

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 77108**

This is to certify that: JAY W JOHNSON And  
 BRENDA R JOHNSON And  
 KIRT SCHWIEDER And  
 KAELYNE SCHWIEDER  
 2125 CABELLARO DR  
 AMMON ID 83401  
 (208) 523-1202

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 35-13870     | WR/Decreed          | 04/11/1972      | 7.41 cfs    | 2272 af       | N/A               | 568.0              | GROUND WATER  |
| 35-13871     | WR/Decreed          | 04/11/1972      | 0.21 cfs    | 64 af         | 16.0              | 549.0              | GROUND WATER  |

**Associated Water Rights Also Included in Transfer Approval (Update Conditions)**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acres</u> | <u>Total</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|--------------|--------------|---------------|
| 35-7009      | WR/Decreed          | 01/08/1968      | 4.0 cfs     | 1044 af       | 261.0        | 549.0        | GROUND WATER  |
| 35-7157      | WR/Decreed          | 11/27/1970      | 3.74 cfs    | 1840 af       | 460.0        | 549.0        | GROUND WATER  |
| 35-13865     | WR/Decreed          | 01/10/1966      | 0.45 cfs    | 128 af        | 32.0         | 549.0        | GROUND WATER  |
| 35-13867     | WR/Decreed          | 03/13/1974      | 0.25 cfs    | 60 af         | 15.0         | 549.0        | GROUND WATER  |
| 35-13869     | WR/Decreed          | 02/28/1955      | 0.33 cfs    | 104 af        | 26.0         | 549.0        | GROUND WATER  |
| 35-13873     | WR/Decreed          | 06/20/1961      | 0.07 cfs    | 29.9 af       | 15.0         | 549.0        | GROUND WATER  |
| 35-13875     | WR/Decreed          | 06/20/1961      | 0.28 cfs    | 104 af        | 26.0         | 549.0        | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 35-13870              | NO           | NO         | YES        | NO             | NO                   | NO                   |
| 35-13871              | YES          | YES        | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 35-13870              | <b>35-13870</b>                  | 7.41 cfs             | 2272 af                | 568.0             | 578.2              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| 35-13871              | <b>35-14131</b>                  | 0.13 cfs             | 40.8 af                | 10.2              | 578.2              | <b>35-14130</b>                    | 0.08 cfs              | 23.2 af                 | 5.8                         | 538.8                        |

**COMBINED**

**TOTALS**                      **7.54 cfs   2312.8 af   578.2   578.2**                      **N/A        N/A        N/A        N/A**

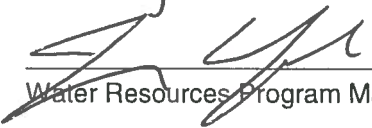
SUPPORT DATA

IN FILE # 35-13870

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER OF WATER RIGHT  
TRANSFER NO. 77108

Detailed Water Right Description(s) attached

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager



**WATER RIGHT NO. 35-13870**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-13870 is now described as follows.

**Right Holder:** KAELYNE SCHWIEDER And  
 BRENDA R JOHNSON And  
 KIRT SCHWIEDER And  
 JAY W JOHNSON  
 2125 CABELLARO DR  
 AMMON ID 83406

**Priority Date:** April 11, 1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 7.41 CFS              | 2,272.0 AF    |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      NENESW                      Sec. 6   Twp 04N   Rge 36E   JEFFERSON County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |    |    | SE   |      |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|----|----|------|------|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW | SE | NE   | NW   | SW | SE |        |
| 04N | 36E | 5   |      |      |      |      | 47.3 | 39.9 |      |      | 40.0 |      |    |    |      |      |    |    | 127.2  |
|     |     |     |      |      |      |      | L 4  |      |      |      |      |      |    |    |      |      |    |    |        |
| 04N | 36E | 6   | 48.1 | 48.5 | 38.3 | 39.9 | 49.0 | 42.2 | 34.1 | 40.1 | 15.4 | 15.5 |    |    | 39.9 | 40.0 |    |    | 451.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  | L 5  |      |      | L 6  |    |    |      |      |    |    |        |

Total Acres: 578.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 568.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13870 and 35-14131 when combined shall not exceed the irrigation of 578.2 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 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.
5. Prior to the diversion and use of water under Transfer approval 77108, 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.

**WATER RIGHT NO. 35-13870**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

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 place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager

**WATER RIGHT NO. 35-14130**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-14130 is now described as follows.

**Right Holder:** KIRT SCHWIEDER And  
 KAELYNE SCHWIEDER And  
 BRENDA R JOHNSON And  
 JAY W JOHNSON  
 2125 CABELLARO DR  
 AMMON ID 83406

**Priority Date:** April 11, 1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.08 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

| Twp | Rge | 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   | 53.0 | 53.0 | 40.0 | 40.0 | 54.0 | 49.4 | 26.0 | 40.0 | 24.4 |    |    |    | 11.0 | 40.0 | 40.0 | 37.0 | 31.0   | 538.8 |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |    |    |    |      |      |      |      |        |       |

Total Acres: 538.8

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 5.8 acres within the 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.
5. 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.

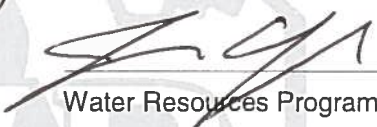
**WATER RIGHT NO. 35-14130**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

6. 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. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager

**WATER RIGHT NO. 35-14131**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-14131 is now described as follows.

**Right Holder:** BRENDA R JOHNSON And  
 JAY W JOHNSON And  
 KIRT SCHWIEDER And  
 KAELYNE SCHWIEDER  
 2125 CABELLARO DR  
 AMMON ID 83401

**Priority Date:** April 11, 1972

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.13 CFS              | 40.8 AF       |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER                      NENESW                      Sec. 6   Twp 04N   Rge 36E   JEFFERSON County

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |    |    | SE   |      |    |    | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|----|----|------|------|----|----|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW | SE | NE   | NW   | SW | SE |        |
| 04N | 36E | 5   |      |      |      |      | 47.3 | 39.9 |      |      | 40.0 |      |    |    |      |      |    |    | 127.2  |
|     |     |     |      |      |      |      | L 4  |      |      |      |      |      |    |    |      |      |    |    |        |
| 04N | 36E | 6   | 48.1 | 48.5 | 38.3 | 39.9 | 49.0 | 42.2 | 34.1 | 40.1 | 15.4 | 15.5 |    |    | 39.9 | 40.0 |    |    | 451.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  | L 5  |      |      | L 6  |    |    |      |      |    |    |        |

Total Acres: 578.2

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 10.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13870 and 35-14131 when combined shall not exceed the irrigation of 578.2 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 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.
5. Prior to the diversion and use of water under Transfer approval 77108, 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.

**WATER RIGHT NO. 35-14131**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

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 place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 2011

  
Water Resources Program Manager

**WATER RIGHT NO. 35-13867**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-13867 is now described as follows.

**Right Holder:** KAELYNE SCHWIEDER And  
 KIRT SCHWIEDER And  
 BRENDA R JOHNSON And  
 JAY W JOHNSON  
 2125 CABELLARO DR  
 AMMON ID 83406

**Priority Date:** March 13, 1974

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.25 CFS              | 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 | Rge | 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   | 53.0 | 53.0 | 40.0 | 40.0 | 54.0 | 49.4 | 26.0 | 40.0 | 24.4 |    |    |    | 11.0 | 40.0 | 40.0 | 37.0 |        | 31.0 |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |    |    |    |      |      |      |      |        |      |

Total Acres: 538.8

**CONDITIONS OF APPROVAL**

1. 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. 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.
6. 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.

**WATER RIGHT NO. 35-13867**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager

**WATER RIGHT NO. 35-7157**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-7157 is now described as follows.

**Right Holder:** BRENDA R JOHNSON And  
 JAY W JOHNSON And  
 KIRT SCHWIEDER And  
 KAELYNE SCHWIEDER  
 2125 CABELLARO DR  
 AMMON ID 83401

**Priority Date:** November 27, 1970

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01       | to 09/30  | 3.74 CFS              | 1,840.0 AF    |

**LOCATION OF POINT(S) OF DIVERSION:**

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

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |    |    |    | SE |      |      |      | Totals |      |       |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|----|----|----|----|------|------|------|--------|------|-------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW | SW | SE | NE | NW   | SW   | SE   |        |      |       |
| 04N | 35E | 1   | 53.0 | 53.0 | 40.0 | 40.0 | 54.0 | 49.4 | 26.0 | 40.0 | 24.4 |    |    |    |    | 11.0 | 40.0 | 40.0 | 37.0   | 31.0 | 538.8 |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |    |    |    |    |      |      |      |        |      |       |

Total Acres: 538.8

**CONDITIONS OF APPROVAL**

1. 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. 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.

**WATER RIGHT NO. 35-7157**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

6. 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. 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. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager

**WATER RIGHT NO. 35-13865**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-13865 is now described as follows.

**Right Holder:** JAY W JOHNSON And  
 BRENDA R JOHNSON And  
 KIRT SCHWIEDER And  
 KAELYNE SCHWIEDER  
 2125 CABELLARO DR  
 AMMON ID 83401

**Priority Date:** January 10, 1966

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.45 CFS              | 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 | Rge | 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   | 53.0 | 53.0 | 40.0 | 40.0 | 54.0 | 49.4 | 26.0 | 40.0 | 24.4 | 11.0 | 40.0 | 40.0 | 37.0 | 31.0 |    |    | 538.8  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |    |    |        |

Total Acres: 538.8

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 32 acres within the 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.
5. 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.

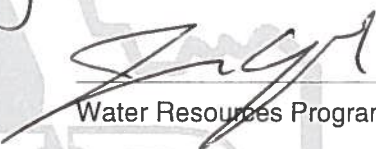
**WATER RIGHT NO. 35-13865**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

6. 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. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 2011

  
Water Resources Program Manager

**WATER RIGHT NO. 35-13869**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-13869 is now described as follows.

**Right Holder:** KAELYNE SCHWIEDER And  
 BRENDA R JOHNSON And  
 JAY W JOHNSON And  
 KIRT SCHWIEDER  
 2125 CABELLARO DR  
 AMMON ID 83401

**Priority Date:** February 28, 1955

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 10/31  | 0.33 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 | Rge | 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   | 53.0 | 53.0 | 40.0 | 40.0 | 54.0 | 49.4 | 26.0 | 40.0 | 24.4 | 11.0 | 40.0 | 40.0 | 37.0 | 31.0 | 538.8 |    |        |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |       |    |        |

Total Acres: 538.8

**CONDITIONS OF APPROVAL**

1. 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. 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.

**WATER RIGHT NO. 35-13869**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

6. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager

**WATER RIGHT NO. 35-13873**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-13873 is now described as follows.

**Right Holder:** BRENDA R JOHNSON And  
 KIRT SCHWIEDER And  
 KAELYNE SCHWIEDER And  
 JAY W JOHNSON  
 2125 CABELLARO DR  
 AMMON ID 83406

**Priority Date:** June 20, 1961

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.07 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 | Rge | 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   | 53.0 | 53.0 | 40.0 | 40.0 | 54.0 | 49.4 | 26.0 | 40.0 | 24.4 | 11.0 | 40.0 | 40.0 | 37.0 | 31.0 |    |    | 538.8  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |    |    |        |

Total Acres: 538.8

**CONDITIONS OF APPROVAL**

1. 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. 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.

**WATER RIGHT NO. 35-13873**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

6. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager

**WATER RIGHT NO. 35-13875**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-13875 is now described as follows.

**Right Holder:** KIRT SCHWIEDER And  
 KAELYNE SCHWIEDER And  
 BRENDA R JOHNSON And  
 JAY W JOHNSON  
 2125 CABELLARO DR  
 AMMON ID 83406

**Priority Date:** June 20, 1961

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | to 11/01  | 0.28 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 | Rge | 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   | 53.0 | 53.0 | 40.0 | 40.0 | 54.0 | 49.4 | 26.0 | 40.0 | 24.4 | 11.0 | 40.0 | 40.0 | 37.0 | 31.0 |    |    | 538.8  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |    |    |        |

Total Acres: 538.8

**CONDITIONS OF APPROVAL**

1. 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. 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.

**WATER RIGHT NO. 35-13875**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

6. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager

**WATER RIGHT NO. 35-7009**  
**As Modified by Transfer No. 77108**

In accordance with the approval of Transfer No. 77108, Water Right No. 35-7009 is now described as follows.

**Right Holder:** KIRT SCHWIEDER And  
 KAELYNE SCHWIEDER And  
 BRENDA R JOHNSON And  
 JAY W JOHNSON  
 2125 CABELLARO DR  
 AMMON ID 83406

**Priority Date:** January 08, 1968

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 05/01       | to 09/30  | 4.00 CFS              | 1,044.0 AF    |

**LOCATION OF POINT(S) OF DIVERSION:**

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

**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |    |    |    | SE   |      |      |      | Totals |       |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|----|----|----|------|------|------|------|--------|-------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW | SW | SE | NE   | NW   | SW   | SE   |        |       |
| 04N | 35E | 1   | 53.0 | 53.0 | 40.0 | 40.0 | 54.0 | 49.4 | 26.0 | 40.0 | 24.4 |    |    |    | 11.0 | 40.0 | 40.0 | 37.0 | 31.0   | 538.8 |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |    |    |    |      |      |      |      |        |       |

Total Acres: 538.8

**CONDITIONS OF APPROVAL**

1. 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. 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.

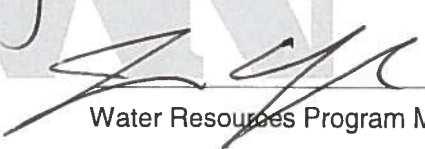
**WATER RIGHT NO. 35-7009**  
**As Modified by Transfer No. 77108**

**CONDITIONS OF APPROVAL**

6. 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. 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. 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. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18<sup>th</sup> day of May, 20 11

  
Water Resources Program Manager