IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7313B

NAME AND ADDRESS: VAL E SCHWENDIMAN FARMS INC
9633 E HWY 33
NEWDALE ID 83436

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 3.630 CFS
1,313.88 AFY

The rights listed below are limited to a total combined diversion rate of 56.36 cfs. Combined Right Nos.: 22-7205, 22-7210, 22-7265A, 22-7265B, 22-7313A, 22-7313B, and 22-7314.

Use of this right with Right Nos. 22-7210, 22-7271, 22-7313A, and 22-7313B is limited to a total combined diversion rate of 28.1 cfs and to a total combined annual diversion volume of 11,476.5 AF.

The combined rights listed above with Right No 22-7287 and 22-12656 are limited to a total combined diversion rate of 33.22 cfs and to a total annual diversion volume of 13,767.25 AF.

PRIORITY DATE: 01/15/1980

POINT OF DIVERSION:

T07N R41E S29 SESWNE Within FREMONT County
T07N R41E S29 NWNESE Injection Within FREMONT County

T07N R42E S23 SENWSE Rediversion Within FREMONT County

Water diverted under this right is exchanged by injecting water diverted under this right into Teton River at the points of injection described above, and diverting an equal amount from Teton River at the point of rediversion described above.

Three exchange wells are located at or near the point of diversion described above.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/15	3.630 CFS 1,313.88 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within MADISON County

T06N R42E S02 Lot 1	NENE	39.00	T06N R42E S02 Lot 2	NWNE	39.00
T06N R42E S02	SWNE	39.00	T06N R42E S02	SENE	39.00
T06N R42E S02 Lot 3	NENW	39.00	T06N R42E S02 Lot 4	NWNW	39.00
T06N R42E S02	SWNW	39.00	T06N R42E S02	SENW	39.00
T06N R42E S02	NESW	39.00	T06N R42E S02	NWSW	39.00
T06N R42E S02	SWSW	39.00	T06N R42E S02	SESW	39.00
T06N R42E S02	NESE	39.00	T06N R42E S02	NWSE	39.00
T06N R42E S02	SWSE	39.00	T06N R42E S02	SESE	39.00
T06N R42E S10	NENE	40.00	T06N R42E S10	NWNE	40.00
T06N R42E S10	SWNE	35.00	T06N R42E S10	SENE	31.00
T06N R42E S10	NESW	40.00	T06N R42E S10	NWSW	40.00

T06N R42E S10	NESE	40.00	T06N R42E S10	NWSE	40.00
T06N R42E S11	NENE	39.00	T06N R42E S11	NWNE	39.00
T06N R42E S11	SWNE	39.00	T06N R42E S11	NENW	39.00
T06N R42E S11	NWNW	39.00	T06N R42E S11	SWNW	39.00
T06N R42E S11	SENW	39.00	T07N R42E S15	SWSW	1.20
T07N R42E S21	NENE	11.00	T07N R42E S21	SENE	34.00
T07N R42E S21	NESE	38.00	T07N R42E S22	NENE	20.00
T07N R42E S22	NWNE	17.00	T07N R42E S22	SWNE	4.20
T07N R42E S22	SWNE	35.00	T07N R42E S22	SENE	30.00
T07N R42E S22	SENE	9.30	T07N R42E S22	NENW	34.00
T07N R42E S22	NWNW	34.00	T07N R42E S22	SWNW	20.00
T07N R42E S22	SWNW	20.00	T07N R42E S22	SENW	40.00
T07N R42E S22	NESW	17.00	T07N R42E S22	NWSW	36.00
T07N R42E S22	NESE	39.00	T07N R42E S22	NWSE	39.00
T07N R42E S23	NWNW	3.90	T07N R42E S23	SWNW	31.00
T07N R42E S23	SENW	4.50	T07N R42E S23	NESW	15.00
T07N R42E S23	NESW	11.00	T07N R42E S23	NWSW	0.20
T07N R42E S23	NWSW	39.00	T07N R42E S23	SWSW	40.00
T07N R42E S23	SESW	3.40	T07N R42E S23	SESW	35.00
T07N R42E S23	SWSE	14.00	T07N R42E S26	NWNE	16.00
T07N R42E S26	NWNE	8.30	T07N R42E S26	SWNE	15.00
T07N R42E S26	SWNE	21.00	T07N R42E S26	SENE	2.90
T07N R42E S26	NENW	40.00	T07N R42E S26	NWNW	40.00
T07N R42E S26	SWNW	40.00	T07N R42E S26	SENW	40.00
T07N R42E S26	NESW	27.00	T07N R42E S26	NESW	9.80
T07N R42E S26	NWSW	40.00	T07N R42E S26	SWSW	40.00
T07N R42E S26	SESW	19.00	T07N R42E S26	SESW	20.00
T07N R42E S26	NESE	1.60	T07N R42E S26	NWSE	13.00
T07N R42E S26	NWSE	0.80	T07N R42E S26	SWSE	0.20
T07N R42E S26	SWSE	8.10	T07N R42E S27	NENE	40.00
T07N R42E S27	NWNE	40.00	T07N R42E S27	SWNE	40.00
T07N R42E S27	SENE	40.00	T07N R42E S27	NENW	40.00
T07N R42E S27	NWNW	40.00	T07N R42E S27	SWNW	40.00
T07N R42E S27	SENW	40.00	T07N R42E S27	NESW	40.00
T07N R42E S27	NWSW	40.00	T07N R42E S27	SWSW	40.00
T07N R42E S27	SESW	40.00	T07N R42E S27	NESE	40.00
T07N R42E S27	NWSE	40.00	T07N R42E S27	SWSE	40.00
T07N R42E S27	SESE	40.00	T07N R42E S28	NENE	38.00
T07N R42E S28	SWNE	40.00	T07N R42E S28	SENE	40.00
T07N R42E S28	SWSW	40.00	T07N R42E S28	SESW	40.00
T07N R42E S28	NESE	40.00	T07N R42E S28	NWSE	40.00
T07N R42E S28	SWSE	40.00	T07N R42E S28	SESE	40.00
T07N R42E S33	NENW	40.00	T07N R42E S35	NWNE	0.20
T07N R42E S35	NWNE	31.00	T07N R42E S35	SWNE	39.00
T07N R42E S35	SENE	0.60	T07N R42E S35	SENE	21.00
T07N R42E S35	NENW	40.00	T07N R42E S35	NWNW	40.00
T07N R42E S35	SWNW	40.00	T07N R42E S35	SENW	39.00
T07N R42E S35	NESW	39.00	T07N R42E S35	NWSW	39.00
T07N R42E S35	SWSW	39.00	T07N R42E S35	SESW	39.00
T07N R42E S35	NESE	38.00	T07N R42E S35	NWSE	39.00
T07N R42E S35	SWSE	39.00	T07N R42E S35	SESE	39.00
T07N R42E S36	NWSW	14.00	T07N R42E S36	SWSW	39.00

3934.2 ACRES TOTAL

This right is limited to the irrigation of 2560 acres within the place of use described above in a single irrigation season.

Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 are limited to the irrigation of a combined total of 3,933.5 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The rate of diversion from the Teton River shall not exceed the rate of injection into the Teton River from the exchange wells.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The exchange wells must inject water into the Teton River whenever water is being diverted from the river under this license, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

Totalizing measuring devices shall be maintained at the exchange wells and rediversion pumps from the Teton River.

No demand on upstream prior rights or existing prior exchanges can be made and no interference with prior rights located between the rediversion pump and the exchange wells will be allowed even if the exchange wells are pumping water into the Teton River.

This right is subject to regulation by the watermaster of Water District No 01.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Right Nos. 22-7205, 22-7210, 22-7265A, 22-7265B, 22-7313A, 22-7313B, and 22-7314 are also diverted through points of diversion and injection described above.

Right Nos. 22-7210, 22-7270, 22-7313A, and 22-7313B are also diverted through point of rediversion described above.

Exchange well diversion capacity is owned half by Schwendiman Farms and half by M & B Enterprises for a total capacity of 56.36 cfs.