

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 85921**

This is to certify that: **CRESTVIEW CALVES LLC**  
756 S 2800 E  
HAZELTON, ID 83335-5280

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. 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 Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 36-17180           | WR/LICENSE          | 12/11/1973           | 0.780 cfs             | 127.5 af                | N/A               | N/A                | GROUND WATER  |

**Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 36-14632           | WR/DECREED          | 3/11/1960            | 0.070 cfs             | 44.6 af                 |                   | N/A                | GROUND WATER  |
| 36-16094           | WR/LICENSE          | 3/10/1992            | 0.030 cfs             | 0.6 af                  |                   | N/A                | GROUND WATER  |
| 36-16096           | WR/DECREED          | 2/6/1961             | 0.020 cfs             | 11.7 af                 |                   | N/A                | GROUND WATER  |
| 36-16098           | WR/DECREED          | 3/11/1954            | 0.060 cfs             | 17.0 af                 |                   | N/A                | GROUND WATER  |
| 36-16408           | WR/LICENSE          | 3/10/1992            | 0.080 cfs             | 1.5 af                  |                   | N/A                | GROUND WATER  |
| 36-16410           | WR/DECREED          | 2/6/1961             | 0.060 cfs             | 19.9 af                 |                   | N/A                | GROUND WATER  |
| 36-16412           | WR/DECREED          | 3/11/1954            | 0.230 cfs             | 53.3 af                 |                   | N/A                | GROUND WATER  |
| 36-17071           | WR/LICENSE          | 3/10/1992            | 0.060 cfs             | 1.3 af                  |                   | N/A                | GROUND WATER  |
| 36-17072           | WR/DECREED          | 2/6/1961             | 0.050 cfs             | 18.0 af                 |                   | N/A                | GROUND WATER  |
| 36-17073           | WR/DECREED          | 3/11/1954            | 0.130 cfs             | 31.7 af                 |                   | N/A                | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-17180              | YES          | YES        | YES        | NO             | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-17180               | 36-17207                         | 0.120 cfs            | 20.0 af                | N/A               | N/A                | 36-17180                           | 0.660 cfs             | 107.5 af                | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>0.120 cfs</b>     | <b>20.0 af</b>         | <b>N/A</b>        | <b>N/A</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

**SUPPORT DATA**

Transfer No. 85921

**IN FILE # 36-17180**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT  
TRANSFER NO. 85921

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 19<sup>th</sup> day of May, 2022.

  
\_\_\_\_\_  
Southern Region Manager



**WATER RIGHT NO. 36-17180****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-17180 is now described as follows:

**Right Holder:** CRESTVIEW CALVES LLC  
756 S 2800 E  
HAZELTON, ID 83335-5280

**Priority Date:** 12/11/1973

**Source:** GROUND WATER

| <b>BENEFICIAL USE</b> | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| COMMERCIAL            | 1 /1        | to 12/31  | 0.660 cfs             | 107.5 af                |
| STOCKWATER            | 1 /1        | to 12/31  | 0.660 cfs             | 107.5 af                |
|                       |             |           | 0.660 cfs             | 107.5 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. Use of water under this right may 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.130.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 85921

**WATER RIGHT NO. 36-17180**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

3. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
4. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
5. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.
6. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. Commercial use is for a calf-rearing operation.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not confirm the validity of this water right.

**WATER RIGHT NO. 36-17207****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-17207 is now described as follows:

**Right Holder:** CRESTVIEW CALVES LLC  
756 S 2800 E  
HAZELTON, ID 83335-5280

**Priority Date:** 12/11/1973

**Source:** GROUND WATER

| <b>BENEFICIAL USE</b> | <b>From</b> | <b>To</b> | <b>Diversion Rate</b> | <b>Diversion Volume</b> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| COMMERCIAL            | 1 /1        | to 12/31  | 0.120 cfs             | 20.0 af                 |
| STOCKWATER            | 1 /1        | to 12/31  | 0.120 cfs             | 20.0 af                 |
|                       |             |           | 0.120 cfs             | 20.0 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | SENE | Sec 22 Twp 10S Rge 21E | JEROME County |
| GROUND WATER | SENE | Sec 22 Twp 10S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 21E | 22  |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    | 0.0    |

**PLACE OF USE: STOCKWATER**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 21E | 22  |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    | 0.0    |

**CONDITIONS OF APPROVAL**

1. Use of water under this right may 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.130.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

Transfer No. 85921

**WATER RIGHT NO. 36-17207**

**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

4. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.
5. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. Commercial use is for a CAFO facility.
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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

**WATER RIGHT NO. 36-14632****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-14632 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
AND/OR  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 3/11/1960

**Source:** GROUND WATER

**BENEFICIAL USE**

|            | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
|------------|--------------------|------------------|------------------------------|--------------------------------|
| COMMERCIAL | 01/01              | to 12/31         | 0.070 cfs                    | 1.0 af                         |
| DOMESTIC   | 01/01              | to 12/31         | 0.070 cfs                    | 4.8 af                         |
| STOCKWATER | 01/01              | to 12/31         | 0.070 cfs                    | 38.8 af                        |
|            |                    |                  | 0.070 cfs                    | 44.6 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENE | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SNNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**PLACE OF USE: DOMESTIC**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 26  |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

Transfer No. 85921

**WATER RIGHT NO. 36-14632**

**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

1. 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. 130.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-14632, 36-16094, 36-16096, and 36-16098 when combined shall not exceed a total diversion rate of 0.18 cfs and a total annual maximum diversion volume of 73.9 af.
4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
6. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
7. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
11. Commercial use is for a calf-rearing operation.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 36-16094****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-16094 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
And  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 3/10/1992

**Source:** GROUND WATER

**BENEFICIAL USE**

STOCKWATER

**From**

01/01

**To**

to 12/31

**Diversion Rate**

0.030 cfs

0.030 cfs

**Diversion Volume**

0.6 af

0.6 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-14632, 36-16094, 36-16096, and 36-16098 when combined shall not exceed a total diversion rate of 0.18 cfs and a total annual maximum diversion volume of 73.9 af.

Transfer No. 85921

**WATER RIGHT NO. 36-16094**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
6. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of approval of permit 36-8643) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
9. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**WATER RIGHT NO. 36-16096****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-16096 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
And  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 2/6/1961

**Source:** GROUND WATER

**BENEFICIAL USE**

STOCKWATER

**From**

01/01

**To**

to 12/31

**Diversion Rate**

0.020 cfs

0.020 cfs

**Diversion Volume**

11.7 af

11.7 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-14632, 36-16094, 36-16096, and 36-16098 when combined shall not exceed a total diversion rate of 0.18 cfs and a total annual maximum diversion volume of 73.9 af.

Transfer No. 85921

**WATER RIGHT NO. 36-16096**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
6. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 36-16098****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-16098 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
And  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 3/11/1954

**Source:** GROUND WATER

**BENEFICIAL USE**

STOCKWATER

**From**

01/01

**To**

to 12/31

**Diversion Rate**

0.060 cfs

0.060 cfs

**Diversion Volume**

17.0 af

17.0 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENE | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-14632, 36-16094, 36-16096, and 36-16098 when combined shall not exceed a total diversion rate of 0.18 cfs and a total annual maximum diversion volume of 73.9 af.

Transfer No. 85921

**WATER RIGHT NO. 36-16098**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
6. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 36-16408****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-16408 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
And  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 3/10/1992

**Source:** GROUND WATER

**BENEFICIAL USE**

|            | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Diversion Volume</u></b> |
|------------|--------------------|------------------|------------------------------|--------------------------------|
| COMMERCIAL | 01/01              | to 12/31         | 0.080 cfs                    | 1.5 af                         |
| STOCKWATER | 01/01              | to 12/31         | 0.080 cfs                    | 1.5 af                         |
|            |                    |                  | 0.080 cfs                    | 1.5 af                         |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENE | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.

Transfer No. 85921

**WATER RIGHT NO. 36-16408**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
6. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. Commercial use is for a calf-rearing operation.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**WATER RIGHT NO. 36-16410**  
**As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-16410 is now described as follows:

**Right Holder:** KATHY MORGAN  
 756 S 2800 E  
 HAZELTON, ID 83335-5280  
 And  
 CODY G MORGAN  
 PO BOX 95  
 PAUL, ID 83347-0095

**Priority Date:** 2/6/1961

**Source:** GROUND WATER

| <u><b>BENEFICIAL USE</b></u> | <u><b>From</b></u> | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> | <u><b>Diversion Volume</b></u> |
|------------------------------|--------------------|------------------|------------------------------|--------------------------------|
| COMMERCIAL                   | 01/01              | to 12/31         | 0.060 cfs                    | 19.9 af                        |
| STOCKWATER                   | 01/01              | to 12/31         | 0.060 cfs                    | 19.9 af                        |
|                              |                    |                  | 0.060 cfs                    | 19.9 af                        |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.

Transfer No. 85921

**WATER RIGHT NO. 36-16410**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
6. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. Commercial use is for a calf-rearing operation.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 36-16412****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-16412 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
AND  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 3/11/1954

**Source:** GROUND WATER

**BENEFICIAL USE**

COMMERCIAL  
STOCKWATER

**From**

01/01 to 12/31  
01/01 to 12/31

**To****Diversion Rate**

0.230 cfs  
0.230 cfs  
0.230 cfs

**Diversion Volume**

53.3 af  
53.3 af  
53.3 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENE | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.

Transfer No. 85921

**WATER RIGHT NO. 36-16412**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-16408, 36-16410, and 36-16412 when combined shall not exceed a total diversion rate of 0.37 cfs and a total annual maximum diversion volume of 53.3 af.
4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, and 36-16412, when combined shall not exceed a total diversion rate of 0.55 cfs and a total annual maximum diversion volume of 127.2 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
6. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
10. Commercial use is for a calf-rearing operation.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 36-17071****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-17071 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
AND/OR  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 3/10/1992

**Source:** GROUND WATER

**BENEFICIAL USE**

COMMERCIAL  
STOCKWATER

**From**

1 /1  
1 /1

**To**

to 12/31  
to 12/31

**Diversion Rate**

0.060 cfs  
0.060 cfs  
0.060 cfs

**Diversion Volume**

1.3 af  
1.3 af  
1.3 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENE | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.

Transfer No. 85921

**WATER RIGHT NO. 36-17071**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.24 cfs and a total annual maximum diversion volume of 49.7 af.
4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
9. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
10. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.
11. Commercial use is for a calf-rearing operation.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

**WATER RIGHT NO. 36-17072****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-17072 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
AND/OR  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 2/6/1961

**Source:** GROUND WATER

**BENEFICIAL USE**

COMMERCIAL  
STOCKWATER

**From**

1 /1  
1 /1

**To**

to 12/31  
to 12/31

**Diversion Rate**

0.050 cfs  
0.050 cfs  
0.050 cfs

**Diversion Volume**

18.0 af  
18.0 af  
18.0 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENE | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SWNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.

Transfer No. 85921

**WATER RIGHT NO. 36-17072**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.24 cfs and a total annual maximum diversion volume of 49.7 af.
4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
9. Commercial use is for a calf-rearing operation.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

**WATER RIGHT NO. 36-17073****As Modified by Transfer No. 85921**

In accordance with the approval of Transfer No. 85921, Water Right No. 36-17073 is now described as follows:

**Right Holder:** KATHY MORGAN  
756 S 2800 E  
HAZELTON, ID 83335-5280  
AND/OR  
CODY G MORGAN  
PO BOX 95  
PAUL, ID 83347-0095

**Priority Date:** 3/11/1954

**Source:** GROUND WATER

**BENEFICIAL USE**

COMMERCIAL  
STOCKWATER

**From**

1 /1  
1 /1

**To**

to 12/31  
to 12/31

**Diversion Rate**

0.130 cfs  
0.130 cfs  
0.130 cfs

**Diversion Volume**

31.7 af  
31.7 af  
31.7 af

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                        |               |
|--------------|------|------------------------|---------------|
| GROUND WATER | NWSE | Sec 23 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SENE | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | SNNW | Sec 26 Twp 09S Rge 21E | JEROME County |
| GROUND WATER | NWSW | Sec 26 Twp 09S Rge 21E | JEROME County |

**PLACE OF USE: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**PLACE OF USE: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 09S | 21E | 23  |    |    |    |    |    |    |    |    | X  |    |    |    | X  | X  |    |    |        |
| 09S | 21E | 26  |    | X  | X  |    | X  | X  | X  | X  | X  | X  |    |    |    | X  |    |    |        |

**CONDITIONS OF APPROVAL**

1. 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. 130.

Transfer No. 85921

**WATER RIGHT NO. 36-17073**  
**As Modified by Transfer No. 85921**

**CONDITIONS OF APPROVAL**

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Rights 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.24 cfs and a total annual maximum diversion volume of 49.7 af.
4. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, and 36-17073 when combined shall not exceed a total diversion rate of 0.79 cfs and a total annual maximum diversion volume of 176.9 af.
5. Rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073 and 36-17180 when combined shall not exceed a total diversion rate of 1.45 cfs and a total annual maximum diversion volume of 284.4 af.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
9. Commercial use is for a calf-rearing operation.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho  
Department of Water Resources  
**Attachment to Transfer # 85921**  
36-17207

This map depicts the STOCKWATER & COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.0375 0.075 0.15 Miles





IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: [southerninfo@idwr.idaho.gov](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

May 19, 2022

CRESTVIEW CALVES LLC  
756 S 2800 E  
HAZELTON ID 83335-5280

Re: Transfer No: 85921

Water Right No(s): 36-14632, 36-16094, 36-16096, 36-16098, 36-16408,  
36-16410, 36-16412, 36-17071, 36-17072, 36-17073, 36-17180

**Transfer Approval Notice**

Dear Water Right Holder and other Interested Persons:

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.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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) 736-3033.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner".

Corey Skinner  
Regional Manager

Enclosure

C:

CODY G MORGAN  
KATHY MORGAN  
PO BOX 95  
PAUL ID 83347-0095

BROCKWAY ENGINEERING PLLC  
C/O GREG SULLIVAN  
2016 WASHINGTON ST N STE 4  
TWIN FALLS ID 83301-3082

NORTHWEST FARM CREDIT SERVICES FLCA  
406 PARK VIEW LOOP  
TWIN FALLS ID 83301-3393

WATER DISTRICT 130  
BRIAN RAGAN  
PO BOX 83720  
BOISE ID 83720-0098

## CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85921

Water Right No(s): 36-14632, 36-16094, 36-16096, 36-16098, 36-16408,  
36-16410, 36-16412, 36-17071, 36-17072, 36-17073, 36-17180

CRESTVIEW CALVES LLC  
756 S 2800 E  
HAZELTON ID 83335-5280

CODY G MORGAN  
KATHY MORGAN  
PO BOX 95  
PAUL ID 83347-0095

BROCKWAY ENGINEERING PLLC  
C/O GREG SULLIVAN  
2016 WASHINGTON ST N STE 4  
TWIN FALLS ID 83301-3082

NORTHWEST FARM CREDIT SERVICES FLCA  
406 PARK VIEW LOOP  
TWIN FALLS ID 83301-3393

WATER DISTRICT 130  
BRIAN RAGAN  
PO BOX 83720  
BOISE ID 83720-0098



Denise Maline  
Administrative Assistant

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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).

## **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 service date 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.

## **M E M O R A N D U M**

**Date:** April 28, 2022  
**To:** Transfer 85921 File  
**From:** William Mills  
**Re:** Evaluation of Sufficiency of Information Submitted

---

Application proposes changing the points of diversion and place of use for a 0.12 cfs, 20 acre-foot portion of a commercial/stockwater, groundwater right that is currently diverted from 4 wells at a calf rearing facility located approximately 8.8 to 9.6 miles west and 0.2 to 0.8 miles north of Paul. The application proposes moving the portion of the right to a new place of use and diverting it from two existing wells at a CAFO facility located approximately 9.6 to 9.8 miles west and 4.4 to 4.6 miles south of Paul.

Both the current POU/PODs location and the proposed POU/POD location are within the ESPA model boundary area. The applicant's consultant provided ESPA model analysis that indicated no mitigation would be required to transfer the water right. Department staff ran the ESPA model analysis utilizing the same parameters and verified the consultant's findings.

All PODs and POUs are also within Water District 130 and Watermaster comments have been solicited and the Watermaster does not oppose approval of this application.

- **Authority to File:**

IDWR records indicate the applicant currently owns the water right in this transfer and properties at the current POU this water right is associated with. A contract of agreement was provided by the owners of the property and wells where the split portion of the right will be transferred to that indicates their consent to moving the water to their property and wells.

- **Water Right Validity:**

Water right 36-17180 was licensed on 1/12/1994. The portion of this water right being transferred was leased to the water supply bank in 2021 (01/01/2021 to 12/31/2022; Lease Contract No. 1477) and the remainder of the right appears to have been in use at the calf rearing facility.

- **Injury to Other Water Rights:**

None anticipated.

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No issues anticipated. Application was subject to public notice and protest.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None Anticipated.

- **Effect on Agricultural Base of the Local Economy:**

None Anticipated.

**Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.**

\*\*\* Proof of Publication \*\*\*

Twin Falls Times-News  
132 Fairfield St W, Twin Falls, Idaho 83301

RECEIVED

APR 20 2022

DEPT OF WATER RESOURCES  
SOUTHERN REGION

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500  
TWIN FALLS ID 83301

ORDER NUMBER 126199

Sherri Davis

(Legals Clerk)

STATE OF IDAHO )

SS

COUNTY OF TWIN FALLS )

On this 15th day of April in the year of 2022 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Reba M. Davis  
Notary Public FOR Idaho

Residing at: Twin Falls, Idaho

My Commission expires: 5/8/2026



Section: Legals

Category: 50 Legal

PUBLISHED ON: 04/07/2022, 04/14/2022

✓ DM 4-26-2022

TOTAL AD COST: 281.08

FILED ON: 4/14/2022

**\* Proof of Publication \***

RECEIVED

APR 20 2022

DEPT OF WATER RESOURCES  
SOUTHERN REGION

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

✓ **36-17206**

JEROME SCHOOL DISTRICT #261  
125 4TH AVE W  
JEROME, ID 83338

Point of Diversion NESENE S19 T08S R17E JEROME County Source  
GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 0.37 CFS

Use: HEATING 01/01 to 12/31 0.37 CFS

Total Diversion: 0.37 CFS

Date Filed: 02-23-2022

Place Of Use: COOLING, HEATING

T08S R17E S19 SENE

Application proposes diversion of up to 0.37 cfs for year-round non-consumptive heating and cooling uses associated with a new elementary school located approximately 0.8 mile east and 0.3 mile south of the intersection of Main Street and Lincoln Avenue in Jerome. A new well is proposed and water will be diverted, used, and re-injected into a separate well at the site. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

✓ **47-17751**

BRIAN TUBBS

MICHELLE TUBBS

3469 E 3100 N

KIMBERLY, ID 83341-5251

Point of Diversion NWNWNE S29 T11S R18E TWIN FALLS County  
Source SPRING Tributary COTTONWOOD CREEK

Point of Diversion NWNWNE S29 T11S R18E TWIN FALLS County  
Source SPRING Tributary COTTONWOOD CREEK

Use: DOMESTIC 01/01 to 12/31 0.02 CFS

Use: DOMESTIC STORAGE 01/01 to 12/31 0.1 AF

Total Diversion: 0.02 CFS

Date Filed: 12-28-2021

Place Of Use: DOMESTIC, DOMESTIC STORAGE

T11S R18E S29 NWNWNE

Application proposes to appropriate water from a spring for domestic uses, including a small pond, on property located approximately 6.0 miles south and 0.5 miles west of the center of Kimberly. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 85686**

✓ HENRY LYNN SCHODDE, 139 LOST TRAIL PL, IDAHO FALLS, ID 83404-8431; SHEILA K CATMULL and MICHAEL H SCHODDE and JON T SCHODDE, C/O HENRY LYNN SCHODDE, 139 LOST TRAIL PL, IDAHO FALLS, ID 83404-8431 has filed Application No. 85686 for changes to the following water rights within MINIDOKA County(s): Right No(s). 1-229. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and add a point of diversion (POD) to a Snake River irrigation water right, with a flow rate of 2.00 cfs. The additional POD will be an existing pump station on the Snake River located approximately 3.9 miles west and 1.0 mile north of the intersection of Main Street and Overland Avenue in Burley. The transfer also proposes to modify the POU, located adjacent to the proposed additional POD, to reflect changes to the irrigation system.

**TRANSFER NO. 85921**

✓ CRESTVIEW CALVES LLC, 756 S 2800 E, HAZELTON, ID 83335-5280 has filed Application No. 85921 for changes to the following water rights within JEROME County(s): Right No(s). 36-17180. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion and place of use for a 0.12 cfs, 20 acre-foot portion of a commercial & stockwater groundwater right that is currently diverted from 4 wells at a calf rearing facility located approximately 8.8 to 9.6 miles west and 0.2 to 0.8 miles north of Paul. The application proposes moving the right to a new place of use and diverting it from two existing wells at a CAFO facility located approximately 9.6 to 9.8 miles west and 4.4 to 4.6 miles south of Paul.

**TRANSFER NO. 85949**

✓ CITY OF OAKLEY, 200 W MAIN, PO BOX 266, OAKLEY, ID 83346 has filed Application No. 85949 for changes to the following water rights within CASSIA County(s): Right No(s). 45-10802, 45-10803, 45-10804, 45-2659. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding points of diversion to four municipal ground water rights (2.12 cfs total). A new well to be drilled will be added to the four rights and an existing well will be added to one of the rights so that there will be a total of three wells on all four municipal water rights. The two existing wells are located approximately 1.6 miles south and 0.1 mile east of the intersection of Center St. and Main St. in Oakley. The proposed well will be located approximately 0.6 miles south of the intersection of Center St. and Main St. in Oakley.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before April 25, 2022. The protestant must also send a copy of the protest to the applicant.

✓ Sm 4-26-2022

GARY SPACKMAN, Director

Published on April 7<sup>th</sup> & 14<sup>th</sup>, 2022