

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80871

This is to certify that: CODY G MORGAN
KATHY J MORGAN
PO BOX 95
PAUL, ID 83347-0095

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>
36-16407	WR/LICENSE	3/10/1992	1.450 cfs	41.1 af	N/A	368.6	GROUND WATER
36-16409	WR/DECREED	2/6/1961	1.130 cfs	552.8 af	N/A	368.6	GROUND WATER
36-16411	WR/DECREED	3/11/1954	2.860 cfs	1037.1 af	260.7	368.6	GROUND WATER

Purpose of Transfer (Changes Proposed)

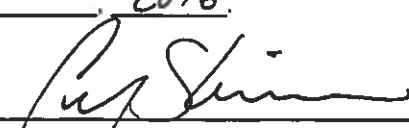
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-16407	NO	NO	YES	NO	NO	NO
36-16409	NO	NO	YES	NO	NO	NO
36-16411	NO	NO	YES	NO	NO	NO

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>
36-16407	36-16407	1.450 cfs	41.1 af	368.6	459.4	N/A	N/A	N/A	N/A	N/A
36-16409	36-16409	1.130 cfs	552.8 af	368.6	459.4	N/A	N/A	N/A	N/A	N/A
36-16411	36-16411	2.860 cfs	1037.1 af	260.7	459.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.440 cfs	1474.4 af	368.6	459.4		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 28th day of October, 2016.


Southern Region Manager

SUPPORT DATA

Transfer No. 80871

IN FILE # 36-16407

WATER RIGHT NO. 36-16407

As Modified by Transfer No. 80871

In accordance with the approval of Transfer No. 80871, Water Right No. 36-16407 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>
IRRIGATION	04/01	to 10/31	1.450 cfs	41.1 af
			1.450 cfs	41.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWNW Sec 26 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											40.0	40.0			40.0	40.0	160.0
09S	21E	26	40.0	40.0	40.0	38.0	39.0	35.0	0.4	20.0	13.0					34.0			299.4

Right Acre Limit: 368.6

POU Total Acres: 459.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 368.6 acres within the authorized place of use in a single irrigation season.
2. Rights 36-16407, 36-16409, and 36-16411 when combined shall not exceed a total diversion rate of 5.44 cfs, a total annual maximum diversion volume of 1474.4 af, and the irrigation of 368.6 acres.
3. Rights 36-16407, 36-16409, and 36-16411 are limited to the irrigation of a specific 368.6 acres within the 459.4 acre place of use authorized by this right in a single irrigation season. The specific 368.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 368.6 acres to be irrigated within the 459.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

WATER RIGHT NO. 36-16407

As Modified by Transfer No. 80871

CONDITIONS OF APPROVAL

4. 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.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to diversion and use of water under Transfer approval 80871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than September 20, 2003 (Transfer 70375 approval date).
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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. 36-16409**As Modified by Transfer No. 80871**

In accordance with the approval of Transfer No. 80871, Water Right No. 36-16409 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
IRRIGATION

From 03/15 **to** 11/15

Diversion Rate
1.130 cfs
1.130 cfs

Diversion Volume
552.8 af
552.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWNW Sec 26 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											40.0	40.0			40.0	40.0	160.0
09S	21E	26	40.0	40.0	40.0	38.0	39.0	35.0	0.4	20.0	13.0					34.0			299.4

Right Acre Limit: 368.6

POU Total Acres: 459.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 368.6 acres within the authorized place of use in a single irrigation season.
2. Rights 36-16407, 36-16409, and 36-16411 when combined shall not exceed a total diversion rate of 5.44 cfs, a total annual maximum diversion volume of 1474.4 af, and the irrigation of 368.6 acres.
3. Rights 36-16407, 36-16409, and 36-16411 are limited to the irrigation of a specific 368.6 acres within the 459.4 acre place of use authorized by this right in a single irrigation season. The specific 368.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 368.6 acres to be irrigated within the 459.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Transfer No. 80871

WATER RIGHT NO. 36-16409

As Modified by Transfer No. 80871

CONDITIONS OF APPROVAL

5. 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.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to diversion and use of water under Transfer approval 80871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-16411

As Modified by Transfer No. 80871

In accordance with the approval of Transfer No. 80871, Water Right No. 36-16411 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

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.860 cfs 2.860 cfs	1037.1 af 1037.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWNW Sec 26 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											40.0	40.0			40.0	40.0	160.0
09S	21E	26	40.0	40.0	40.0	38.0	39.0	35.0	0.4	20.0	13.0					34.0			299.4

Right Acre Limit: 260.7

POU Total Acres: 459.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 260.7 acres within the place of use described above in a single irrigation season.
2. Rights 36-16407, 36-16409, and 36-16411 when combined shall not exceed a total diversion rate of 5.44 cfs, a total annual maximum diversion volume of 1474.4 af, and the irrigation of 368.6 acres.
3. Rights 36-16407, 36-16409, and 36-16411 are limited to the irrigation of a specific 368.6 acres within the 459.4 acre place of use authorized by this right in a single irrigation season. The specific 368.6 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 368.6 acres to be irrigated within the 459.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Transfer No. 80871

WATER RIGHT NO. 36-16411

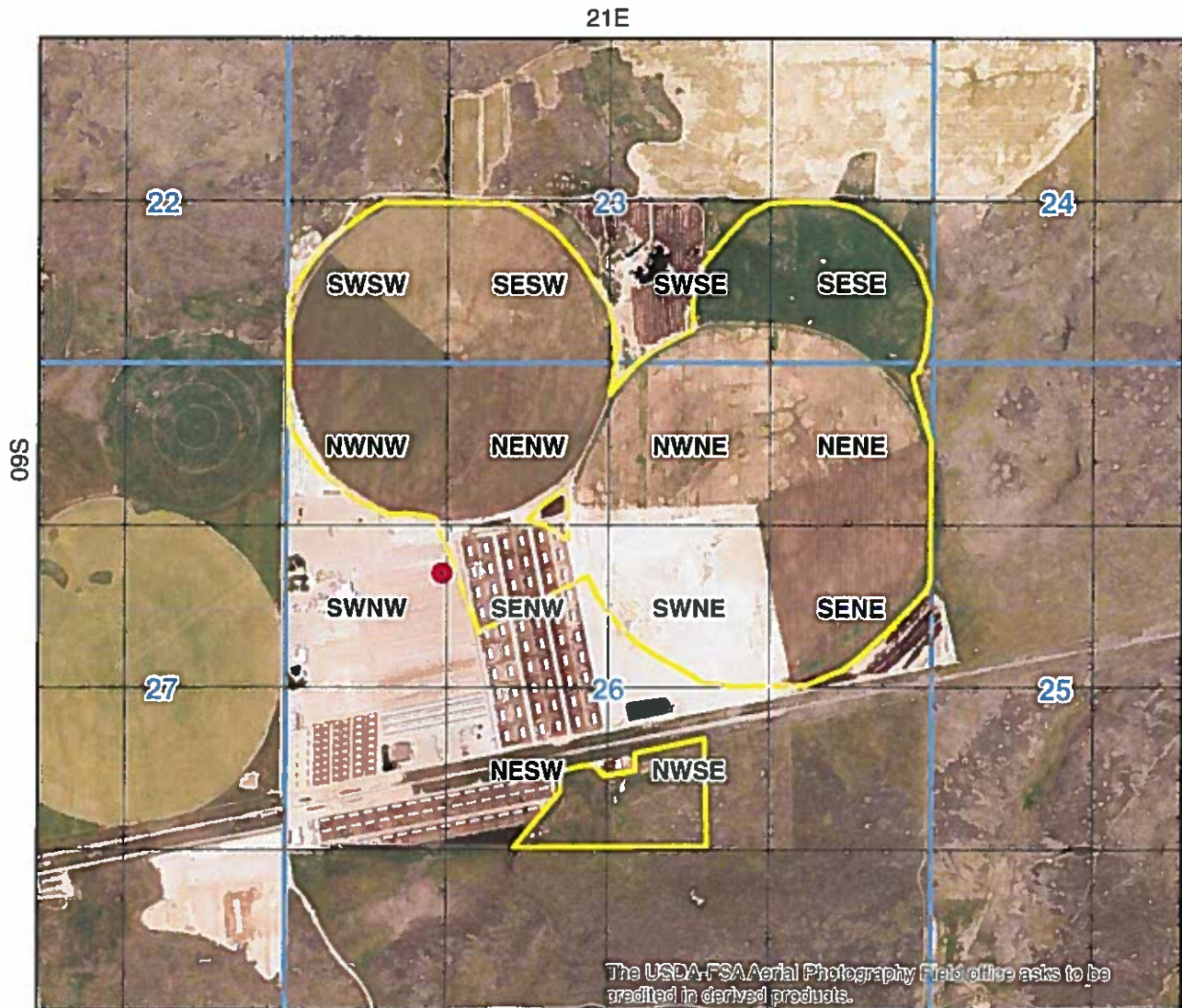
As Modified by Transfer No. 80871

CONDITIONS OF APPROVAL

5. 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.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to diversion and use of water under Transfer approval 80871, the right holder shall install and maintain acceptable measuring device(s) at the authorized point of diversion, in accordance with Department specifications. Measuring device(s) shall be installed so that irrigation diversions and stockwater and commercial diversions can be independently measured.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as 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 # 80871
Rights 36-16407, 36-16409, and 36-16411

This map depicts the IRRIGATION 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

0 0.175 0.35 0.7 Miles

