

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74651

This is to certify that: VAL E SCHWENDIMAN FARMS INC
 9633 E HWY 33
 NEWDALE ID 83436
 (208)458-4261

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>
22-7271	AJC/License	02/03/1978	18.0 cfs	3784.5 af	2,600.0	3,887.8	TETON RIVER

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>
22-7271	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
22-7271	22-7271	18.0 cfs	3784.5 af	2,600.0	3,934.2		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		18.0 cfs	3784.5 af	2600.0	3934.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20 day of February, 20 09



Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 22-7271

WATER RIGHT NO. 22-7271
As Modified by Transfer No. 74651

In accordance with the approval of Transfer No. 74651, Water Right No. 22-7271 is now described as follows.

Right Holder: VAL E SCHWENDIMAN FARMS INC
 9633 E HWY 33
 NEWDALE ID 83436

Priority Date: February 03, 1978

Source: TETON RIVER

Tributary: HENRYS FORK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	07/15	18.00 CFS	3,784.5 AF

LOCATION OF POINT(S) OF DIVERSION:

TETON RIVER SENWSE Sec. 23 Twp 07N Rge 42E FREMONT 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	
06N	42E	2	39.0 L 1	39.0 L 2	39.0	39.0	39.0 L 3	39.0 L 4	39.0	39.0	39.0	39.0	39.0	39.0	39.0	39.0	39.0	39.0	624.0
06N	42E	3				3.2									31.0			13.0	47.2
06N	42E	10	40.0	40.0	36.0	31.0				40.0	40.0				40.0	40.0			307.0
06N	42E	11	39.0	39.0	39.0		39.0	39.0	39.0	39.0									273.0
07N	42E	21	7.0			32.0									38.0				77.0
07N	42E	22	14.5	14.0	39.2	39.3	31.0	31.0	40.0	40.0	17.0	36.0			39.0	39.0			380.0
07N	42E	23						2.8	29.0	3.1	24.0	39.2	40.0	38.0			12.0		188.1
07N	42E	26		23.3	35.0	2.2	40.0	40.0	40.0	40.0	36.1	40.0	40.0	40.0	1.6	11.8	7.1		397.1
07N	42E	27	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
07N	42E	28	38.0		40.0	40.0							40.0	40.0	40.0	40.0	40.0	40.0	358.0
07N	42E	33					40.0												40.0
07N	42E	35		27.0	39.0	15.6	40.0	40.0	40.0	39.0	39.0	39.0	39.0	39.0	37.4	39.0	39.0	39.0	551.0
07N	42E	36									12.8	39.0							51.8

Total Acres: 3934.2

**WATER RIGHT NO. 22-7271
As Modified by Transfer No. 74651**

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2600 acres within the place of use described above in a single irrigation season.
2. Rights 22-7210 & 22-7271 when combined shall not exceed a total annual maximum diversion volume of 9100 af at the field headgate.
3. Rights 22-7210, 22-7271, 22-7313A & 22-7313B when combined shall not exceed a total diversion rate of 28.1 cfs and a total annual maximum diversion volume of 11,476.5 af at the field headgate.
4. Rights 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B & 22-12656 when combined shall not exceed a total diversion rate of 33.22 cfs, a total annual maximum diversion volume of 13,767.3 af at the field headgate, and the irrigation of 3,933.5 acres.
5. 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. 01.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The following rights are diverted through point(s) of diversion described above: 22-7210, 22-7313A & 22-7313B
9. Place of use does not include federal public lands unless authorized in writing by the managing federal agency.
10. The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water and after July 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
11. Totalizing measuring devices shall be maintained at the point of diversion.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 22-7271
As Modified by Transfer No. 74651

CONDITIONS OF APPROVAL

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 20 day of February, 2009


Chief, Water Allocation Bureau