

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79812**

This is to certify that: **KAELYNE SCHWIEDER AND
KIRT SCHWIEDER
PO BOX 1662
IDAHO FALLS, ID 83401**

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-13865	WR/DECREED	1/10/1966	0.450 cfs	128.0 af	32.0	538.8	GROUND WATER
35-13867	WR/DECREED	3/13/1974	0.250 cfs	60.0 af	15.0	538.8	GROUND WATER
35-13869	WR/DECREED	2/28/1955	0.330 cfs	104.0 af	26.0	538.8	GROUND WATER
35-13873	WR/DECREED	6/20/1961	0.070 cfs	29.9 af	15.0	538.8	GROUND WATER
35-13875	WR/DECREED	6/20/1961	0.280 cfs	104.0 af	26.0	538.8	GROUND WATER
35-14130	WR/DECREED	4/11/1972	0.080 cfs	23.2 af	5.8	538.8	GROUND WATER
35-7009	WR/DECREED	1/8/1968	4.000 cfs	1044.0 af	261.0	538.8	GROUND WATER
35-7157	WR/DECREED	11/27/1970	3.740 cfs	1840.0 af	460.0	538.8	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-13865	NO	NO	YES	NO	NO	NO
35-13867	NO	NO	YES	NO	NO	NO
35-13869	NO	NO	YES	NO	NO	NO
35-13873	NO	NO	YES	NO	NO	NO
35-13875	NO	NO	YES	NO	NO	NO
35-14130	NO	NO	YES	NO	NO	NO
35-7009	NO	NO	YES	NO	NO	NO
35-7157	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-13865	35-13865	0.450 cfs	128.0 af	32.0	538.8	N/A	N/A	N/A	N/A	N/A
35-13867	35-13867	0.250 cfs	60.0 af	15.0	538.8	N/A	N/A	N/A	N/A	N/A
35-13869	35-13869	0.330 cfs	104.0 af	26.0	538.8	N/A	N/A	N/A	N/A	N/A
35-13873	35-13873	0.070 cfs	29.9 af	15.0	538.8	N/A	N/A	N/A	N/A	N/A
35-13875	35-13875	0.280 cfs	104.0 af	26.0	538.8	N/A	N/A	N/A	N/A	N/A
35-14130	35-14130	0.080 cfs	23.2 af	5.8	538.8	N/A	N/A	N/A	N/A	N/A
35-7009	35-7009	4.000 cfs	1044.0 af	261.0	538.8	N/A	N/A	N/A	N/A	N/A
35-7157	35-7157	3.740 cfs	1840.0 af	460.0	538.8	N/A	N/A	N/A	N/A	N/A

Transfer No. 79812

SUPPORT DATA

IN FILE # 35-7009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79812

COMBINED TOTALS	9.090 cfs	2155.2 af	538.8	538.8	N/A	N/A	N/A	N/A
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This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 23rd day of February, 2015.


for Chief, Water Allocation Bureau



WATER RIGHT NO. 35-14130 **As Modified by Transfer No. 79812**

In accordance with the approval of Transfer No. 79812, Water Right No. 35-14130 is now described as follows:

Right Holder: KIRT SCHWIEDER AND
 KAELYNE SCHWIEDER
 PO BOX 1662
 IDAHO FALLS, ID 83401

Priority Date: 4/11/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.080 cfs	23.2 af
			0.080 cfs	23.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNE Sec 1 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50.0	50.8	40.0	40.0	51.0	45.0	20.0	38.0	30.0			31.0	40.0	40.0	32.0	31.0	538.8
			L 1	L 2			L 3	L 4											

Right Acre Limit: 5.8
 POU Total Acres: 538.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.8 acres within the authorized place of use described above in a single irrigation season.
2. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130 when combined shall not exceed a total diversion rate of 9.09 cfs, a total annual maximum diversion volume of 2155.2 af at the field headgate, and the irrigation of 538.8 acres.
3. 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. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79812

WATER RIGHT NO. 35-14130
As Modified by Transfer No. 79812

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79812, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The following rights are diverted through point of diversion described above: 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 RIGHT NO. 35-13867
As Modified by Transfer No. 79812

In accordance with the approval of Transfer No. 79812, Water Right No. 35-13867 is now described as follows:

Right Holder: KAELYNE SCHWIEDER AND
 KIRT SCHWIEDER
 PO BOX 1662
 IDAHO FALLS, ID 83401

Priority Date: 3/13/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.250 cfs	60.0 af
			0.250 cfs	60.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNE Sec 1 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50.0	50.8	40.0	40.0	51.0	45.0	20.0	38.0	30.0			31.0	40.0	40.0	32.0	31.0	538.8
			L 1	L 2			L 3	L 4											

Right Acre Limit: 15.0
 POU Total Acres: 538.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15 acres within the authorized place of use described above in a single irrigation season.
2. Rights 35-13867 and 35-13873 when combined shall not exceed a total diversion rate of 0.3 cfs, a total annual maximum diversion volume of 60 af at the field headgate, and the irrigation of 15 acres.
3. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130 when combined shall not exceed a total diversion rate of 9.09 cfs, a total annual maximum diversion volume of 2155.2 af at the field headgate, and the irrigation of 538.8 acres.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79812

WATER RIGHT NO. 35-13867
As Modified by Transfer No. 79812

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 79812, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through point of diversion described above: 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-7157
As Modified by Transfer No. 79812

In accordance with the approval of Transfer No. 79812, Water Right No. 35-7157 is now described as follows:

Right Holder: KIRT SCHWIEDER And
 KAELYNE SCHWIEDER
 PO BOX 1662
 IDAHO FALLS, ID 83401

Priority Date: 11/27/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	05/01	to 09/30	3.740 cfs	1840.0 af
			3.740 cfs	1840.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNE Sec 1 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50.0	50.8	40.0	40.0	51.0	45.0	20.0	38.0	30.0			31.0	40.0	40.0	32.0	31.0	538.8
			L 1	L 2			L 3	L 4											

Right Acre Limit: 460.0

POU Total Acres: 538.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 460 acres within the authorized place of use described above in a single irrigation season.
2. Rights 35-7009 and 35-7157 when combined shall not exceed a total annual maximum diversion volume of 1840 af at the field headgate, and the irrigation of 460 acres.
3. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130 when combined shall not exceed a total diversion rate of 9.09 cfs, a total annual maximum diversion volume of 2155.2 af at the field headgate, and the irrigation of 538.8 acres.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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WATER RIGHT NO. 35-7157
As Modified by Transfer No. 79812

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 79812, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through point of diversion described above: 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-13865

As Modified by Transfer No. 79812

In accordance with the approval of Transfer No. 79812, Water Right No. 35-13865 is now described as follows:

Right Holder: KIRT SCHWIEDER And
KAELYNE SCHWIEDER
PO BOX 1662
IDAHO FALLS, ID 83401

Priority Date: 1/10/1966

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 to **To** 11/01

Diversion Rate
0.450 cfs
0.450 cfs

Diversion Volume
128.0 af
128.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNE Sec 1 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50.0	50.8	40.0	40.0	51.0	45.0	20.0	38.0	30.0			31.0	40.0	40.0	32.0	31.0	538.8
			L 1	L 2			L 3	L 4											

Right Acre Limit: 32.0

POU Total Acres: 538.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 32 acres within the authorized place of use described above in a single irrigation season.
2. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130 when combined shall not exceed a total diversion rate of 9.09 cfs, a total annual maximum diversion volume of 2155.2 af at the field headgate, and the irrigation of 538.8 acres.
3. 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. 120.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79812

WATER RIGHT NO. 35-13865
As Modified by Transfer No. 79812

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 79812, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The following rights are diverted through point of diversion described above: 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 RIGHT NO. 35-13869**As Modified by Transfer No. 79812**

In accordance with the approval of Transfer No. 79812, Water Right No. 35-13869 is now described as follows:

Right Holder: KAELYNE SCHWIEDER And
KIRT SCHWIEDER
PO BOX 1662
IDAHO FALLS, ID 83401

Priority Date: 2/28/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.330 cfs	104.0 af
			0.330 cfs	104.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNE Sec 1 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50.0	50.8	40.0	40.0	51.0	45.0	20.0	38.0	30.0			31.0	40.0	40.0	32.0	31.0	538.8
			L 1	L 2			L 3	L 4											

Right Acre Limit: 26.0

POU Total Acres: 538.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 26 acres within the authorized place of use described above in a single irrigation season.
2. Rights 35-13869 and 35-13875 when combined shall not exceed a total diversion rate of 0.52 cfs, a total annual maximum diversion volume of 104 af at the field headgate, and the irrigation of 26 acres.
3. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130 when combined shall not exceed a total diversion rate of 9.09 cfs, a total annual maximum diversion volume of 2155.2 af at the field headgate, and the irrigation of 538.8 acres.
4. 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. 120.

Transfer No. 79812

WATER RIGHT NO. 35-13869

As Modified by Transfer No. 79812

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 79812, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through point of diversion described above: 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-13873**As Modified by Transfer No. 79812**

In accordance with the approval of Transfer No. 79812, Water Right No. 35-13873 is now described as follows:

Right Holder: KIRT SCHWIEDER And
KAELYNE SCHWIEDER
PO BOX 1662
IDAHO FALLS, ID 83401

Priority Date: 6/20/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.070 cfs	29.9 af
			0.070 cfs	29.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNE Sec 1 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50.0	50.8	40.0	40.0	51.0	45.0	20.0	38.0	30.0			31.0	40.0	40.0	32.0	31.0	538.8
			L1	L2			L3	L4											

Right Acre Limit: 15.0

POU Total Acres: 538.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 15 acres within the authorized place of use described above in a single irrigation season.
2. Rights 35-13867 and 35-13873 when combined shall not exceed a total diversion rate of 0.3 cfs, a total annual maximum diversion volume of 60 af at the field headgate, and the irrigation of 15 acres.
3. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130 when combined shall not exceed a total diversion rate of 9.09 cfs, a total annual maximum diversion volume of 2155.2 af at the field headgate, and the irrigation of 538.8 acres.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79812

WATER RIGHT NO. 35-13873

As Modified by Transfer No. 79812

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 79812, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through point of diversion described above: 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-13875**As Modified by Transfer No. 79812**

In accordance with the approval of Transfer No. 79812, Water Right No. 35-13875 is now described as follows:

Right Holder: KIRT SCHWIEDER And
KAELYNE SCHWIEDER
PO BOX 1662
IDAHO FALLS, ID 83401

Priority Date: 6/20/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.280 cfs	104.0 af
			0.280 cfs	104.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNE Sec 1 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50.0	50.8	40.0	40.0	51.0	45.0	20.0	38.0	30.0			31.0	40.0	40.0	32.0	31.0	538.8
			L 1	L 2			L 3	L 4											

Right Acre Limit: 26.0

POU Total Acres: 538.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 26 acres within the authorized place of use described above in a single irrigation season.
2. Rights 35-13869 and 35-13875 when combined shall not exceed a total diversion rate of 0.52 cfs, a total annual maximum diversion volume of 104 af at the field headgate, and the irrigation of 26 acres.
3. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130 when combined shall not exceed a total diversion rate of 9.09 cfs, a total annual maximum diversion volume of 2155.2 af at the field headgate, and the irrigation of 538.8 acres.
4. 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. 120.

Transfer No. 79812

WATER RIGHT NO. 35-13875
As Modified by Transfer No. 79812

CONDITIONS OF APPROVAL

5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under Transfer approval 79812, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through point of diversion described above: 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-7009**As Modified by Transfer No. 79812**

In accordance with the approval of Transfer No. 79812, Water Right No. 35-7009 is now described as follows:

Right Holder: KIRT SCHWIEDER AND
KAELYNE SCHWIEDER
PO BOX 1662
IDAHO FALLS, ID 83401

Priority Date: 1/8/1968

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 05/01 to **To** 09/30

Diversion Rate
4.000 cfs
4.000 cfs

Diversion Volume
1044.0 af
1044.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNE Sec 1 Twp 04N Rge 35E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50.0	50.8	40.0	40.0	51.0	45.0	20.0	38.0	30.0			31.0	40.0	40.0	32.0	31.0	538.8
			L 1	L 2			L 3	L 4											

Right Acre Limit: 261.0

POU Total Acres: 538.8

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 261 acres within the authorized place of use described above in a single irrigation season.
2. Rights 35-7009 and 35-7157 when combined shall not exceed a total annual maximum diversion volume of 1840 af at the field headgate, and the irrigation of 460 acres.
3. Rights 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130 when combined shall not exceed a total diversion rate of 9.09 cfs, a total annual maximum diversion volume of 2155.2 af at the field headgate, and the irrigation of 538.8 acres.
4. 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. 120.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 79812

WATER RIGHT NO. 35-7009
As Modified by Transfer No. 79812

CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under Transfer approval 79812, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. The following rights are diverted through point of diversion described above: 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, and 35-14130.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/30 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 2/25/2002.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.