

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**AMENDED****TRANSFER OF WATER RIGHT****AMENDED****TRANSFER NO. 76182**

This is to certify that: PATRICK E SIMPSON And/Or  
KAREN JEAN SIMPSON  
PO BOX 414  
HAILEY ID 83333  
(208)726-5045

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 Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u>                               |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------------------------------------|
| 73-127       | WR/Decreed          | 03/01/1908      | 3.2 cfs     | N/A           | N/A               | 46.5               | MORGAN CREEK,<br>NORTH FORK<br>MORGAN CREEK |
| 73-12041     | WR/Decreed          | 06/16/1917      | 3.82 cfs    | N/A           | N/A               | 46.5               | MORGAN CREEK,<br>NORTH FORK<br>MORGAN CREEK |

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

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 73-7053      | AJC/License         | 05/06/1981      | 0.06 cfs    | 9 af          | N/A               | 3.0                | SPRING        |

**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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 73-127                | NO           | YES        | YES        | NO             | NO                   | NO                   |
| 73-12041              | NO           | YES        | YES        | NO             | NO                   | NO                   |

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

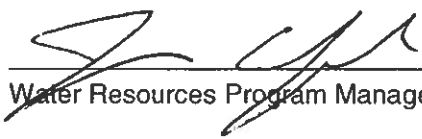
| <u>Existing Right</u>  | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 73-127                 | <b>73-127</b>                    | 3.2 cfs              | N/A                    | N/A               | 46.5               |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 73-12041               | <b>73-12041</b>                  | 3.82 cfs             | N/A                    | N/A               | 46.5               |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>7.02 cfs</b>      | <b>N/A</b>             | <b>N/A</b>        | <b>46.5</b>        |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 19<sup>th</sup> day of February, 20 10

SUPPORT DATA

IN FILE # 73-127

  
Water Resources Program Manager

**WATER RIGHT NO. 73-127**  
**As Modified by Transfer No. 76182**

In accordance with the approval of Transfer No. 76182, Water Right No. 73-127 is now described as follows.

**Right Holder:** PATRICK E SIMPSON And  
 KAREN JEAN SIMPSON  
 PO BOX 414  
 HAILEY ID 83333

**Priority Date:** March 01, 1908

**Source:** MORGAN CREEK                      **Tributary:** PAHSIMEROI RIVER  
 NORTH FORK MORGAN CREEK                      MORGAN CREEK

**BENEFICIAL USE**                      **From**      **To**                      **Diversion Rate**  
 IRRIGATION                      04/01 to 10/31                      3.20 CFS

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

|                         |           |         |         |         |              |
|-------------------------|-----------|---------|---------|---------|--------------|
| NORTH FORK MORGAN CREEK | L6 (SWNW) | Sec. 31 | Twp 16N | Rge 22E | LEMHI County |
| NORTH FORK MORGAN CREEK | L6 (SWNW) | Sec. 31 | Twp 16N | Rge 22E | LEMHI County |
| MORGAN CREEK            | L8 (NWSW) | Sec. 31 | Twp 16N | Rge 22E | LEMHI County |

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |     |    | SW |     |      |    | SE  |     |      |     | Totals |
|-------------|----|----|----|----|----|----|-----|----|----|-----|------|----|-----|-----|------|-----|--------|
|             | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW  | SW   | SE | NE  | NW  | SW   | SE  |        |
| 16N 21E 36  |    |    |    |    |    |    |     |    |    |     |      |    | 7.9 | 2.9 | 14.6 | 1.2 | 26.6   |
| 16N 22E 31  |    |    |    |    |    |    | .7  |    |    | 1.2 | .6   |    |     |     |      |     | 2.5    |
| 16N 22E 31  |    |    |    |    |    |    | L 5 |    |    | L 7 | L 10 |    |     |     |      |     | 10.0   |
| 16N 22E 31  |    |    |    |    |    |    |     |    |    | L 8 |      |    |     |     |      |     | 7.4    |
| 16N 22E 31  |    |    |    |    |    |    |     |    |    | 7.4 |      |    |     |     |      |     |        |
|             |    |    |    |    |    |    |     |    |    | L 9 |      |    |     |     |      |     |        |

Total Acres: 46.5

**CONDITIONS OF APPROVAL**

1. Rights 73-127, 73-7053 and 73-12041 when combined shall not exceed the irrigation of 46.5 acres.
2. 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. 73.
3. 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).
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

**WATER RIGHT NO. 73-127**  
**As Modified by Transfer No. 76182**

**CONDITIONS OF APPROVAL**

5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. This right does not grant any right-of-way or easement across the land of another.
7. The following rights are diverted through point(s) of diversion described above: 73-127, 73-12041.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19<sup>th</sup> day of February, 20 10

  
Water Resources Program Manager

**WATER RIGHT NO. 73-12041**  
**As Modified by Transfer No. 76182**

In accordance with the approval of Transfer No. 76182, Water Right No. 73-12041 is now described as follows.

**Right Holder:** PATRICK E SIMPSON  
 PO BOX 414  
 HAILEY ID 83333

**Priority Date:** June 16, 1917

**Source:** MORGAN CREEK                      **Tributary:** PAHSIMEROI RIVER  
 NORTH FORK MORGAN CREEK                      MORGAN CREEK

| <u><b>BENEFICIAL USE</b></u> | <u><b>From</b></u> | <u><b>To</b></u> | <u><b>Diversion Rate</b></u> |
|------------------------------|--------------------|------------------|------------------------------|
| IRRIGATION                   | 04/01              | to 07/15         | 3.82 CFS                     |
| STOCKWATER                   | 04/01              | to 12/01         | 0.05 CFS                     |

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

|                         |           |         |         |         |              |
|-------------------------|-----------|---------|---------|---------|--------------|
| NORTH FORK MORGAN CREEK | L6 (SWNW) | Sec. 31 | Twp 16N | Rge 22E | LEMHI County |
| NORTH FORK MORGAN CREEK | L6 (SWNW) | Sec. 31 | Twp 16N | Rge 22E | LEMHI County |
| MORGAN CREEK            | L8 (NWSW) | Sec. 31 | Twp 16N | Rge 22E | LEMHI County |

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |     |      |     |      |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|-----|------|-----|------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |     |      |     |      |
| 16N | 21E | 36  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 7.9    | 2.9 | 14.6 | 1.2 | 26.6 |
| 16N | 22E | 31  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |     |      |     | 2.5  |
| 16N | 22E | 31  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |     |      |     | 10.0 |
| 16N | 22E | 31  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |     |      |     | 7.4  |

Total Acres: 46.5

**PLACE OF USE:** STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |   |   |   |  |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|---|---|---|--|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |   |   |   |  |
| 16N | 21E | 36  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X      | X | X | X |  |
| 16N | 22E | 31  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |   |   |   |  |

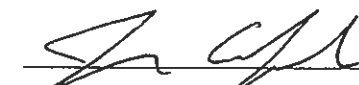
**WATER RIGHT NO. 73-12041**  
**As Modified by Transfer No. 76182**

**CONDITIONS OF APPROVAL**

1. Rights 73-127, 73-7053 and 73-12041 when combined shall not exceed the irrigation of 46.5 acres.
2. 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. 73.
3. 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).
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. This right does not grant any right-of-way or easement across the land of another.
9. The following rights are diverted through point(s) of diversion described above: 73-127, 73-12041.
10. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19<sup>th</sup> day of February, 20 10

  
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Water Resources Program Manager

**WATER RIGHT NO. 73-7053**  
**As Modified by Transfer No. 76182**

In accordance with the approval of Transfer No. 76182, Water Right No. 73-7053 is now described as follows.

**Right Holder:** PATRICK E SIMPSON And  
 KAREN JEAN SIMPSON  
 PO BOX 414  
 HAILEY ID 83333

**Priority Date:** May 06, 1981

**Source:** SPRING

**Tributary:** SINKS

|                              |                    |                  |                              |                      |
|------------------------------|--------------------|------------------|------------------------------|----------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 04/01 to           | 10/31            | 0.06 CFS                     | 9.0 AF               |

**LOCATION OF POINT(S) OF DIVERSION:**  
 SPRING L9 (NWSW) Sec. 31 Twp 16N Rge 22E LEMHI County

| <u>PLACE OF USE:</u> |     |     | IRRIGATION |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |        |
|----------------------|-----|-----|------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--------|
| Twp                  | Rge | Sec | NE         |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           | Totals |
|                      |     |     | <u>NE</u>  | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> |        |
| 16N                  | 22E | 31  |            |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           | 2.0    |
| 16N                  | 22E | 31  |            |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           | 1.0    |

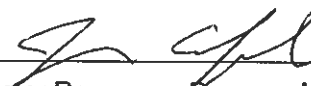
Total Acres: 3

**CONDITIONS OF APPROVAL**

1. Rights 73-127, 73-7053 and 73-12041 when combined shall not exceed the irrigation of 46.5 acres.
2. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 19<sup>th</sup> day of February, 20 10

  
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 Water Resources Program Manager