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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 69339

This is to certify that: HOWARD L MORRIS
1101 E 2900 S
HAGERMAN ID 83332
(208)837-6213

And/Or

RHONDA K MORRIS
1101 E 2900 S
HAGERMAN ID 83332
(208) 837-6213

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
36-16105	WR/Decreed	12/03/1966	1.6 cfs	N/A	80.3	258.6	GROUND WATER
36-16107	WR/Decreed	02/18/1971	0.87 cfs	N/A		258.6	GROUND WATER
36-16103	WR/Decreed	10/18/1968	2.07 cfs	N/A	141.3	258.6	GROUND WATER
37-10793	WR/Decreed	06/11/1938	0.08 cfs	N/A			GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-16105	YES	YES	YES	NO	YES	YES
36-16107	YES	YES	YES	NO	YES	YES
36-16103	YES	YES	YES	NO	YES	YES
37-10793	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-16105	**37-20854**	0.18 cfs	15.6 af	N/A	N/A	**36-15719**	1.42 cfs	N/A	71.5	230.3
36-16107	**37-20856**	0.09 cfs	7.2 af	N/A	N/A	**36-15723**	0.78 cfs	N/A	N/A	230.3
36-16103	**37-20855**	0.23 cfs	27.4 af	N/A	N/A	**36-15721**	1.84 cfs	N/A	125.8	230.3
37-10793	**37-10793**	0.08 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		**0.40 cfs**	**64.8 af**	**N/A**	**N/A**		**2.62**	**921.2**	**N/A**	**230.3**

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 69339

Detailed Water Right Description(s) attached

Dated this 13th day of January, 2003

Chief, Water Allocation Bureau

MICROFILMED

WATER RIGHT NO. 37-10793
As Modified by Transfer No. 69339

In accordance with the approval of Transfer No. 69339, Water Right No. 37-10793 is now described as follows.

Right Holder: HOWARD L MORRIS
1101 E 2900 S
HAGERMAN ID 83332

And

RHONDA K MORRIS
1101 E 2900 S
HAGERMAN ID 83332

Priority Date: June 11, 1938

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.04 CFS	13.4 AF
DOMESTIC	01/01	12/31	0.04 CFS	1.2 AF
			0.08 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 36 Twp 06S	Rge 14E	GOODING County
GROUND WATER	NWSE	Sec. 36 Twp 06S	Rge 14E	GOODING County

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	
06S 14E 36														X			

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 14E 36														X			

MICROFILMED

WATER RIGHT NO. 37-10793
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

1. Domestic use is for 1 household.

2. The total instantaneous diversion of water from all points of diversion under Rights 37-20854, 37-20855, 37-20856, and 37-10793 shall not exceed 0.40 cfs, nor a total combined annual volume of 64.8 afa.

3. Prior to the diversion and use of water under Transfer approval 69339, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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. Use of water under this right may be affected by an agreement between the protestant and the right holder.

8. The right holder shall accomplish the change authorized by this transfer within one (1) year 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 13th day of January, 2003

L. Glen Saxton

Chief, Water Allocation Bureau

MICROFILMED

WATER RIGHT NO. 36-15721
As Modified by Transfer No. 69339

In accordance with the approval of Transfer No. 69339, Water Right No. 36-15721 is now described as follows.

Right Holder: VIVIAN K LARSEN
129 S 2900 E
PAUL ID 83347

JOHN C LARSEN
129 S 2900 E
PAUL ID 83347

Priority Date: October 18, 1968

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	03/01	10/31	1.84 CFS	
			1.84 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S 22E 19			26.9	15.6					20.0			11.7	29.3	9.1	22.5		135.1
08S 22E 30		21.2	34.0		40.0												95.2

Total Acres: 230.3

MICROFILMED

WATER RIGHT NO. 36-15721
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 125.8 acres within the place of use described above in a single irrigation season.

2. Rights 36-15719 and 36-15721 when combined shall not exceed 1.84 cfs.

3. Rights 36-15719, 36-15721, and 36-15723 when combined shall not exceed a total diversion rate of 2.62 cfs, a total annual maximum diversion volume of 921.2 af at the field headgate, and the irrigation of 230.3 acres.

4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

5. The period of use for the irrigation described in this approval may be extended to 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 after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.

6. Rights 36-15719, 36-15721, 36-15723, 36-16104, 36-16106, and 36-16108 are all diverted through the point(s) of diversion described above.

7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 13th day of January, 2003

Chief, Water Allocation Bureau

MICRO

WATER RIGHT NO. 37-20855
As Modified by Transfer No. 69339

In accordance with the approval of Transfer No. 69339, Water Right No. 37-20855 is now described as follows.

Right Holder: HOWARD L MORRIS
1101 E 2900 S
HAGERMAN ID 83332

And

RHONDA K MORRIS
1101 E 2900 S
HAGERMAN ID 83332

Priority Date: October 18, 1968

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.23 CFS	27.4 AF
COMMERCIAL	01/01	12/31	0.23 CFS	27.4 AF
			0.23 CFS	27.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 36	Twp 06S Rge 14E	GOODING County
GROUND WATER	NWSE	Sec. 36	Twp 06S Rge 14E	GOODING County

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	
06S 14E 36														X			

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 14E 35				X									X	X	X	X	
06S 14E 36									X	X			X	X	X	X	

MICRO

WATER RIGHT NO. 37-20855
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

1. Rights 37-20854 and 37-20855 when combined shall not exceed a total diversion rate of 0.23 cfs.

2. The total instantaneous diversion of water from all points of diversion under Rights 37-20854, 37-20855, 37-50856, and 37-10793 shall not exceed 0.40 cfs, nor a total combined annual volume of 64.8 afa subject to the scheduled limits described below.

3. Beginning on the date of approval of Transfer 69339, Rights 37-20854, 37-20855 and 37-20856 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

   Years 1 through 6 the rights are limited to 32.0 afa.
   Years 7 through 9 the rights are limited to 36.5 afa.
   Years 10 through 14 the rights are limited to 38.8 afa.
   Years 15 through 18 the rights are limited to 41.1 afa.
   Years 19 through 26 the rights are limited to 43.4 afa.
   Years 27 through 34 the rights are limited to 45.7 afa.
   Years 35 through 42 the rights are limited to 48.0 afa.
   Years 43 and beyond the rights are limited to 50.2 afa.

4. Prior to the diversion and use of water under Transfer approval 69339, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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. Commercial use is for a dairy with barn located in the NWSE, S36, T6S, R14E.

9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

WATER RIGHT NO. 37-20855
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

12. Use of water under this right may be affected by an agreement between the protestant and the right holder.

13. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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

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

16. 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 13th day of January, 2003

Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15723
As Modified by Transfer No. 69339

In accordance with the approval of Transfer No. 69339, Water Right No. 36-15723 is now described as follows.

Right Holder: VIVIAN K LARSEN
129 S 2900 E
PAUL ID 83347

JOHN C LARSEN
129 S 2900 E
PAUL ID 83347

Priority Date: February 18, 1971

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.78 CFS	
			0.78 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 22E 19			26.9	15.6					20.0			11.7	29.3	9.1	22.5		135.1
08S 22E 30		21.2	34.0		40.0												95.2

Total Acres: 230.3

WATER RIGHT NO. 36-15723
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

1. Rights 36-15719, 36-15721, and 36-15723 when combined shall not exceed a total diversion rate of 2.62 cfs, a total annual maximum diversion volume of 921.2 af at the field headgate, and the irrigation of 230.3 acres.

2. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

3. 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 the date of the originating approval/SRBA partial decree date.

4. Rights 36-15719, 36-15721, 36-15723, 36-16104, 36-16106 and 36-16108 are all diverted through the point(s) of diversion described above.

5. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 13th day of January, 2003

Chief, Water Allocation Bureau

WATER RIGHT NO. 36-15719
As Modified by Transfer No. 69339

In accordance with the approval of Transfer No. 69339, Water Right No. 36-15719 is now described as follows.

Right Holder: VIVIAN K LARSEN
129 S 2900 E
PAUL ID 83347

JOHN C LARSEN
129 S 2900 E
PAUL ID 83347

Priority Date: December 03, 1966

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
IRRIGATION	03/01	10/31	1.42 CFS	
			1.42 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE Sec. 19 Twp 08S Rge 22E MINIDOKA County

NESWNE Sec. 30 Twp 08S Rge 22E MINIDOKA 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	
08S	22E	19			26.9	15.6					20.0			11.7	29.3	9.1	22.5		135.1
08S	22E	30		21.2	34.0		40.0												95.2

Total Acres: 230.3

WATER RIGHT NO. 36-15719
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71.5 acres within the place of use described above in a single irrigation season.

2. Rights 36-15719 and 36-15721 when combined shall not exceed 1.84 cfs.

3. Rights 36-15719, 36-15721, and 36-15723 when combined shall not exceed a total diversion rate of 2.62 cfs, a total annual maximum diversion volume of 921.2 af at the field headgate, and the irrigation of 230.3 acres.

4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

5. The period of use for the irrigation described in this approval may be extended to 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 after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.

6. Rights 36-15719, 36-15721, 36-15723, 36-16104, 36-16106, and 36-16108 are all diverted through the point(s) of diversion described above.

7. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 13th day of January, 2003

Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20854
As Modified by Transfer No. 69339

In accordance with the approval of Transfer No. 69339, Water Right No. 37-20854 is now described as follows.

Right Holder: HOWARD L MORRIS
1101 E 2900 S
HAGERMAN ID 83332

And

RHONDA K MORRIS
1101 E 2900 S
HAGERMAN ID 83332

Priority Date: December 03, 1966

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
COMMERCIAL	01/01	12/31	0.18 CFS	15.6 AF
STOCKWATER	01/01	12/31	0.18 CFS	15.6 AF
			0.18 CFS	15.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 36 Twp 06S	Rge 14E	GOODING County
GROUND WATER	NWSE	Sec. 36 Twp 06S	Rge 14E	GOODING County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 14E 35				X									X	X	X	X	
06S 14E 36									X	X			X	X	X	X	

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	
06S 14E 36														X			

WATER RIGHT NO. 37-20854
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

1. Rights 37-20854 and 37-20855 when combined shall not exceed a total diversion rate of 0.23 cfs.

2. The total instantaneous diversion of water from all points of diversion under Rights 37-20854, 37-20855, and 37-20856 shall not exceed 0.40 cfs, nor a total combined annual volume of 64.8 afa subject to the scheduled limits described below.

3. Beginning on the date of approval of Transfer 69339, Rights 37-20854, 37-20855 and 37-20856 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

   Years 1 through 6 the rights are limited to 32.0 afa.
   Years 7 through 9 the rights are limited to 36.5 afa.
   Years 10 through 14 the rights are limited to 38.8 afa.
   Years 15 through 18 the rights are limited to 41.1 afa.
   Years 19 through 26 the rights are limited to 43.4 afa.
   Years 27 through 34 the rights are limited to 45.7 afa.
   Years 35 through 42 the rights are limited to 48.0 afa.
   Years 43 and beyond the rights are limited to 50.2 afa.

4. Prior to the diversion and use of water under Transfer approval 69339, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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. Commercial use is for a dairy with barn located in the NWSE, S36, T6S, R14E.

9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

10. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

WATER RIGHT NO. 37-20854
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

11. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

12. Use of water under this right may be affected by an agreement between the protestant and the right holder.

13. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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

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

16. 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 13th day of January, 2003

Chief, Water Allocation Bureau

MICR

WATER RIGHT NO. 37-20856
As Modified by Transfer No. 69339

In accordance with the approval of Transfer No. 69339, Water Right No. 37-20856 is now described as follows.

Right Holder: HOWARD L MORRIS
1101 E 2900 S
HAGERMAN ID 83332

And

RHONDA K MORRIS
1101 E 2900 S
HAGERMAN ID 83332

Priority Date: February 18, 1971

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Volume
COMMERCIAL	01/01	12/31	0.09 CFS	7.2 AF
STOCKWATER	01/01	12/31	0.09 CFS	7.2 AF
			0.09 CFS	7.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSE	Sec. 36 Twp 06S	Rge 14E	GOODING County
GROUND WATER	NWSE	Sec. 36 Twp 06S	Rge 14E	GOODING County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 14E 35				X									X	X	X	X	
06S 14E 36									X	X			X	X	X	X	

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	
06S 14E 36														X			

WATER RIGHT NO. 37-20856
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 37-20854, 37-20855, and 37-20856 shall not exceed 0.40 cfs, nor a total combined annual volume of 64.8 afa subject to the scheduled limits described below.

2. Beginning on the date of approval of Transfer 69339, Rights 37-20854, 37-20855 and 37-20856 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

   Years 1 through 6 the rights are limited to 32.0 afa.
   Years 7 through 9 the rights are limited to 36.5 afa.
   Years 10 through 14 the rights are limited to 38.8 afa.
   Years 15 through 18 the rights are limited to 41.1 afa.
   Years 19 through 26 the rights are limited to 43.4 afa.
   Years 27 through 34 the rights are limited to 45.7 afa.
   Years 35 through 42 the rights are limited to 48.0 afa.
   Years 43 and beyond the rights are limited to 50.2 afa.

3. Prior to the diversion and use of water under Transfer approval 69339, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

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. Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.

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. Commercial use is for a dairy with barn located in the NWSE, S36, T6S, R14E.

8. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

9. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

WATER RIGHT NO. 37-20856
As Modified by Transfer No. 69339

CONDITIONS OF APPROVAL

10. Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

11. Use of water under this right may be affected by an agreement between the protestant and the right holder.

12. The model used to calculate depletion effects and mitigation for the Milner to King Hill reach may also show gains in other reaches of the Snake River. Such gains have not been quantified at this time. The right holder retains the right to seek quantification of such gains resulting from this transfer approval. Protestants retain the right to object to the quantification of such gains. If such reach gains are quantified and acknowledged by the Department, credits for such gains shall be available for use only after the Department has implemented a system for administering such credits.

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

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

15. 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 13th day of January, 2003

Chief, Water Allocation Bureau

MEMORANDUM

TO: **FILE** 37-20854

FROM: **VAULT**

RE: **TRANSFER #** 69339

DATE: 1.13.03

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