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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 68866

This is to certify that: WILLIAM A SIMON And/Or SHIRLEY M SIMON  
PO BOX 364  
FAIRFIELD ID 83327  
(208)764-2324

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**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acres</u> | <u>Total</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|--------------|--------------|---------------|
| 37-2539      | AJC/License         | 07/27/1953      | 2.02 cfs    | N/A           |              | 274.0        | GROUND WATER  |
| 37-7288A     | AJC/License         | 10/01/1973      | 1.89 cfs    | N/A           |              | 206.0        | GROUND WATER  |
| 37-7288B     | AJC/License         | 10/01/1973      | 0.87 cfs    | N/A           |              | 57.0         | GROUND WATER  |
| 37-7528      | AJC/License         | 09/27/1976      | 0.83 cfs    | N/A           |              | 253.0        | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 37-2539               | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 37-7288A              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 37-7288B              | YES          | YES        | YES        | NO             | NO                   | NO                   |
| 37-7528               | YES          | YES        | YES        | NO             | NO                   | NO                   |

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

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 37-2539               | 37-20367                         | 0.27 cfs             | 115.1 af               | 38.0              | 254.0              | 37-20366                           | 1.75 cfs              | N/A                     | N/A                         | 236.0                        |
| 37-7288A              | 37-7288A                         | 1.89 cfs             | 618.0 af               | 206.0             | 254.0              |                                    | N/A                   | N/A                     |                             | N/A                          |
| 37-7288B              | 37-20369                         | 0.06 cfs             | 12.0 af                | 4.0               | 254.0              | 37-20368                           | 0.81 cfs              | 159.0 af                | N/A                         | 53.0                         |
| 37-7528               | 37-20365                         | 0.10 cfs             | 42.7 af                | 31.0              | 254.0              | 37-20364                           | 0.73 cfs              | N/A                     | N/A                         | 222.0                        |
| <b>TOTALS</b>         |                                  | <b>2.23 cfs</b>      | <b>747.5 af</b>        | <b>248.0</b>      | <b>254.0</b>       |                                    | <b>2.32 cfs</b>       | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 12<sup>th</sup> day of September, 2002

*[Signature]*  
Chief, Water Allocation Bureau

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SEP 17 2002

**WATER RIGHT NO. 37-7288A**

**As Modified by Transfer No. 68866**

In accordance with the approval of Transfer No. 68866, Water Right No. 37-7288A is now described as follows.

**Right Holder:** SHIRLEY M SIMON  
PO BOX 364  
FAIRFIELD ID 83327

And/Or

WILLIAM A SIMON  
PO BOX 364  
FAIRFIELD ID 83327

**Priority Date:** 10/01/1973

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 1.89 CFS              | 618.0 AF      |
|                       |             |           | 1.89 CFS              | 618.0 AF      |

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

GROUND WATER NWSE Sec. 8 Twp 01S Rge 15E CAMAS 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   |        |
| 01S 15E 8   | 8.0 | 8.0 | 40.0 | 40.0 |    |    |    |    |    |    |    |    | 40.0 | 40.0 | 39.0 | 39.0 | 254.0  |

Total Acres: 254

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SEP 13 2002

**WATER RIGHT NO. 37-7288A**

**As Modified by Transfer No. 68866**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 206 acres within the place of use described above in a single irrigation season.
2. Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 12<sup>th</sup> day of September, 2002



Chief, Water Allocation Bureau

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SEP 12 2002

**WATER RIGHT NO. 37-20366**  
**As Modified by Transfer No. 68866**

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20366 is now described as follows.

**Right Holder:** WILLIAM A SIMON  
 PO BOX 364  
 FAIRFIELD ID 83327

**Priority Date:** 07/27/1953

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 11/01     | 1.75 CFS              |               |
|                       |             |           | 1.75 CFS              |               |

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

GROUND WATER                      NWNWSE Sec. 5 Twp 01S Rge 15E CAMAS 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   |        |
| 01S 15E 5   | 3.0 | 19.0 | 39.0 | 37.0 |    |    |    |    |    |    |    |    | 30.5 | 31.5 | 38.5 | 37.5 | 236.0  |

Total Acres: 236

**CONDITIONS OF APPROVAL**

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 12<sup>th</sup> day of September, 2002

  
 Chief, Water Allocation Bureau

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SEP 18 2002

**WATER RIGHT NO. 37-20367**  
**As Modified by Transfer No. 68866**

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20367 is now described as follows.

**Right Holder:** SHIRLEY M SIMON  
PO BOX 364  
FAIRFIELD ID 83327

And/Or

WILLIAM A SIMON  
PO BOX 364  
FAIRFIELD ID 83327

**Priority Date:** 07/27/1953

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.27 CFS              | 115.1 AF      |
|                       |             |           | 0.27 CFS              | 115.1 AF      |

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

GROUND WATER                      NWSE      Sec. 8   Twp 01S   Rge 15E   CAMAS 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 |
| 01S | 15E | 8   | 8.0 | 8.0 | 40.0 | 40.0 |    |    |    |    |    |    |    |    | 40.0 | 40.0 | 39.0 | 39.0 | 254.0  |

Total Acres: 254

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**WATER RIGHT NO. 37-20367**  
**As Modified by Transfer No. 68866**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365 and 37-20367 when combined shall not exceed a total annual maximum diversion volume of 117.5 af at the field headgate, and the irrigation of 38 acres.
3. Rights 37-20365, 37-20367, and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
4. Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

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 12<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

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SEP 12 2002

**WATER RIGHT NO. 37-20368**  
**As Modified by Transfer No. 68866**

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20368 is now described as follows.

**Right Holder:** WILLIAM A SIMON And/Or SHIRLEY M SIMON  
 PO BOX 364  
 FAIRFIELD ID 83327  
 (208)764-2324

**Priority Date:** 10/01/1973

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 11/01     | 0.81 CFS              | 159.0 AF      |
|                       |             |           | 0.81 CFS              | 159.0 AF      |

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

GROUND WATER NWNWSE Sec. 5 Twp 01S Rge 15E CAMAS 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 |        |
| 01S 15E 8   | 26.0 | 27.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 53.0   |

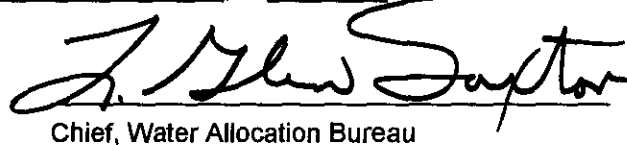
Total Acres: 53

**CONDITIONS OF APPROVAL**

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
2. Rights 37-20364, 37-20366 and 37-20368 when combined shall not exceed a total diversion rate of 2.32 cfs.

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 12<sup>th</sup> day of September, 2002



Chief, Water Allocation Bureau

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SEP 12 2002

**WATER RIGHT NO. 37-20364**  
**As Modified by Transfer No. 68866**

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20364 is now described as follows.

**Right Holder:** WILLIAM A SIMON  
 PO BOX 364  
 FAIRFIELD ID 83327

**Priority Date:** 09/27/1976

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.73 CFS              |               |
|                       |             |           | 0.73 CFS              |               |

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

GROUND WATER                      NWNWSE Sec. 5   Twp 01S   Rge 15E   CAMAS 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   |        |
| 01S 15E 5   |    | 8.0 | 39.0 | 37.0 |    |    |    |    |    |    |    |    | 30.5 | 31.5 | 38.5 | 37.5 | 222.0  |

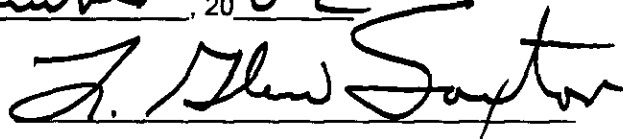
Total Acres: 222

**CONDITIONS OF APPROVAL**

1. This right when combined with 37-20366 shall not exceed a total annual maximum diversion volume of 641.5 af at the field headgate.
2. Rights 37-20364, 37-20366 and 37-20368 when combined shall not exceed a total diversion rate of 2.32 cfs.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 12<sup>th</sup> day of September, 2002

  
 Chief, Water Allocation Bureau

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SEP 12 2002

**WATER RIGHT NO. 37-20369**  
**As Modified by Transfer No. 68866**

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20369 is now described as follows.

**Right Holder:** SHIRLEY M SIMON  
 PO BOX 364  
 FAIRFIELD ID 83327

AND

WILLIAM A SIMON  
 PO BOX 364  
 FAIRFIELD ID 83327

**Priority Date:** 10/01/1973

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-----------------------|-----------------------|---------------|
| IRRIGATION            | 04/01 to 11/01        | 0.06 CFS              | 12.0 AF       |
|                       |                       | 0.06 CFS              | 12.0 AF       |

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

GROUND WATER                      NWSE      Sec. 8   Twp 01S   Rge 15E   CAMAS 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   |        |
| 01S | 15E | 8   | 8.0 | 8.0 | 40.0 | 40.0 |    |    |    |    |    |    |    |    | 40.0 | 40.0 | 39.0 | 39.0 | 254.0  |

Total Acres: 254

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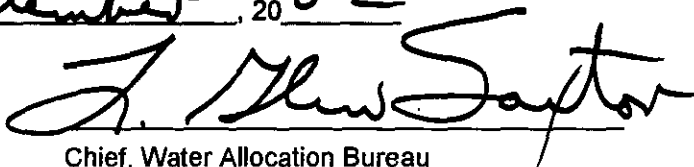
**WATER RIGHT NO. 37-20369**  
**As Modified by Transfer No. 68866**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365, 37-20367, and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
3. Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

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 12<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

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SEP 13 2002

**WATER RIGHT NO. 37-20365**  
**As Modified by Transfer No. 68866**

In accordance with the approval of Transfer No. 68866, Water Right No. 37-20365 is now described as follows.

**Right Holder:** SHIRLEY M SIMON  
 PO BOX 364  
 FAIRFIELD ID 83327

AND

WILLIAM A SIMON  
 PO BOX 364  
 FAIRFIELD ID 83327

**Priority Date:** 09/27/1976

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 11/01     | 0.10 CFS              | 42.7 AF       |
|                       |             |           | 0.10 CFS              | 42.7 AF       |

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

GROUND WATER NWSE Sec. 8 Twp 01S Rge 15E CAMAS 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   |        |
| 01S | 15E | 8   | 8.0 | 8.0 | 40.0 | 40.0 |    |    |    |    |    |    |    |    | 40.0 | 40.0 | 39.0 | 39.0 | 254.0  |

Total Acres: 254

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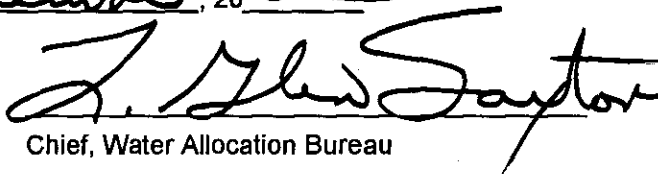
**WATER RIGHT NO. 37-20365**  
**As Modified by Transfer No. 68866**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.
2. Rights 37-20365 and 37-20367 when combined shall not exceed a total annual maximum diversion volume of 117.5 af at the field headgate, and the irrigation of 38 acres.
3. Rights 37-20365, 37-20367, and 37-20369 when combined shall not exceed a total diversion rate of 0.34 cfs.
4. Rights 37-7088A, 37-20365, 37-20367 and 37-20369 when combined shall not exceed the irrigation of 248 acres in a single irrigation season.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.

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 12<sup>th</sup> day of September, 2002

  
Chief, Water Allocation Bureau

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SEP 11 2002

**MEMORANDUM**

**TO:** FILE 37-20367

**FROM:** VAULT

**RE:** TRANSFER # 68866

**DATE:** \_\_\_\_\_

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**Original Transfer Application, Form and correspondence regarding the above  
referenced Transfer is located within:**

**FILE #** 37-~~02~~539

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SEP 2 1982