

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79812

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Kaelyne Schwieder and Kirt Schwieder

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

- | Yes | N/A | |
|-------------------------------------|-------------------------------------|--|
| | | * Means the item is <u>always required</u> and must be included with the application. |
| ☒ | | * Completed Application for Transfer of Water Right form, Part 1. |
| ☒ | | * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative. |
| ☒ | | * Application for Transfer Part 2A. Attach a <u>Part 2A</u> report describing each water right in the transfer as currently recorded. |
| ☐ | ☒ | Complete and attach an Application for Transfer <u>Part 2B</u> for each water right for which <u>only a portion</u> is proposed to be changed through this transfer application. |
| ☒ | | * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s). |
| ☒ | | * Correct fee submitted with transfer application form. (<u>Fee schedule</u> is on website and instructions for application for transfer.) |

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | #1 If the applicant is a business, partnership, organization, or association, and <u>not</u> currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.) |
| ☐ | ☒ | #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. ** |
| ☐ | ☒ | #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule. |
| ☐ | ☒ | #3 Documentation of authority to make the change if the applicant is not the water right owner. |
| ☐ | ☒ | #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.) |
| ☐ | ☒ | #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm . |
| ☐ | ☒ | #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.) |
| ☒ | | * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.) |
| ☒ | ☐ | #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements. |
| ☐ | ☒ | #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see <u>fee schedule</u> . |
| ☐ | ☒ | #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.) |
| ☐ | ☒ | #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (<u>Attachment WSB</u>) |
| ☐ | ☒ | #10 Other. Please describe: _____ |

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Kaelyne Schwieder and Kirt Schwieder Phone (208) 523-1202
Mailing address PO Box 1662 Idaho Falls, Idaho 83401 Email IdahoSod@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

 Signature of Applicant or Authorized Representative	<u>Kaelyne Schwieder</u> Print Name and Title if applicable	<u>2-6-15</u> Date
 Signature of Applicant or Authorized Representative	<u>Kirt Schwieder</u> Print Name and Title if applicable	<u>2-6-15</u> Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
 Change place of use to allow for rearrangement of irrigated acres and installation of new pivots.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-7009	4	Irrigation	5/01 to 9/30	Groundwater
☒ ☐	35-7157	3.74	Irrigation	5/01 to 9/30	Groundwater
☒ ☐	35-13865	0.45	Irrigation	4/01 to 11/01	Groundwater
☒ ☐	35-13867	0.25	Irrigation	4/01 to 11/01	Groundwater
☒ ☐	35-13869	0.33	Irrigation	4/01 to 10/31	Groundwater
☒ ☐	35-13873	0.07	Irrigation	4/01 to 11/01	Groundwater
☒ ☐	35-13875	0.28	Irrigation	4/01 to 11/01	Groundwater
☒ ☐	35-14130	0.08	Irrigation	4/01 to 11/01	Groundwater
☐ ☐				to	

Total authorized under rights 9.09 cfs and/or 2155.2 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.432 cubic feet per second and/or 102.4 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	35E	1	50	50.8	40	40	51	45	20	38	30			31	40	40	32	31	538.8
			1	2			3	4											
Total Acres (for irrigation use)																			538.8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

- b. Who owns the property at the point(s) of diversion? Kirt Schwieder

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
It will be dry.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

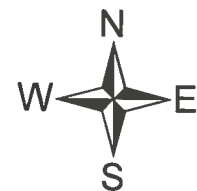
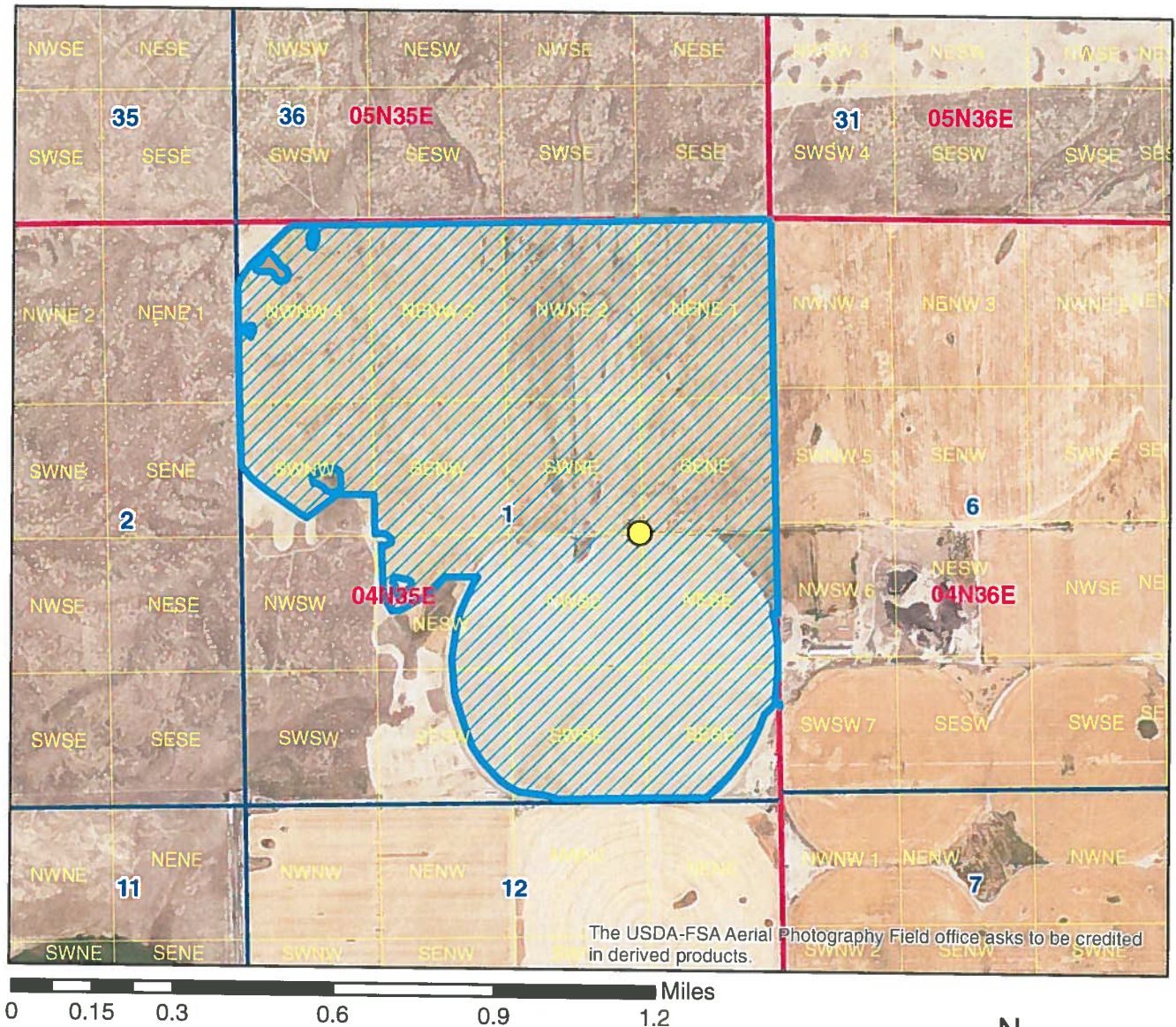
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

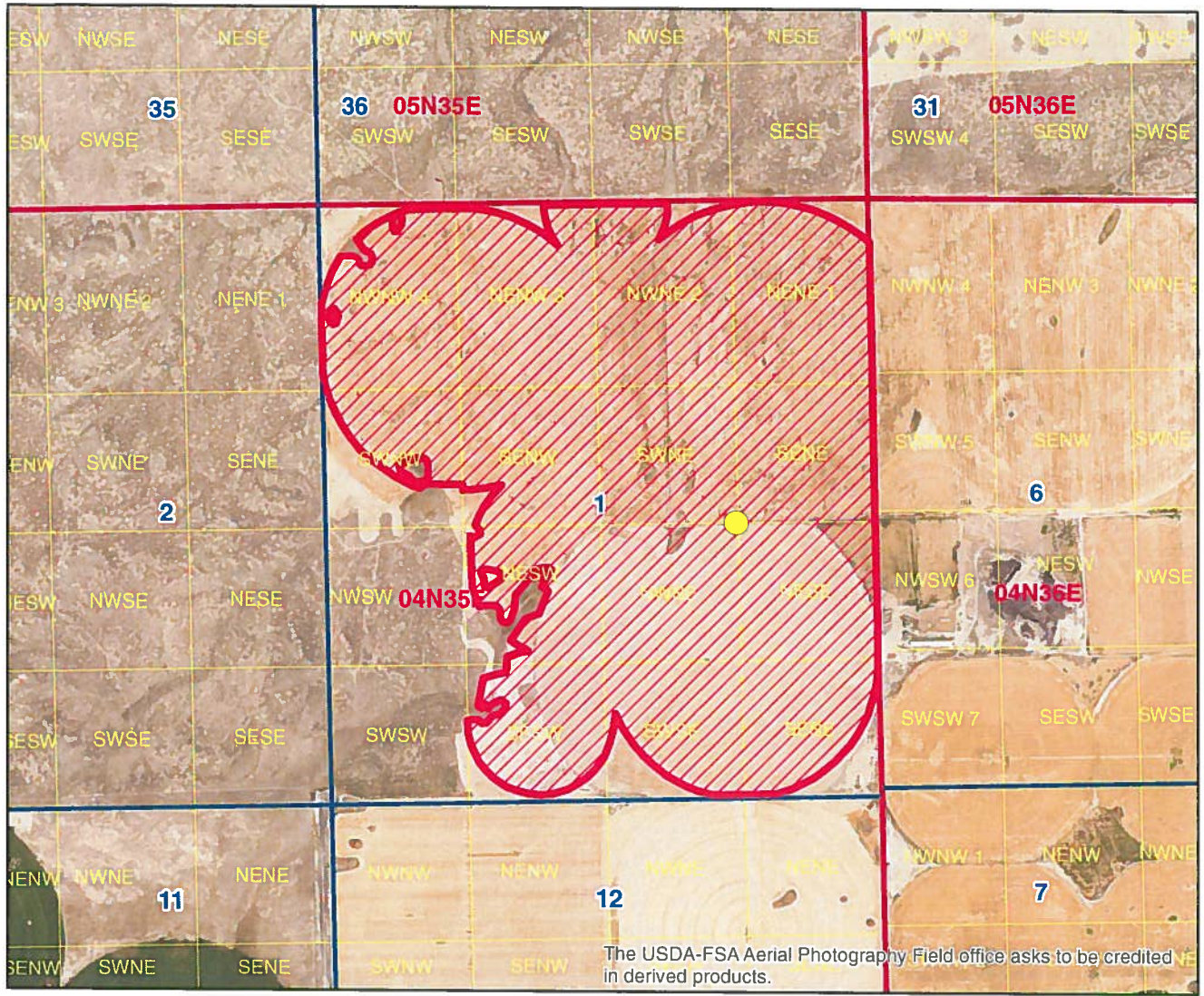
Current Place of Use



Legend

- WR 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, & 35-14130 POD
- WR 35-7009, 35-7157, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, & 35-14130 POU
- Township/Range
- Sections
- QQ

Proposed Place of Use



Legend

- WR 35-7009, 35-7175, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, & 35-14130 POD
- WR 35-7009, 35-7175, 35-13865, 35-13867, 35-13869, 35-13873, 35-13875, & 35-14130 POU
- Township/Range
- Sections
- QQ

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Imagery: 2013 NAIP
Idaho Department of Water Resources, Eastern Region
Prepared by Allison Torres, January 28, 2015

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2015

WATER RIGHT NO. 35-7009

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAELYNE SCHWIEDER
Current Owner	KIRT SCHWIEDER
	PO BOX 1662
	IDAHO FALLS, ID 83401
	(208) 523-1202
Directors Report Owner	BERRETTE BUTTE FARMS
	PO BOX 1204
	BURLEY, ID 83318
	(208)678-8313
Original Owner	WALKER LAND & CATTLE CO
	1070 RIVERWALK DR STE 252
	IDAHO FALLS, ID 83402
	(208)754-4696

Priority Date: 01/08/1968

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	09/30	4 CFS	1044 AFA
Total Diversion			4 CFS	

Location of Point(s) of Diversion:

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GROUND WATER|SESWNE|Sec. 01|Township 04N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 261

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	35E	1	1	NENE	53	2	NWNE	53		SWNE	40		SENE	40
			3	NENW	54	4	NWNW	49.4		SWNW	26		SENW	40
				NESW	24.4		SESW	11						
				NESE	40		NWSE	40		SWSE	37		SESE	31

Total Acres: 538.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 261 acres within the 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. X35 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. R05 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. R02 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. 131 Prior to the diversion and use of water under Transfer approval 75247, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. R64 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. F06

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- 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 10. T08 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. X61 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.
 12. T19 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.

Dates:

Licensed Date:

Decreed Date: 02/25/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

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Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2015

WATER RIGHT NO. 35-7157

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAELYNE SCHWIEDER
Current Owner	KIRT SCHWIEDER
	PO BOX 1662
	IDAHO FALLS, ID 83401
	(208) 523-1202
Directors Report Owner	BERRETTE BUTTE FARMS
	PO BOX 1204
	BURLEY, ID 83318
	(208)678-8313
Original Owner	WALKER LAND & CATTLE CO
	1070 RIVERWALK DR STE 252
	IDAHO FALLS, ID 83402
	(208)754-4696

Priority Date: 11/27/1970
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	09/30	3.74 CFS	1840 AFA
Total Diversion			3.74 CFS	

Location of Point(s) of Diversion:

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GROUND WATER|SESWNE|Sec. 01|Township 04N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 460

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	35E	1	1	NENE	53	2	NWNE	53		SWNE	40		SENE	40
			3	NENW	54	4	NWNW	49.4		SWNW	26		SENW	40
				NESW	24.4		SESW	11						
				NESE	40		NWSE	40		SWSE	37		SESE	31

Total Acres: 538.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 460 acres within the 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. X35 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. R05 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. R02 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. 131 Prior to the diversion and use of water under Transfer approval 75247, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. R64 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. F06

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- 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 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. X61 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.
12. T19 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.

Dates:

Licensed Date:

Decreed Date: 02/25/2002

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

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Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2015

WATER RIGHT NO. 35-13865

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAELYNE SCHWIEDER
Current Owner	KIRT SCHWIEDER
	PO BOX 1662
	IDAHO FALLS, ID 83401
	(208) 523-1202
Original Owner	GEORGE W WATKINS
	IDAHO FALLS, ID

Priority Date: 01/10/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.45 CFS	128 AFA
Total Diversion			0.45 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESWNE|Sec. 01|Township 04N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 32

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Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	35E	1	1	NENE	53	2	NWNE	53		SWNE	40		SENE	40
			3	NENW	54	4	NWNW	49.4		SWNW	26		SENW	40
				NESW	24.4		SESW	11						
				NESE	40		NWSE	40		SWSE	37		SESE	31

Total Acres: 538.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 32 acres within the place of use described above in a single irrigation season.
2. X35 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. R05 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. R02 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.
5. 131 Prior to the diversion and use of water under Transfer approval 75247, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. R64 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.
7. F06 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. T19 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.

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Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2015

WATER RIGHT NO. 35-13867

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAELYNE SCHWIEDER
Current Owner	KIRT SCHWIEDER
	PO BOX 1662
	IDAHO FALLS, ID 83401
	(208) 523-1202
Directors Report Owner	BERRETTE BUTTE FARMS
	PO BOX 1204
	BURLEY, ID 83318
	(208)678-8313
Original Owner	WALKER LAND & CATTLE CO
	1070 RIVERWALK DR STE 252
	IDAHO FALLS, ID 83402
	(208)754-4696

Priority Date: 03/13/1974

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.25 CFS	60 AFA
Total Diversion			0.25 CFS	

Location of Point(s) of Diversion:

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GROUND WATER|SESWNE|Sec. 01|Township 04N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 15

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	35E	1	1	NENE	53	2	NWNE	53		SWNE	40		SENE	40
			3	NENW	54	4	NWNW	49.4		SWNW	26		SENW	40
				NESW	24.4		SESW	11						
				NESE	40		NWSE	40		SWSE	37		SESE	31

Total Acres: 538.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 15 acres within the 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 .3 cfs, a total annual maximum diversion volume of 60 af at the field headgate, and the irrigation of 15 acres.
3. X35 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. R05 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. R02 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. 131 Prior to the diversion and use of water under Transfer approval 75247, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. R64 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.

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8. F06 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 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. T19 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.

Dates:

Licensed Date:

Decreed Date: 03/04/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

79812

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2015

WATER RIGHT NO. 35-13869

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAELYNE SCHWIEDER
Current Owner	KIRT SCHWIEDER
	PO BOX 1662
	IDAHO FALLS, ID 83401
	(208) 523-1202
Original Owner	GEORGE W WATKINS
	IDAHO FALLS, ID

Priority Date: 02/28/1955

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.33 CFS	104 AFA
Total Diversion			0.33 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESWNE|Sec. 01|Township 04N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 26

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Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	35E	1	1	NENE	53	2	NWNE	53		SWNE	40		SENE	40
			3	NENW	54	4	NWNW	49.4		SWNW	26		SENW	40
				NESW	24.4		SESW	11						
				NESE	40		NWSE	40		SWSE	37		SESE	31

Total Acres: 538.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 26 acres within the 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 .52 cfs, a total annual maximum diversion volume of 104 af at the field headgate, and the irrigation of 26 acres.
3. X35 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. R05 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. R02 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. 131 Prior to the diversion and use of water under Transfer approval 75247, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. R64 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. F06 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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11. T19 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.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

79812

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2015

WATER RIGHT NO. 35-13873

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAELYNE SCHWIEDER
Current Owner	KIRT SCHWIEDER
	PO BOX 1662
	IDAHO FALLS, ID 83401
	(208) 523-1202
Directors Report Owner	BERRETTE BUTTE FARMS
	PO BOX 1204
	BURLEY, ID 83318
	(208)678-8313
Original Owner	WALKER LAND & CATTLE CO
	1070 RIVERWALK DR STE 252
	IDAHO FALLS, ID 83402
	(208)754-4696

Priority Date: 06/20/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.07 CFS	29.9 AFA
Total Diversion			0.07 CFS	

Location of Point(s) of Diversion:

79812

GROUND WATER|SESWNE|Sec. 01|Township 04N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 15

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	35E	1	1	NENE	53	2	NWNE	53		SWNE	40		SENE	40
			3	NENW	54	4	NWNW	49.4		SWNW	26		SENW	40
				NESW	24.4		SESW	11						
				NESE	40		NWSE	40		SWSE	37		SESE	31

Total Acres: 538.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 15 acres within the 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 .3 cfs, a total annual maximum diversion volume of 60 af at the field headgate, and the irrigation of 15 acres.
3. X35 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. R05 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. R02 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. 131 Prior to the diversion and use of water under Transfer approval 75247, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. R64 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.

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8. F06 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 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. T19 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.

Dates:

Licensed Date:

Decreed Date: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

79812

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2015

WATER RIGHT NO. 35-13875

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAELYNE SCHWIEDER
Current Owner	KIRT SCHWIEDER
	PO BOX 1662
	IDAHO FALLS, ID 83401
	(208) 523-1202
Directors Report Owner	BERRETTE BUTTE FARMS
	PO BOX 1204
	BURLEY, ID 83318
	(208)678-8313
Original Owner	WALKER LAND & CATTLE CO
	1070 RIVERWALK DR STE 252
	IDAHO FALLS, ID 83402
	(208)754-4696

Priority Date: 06/20/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.28 CFS	104 AFA
Total Diversion			0.28 CFS	

Location of Point(s) of Diversion:

79812

GROUND WATER|SESWNE|Sec. 01|Township 04N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 26

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	35E	1	1	NENE	53	2	NWNE	53		SWNE	40		SENE	40
			3	NENW	54	4	NWNW	49.4		SWNW	26		SENW	40
				NESW	24.4		SESW	11						
				NESE	40		NWSE	40		SWSE	37		SESE	31

Total Acres: 538.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 26 acres within the 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. X35 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. R05 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. R02 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. 131 Prior to the diversion and use of water under Transfer approval 75247, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. R64 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.

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8. F06 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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 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. T19 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.

Dates:

Licensed Date:

Decreed Date: 02/15/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

79812

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/23/2015

WATER RIGHT NO. 35-14130

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAELYNE SCHWIEDER
Current Owner	KIRT SCHWIEDER
	PO BOX 1662
	IDAHO FALLS, ID 83401
	(208) 523-1202
Directors Report Owner	BERRETTE BUTTE FARMS
	PO BOX 1204
	BURLEY, ID 83318
	(208)678-8313
Original Owner	WALKER LAND & CATTLE CO
	1070 RIVERWALK DR STE 252
	IDAHO FALLS, ID 83402
	(208)754-4696

Priority Date: 04/11/1972

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.08 CFS	23.2 AFA
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

79812

GROUND WATER|SESWNE|Sec. 01|Township 04N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 5.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	35E	1	1	NENE	53	2	NWNE	53		SWNE	40		SENE	40
			3	NENW	54	4	NWNW	49.4		SWNW	26		SENW	40
				NESW	24.4		SESW	11						
				NESE	40		NWSE	40		SWSE	37		SESE	31

Total Acres: 538.8

Conditions of Approval:

1. X27 This right is limited to the irrigation of 5.8 acres within the place of use described above in a single irrigation season.
2. X35 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. R05 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. R02 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.
5. 131 Prior to the diversion and use of water under Transfer approval 75247, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. R64 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.
7. F06 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.
8. T07

- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. T19 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.

Dates:

Licensed Date:

Decreed Date: 05/20/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

79812