

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20822
Date Received: 11/21/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DAVID W RENDAHL Phone: (208)788-6477
PO BOX 3104
HAILEY ID 83333

DORINDA J RENDAHL Phone: (208)788-6477
PO BOX 3104
HAILEY ID 83333

2. Date of Priority: 09/21/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	6	NW SE	BLAINE	

5. Description of diverting works:

new well to be drilled

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.25	70

7. Total Quantity Appropriated is:
0.25 C.F.S. and/or 70 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	6	NW	SE	IRRIGATION	20
Section Acres						20
Total Acres						20

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOT 1, BLOCK 1, SCHOESSLER SUBDIVISION.

Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of 0.30 cfs, a total annual maximum diversion volume of 70.0 af at the field headgate, and the irrigation of 20 acres.

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.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

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

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

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.

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 1, 2004

DAVID RENDAHL
DORINDA RENDAHL
PO BOX 3104
HAILEY ID 83333

Re: SRBA Claim(s) 37-20822, 37-20824

Dear Mr. and Mrs. Rendahl:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 MAR 29 2004
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-20618	70246	☐			☐
37-20620	70246	☐			☐
		☐			☐
		☐			☐
		☐			☐

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

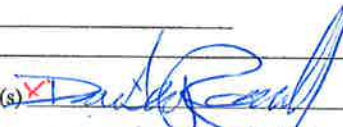
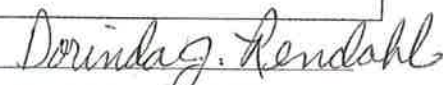
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Kathy Schoessler
P.O. Box 712, Wells, NV 89835
4. New Owner/Claimant(s) David W. Rendahl / Dorinda J. Rendahl
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address P.O. Box 3104
- City, State and ZIP Code Hailey, ID 83333
- New Telephone Number () 208-788-6477
5. Date you acquired the property May 28, 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)  
(include title if applicable)
David W. Rendahl / Dorinda J. Rendahl

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Order No. 52327

Instrument # 484752

HAILEY, BLAINE, IDAHO

2003-05-30

12:00:00 No. of Pages: 1

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

KATHY SCHOESSLER, an unmarried woman

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

DAVID W. RENDAHL and DORINDA J. RENDAHL, husband and wife

GRANTEE(s) whose address is: **P. O. Box 3104, Hailey, ID 83333**

the following described real property in **Blaine County, Idaho**, to wit:

Lot 1 in Block 1 of SCHOESSLER SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 472231, records of Blaine County, Idaho.

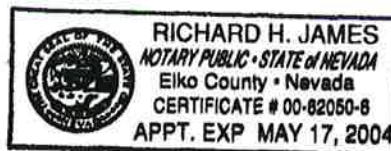
Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 27, 2003

Kathy Schoessler
KATHY SCHOESSLER

State of Nevada }
County of Elko } ss.



On this 28th day of May, in the year 2003, before me, the undersigned, personally appeared **KATHY SCHOESSLER** known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Richard H. James
Notary Public
Commission Expires:

#472231 10-17-2002

DR

DRAWING NUMBER

472231

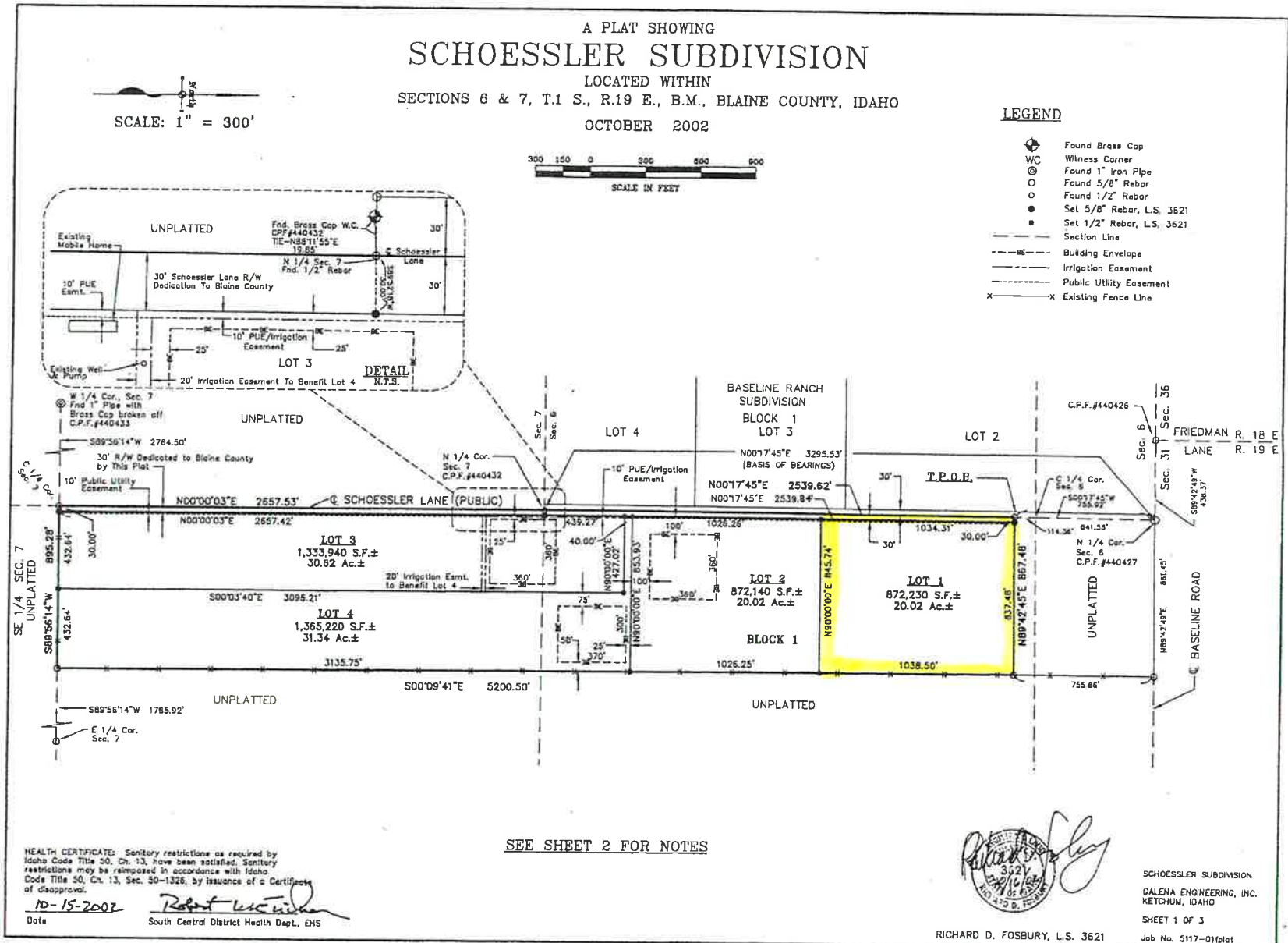
MADE BY: R. D. Fosbury
DATE: 10-17-2002
BY: R. D. Fosbury
CHECKED BY: R. D. Fosbury
DATE: 10-17-2002
BY: R. D. Fosbury

Schoessler Subdivision
5117-011-000

page 1 of 3

SAFECO PRODUCTS - KALAMAZOO, MICHIGAN
REPRODUCED BY: R. D. Fosbury

This map is a photographic reproduction of that on file in either the Recorder's or the Surveyor's Office. The Company assumes no liability for variation, if any, with another or re-survey. Courtesy of AMERITITLE.



**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.
ATTORNEYS AT LAW**

J. EVAN ROBERTSON
JEFFREY J. HEPWORTH
GARY D. SLETTE
RICHARD J. "TUG" WORST
TIMOTHY J. STOVER

161 Fifth Avenue South, Suite 100
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041



GARY D. SLETTE
gslette@idalawyer.com

March 25, 2004

Mr. & Mrs. David Rendahl
P.O. Box 3104
Hailey, ID 83333

RE: **Schoessler / Rendahl**

Dear Mr. and Mrs. Rendahl:

Enclosed please find an **original** Notice of Change in Water Right Ownership for the Idaho Department of Water Resources ("IDWR") regarding the real estate transaction between you and the Schoesslers. This document is being provided as a courtesy to you to allow IDWR to recognize you as the proper owners of the water rights purchased for Lot 1, Block 1 of Schoessler Subdivision. The only items to be added to the package are copies of the recorded Warranty Deed and Quitclaim Deed. You will both need to sign at line 7 on the second page of the form. There is no fee to IDWR for filing this Notice of Change as the water rights are in Basin 37, which basin has not been adjudicated yet. After you sign the same, the packet needs to be forwarded to IDWR at the Twin Falls address shown on page 4 of the form. Please call if you have any questions or comments.

Yours truly,



Robin L. Moore, PLS
Legal Assistant to
GARY D. SLETTE

Encls.

rlw\gds\letter\rendahl

Form 42-248/42-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
 MAR 26 2004
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-20822					
37-20824					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Kathy Schoessler
275 5th Street Wells NV 89835

4. New Owner/Claimant(s)

David W Rendahl
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 3104 Hailey Id

City, State and ZIP Code

83333

New Telephone Number

(208) 720 4251 720-4231

5. Date you acquired the property

may-28-03

Form 42-248/42-1409(6) July, 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total _____		

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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total _____		

7. Signature of New Owner(s) or Claimant(s) David A. Randall
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Order No. 52327

Instrument # 484752

HAILEY, BLAINE, IDAHO

2003-05-30 12:00:00 No. of Pages: 1

Recorded for : AMERITITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/COMP DEED

WARRANTY DEED

FOR VALUE RECEIVED

KATHY SCHOESSLER, an unmarried woman

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

DAVID W. RENDAHL and DORINDA J. RENDAHL, husband and wife

GRANTEE(s) whose address is: P. O. Box 3104, Hailey, ID 83333

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Lot 1 in Block 1 of SCHOESSLER SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 472231, records of Blaine County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 27, 2003

Kathy Schoessler
KATHY SCHOESSLER

State of

Nevada

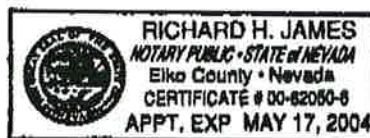
}

County of

Elko

}

} ss.



On this 28th day of May, in the year 2003, before me, the undersigned, personally appeared KATHY SCHOESSLER known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Notary Public

Commission Expires:

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER
NO. 70245 IN THE NAME OF KENNETH J
AND KATHY SCHOESSLER

PRELIMINARY ORDER
CORRECTING TRANSFER
APPROVAL

FINDINGS OF FACT

1. On February 11, 2003 the Department approved Transfer No. 70245 with the following condition attached to Rights 37-20822 and 37-20824:

2. The combined rate of diversion under both rights combined should have been limited to 0.30 cfs, not 0.23 cfs as indicated in the condition.

CONCLUSIONS OF LAW

1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, Idaho Code.
2. The transfer approval incorrectly describes the combined rate of diversion limitation under Rights 37-20822 and 37-20824.
3. The Department should correct the transfer approval to limit the combined rate of diversion under Rights 37-20822 and 37-20824 to 0.30 cfs.

ORDER

IT IS THEREFORE HEREBY ORDERED that condition number one (1) on Rights 37-20822 and 37-20824 in Transfer Approval No. 70245 is **CORRECTED** as follows:

Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of 0.30 cfs, a total annual maximum diversion volume of 70 af at the field headgate, and the irrigation of 20 acres.

Dated this 19 day of March, 2003.


L. GLEN SAXTON
Chief, Water Allocation Bureau

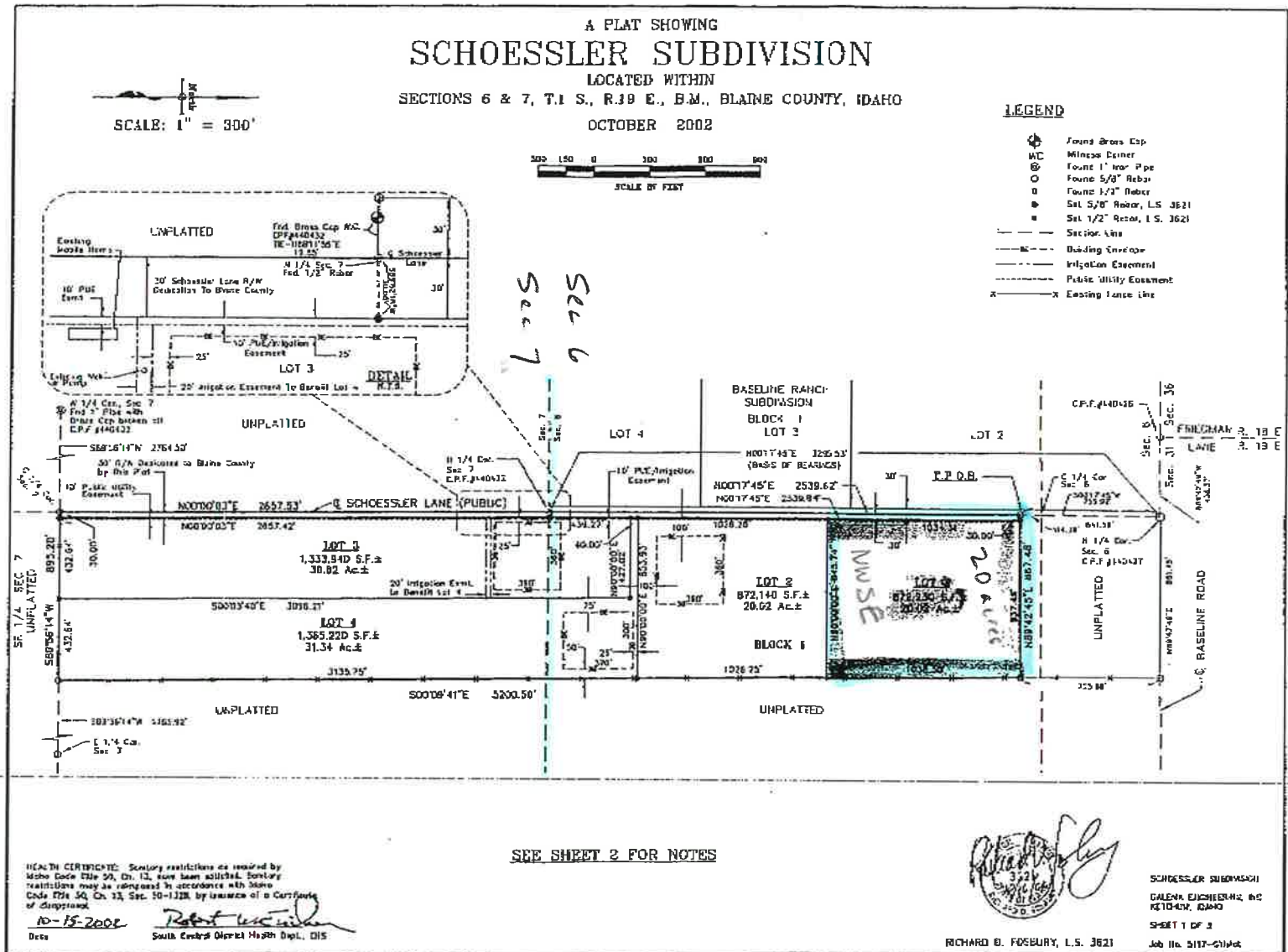
DRAWING NUMBER
INSTRUMENT # 472351

[illegible]

A PLAT SHOWING
SCHOESSLER SUBDIVISION
 LOCATED WITHIN
 SECTIONS 6 & 7, T.1 S., R.19 E., B.M., BLAINE COUNTY, IDAHO
 OCTOBER 2002

LEGEND

- | | |
|---|---------------------------|
|  | Found Across Exp. |
|  | Minneapolis Center |
|  | Found 1" Iron Pipe |
|  | Found 5/8" Rebar |
|  | Found 1/2" Rubber |
|  | Set 5/8" Rebar, L.S. 3621 |
|  | Set 1/2" Rebar, L.S. 3621 |
|  | Section Line |
|  | Building Envelope |
|  | Implication Easement |
|  | Public Utility Easement |
|  | Existing Fence Line |



TOTAL P.01

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20822
Date Received: 11/21/2003
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

KATHY SCHOESSLER Phone: (775)752-3184
HC 62 BOX 1600
WELLS NV USA 89835

KENNETH J SCHOESSLER Phone: (775)752-3184
HC 62 BOX 1600
WELLS NV USA 89835

2. Date of Priority: 09/21/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	6	NW SE	BLAINE	

5. Description of diverting works:

new well to be drilled

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.25	70

7. Total Quantity Appropriated is:
0.25 C.F.S. and/or 70 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

01S	19E	6	NW	SE	IRRIGATION	20
					Section Acres	20
					Total Acres	20

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks: **Corrected Combined diversion rate to 0.30 cfs per Corrected Order**

Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of **0.30** cfs, a total annual maximum diversion volume of 70.0 af at the field headgate, and the irrigation of 20 acres.

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.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

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

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

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.

15. Basis of Claim: License

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER)
NO. 70245 IN THE NAME OF KENNETH J)
AND KATHY SCHOESSLER)
_____)

**PRELIMINARY ORDER
CORRECTING TRANSFER
APPROVAL**

FINDINGS OF FACT

1. On February 11, 2003 the Department approved Transfer No. 70245 with the following condition attached to Rights 37-20822 and 37-20824:

Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of 0.23 cfs, a total annual maximum diversion volume of 70 af at the field headgate, and the irrigation of 20 acres.

2. The combined rate of diversion under both rights combined should have been limited to 0.30 cfs, not 0.23 cfs as indicated in the condition.

CONCLUSIONS OF LAW

1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, Idaho Code.
2. The transfer approval incorrectly describes the combined rate of diversion limitation under Rights 37-20822 and 37-20824.
3. The Department should correct the transfer approval to limit the combined rate of diversion under Rights 37-20822 and 37-20824 to 0.30 cfs.

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Dated this 19th day of March, 2003.


L. GLEN SAXTON
Chief, Water Allocation Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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KATHY SCHOESSLER Phone: (775)752-3184
HC 62 BOX 1600
WELLS NV 89835

KENNETH J SCHOESSLER Phone: (775)752-3184
HC 62 BOX 1600
WELLS NV 89835

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4. Point of Diversion:

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Purpose	From	To	C.F.S.	(or) A.F.A
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7. Total Quantity Appropriated is:
0.25 C.F.S. and/or 70 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	6	NW	SE	IRRIGATION	20
					Section Acres	20
					Total Acres	20

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of 0.23 cfs, a total annual maximum diversion volume of 70.0 af at the field headgate, and the irrigation of 20 acres.

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.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

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

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

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.

15. Basis of Claim: License

RECEIVED

JAN 05 2007

12/14/2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: ASAP

Water right number: 37-20822

DAVID W RENDAHL
PO BOX 3104
HAILEY ID 83333
Telephone Number: (208)720-4231

DORINDA J RENDAHL
PO BOX 3104
HAILEY ID 83333
Telephone Number: (208)788-6477

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-26-06

SIGNATURE:

David W Rendahl

Please print your name:

David W Rendahl

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

RIGHT NUMBER: 37-20822

NAME AND ADDRESS: DAVID W RENDAHL
PO BOX 3104
HAILEY ID 83333DORINDA J RENDAHL
PO BOX 3104
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.250 CFS
70.000 AFY

Right Nos. 37-20822 and 37-20824 are limited to a total combined diversion rate of 0.30 cfs, a total combined annual diversion volume of 70 AF, and the irrigation of 20 acres.

PRIORITY DATE: 09/21/1954

POINT OF DIVERSION:

T01S R19E S6 SWNWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.250 CFS 70.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S06 NWSE 20.00

20 ACRES TOTAL

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

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

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This is a split from former Right 37-2556B.



Idaho Department of Water Resources

SRBA Recommendation:

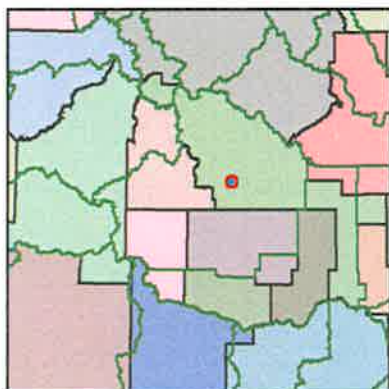
37-20822

37-20824

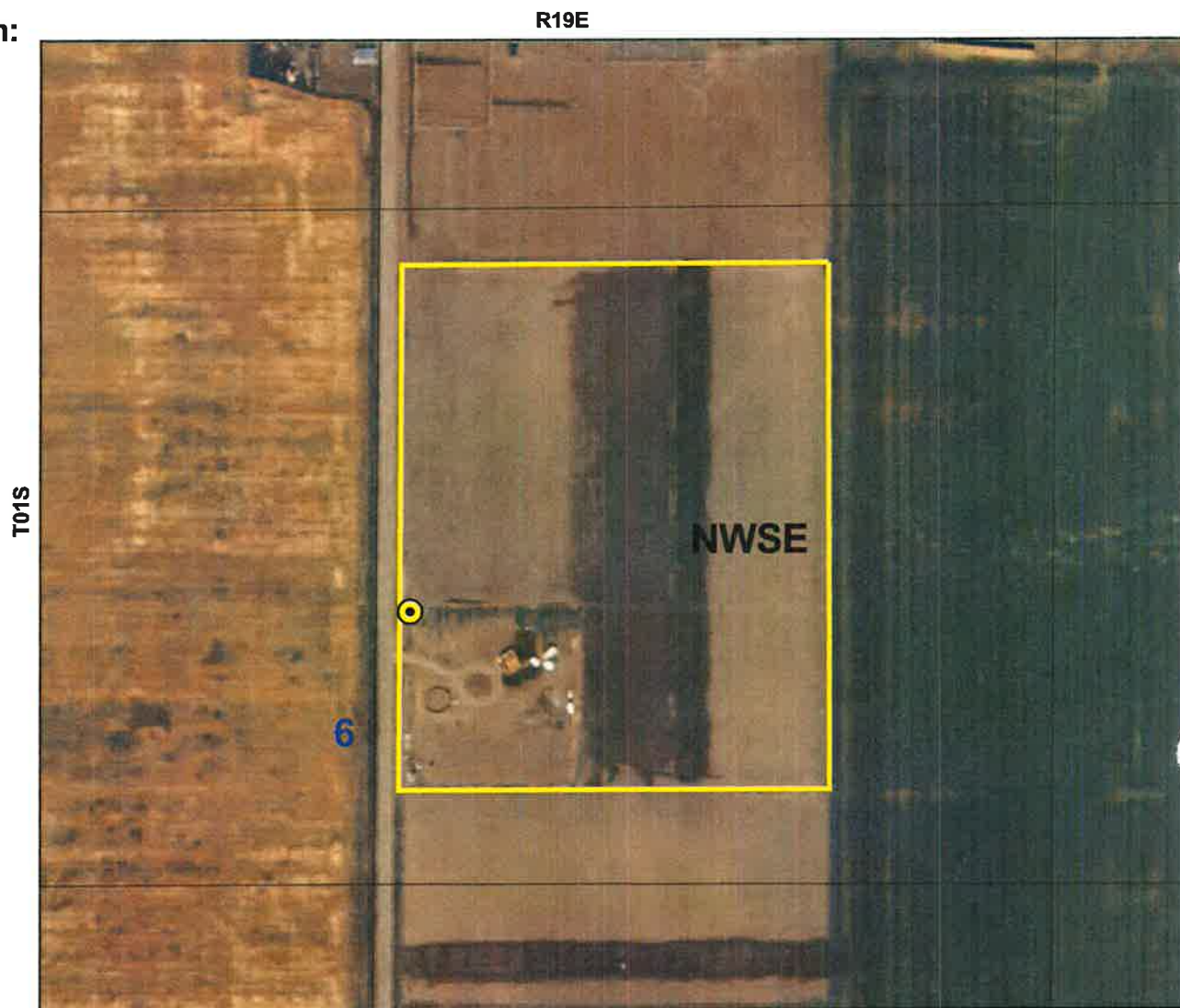
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by J. Stanton
On Thursday, November 16, 2006
2004 Aerial Photography

Owner: David W Rendahl

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

1/31/03

Drilling Permit No. _____

Drilling Permit I.D. Tag No. _____

Water Right Permit No. 57-20822 + 20824

Injection Permit No. _____

State of Idaho
Department of Water ResourcesAPPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

RECEIVED

MAR 29 2004

Department of Water Resources
Southern Region1. Owner (please print): David Rendahl2. Mailing Address: PO Box 8104City: Hailey State: ID Zip Code: 83333 Telephone () 720-42313. Proposed Well Location: Twp. 15 Rge. 19E Sec. 6 1/4 NW 1/4 SE 1/4;Gov't Lot No. _____ County Blaine Lat. _____: _____: _____ Long. _____: _____: _____Street Address of Well Site 4 Schoessler Lane City Bellevue
Give at least name of road + Distance to Road or Landmark

Lot, block and subdivision _____

4. Proposed Use of Well:

- ☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☒ Irrigation ☐ Municipal ☐ Industrial
☐ Livestock ☐ Test ☐ Other _____
 Type _____ Number Hd. _____ (Describe)

☐ INJECTION☐ MONITORING: A well bore schematic and map is required for each blanket permit. No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ ReplaceB. Proposed Casing Diameter 8" Proposed Maximum Depth 200'

C. Anticipated bottom hole temperature:

☒ 85 F or less (Cold Water Well) ☐ 85 F to 212 F (Low Temp. Geo. Well) ☐ 212 F. or more (Geothermal Well)

6. Construction Start Date: April 1, 20047. Anticipated Well Driller: Ken Smith - Wood River Drilling Driller's Lic. No. _____
NOTE: The actual well driller must be identified prior to drilling.8. Applicant's Signature: David Rendahl Date 3/28/04

Address (if different than owner): _____

City: _____ State: _____ Zip Code: _____ Telephone: _____

Title: _____
(Owner, Firm Representative, Other)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER)
NO. 70245 IN THE NAME OF KENNETH J)
AND KATHY SCHOESSLER)
_____)

**PRELIMINARY ORDER
CORRECTING TRANSFER
APPROVAL**

FINDINGS OF FACT

1. On February 11, 2003 the Department approved Transfer No. 70245 with the following condition attached to Rights 37-20822 and 37-20824:

Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of 0.23 cfs, a total annual maximum diversion volume of 70 af at the field headgate, and the irrigation of 20 acres.

2. The combined rate of diversion under both rights combined should have been limited to 0.30 cfs, not 0.23 cfs as indicated in the condition.

CONCLUSIONS OF LAW

1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, Idaho Code.
2. The transfer approval incorrectly describes the combined rate of diversion limitation under Rights 37-20822 and 37-20824.
3. The Department should correct the transfer approval to limit the combined rate of diversion under Rights 37-20822 and 37-20824 to 0.30 cfs.

ORDER

IT IS THEREFORE HEREBY ORDERED that condition number one (1) on Rights 37-20822 and 37-20824 in Transfer Approval No. 70245 is **CORRECTED** as follows:

Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of 0.30 cfs, a total annual maximum diversion volume of 70 af at the field headgate, and the irrigation of 20 acres.

Dated this 19th day of March, 2003.



L. GLEN SAXTON
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70245

This is to certify that: KATHY SCHOESSLER And
KENNETH J SCHOESSLER
HC 62 BOX 1600
WELLS NV 89835
(775)752-3184

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
37-20618	AJC/License	12/12/1979	0.76 cfs	298.2 af	114.0	102.0	GROUND WATER
37-20620	AJC/License	09/21/1954	1.28 cfs	N/A		102.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
37-20618	YES	YES	NO	NO	NO	NO
37-20620	YES	YES	NO	NO	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
37-20618	37-20824	0.15 cfs	58.5 af	N/A	20.0	37-20823	0.61 cfs	239.7 af	N/A	82.0
37-20620	37-20822	0.25 cfs	70 af	N/A	20.0	37-20821	1.03 cfs	N/A	N/A	82.0
COMBINED										
TOTALS		0.3 cfs	70 af	20	20		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of February, 2003

Z. Glen Saylor
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20823
As Modified by Transfer No. 70245

In accordance with the approval of Transfer No. 70245, Water Right No. 37-20823 is now described as follows.

Right Holder: KATHY SCHOESSLER And
 KENNETH J SCHOESSLER
 HC 62 BOX 1600
 WELLS NV 89835

Priority Date: December 12, 1979

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	0.61 CFS	239.7 AF
		0.61 CFS	239.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWNE Sec. 7 Twp 01S Rge 19E BLAINE 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 19E 6													4.0	26.0			30.0
01S 19E 7			26.0	26.0													52.0

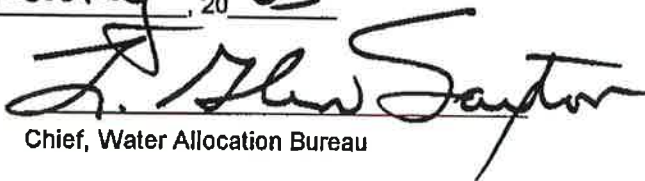
Total Acres: 82

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 10th day of February, 20 03


 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20824
As Modified by Transfer No. 70245

In accordance with the approval of Transfer No. 70245, Water Right No. 37-20824 is now described as follows.

Right Holder: KATHY SCHOESSLER And
KENNETH J SCHOESSLER
HC 62 BOX 1600
WELLS NV 89835

Priority Date: December 12, 1979

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	0.15 CFS	58.5 AF
		0.15 CFS	58.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 6 Twp 01S Rge 19E BLAINE 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 19E 6																20.0	20.0

Total Acres: 20

CONDITIONS OF APPROVAL

1. Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of 0.23 cfs, a total annual maximum diversion volume of 70 af at the field headgate, and the irrigation of 20 acres.
2. 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.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

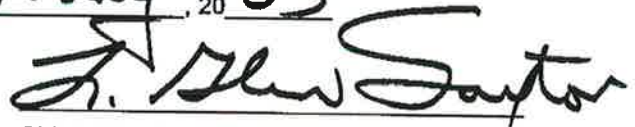
WATER RIGHT NO. 37-20824
As Modified by Transfer No. 70245

CONDITIONS OF APPROVAL

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.

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 10th day of February, 2003

A handwritten signature in cursive script, appearing to read "J. Blum Saylor".

Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20821
As Modified by Transfer No. 70245

In accordance with the approval of Transfer No. 70245, Water Right No. 37-20821 is now described as follows.

Right Holder: KEN SCHOESSLER And
 KATHY SCHOESSLER
 HC 62 BOX 1600
 WELLS NV 89835

Priority Date: September 21, 1954

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	1.03 CFS	
			1.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 7 Twp 01S Rge 19E BLAINE 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	19E	6														4.0	26.0		30.0
01S	19E	7			26.0	26.0													52.0

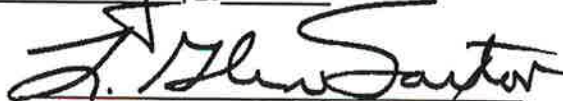
Total Acres: 82

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 10th day of February, 2003



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-20822
As Modified by Transfer No. 70245

In accordance with the approval of Transfer No. 70245, Water Right No. 37-20822 is now described as follows.

Right Holder: KATHY SCHOESSLER And
KENNETH J SCHOESSLER
HC 62 BOX 1600
WELLS NV 89835

Priority Date: September 21, 1954

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	0.25 CFS	70.0 AF
			0.25 CFS	70.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSE Sec. 6 Twp 01S Rge 19E BLAINE 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	19E	6																	20.0
																			20.0

Total Acres: 20

CONDITIONS OF APPROVAL

1. Rights 37-20822 and 37-20824 when combined shall not exceed a total diversion rate of 0.23 cfs, a total annual maximum diversion volume of 70.0 af at the field headgate, and the irrigation of 20 acres.
2. 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.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 37-20822

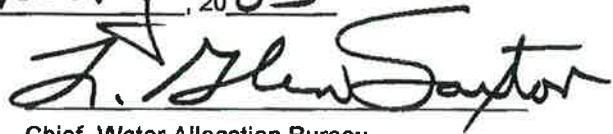
As Modified by Transfer No. 70245

CONDITIONS OF APPROVAL

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.

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 10th day of February, 2003



Chief, Water Allocation Bureau

MEMORANDUM

Date: December 10, 2002
To: Transfer 70246 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Applicants (Kenneth and Kathy Schoessler) are subdividing their farm into four lots and will be selling the lots. Transfer 70245 proposes splitting off the proportionate portion of claims 37-20618 and 37-20620 for lot 1 of the subdivision and changing the point of diversion to a new well to be drilled on lot 1. Transfer 70246 proposes splitting off the proportionate portion of claims 37-20618 and 37-20620 for lot 2 of the subdivision and changing the point of diversion to a new well to be drilled on lot 2. The remaining portions of 37-20618 and 37-20620 will remain appurtenant to the rest of the farm (lots 3 and 4) and will be diverted from the original (existing) well. Nothing will change with these remaining portions so they are not being transferred. The applicants attorney indicated that the eventual owners of lot 3 and lot 4 will share the use of the existing well via a well sharing agreement.

Note that claims 37-20618 and 37-20620 are based on parts of overlapping licensed rights 37-7817 and 37-2556B which are limited to 1.73 cfs and 117 acres. Claims 37-20618 and 37-20620 are for 102 of the 117 licensed acres. Lots 1 and 2 are both 20 acres in size, so transfers 70245 and 70246 both involve a 20/102 portion of claims 37-20618 and 37-20620 and the appropriate combined use limits from the original licenses.

Examination of the Departments records indicate that surface water claims 37-11749, 37-11750, 37-11751, and 37-11752, all in the name of Hoffman, appear to overlap claims 37-20618 and 37-20620. However, examination of the claim files reveals that the surface water claims 37-11749, 37-11750, 37-11751, and 37-11752 were apparently historically used on property now owned by Hoffman, just to the north of the Schoessler property involved with transfers 70245 and 70246. There are various documents in the claim files indicating that the surface water is not used on the Schoessler property involved with transfers 70245 and 70246. I assume that the eventual recommendations for these claims will not include the Schoessler property involved with transfers 70245 and 70246. I placed memos in these claim files giving the eventual AJ agent a heads up with these surface water claims.

It should be noted that the data entry work for the approvals of Transfer 70245 and Transfer 70246 are based on Transfer 70245 being approved first. The untransferred portions of Transfer 70245 will serve as the base rights for Transfer 70246 and the untransferred portions of Transfer 70246 reflect approvals of both Transfer 70245 and Transfer 70246.

Transfer 70245 and transfer 70246 both should be straightforward and approvable.

- **Authority to File:**
Applicants are listed as the current owners on SRBA claims.
- **Water Right Validity:**
Rights involved with the transfer are still pending in the SRBA and NAPP photography indicates the property involved with the application was irrigated around 1987. Forfeiture does not appear to be an issue.