.00	T01S R15E S08 SENW 40.00	
	T01S R15E S08 NESE 40.00	T01S R15E S08 NWSE 40.00	
	T01S R15E S08 SWSE 39.00	T01S R15E S08 SESE 39.00	

494 ACRES TOTAL

This right is limited to the irrigation of 4.0 acres within the place of use described above in a single irrigation season.

Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248.0 acres.

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

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

March 19, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

WILLIAM SIMON
SHIRLEY SIMON
PO BOX 364
FAIRFIELD ID 83327

RE: SRBA Claim(s) 37-7288A, 37-20365, 37-20367, 37-20369

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75251

This is to certify that: WILLIAM A And SHIRLEY M SIMON
 PO BOX 364
 FAIRFIELD ID 83327
 (208)764-2324

have 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. A summary of the changes is also listed below. 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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
37-7288A	AJC/License	10/01/1973	1.89 cfs	618 af	206.0	254.0	GROUND WATER
37-20365	AJC/License	09/27/1976	0.1 cfs	42.7 af	31.0	254.0	GROUND WATER
37-20367	AJC/License	07/27/1953	0.27 cfs	115.1 af	38.0	254.0	GROUND WATER
37-20369	AJC/License	10/01/1973	0.06 cfs	12 af	4.0	254.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-7288A	NO	NO	YES	NO	NO	NO
37-20365	NO	NO	YES	NO	NO	NO
37-20367	NO	NO	YES	NO	NO	NO
37-20369	NO	NO	YES	NO	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
37-7288A	37-7288A	1.89 cfs	618 af	206.0	494.0		N/A	N/A	N/A	N/A
37-20365	37-20365	0.1 cfs	42.7 af	31.0	494.0		N/A	N/A	N/A	N/A
37-20367	37-20367	0.27 cfs	115.1 af	38.0	494.0		N/A	N/A	N/A	N/A
37-20369	37-20369	0.06 cfs	12 af	4.0	494.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		2.23 cfs	747.5 af	248.0	494.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22nd day of December, 20 08 SUPPORT DATA
IN FILE # 37-7288A


 FOR Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7288A
As Modified by Transfer No. 75251

In accordance with the approval of Transfer No. 75251, Water Right No. 37-7288A is now described as follows.

Right Holder: SHIRLEY M SIMON
 PO BOX 364
 FAIRFIELD ID 83327

And

WILLIAM A SIMON
 PO BOX 364
 FAIRFIELD ID 83327

Priority Date: October 01, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.89 CFS	618.0 AF
			1.89 CFS	618.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 8 Twp 01S Rge 15E CAMAS 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	
01S	15E	5											40.0	40.0					80.0
01S	15E	8	8.0	8.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	39.0	39.0	414.0

Total Acres: 494

WATER RIGHT NO. 37-7288A
As Modified by Transfer No. 75251

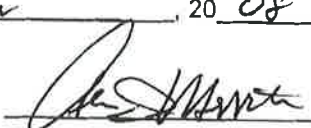
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 206 acres within the place of use described above in a single irrigation season.
2. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate, and the irrigation of 248.0 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.
7. 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 22nd day of December, 20 08

FOR


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20365
As Modified by Transfer No. 75251

In accordance with the approval of Transfer No. 75251, Water Right No. 37-20365 is now described as follows.

Right Holder: WILLIAM A SIMON
 PO BOX 364
 FAIRFIELD ID 83327

And

SHIRLEY M SIMON
 PO BOX 364
 FAIRFIELD ID 83327

Priority Date: September 27, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.10 CFS	42.7 AF
			0.10 CFS	42.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 8 Twp 01S Rge 15E CAMAS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01S 15E 5											40.0	40.0					80.0
01S 15E 8	8.0	8.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	39.0	39.0	414.0

Total Acres: 494

WATER RIGHT NO. 37-20365
As Modified by Transfer No. 75251

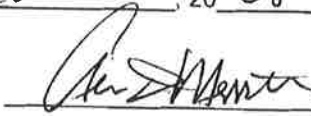
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365 and 37-20367 when combined shall not exceed a total annual maximum diversion volume of 117.5 af at the field headgate, and the irrigation of 38.0 acres.
3. Rights 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
4. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate, and the irrigation of 248.0 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.
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 22nd day of December, 20 08

FOR



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20367
As Modified by Transfer No. 75251

In accordance with the approval of Transfer No. 75251, Water Right No. 37-20367 is now described as follows.

Right Holder: SHIRLEY M SIMON
 PO BOX 364
 FAIRFIELD ID 83327

And

WILLIAM A SIMON
 PO BOX 364
 FAIRFIELD ID 83327

Priority Date: July 27, 1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.27 CFS	115.1 AF
			0.27 CFS	115.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 8 Twp 01S Rge 15E CAMAS 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	
01S	15E	5											40.0	40.0					80.0
01S	15E	8	8.0	8.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	39.0	39.0	414.0

Total Acres: 494

WATER RIGHT NO. 37-20367
As Modified by Transfer No. 75251

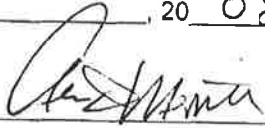
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365 and 37-20367 when combined shall not exceed a total annual maximum diversion volume of 117.5 af at the field headgate, and the irrigation of 38.0 acres.
3. Rights 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
4. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate, and the irrigation of 248.0 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.
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 22nd day of December, 20 08

FOR



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20369
As Modified by Transfer No. 75251

In accordance with the approval of Transfer No. 75251, Water Right No. 37-20369 is now described as follows.

Right Holder: SHIRLEY M SIMON
 PO BOX 364
 FAIRFIELD ID 83327

And

WILLIAM A SIMON
 PO BOX 364
 FAIRFIELD ID 83327

Priority Date: October 01, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.06 CFS	12.0 AF
			0.06 CFS	12.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWSE Sec. 8 Twp 01S Rge 15E CAMAS 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	
01S	15E	5											40.0	40.0					80.0
01S	15E	8	8.0	8.0	40.0	40.0	40.0	40.0	40.0	40.0					40.0	40.0	39.0	39.0	414.0

Total Acres: 494

WATER RIGHT NO. 37-20369
As Modified by Transfer No. 75251

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4.0 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
3. Rights 37-7288A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed a total diversion rate of 2.23 cfs, a total annual maximum diversion volume of 747.5 af at the field headgate, and the irrigation of 248.0 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of Transfer No. 75251 is cause for the Director to rescind approval of the transfer.
8. 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 22nd day of December, 20 08

F012



Chief, Water Allocation Bureau

**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: November 21, 2006

Water right number: 37-20365

SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327
Telephone Number: (208)764-2324

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327
Telephone Number: (208)764-2324

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:

11/19/26

SIGNATURE:

William A Simon

Please print your name:

Simon

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (800)451-4129



Idaho Department of Water Resources

Adjudication Claim:

37-7288A

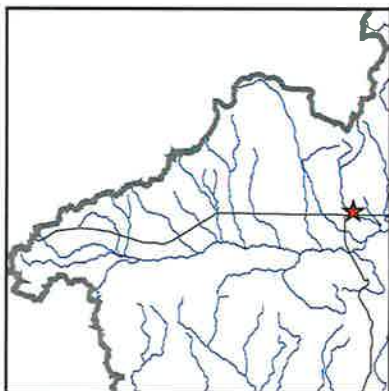
37-20365

37-20367

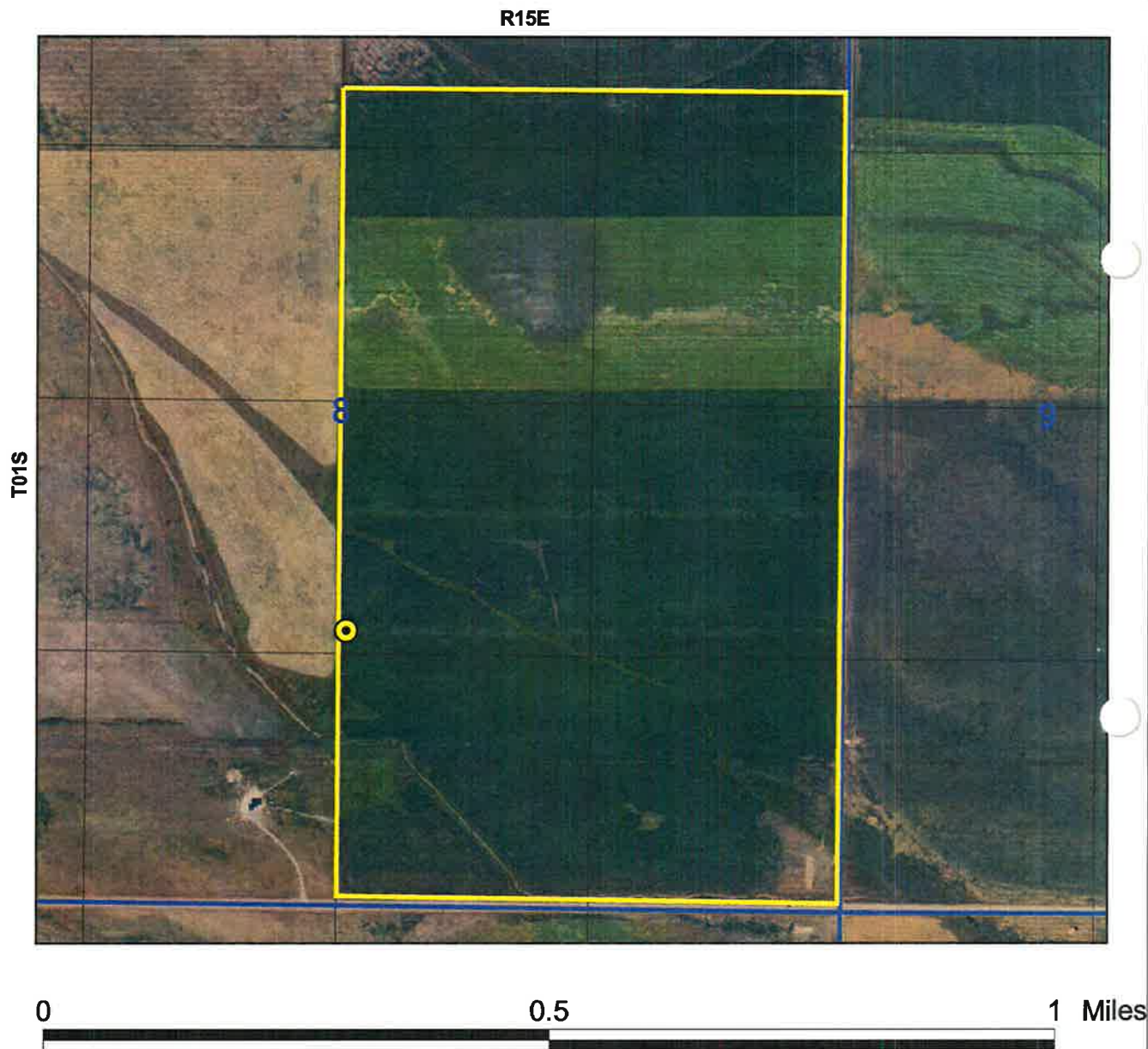
37-20369

Legend

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



Camas County
IDWR Basin 37



Prepared by M. Anders
On Friday, March 3, 2006
2004 Aerial Photography

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

Rights 37-20365, 37-20367, and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.

03/06/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Failure of the right holder to comply with the conditions of Transfer No. 68866 is cause for the Director to rescind approval of the transfer.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

RECEIVED

SEP 13 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 68866

This is to certify that: WILLIAM A SIMON And/Or SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327
(208)764-2324

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

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
37-2539	AJC/License	07/27/1953	2.02 cfs	N/A		274.0	GROUND WATER
37-7288A	AJC/License	10/01/1973	1.89 cfs	N/A		206.0	GROUND WATER
37-7288B	AJC/License	10/01/1973	0.87 cfs	N/A		57.0	GROUND WATER
37-7528	AJC/License	09/27/1976	0.83 cfs	N/A		253.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-2539	YES	YES	YES	NO	NO	NO
37-7288A	NO	NO	YES	NO	NO	NO
37-7288B	YES	YES	YES	NO	NO	NO
37-7528	YES	YES	YES	NO	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
37-2539	37-20367	0.27 cfs	115.1 af	38.0	254.0	37-20366	1.75 cfs	N/A	N/A	236.0
37-7288A	37-7288A	1.89 cfs	618.0 af	206.0	254.0		N/A	N/A		N/A
37-7288B	37-20369	0.06 cfs	12.0 af	4.0	254.0	37-20368	0.81 cfs	159.0 af	N/A	53.0
37-7528	37-20365	0.10 cfs	42.7 af	31.0	254.0	37-20364	0.73 cfs	N/A	N/A	222.0
TOTALS		2.23 cfs	747.5 af	248.0	254.0		2.32 cfs	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this

12th

day of

September

20

02



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7288A
As Modified by Transfer No. 68866

In accordance with the approval of Transfer No. 68866, Water Right No. 37-7288A is now described as follows.

Right Holder: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

And/Or

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

Priority Date: 10/01/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.89 CFS	618.0 AF
			1.89 CFS	618.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 8 Twp 01S Rge 15E CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	15E	8	8.0	8.0	40.0	40.0									40.0	40.0	39.0	39.0	254.0

Total Acres: 254

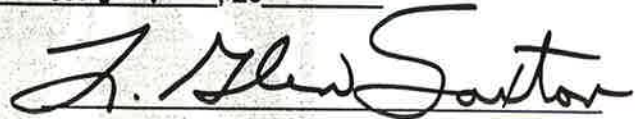
WATER RIGHT NO. 37-7288A
As Modified by Transfer No. 68866

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 206 acres within the place of use described above in a single irrigation season.
2. Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 12th day of September, 2002



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20366
As Modified by Transfer No. 68866

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20366 is now described as follows.

Right Holder: WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

Priority Date: 07/27/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.75 CFS	
			1.75 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 5 Twp 01S Rge 15E CAMAS 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	
01S 15E 5	3.0	19.0	39.0	37.0									30.5	31.5	38.5	37.5	236.0

Total Acres: 236

CONDITIONS OF APPROVAL

- Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 12th day of September, 2002

[Signature]
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20367
As Modified by Transfer No. 68866

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20367 is now described as follows.

Right Holder: SHIRLEY M SIMON
 PO BOX 364
 FAIRFIELD ID 83327

And/Or

WILLIAM A SIMON
 PO BOX 364
 FAIRFIELD ID 83327

Priority Date: 07/27/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.27 CFS	115.1 AF
			0.27 CFS	115.1 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 8 Twp 01S Rge 15E CAMAS 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						
01S 15E 8	8.0	8.0	40.0	40.0														40.0	40.0	39.0	39.0	254.0

Total Acres: 254

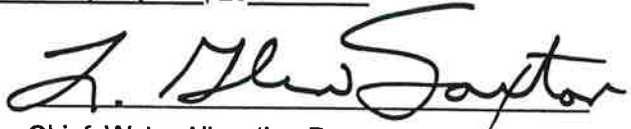
WATER RIGHT NO. 37-20367
As Modified by Transfer No. 68866

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365 and 37-20367 when combined shall not exceed a total annual maximum diversion volume of 117.5 af at the field headgate, and the irrigation of 38 acres.
3. Rights 37-20365, 37-20367, and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
4. Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. 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.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 12th day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20368
As Modified by Transfer No. 68866

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20368 is now described as follows.

Right Holder: WILLIAM A SIMON And/Or SHIRLEY M SIMON
 PO BOX 364
 FAIRFIELD ID 83327
 (208)764-2324

Priority Date: 10/01/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.81 CFS	159.0 AF
			0.81 CFS	159.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 5 Twp 01S Rge 15E CAMAS 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	
01S 15E 8	26.0	27.0															53.0

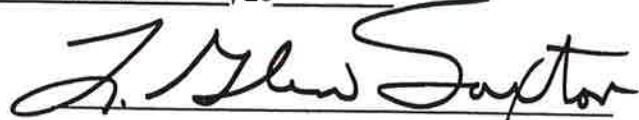
Total Acres: 53

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
2. Rights 37-20364, 37-20366 and 37-20368 when combined shall not exceed a total diversion rate of 2.32 cfs.

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 12th day of September, 2002


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20364
As Modified by Transfer No. 68866

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20364 is now described as follows.

Right Holder: WILLIAM A SIMON
 PO BOX 364
 FAIRFIELD ID 83327

Priority Date: 09/27/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	0.73 CFS	
		0.73 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 5 Twp 01S Rge 15E CAMAS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
01S 15E 5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	222.0
	8.0	39.0	37.0										30.5	31.5	38.5	37.5	

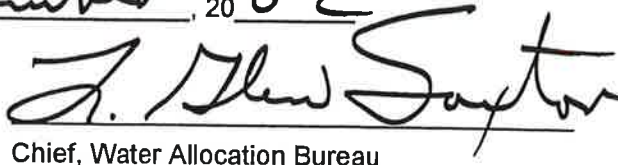
Total Acres: 222

CONDITIONS OF APPROVAL

1. This right when combined with 37-20366 shall not exceed a total annual maximum diversion volume of 641.5 af at the field headgate.
2. Rights 37-20364, 37-20366 and 37-20368 when combined shall not exceed a total diversion rate of 2.32 cfs.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 12th day of September, 2002


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20369
As Modified by Transfer No. 68866

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20369 is now described as follows.

Right Holder: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

AND

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

Priority Date: 10/01/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.06 CFS	12.0 AF
			0.06 CFS	12.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 8 Twp 01S Rge 15E CAMAS 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	
01S	15E	8	8.0	8.0	40.0	40.0									40.0	40.0	39.0	39.0	254.0

Total Acres: 254

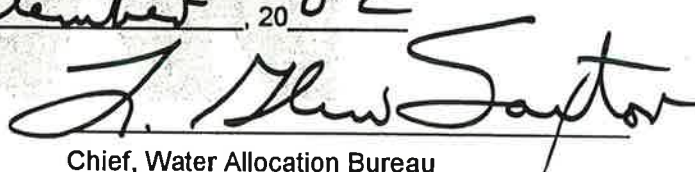
WATER RIGHT NO. 37-20369
As Modified by Transfer No. 68866

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365, 37-20367, and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
3. Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. 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.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 12th day of September, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20365
As Modified by Transfer No. 68866

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20365 is now described as follows.

Right Holder: SHIRLEY M SIMON
PO BOX 364
FAIRFIELD ID 83327

AND

WILLIAM A SIMON
PO BOX 364
FAIRFIELD ID 83327

Priority Date: 09/27/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.10 CFS	42.7 AF
			0.10 CFS	42.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 8 Twp 01S Rge 15E CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	15E	8	8.0	8.0	40.0	40.0									40.0	40.0	39.0	39.0	254.0

Total Acres: 254

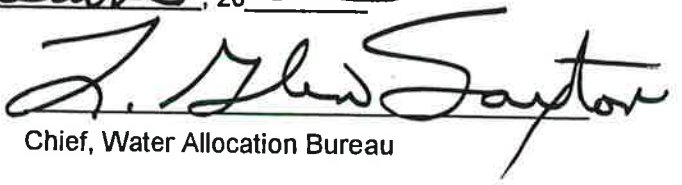
WATER RIGHT NO. 37-20365
As Modified by Transfer No. 68866

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365 and 37-20367 when combined shall not exceed a total annual maximum diversion volume of 117.5 af at the field headgate, and the irrigation of 38 acres.
3. Rights 37-20365, 37-20367, and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
4. Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. 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.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 12th day of September, 2002


Chief, Water Allocation Bureau