

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 37-22039
Date Received: 12/19/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KATHRYN SCHMID Phone: (208)734-8277
205 9TH AVE N
TWIN FALLS ID 83301

STEPHEN SCHMID Phone: (208)734-8277
205 9TH AVE N
TWIN FALLS ID 83301

2. Date of Priority: 03/24/1883

3. Source: BIG WOOD RIVER , GROUND WATER Trib. to: MALAD RIVER , BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	12	SE SW	BLAINE	
01S	18E	1	SE NW 3	BLAINE	

5. Description of diverting works:

Headgate & Bypass Canal

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
01S	18E	1	SE	NW	3	IRRIGATION	10.3
			NE	SW		IRRIGATION	13.8
						Section Acres	24.1
						Total Acres	24.1

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:

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

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

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. 37.

The use of ground water under rights 37-20886, 37-20887, 37-20888, 37-20889, 37-20890, 37-20891, 37-20892 and 37-20893 when combined shall not exceed a total diversion rate of 0.56 cfs, a total annual maximum diversion volume of 98.0 af at the well head, and the irrigation of 28 acres.

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.

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 37-30000K AND 37-30000L.

After specific notification by the Department, the right holder shall measure the ground water diversion 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 maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion of Big Wood River water for mitigation.

This right is a split from former right 37-20892.

15. Basis of Claim: Decreed

RECEIVED

MAR 07 2005

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

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
37-20886			37-20891		
37-20887			37-20892		
37-20888			37-20893		
37-20889					
37-20890					

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) A.W. MOLYNEUX, MAXINE MOLYNEUX, WILLIAM L. MOLYNEUX, JOHN I. MOLYNEUX, KRISTY M. MOLYNEUX
1174 GANNETT ROAD, BELLEVUE, ID 83313
4. New Owner/Claimant(s) STEVEN SCHMID, KATHRYN SCHMID
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 205 9TH AVE NORTH
- City, State and ZIP Code TWIN FALLS ID 83301
- New Telephone Number (208) 734 8277
5. Date you acquired the property FEB 14, 2005

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)

Stephen E. Schell

Kathryn C. Schmid

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 _____

AFTER RECORDING MAIL TO:

Stephen Schmid and Kathryn Schmid
205 9th Ave. North
Twin Falls, ID 83301

Instrument # 516212

HAILEY, BLAINE, IDAHO
2005-02-10 02:45:00 No. of Pages: 3
Recorded for : FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 9.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

mp

WARRANTY DEED

File No.: **104543-TF (ga)**

Date: **January 31, 2005**

For Value Received, **A. W. Molyneux and Maxine Molyneux, husband and wife, as to an undivided 70% interest and William L. Molyneux, a single man, as to an undivided 10.25% interest and John I. Molyneux and Kristy M. Molyneux, husband and wife, as to an undivided 19.75% interest**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Stephen Schmid and Kathryn Schmid, husband and wife**, hereinafter called the Grantee, whose current address is **205 9th Ave. North, Twin Falls, ID 83301**, the following described premises, situated in **Blaine County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 01/31/2005

Warranty Deed
- continued

File No.: 104543-TF (ga)

A. W. Molyneux
A. W. Molyneux

Maxine Molyneux
Maxine Molyneux

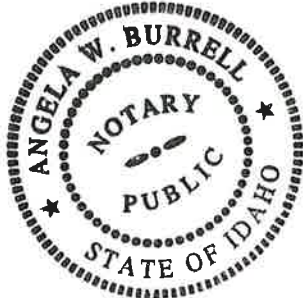
William L. Molyneux
William L. Molyneux

John I. Molyneux
John I. Molyneux

Kristy M. Molyneux
Kristy M. Molyneux

STATE OF Idaho)
COUNTY OF Blaine)
1st

On this **Second** day of February, 2005, before me, a Notary Public in and for said State, personally appeared **A. W. Molyneux and Maxine Molyneux and William L. Molyneux and John I. Molyneux and Kristy M. Molyneux**, 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.



Angela W Burrell
Notary Public for the State of Idaho
Residing at: Hailey, ID
My Commission Expires: 8/7/05

EXHIBIT A

A parcel of land located within Section 1, Township 1 South, Range 18 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at a 5/8-inch rebar by P.L.S. 907 marking the northwest corner of U.S. Government Lot 3, said Section 1, which point is the REAL POINT OF BEGINNING;

Thence S. 89°39'45" E., 953.50 feet along the North boundary of said Section 1 to a 5/8-inch rebar by P.L.S. 3621 marking the northeast corner of old Tax Lot 1395 at the West boundary of Idaho State Highway No. 75;

Thence 110.31 feet along said Highway boundary and around a curve to the right with a radius of 3,776.63 feet, a central angle of 1°40'25", a tangent of 55.16 feet and a long chord of 110.31 feet that bears S. 7°11'12" W.;

Thence N. 81°58'36" W., 80.67 feet;

Thence 871.53 feet around a curve to the right with a radius of 3,736.63 feet, a central angle of 13°21'49", a tangent of 437.75 feet and a long chord of 869.56 feet that bears S. 14°44'05" W.;

Thence S. 21°33'35" W., 1,716.80 feet along a line of 120 feet westerly and parallel with the centerline of Idaho State Highway No. 75 to the West boundary of SE $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 1;

Thence N. 0°11'34" W. 539.65 feet along the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 to a 5/8-inch rebar by P.L.S. 907 marking the Southwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1;

Thence continuing N. 0°11'34" W., 1,334.93 feet along the West boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 to a 5/8-inch rebar by P.L.S. 907 marking the Southwest corner of said U.S. Government Lot 3;

Thence N. 0°07'28" W., 666.88 feet along the West boundary of said U.S. Government Lot 3 to the POINT OF BEGINNING.

COPY

DISTRICT COURT - SRBA	
Judicial District	
County of Twin Falls - State of Idaho	
FEB 23 2009	
By _____	Clerk
_____	Deputy Clerk

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

In Re SRBA

Case No. 39576

) Subcase No: 37-2658, 37-4421B, 37-7651
) 37-11430, 37-20570, 37-20571, 37-20574,
) 37-20577, 37-20578, 37-20581, 37-20584,
) 37-20593, 37-22027, 37-22029, 37-22031,
) 37-22033, 37-22035, 37-22037, 37-22039
) 37-22041

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER 74959

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the *associated* water right(s):

☒ Conditions of Approval

☐ Point of Diversion

☐ Period of Use

☐ Split of Water Right

☐ Place of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 2/20/09


Signature of IDWR Representative

SUPPORT DATA

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/21/96

ON FILE # 37-2658
for all ADRs

CERTIFICATE OF MAILING

I certify that on 2/23, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

A W Molyneux
Maxine Molyneux
1174 Gannett-Picabo Rd
Bellevue ID 83313

John Molyneux
Kristy Molyneux
10407 Hwy 75
Bellevue ID 83313

Stephen Schmid
Kathryn Schmid
205 9th Ave N
Twin Falls ID 83301



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 23, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

A W MOLYNEUX
MAXINE MOLYNEUX
1174 GANNETT PICABO RD
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-2658, 37-4421B, 37-7651, 37-11430,
37-20570, 37-20571, 37-20574, 37-20577, 37-20578,
37-20581, 37-20584, 37-20593, 37-22027, 37-22029,
37-22031, 37-22033, 37-22035, 37-22037, 37-22039
37-22041

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: John Molyneux
Kristy Molyneux
10407 Hwy 75
Bellevue ID 83313

Stephen Schmid
Kathryn Schmid
205 9th Ave N
Twin Falls ID 83301

COPY

MAINTENANCE - CIVIL
TWIN FALLS CO., IDAHO
FILED

2008 JUN 25 PM 12 05

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

In Re SRBA

Case No. 39576

) Subcase No: 37-22027, 37-22029,
) 37-22031, 37-22033, 37-22035,
) 37-22037, 37-22039, 37-22041
)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership

☒ Point of Diversion

☐ Period of Use

☐ Split of Water Right

☒ Place of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 6/24/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/25, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

Stephen Schmid
Kathryn Schmid
205 9th Ave N
Twin Falls ID 83301



Signature of person or attorney mailing the form

06/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22027

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301SOURCE: BIG WOOD RIVER
GROUND WATERTRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.060 CFS

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

PRIORITY DATE: 05/31/1887

POINT OF
DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County
T01N R18E S25 NWSESW Rediversion Within BLAINE County
T01N R18E S25 NESWSW Rediversion Within BLAINE County
T01S R18E S1 SESESW Lot 3 Within BLAINE County
T01S R18E S1 SESESW Lot 3 Within BLAINE County

This right is measured and administered at the points of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.060 CFS
IRRIGATION	04/15 10/31	0.060 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW	12.10	T01S R18E S01	NESW	14.50
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T01S R18E S01	SESW	1.30
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MITIGATION same as IRRIGATION

27.9 ACRES TOTAL

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres in a single irrigation season.

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed the irrigation of 24.1 acres in a single irrigation season.

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

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-20886.

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. 37.

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

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

06/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22029

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER
GROUND WATER

TRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.

QUANTITY: 0.180 CFS

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

PRIORITY DATE: 05/15/1892

POINT OF
DIVERSION:

T01N R18E S12 SESW Within BLAINE County
T01N R18E S25 NWSNW Rediversion Within BLAINE County
T01N R18E S25 NESWSW Rediversion Within BLAINE County
T01S R18E S1 SESESW Lot 3 Within BLAINE County
T01S R18E S1 SESESW Lot 3 Within BLAINE County

This right is measured and administered at the point of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.180 CFS
IRRIGATION	04/15 10/31	0.180 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW	12.10	T01S R18E S01	NESW	14.50
T01S R18E S01	SESW	1.30		

MITIGATION same as IRRIGATION

27.9 ACRES TOTAL

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed the irrigation of 24.1 acres in a single irrigation season.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres in a single irrigation season.

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

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.

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

This right is a split from former right 37-20887.

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

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. 37.

06/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22031

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER
GROUND WATER
TRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.340 CFS

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039 and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

PRIORITY DATE: 05/31/1887

POINT OF
DIVERSION:

T01N R18E S12 SESW Within BLAINE County
T01N R18E S25 NWSEW Rediversion Within BLAINE County
T01N R18E S25 NESWSW Rediversion Within BLAINE County
T01S R18E S1 SESEW Lot 3 Within BLAINE County
T01S R18E S1 SESEW Lot 3 Within BLAINE County

This right is measured and administered at the points of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.340 CFS
IRRIGATION	04/15 10/31	0.340 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW	12.10	T01S R18E S01	NESW	14.50
T01S R18E S01	SESW	1.30		

MITIGATION same as IRRIGATION

27.9 ACRES TOTAL

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres in a single irrigation season.

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039 and 37-22041 when combined shall not exceed the irrigation of 24.1 acres in a single irrigation season.

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

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-20888.

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.

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. 37.

06/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22033

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER
GROUND WATER

TRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.

QUANTITY: 0.110 CFS

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

PRIORITY DATE: 05/15/1885

POINT OF
DIVERSION:

T01N R18E S12 SESW Within BLAINE County
T01N R18E S25 NWSNW Rediversion Within BLAINE County
T01N R18E S25 NESWSW Rediversion Within BLAINE County
T01S R18E S1 SESENW Lot 3 Within BLAINE County
T01S R18E S1 SESENW Lot 3 Within BLAINE County

This right is measured and administered at the points of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.110 CFS
IRRIGATION	04/15 10/31	0.110 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW	12.10	T01S R18E S01	NESW	14.50
T01S R18E S01	SESW	1.30		

MITIGATION same as IRRIGATION

27.9 ACRES TOTAL

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed the irrigation of no more than 24.1 acres in a single irrigation season.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres in a single irrigation season.

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

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.

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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 right is a split from former right 37-20889.

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

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. 37.

06/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22035

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER
GROUND WATER

TRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.120 CFS

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head

PRIORITY DATE: 06/30/1884

POINT OF
DIVERSION:

T01N R18E S12 SESW Within BLAINE County
T01N R18E S25 NWSEW Rediversion Within BLAINE County
T01N R18E S25 NESWSW Rediversion Within BLAINE County
T01S R18E S1 SESEW Lot 3 Within BLAINE County
T01S R18E S1 SESEW Lot 3 Within BLAINE County

This right is measured and administered at the points of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.120 CFS
IRRIGATION	04/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW 12.10 T01S R18E S01 NESW 14.50
T01S R18E S01 SESW 1.30

MITIGATION same as IRRIGATION

27.9 ACRES TOTAL

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres in a single irrigation season.

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed the irrigation of 24.1 acres in a single irrigation season.

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

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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. 37.

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

This right is a split from former right 37-20890.

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

06/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22037

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER
GROUND WATER

TRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

QUANTITY: 0.020 CFS

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head..

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

PRIORITY DATE: 06/15/1891

POINT OF
DIVERSION:

T01N R18E S12 SESW Within BLAINE County
T01N R18E S25 NWSNW Rediversion Within BLAINE County
T01N R18E S25 NESWSW Rediversion Within BLAINE County
T01S R18E S1 SESESW Lot 3 Within BLAINE County
T01S R18E S1 SESESW Lot 3 Within BLAINE County

This right is measured and administered at the points of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.020 CFS
IRRIGATION	04/15 10/31	0.020 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW 12.10 T01S R18E S01 NESW 14.50
T01S R18E S01 SESW 1.30

MITIGATION same as IRRIGATION

27.9 ACRES TOTAL

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres in a single irrigation season.

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed the irrigation of 24.1 acres in a single irrigation season.

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

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.

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-20891.

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.

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. 37.

06/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22039

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER
GROUND WATER

TRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.

QUANTITY: 0.040 CFS

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head..

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

T01N R18E S12 SESW Within BLAINE County
T01N R18E S25 NWSNW Rediversion Within BLAINE County
T01N R18E S25 NESWSW Rediversion Within BLAINE County
T01S R18E S1 SESESW Lot 3 Within BLAINE County
T01S R18E S1 SESESW Lot 3 Within BLAINE County

This right is measured and administered at the points of rediversion.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MITIGATION	04/15 10/31	0.040 CFS
IRRIGATION	04/15 10/31	0.040 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW 12.10 T01S R18E S01 NESW 14.50
T01S R18E S01 SESW 1.30

MITIGATION same as IRRIGATION

27.9 ACRES TOTAL

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed the irrigation of 24.1 acres in a single irrigation season.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres in a single irrigation season.

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

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

This right is a split from former right 37-20892.

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. 37.

06/03/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22041

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER
GROUND WATER

TRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.

QUANTITY: 0.240 CFS

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

PRIORITY DATE: 03/24/1883

POINT OF
DIVERSION:

TO1N R18E S12 SESW Within BLAINE County
TO1N R18E S25 NWSENW Rediversion Within BLAINE County
TO1N R18E S25 NESWSW Rediversion Within BLAINE County
TO1S R18E S1 SESENW Lot 3 Within BLAINE County
TO1S R18E S1 SESENW Lot 3 Within BLAINE County

This right is measured and administered at the points of rediversion.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.240 CFS
MITIGATION	04/15 10/31	0.240 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW 12.10 T01S R18E S01 NESW 14.50
T01S R18E S01 SESW 1.30

MITIGATION same as IRRIGATION

27.9 ACRES TOTAL

The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed the irrigation of 24.1 acres in a single irrigation season.

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres in a single irrigation season.

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

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.

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-20893.

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

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. 37.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

June 25, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

STEPHEN SCHMID
KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

RE: SRBA Claim(s) 37-22027, 37-22029, 37-22031, 37-22033,
37-22035, 37-22037, 37-22039, 37-22041

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

02/15/2007

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

RIGHT NUMBER: 37-22039

NAME AND ADDRESS: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER
GROUND WATER

TRIBUTARY: MALAD RIVER
TRIBUTARY: BIG WOOD RIVER

Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the bypass Canal for mitigation purposes.

QUANTITY: 0.040 CFS

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T01N R18E S12 SESW Within BLAINE County

T01N R18E S25 NWSEW Rediversion Within BLAINE County

T01N R18E S25 NESWSW Rediversion Within BLAINE County

T01S R18E S1 SENW Lot 3 Within BLAINE County

This right is measured and administered at the point of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MITIGATION	04/15 10/31	0.040 CFS
IRRIGATION	04/15 10/31	0.040 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R18E S01 Lot 3 SENW	10.30	T01S R18E S01	NESW	13.80
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24.1 ACRES TOTAL

The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed the irrigation of 28 acres.

02/15/2007

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

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

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.

Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-20892.

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion of Big Wood River water for mitigation.

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 measure the ground water diversion 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.

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. 37.

12/27/2006

IDAHO DEPARTMENT OF WATER RESOURCES
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This right is measured and administered at the point of rediversion.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.040 CFS

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>			
T01S R18E S01 Lot 3 SENW	10.30	T01S R18E S01	NESW 13.80

24.1 ACRES TOTAL

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12/27/2006

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PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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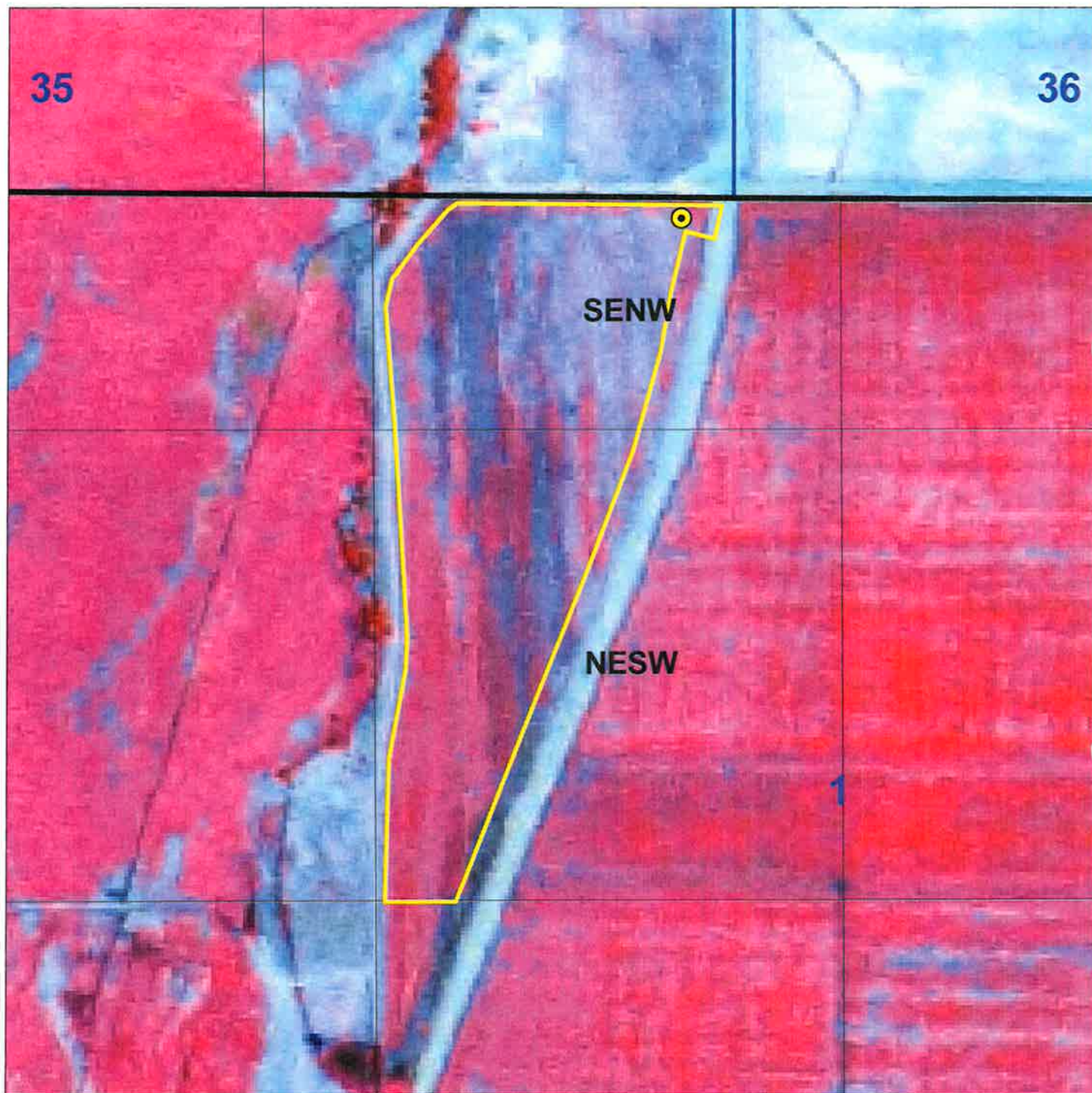
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37-22039





Idaho Department of Water Resources

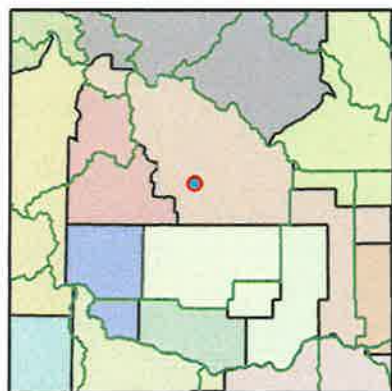
SRBA Recommendation:

37-22039

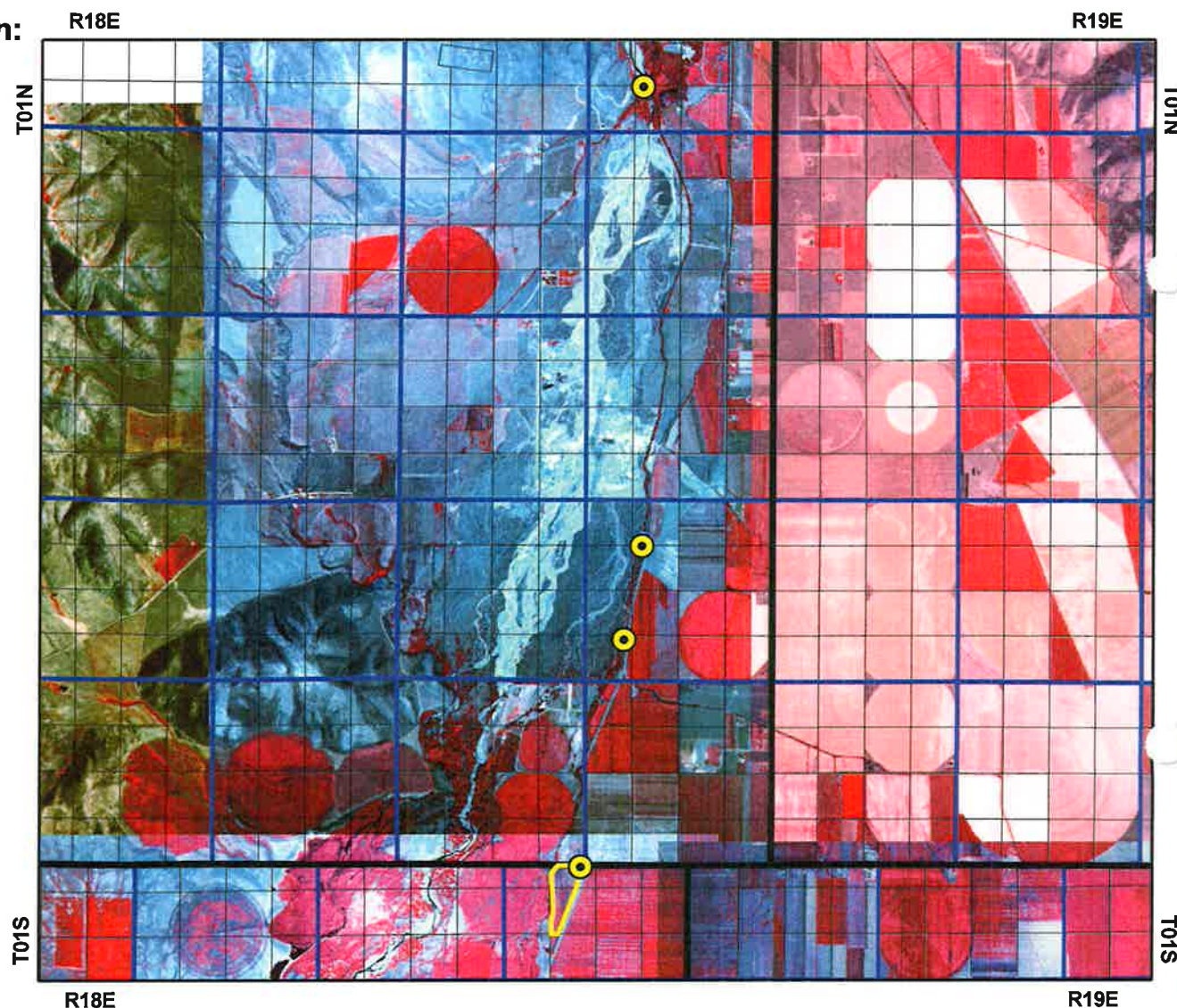
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 2 4 Miles

Prepared by T. Fawcett
On Wednesday, December 27, 2006
1987/88 Aerial Photography

11/21/2006

**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: 12/13/2006

Water right number: 37-20892

STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301
Telephone Number: (208)734-8277

KATHRYN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301
Telephone Number: (208)734-8277

RECEIVED
DEC 07 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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: 12/2/06 SIGNATURE: Kathryn P. Schmid
Please print your name: Kathryn P Schmid

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC - 5 2006