

Transfer No. 84546

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84546**

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>
36-16098	36-16098	0.060 cfs	17.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-16408	36-16408	0.080 cfs	1.5 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-16410	36-16410	0.060 cfs	19.9 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-16412	36-16412	0.230 cfs	53.3 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-17071	36-17071	0.060 cfs	1.3 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-17072	36-17072	0.050 cfs	18.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-17073	36-17073	0.130 cfs	31.7 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7418	36-17180	0.780 cfs	127.5 af	N/A	N/A	36-7418	2.700 cfs	673.6 af	N/A	168.4
COMBINED TOTALS		1.570 cfs	304.4 af	N/A	N/A		N/A	N/A	N/A	N/A

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 4th day of February, 2021.


Southern Region Manager

WATER RIGHT NO. 36-7418

As Modified by Transfer No. 84546

In accordance with the approval of Transfer No. 84546, Water Right No. 36-7418 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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	2.700 cfs	673.6 af
			2.700 cfs	673.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNW Sec 24 Twp 09S Rge 21E JEROME County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	21E	23			7.4	35.3					6.4				35.9	8.4			93.4
09S	21E	24							35.0			40.0							75.0

POU Total Acres: 168.4

CONDITIONS OF APPROVAL

1. The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.
2. The issuance of this right does not grant any right-of-way or easement across the land of another.
3. This right is appurtenant to land designated as DLE No. I-7313.
4. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

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WATER RIGHT NO. 36-7418
As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

7. 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.
8. Approval of this transfer does not confirm the validity of this water right.

WATER RIGHT NO. 36-17072**As Modified by Transfer No. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-17072 is now described as follows:

Right Holder: KATHY J MORGAN AND/OR
CODY G MORGAN
PO BOX 95
PAUL, ID 83347-0095

Priority Date: 2/6/1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	1 /1	to 12/31	0.050 cfs	18.0 af
STOCKWATER	1 /1	to 12/31	0.050 cfs	18.0 af
			0.050 cfs	18.0 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.
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. 84546

WATER RIGHT NO. 36-17072
As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 36-17180**As Modified by Transfer No. 84546**

In accordance with the approval of Transfer No. 84546, 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

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	1 /1	to 12/31	0.780 cfs	127.5 af
STOCKWATER	1 /1	to 12/31	0.780 cfs	127.5 af
			0.780 cfs	127.5 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			0.0
09S	21E	26		X	X		X	X	X	X	X	X				X			0.0

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			0.0
09S	21E	26		X	X		X	X	X	X	X	X				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).

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WATER RIGHT NO. 36-17180

As Modified by Transfer No. 84546

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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.

WATER RIGHT NO. 36-17073**As Modified by Transfer No. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-17073 is now described as follows:

Right Holder: KATHY J MORGAN AND/OR
CODY G MORGAN
PO BOX 95
PAUL, ID 83347-0095

Priority Date: 3/11/1954

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	1/1	to 12/31	0.130 cfs	31.7 af
STOCKWATER	1/1	to 12/31	0.130 cfs	31.7 af
			0.130 cfs	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	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.
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).

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WATER RIGHT NO. 36-17073

As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 36-14632**As Modified by Transfer No. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-14632 is now described as follows:

Right Holder: KATHY J MORGAN AND/OR
 CODY G MORGAN
 PO BOX 95
 PAUL, ID 83347-0095

Priority Date: 3/11/1960

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
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	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: 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			

WATER RIGHT NO. 36-14632

As Modified by Transfer No. 84546

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-16094 is now described as follows:

Right Holder: KATHY J MORGAN And
CODY G MORGAN
PO BOX 95
PAUL, ID 83347-0095

Priority Date: 3/10/1992

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.030 cfs	0.6 af
			0.030 cfs	0.6 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	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.
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.

Transfer No. 84546

WATER RIGHT NO. 36-16094

As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 84546

In accordance with the approval of Transfer No. 84546, Water Right No. 36-16096 is now described as follows:

Right Holder: KATHY J MORGAN And
 CODY G MORGAN
 PO BOX 95
 PAUL, ID 83347-0095

Priority Date: 2/6/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.020 cfs	11.7 af
			0.020 cfs	11.7 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	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.
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.

Transfer No. 84546

WATER RIGHT NO. 36-16096

As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-16098 is now described as follows:

Right Holder: KATHY J MORGAN And
CODY G MORGAN
PO BOX 95
PAUL, ID 83347-0095

Priority Date: 3/11/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.060 cfs	17.0 af
			0.060 cfs	17.0 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.
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.

Transfer No. 84546

WATER RIGHT NO. 36-16098

As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-16408 is now described as follows:

Right Holder: KATHY J MORGAN And
CODY G MORGAN
PO BOX 95
PAUL, ID 83347-0095

Priority Date: 3/10/1992

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
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	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.
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. 84546

WATER RIGHT NO. 36-16408

As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-16410 is now described as follows:

Right Holder: KATHY J MORGAN And
CODY G MORGAN
PO BOX 95
PAUL, ID 83347-0095

Priority Date: 2/6/1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
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.
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. 84546

WATER RIGHT NO. 36-16410

As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-16412 is now described as follows:

Right Holder: KATHY J MORGAN AND
CODY G MORGAN
PO BOX 95
PAUL, ID 83347-0095

Priority Date: 3/11/1954

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.230 cfs	53.3 af
STOCKWATER	01/01	to 12/31	0.230 cfs	53.3 af
			0.230 cfs	53.3 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.
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. 84546

WATER RIGHT NO. 36-16412
As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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. 84546**

In accordance with the approval of Transfer No. 84546, Water Right No. 36-17071 is now described as follows:

Right Holder: KATHY J MORGAN AND/OR
CODY G MORGAN
PO BOX 95
PAUL, ID 83347-0095

Priority Date: 3/10/1992

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1 /1	to 12/31	0.060 cfs	1.3 af
STOCKWATER	1 /1	to 12/31	0.060 cfs	1.3 af
			0.060 cfs	1.3 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.
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. 84546

WATER RIGHT NO. 36-17071
As Modified by Transfer No. 84546

CONDITIONS OF APPROVAL

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 1.57 cfs and a total annual maximum diversion volume of 304.4 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.

State of Idaho
Department of Water Resources

Attachment to Transfer # 84546

36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410,
36-16412, 36-17071, 36-17072, 36-17073, and 36-17180

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



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

0 0.2 0.4 0.8 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer # 84546
36-7418

This map depicts the IRRIGATION 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.



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

0 0.125 0.25 0.5 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 8, 2021

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

Re: Transfer No: 84546

Water Right No(s): 36-7418, 36-14632, 36-16094, 36-16096, 36-16098, 36-16408,
36-16410, 36-16412, 36-17071, 36-17072, 36-17073

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,



Corey Skinner
Southern Regional Manager

Enclosure

c:

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

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

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

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2021 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.: 84546

Water Right No(s): 36-7418, 36-14632, 36-16094, 36-16096, 36-16098, 36-16408,
36-16410, 36-16412, 36-17071, 36-17072, 36-17073

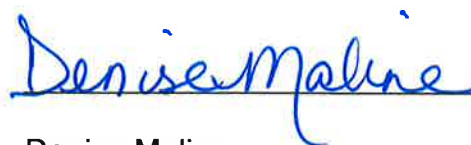
CRESTVIEW CALVES LLC
756 S 2800 E
HAZELTON ID 83335-5280

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

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

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

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858



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.

MEMORANDUM

Date: January 13, 2021
To: Transfer 84546
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the points of diversion, place of use, nature of use and period of use for a 48.6 acre portion (0.78 cfs) of an irrigation ground water right that is diverted from a well within the place of use located approximately 8.2 to 9.2 miles west and 1.2 to 1.6 miles north of Paul. The proposed change of nature of use will be from irrigation to commercial/stockwater use for the expansion of an existing calf rearing facility. The application also proposes adjusting the place of use for ten existing commercial/stockwater ground water rights (totaling 0.79 cfs) and diverting the ten water rights and the converted portion of the irrigation water right (1.57 cfs total) from three existing wells and a proposed new well at the facility as part of the proposed expansion of the facility located approximately 8.8 to 9.6 miles west and 0.2 to 0.8 miles north of Paul.

The change in nature of use analysis from irrigation to commercial/stockwater was based on an acre to volume conversion utilizing the precipitation deficit value for sugar beets (2.63 acre-feet per acre a year) and pasture grass – low management (2.47 acre-feet per acre a year) in the Paul area. FSA crop records were provided indicating that sugar beets were grown on 46.4 acres and pasture grass on 2.2 acres (total 48.6 acres) of irrigated land identified in the transfer application to be dried up for the change in nature of use from irrigation to commercial/stockwater. The calf rearing facility and irrigated ground are located within the ESPA model boundary, but modeling was not required as the wells are all located in adjacent cells. All wells and POU's in the transfer are located within water District 130. Watermaster comments were solicited and the Watermaster did not oppose approval of this application.

- **Authority to File:** Applicant is listed as the current owner of water right 36-7418 and the remainder of the water rights in this transfer are owned by the manager of the business entity that filed as the applicant on the transfer application. A contract of agreement was provided that allows each entity to retain ownership of the portions of their water rights that may be utilized on the other entity's properties within the place of use.

- **Water Right Validity:** Water right 36-7418 was licensed on 1/12/1994. Water rights 36-16094, 36-16408 and 36-17071 were licensed on 4/16/1999. The remainder of the water rights in the transfer were decreed in the SRBA prior to 8/28/2001. Recent aerial imagery indicates water rights are in use as there is an active CAFO at the current POU for the commercial/stockwater rights and ground appears irrigated at the current POU for the irrigation right to be used for conversion in this transfer.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
There is a decrease in volume as a result of the change in nature of use process which precludes potential enlargement of the changed portion of the water right.
- **Local Public Interest:**
No issues anticipated.
- **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

* **Proof of Publication** *

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

JENNY GREEN, 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 109414

Jenny Green
(Legals Clerk)

STATE OF IDAHO)
SS
COUNTY OF TWIN FALLS)

On this 23 day of December in the year of 2020 before me, a Notary Public, personally appeared before me Jenny Green 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.

Amy Wismore
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-2026

Section: Legals

Category: 50 Legal

PUBLISHED ON: 12/17/2020, 12/23/2020

TOTAL AD COST: 116.67

FILED ON: 12/23/2020

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84546**

CRESTVIEW CALVES LLC, 756 S 2800 E, HAZELTON, ID 83335-5280 has filed Application No. 84546 for changes to the following water rights within JEROME County(s): Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073, 36-7418; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/water-rights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion, place of use, nature of use and period of use for a 48.6 acre portion (0.78 cfs) of an irrigation ground water right that is diverted from a well within the place of use located approximately 8.2 to 9.2 miles West and 1.2 to 1.6 miles North of Paul. The proposed change of nature of use will be from irrigation to commercial &/or stockwater use for the expansion of an existing calf rearing facility. The application also proposes adjusting the place of use for ten existing commercial &/or stockwater ground water rights (totaling 0.79 cfs) and diverting the ten water rights and the converted portion of the irrigation water right (1.57 cfs total) from three existing wells and a proposed new well at the facility as part of the proposed expansion of the facility located approximately 8.8 to 9.6 miles West and 0.2 to 0.8 miles North of Paul.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 January 4, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

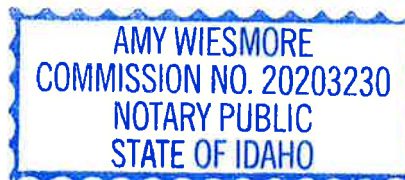
Published on December 17th & 23rd, 2020

✓ dm 1-7-2021

RECEIVED

DEC 30 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

Return Services Requested

RECEIVED

DEC 22 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

Contact
381835
73443

NORTHWEST FARM CREDIT SERVICES
815 N COLLEGE RD
TWIN FALLS ID 83301-3484

841 NFE 1700820C0012/20/20
RETURN TO SENDER
: NORTHWEST FARM CREDIT SERVICES
406 PARK VIEW LOOP
TWIN FALLS ID 83301-3393

RETURN TO SENDER

Advertising acknowledgement letter to Crestview Calves. Mailed again 12/27/2020.

Northwest Farm Credit Services:

406 Park View Loop, Twin Falls ID 83301-3393

Database updated by Carrie Hahn 12/22/2020 (See next page)

Lowest WR # that NWFCFS is listed as Security Interest: 32-7128

bm 12-27-2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301-5858

Return Services Requested

RECEIVED

DEC 22 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

BOISE ID 836

11 DEC 2020

FIRST-CLASS



02 7H
0001280685
MAILED FROM ZIP

Contact
381835
73443

NORTHWEST FARM CREDIT SERVICE
815 N COLLEGE RD

841 NFE 1700820C0012/
RETURN TO SENDER
NORTHWEST FARM CREDIT SERVICES
406 PARK VIEW LOOP
TWIN FALLS ID 83301-3303

833013303 FWD
833015858

RETURN TO SENDER

corrected- asked Phil
for merge 12/22/20
CBL

Scanned to 36-7418

lowest #: 32-7128

SCANNED
DEC 22 2020

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 84546
Water Right No: 36-7418
Applicant Name: Crestview Calves LLC

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: December 21, 2020

Water District 130



Nathan Erickson, Watermaster

CONTRACT OF AGREEMENT

RECEIVED

DEC 14 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

To Whom It May Concern,

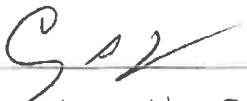
Cody Morgan and Kathy Morgan currently own water rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16410, 36-17071, 36-17072 and 36-17073. Cody Morgan and Kathy Morgan currently own property in Jerome County Idaho identified as RP09S21E265040A, RP09S21E263810A, RP09S21E262405A, RP09S21E260001A and RP09S21E236001A. All interest and legal claim to these water rights and parcels will remain unchanged by Transfer #84546.

Cody Morgan and Kathy Morgan gives permission to Crestview Calves LLC to utilize water rights 36-7418 and 36-17180 on property owned by Cody Morgan and Kathy Morgan.

Crestview Calves LLC currently owns water rights 36-7418 and 36-17180. Crestview Calves LLC currently own property in Jerome County Idaho identified as RP09S21E243600A, RP09S21E231200A and RP09S21E230010A. All interest and legal claim to these water rights and parcels will remain unchanged by Transfer #84546.

Crestview Calves LLC gives permission to Cody Morgan and Kathy Morgan to utilize water rights 36-14632, 36-16094, 36-16096, 36-16098, 36-16410, 36-17071, 36-17072 and 36-17073 on property owned by Crestview Calves.

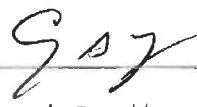
Cody Morgan:


Date: 12-11-2020

Kathy Morgan:


Date: 12-11-2020

Crestview Calves LLC:


Date: 12-11-2020

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 109414

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	116.67
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	116.67
Fax			
Section	Legals	Start/End Dates	12/17/2020 - 12/23/2020
SubSection		Insertions	2
Category	50 Legal	Size	74
Ad Key	109414-1	Salesperson(s)	Jenny Green - Legals
Keywords	NOTICE OF PROPOSED CHANGE OF W	Taken By	Jenny Green
Notes			

Ad Proof NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84546

CRESTVIEW CALVES LLC, 756 S 2800 E, HAZELTON, ID 83335-5280 has filed Application No. 84546 for changes to the following water rights within JEROME County(s): Right No(s). 36-14632, 36-16094, 36-16096, 36-16098, 36-16408, 36-16410, 36-16412, 36-17071, 36-17072, 36-17073, 36-7418; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/water-rights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion, place of use, nature of use and period of use for a 48.6 acre portion (0.78 cfs) of an irrigation ground water right that is diverted from a well within the place of use located approximately 8.2 to 9.2 miles West and 1.2 to 1.6 miles North of Paul. The proposed change of nature of use will be from irrigation to commercial &/or stockwater use for the expansion of an existing calf rearing facility. The application also proposes adjusting the place of use for ten existing commercial &/or stockwater ground water rights (totaling 0.79 cfs) and diverting the ten water rights and the converted portion of the irrigation water right (1.57 cfs total) from three existing wells and a proposed new well at the facility as part of the proposed expansion of the facility located approximately 8.8 to 9.6 miles West and 0.2 to 0.8 miles North of Paul.

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GARY SPACKMAN, Director

Published on December 17th & 23rd, 2020 ✓

Final proof of legal notice from
Times News received
12/11/2020

