

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED***

TRANSFER NO. 69637

This is to certify that: D NEIL MORGAN Or
JULIA A MORGAN
762 W HWY 39
BLACKFOOT ID 83221
(208)684-3060

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>
35-7602B	AJC/License	04/09/1976	1.61 cfs	N/A	84.0	151.0	GROUND WATER
35-12922	AJC/Beneficial Use	04/01/1982	0.658 cfs	N/A		151.0	GROUND WATER
35-7717	AJC/License	05/18/1977	0.34 cfs	N/A	17.0	151.0	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>
35-7602B	NO	NO	YES	NO	NO	NO
35-12922	NO	NO	YES	NO	NO	NO
35-7717	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>
35-7602B	35-7602B	1.61 cfs	294 af	84.0	151.0		N/A	N/A	N/A	N/A
35-12922	35-12922	0.66 cfs	200 af	50.0	151.0		N/A	N/A	N/A	N/A
35-7717	35-7717	0.34 cfs	68 af	17.0	151.0		N/A	N/A	N/A	N/A
TOTALS		1.95 cfs	604 af	N/A	151.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day ofDecember, 2002

J. Glen Saylor
Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7602B
As Modified by Transfer No. 69637

In accordance with the approval of Transfer No. 69637, Water Right No. 35-7602B is now described as follows.

Right Holder: D NEIL MORGAN
 762 W HWY 39
 BLACKFOOT ID 83221

And

JULIA A MORGAN
 762 W HWY 39
 BLACKFOOT ID 83221

Priority Date: April 09, 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 10/31	1.61 CFS	294.0 AF
			1.61 CFS	294.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 4 NESWSW Sec. 35 Twp 02S Rge 34E BINGHAM County

PLACE OF USE: 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>	
02S 34E 35								5.0	35.0	37.0	39.0	35.0					151.0
										L 4	L 3						

Total Acres: 151

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 84 acres within the place of use described above in a single irrigation season.
2. Rights 35-7602B, 35-7717 and 35-12922 when combined shall not exceed a total diversion rate of 1.95 cfs, a total annual maximum diversion volume of 604 af at the field headgate, and the irrigation of 151 acres.
3. Right 35-12922 is an enlargement of rights 35-7602B and 35-7717 pursuant to Section 42-1426, Idaho Code.

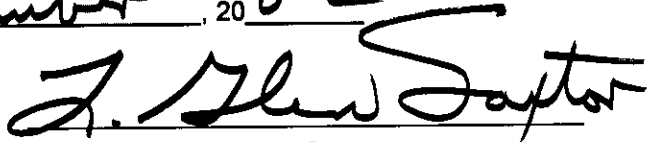
WATER RIGHT NO. 35-7602B
As Modified by Transfer No. 69637

CONDITIONS OF APPROVAL

4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. Use of this right is combined with water from Danskin Ditch Co.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one (1) 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 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 9th day of December, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-7717
As Modified by Transfer No. 69637

In accordance with the approval of Transfer No. 69637, Water Right No. 35-7717 is now described as follows.

Right Holder: D NEIL MORGAN
 762 W HWY 39
 BLACKFOOT ID 83221

And

JULIA A MORGAN
 762 W HWY 39
 BLACKFOOT ID 83221

Priority Date: May 18, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.34 CFS	68.0 AF
		0.34 CFS	68.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 4 NESWSW Sec. 35 Twp 02S Rge 34E BINGHAM 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		
02S 34E 35									5.0	35.0	37.0	39.0	35.0					151.0
											L 4	L 3						

Total Acres: 151

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 17 acres within the place of use described above in a single irrigation season.
2. Rights 35-7602B, 35-7717 and 35-12922 when combined shall not exceed a total diversion rate of 1.95 cfs, a total annual maximum diversion volume of 604 af at the field headgate, and the irrigation of 151 acres.
3. Right 35-12922 is an enlargement of rights 35-7602B and 35-7717 pursuant to Section 42-1426, Idaho Code.

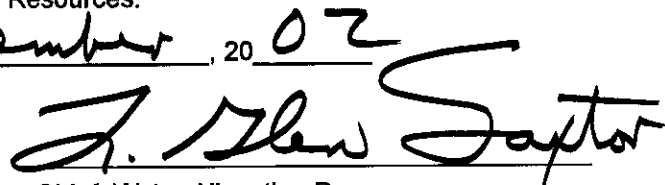
WATER RIGHT NO. 35-7717
As Modified by Transfer No. 69637

CONDITIONS OF APPROVAL

4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. Use of this right is combined with water from Danskin Ditch Co.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. The right holder shall accomplish the change authorized by this transfer within one (1) 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 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 9th day of December, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-12922
As Modified by Transfer No. 69637

In accordance with the approval of Transfer No. 69637, Water Right No. 35-12922 is now described as follows.

Right Holder: JULIA A MORGAN
 762 W HWY 39
 BLACKFOOT ID 83221

And

D NEIL MORGAN
 762 W HWY 39
 BLACKFOOT ID 83221

Priority Date: April 01, 1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.66 CFS	200.0 AF
			0.66 CFS	200.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 4 NESWSW Sec. 35 Twp 02S Rge 34E BINGHAM 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	
02S 34E 35								5.0	35.0	37.0	39.0	35.0					151.0
											L 4	L 3					

Total Acres: 151

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50 acres within the place of use described above in a single irrigation season.
2. Rights 35-7602B, 35-7717 and 35-12922 when combined shall not exceed a total diversion rate of 1.95 cfs, a total annual maximum diversion volume of 604 af at the field headgate, and the irrigation of 151 acres.
3. Right 35-12922 is an enlargement of rights 35-7602B and 35-7717 pursuant to Section 42-1426, Idaho Code.

WATER RIGHT NO. 35-12922
As Modified by Transfer No. 69637

CONDITIONS OF APPROVAL

4. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Use of this right is combined with water from Danskin Ditch Co.
9. 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.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
11. The right holder shall accomplish the change authorized by this transfer within one (1) 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 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 9th day of December, 2002


Chief, Water Allocation Bureau