

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73737**

This is to certify that: STEPHEN SCHMID
205 9TH AVE N
TWIN FALLS ID 83301
(208)736-8735
And

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

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>
37-22027	AJC/Decreed	05/31/1887	0.06 cfs	N/A		24.1	BIG WOOD RIVER, GROUND WATER
37-22029	AJC/Decreed	05/15/1892	0.18 cfs	N/A		24.1	BIG WOOD RIVER, GROUND WATER
37-22031	AJC/Decreed	05/31/1887	0.34 cfs	N/A		24.1	BIG WOOD RIVER, GROUND WATER
37-22033	AJC/Decreed	05/15/1885	0.11 cfs	N/A		24.1	BIG WOOD RIVER, GROUND WATER
37-22035	AJC/Decreed	06/30/1884	0.12 cfs	N/A		24.1	BIG WOOD RIVER, GROUND WATER
37-22037	AJC/Decreed	06/15/1891	0.02 cfs	N/A		24.1	BIG WOOD RIVER, GROUND WATER
37-22039	AJC/Decreed	03/24/1883	0.04 cfs	N/A		24.1	BIG WOOD RIVER, GROUND WATER
37-22041	AJC/Decreed	03/24/1883	0.24 cfs	N/A		24.1	BIG WOOD RIVER, GROUND WATER

SUPPORT DATA

IN FILE # 37-22027

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73737

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>
37-22027	NO	NO	YES	YES	NO	NO
37-22029	NO	NO	YES	YES	NO	NO
37-22031	NO	NO	YES	YES	NO	NO
37-22033	NO	NO	YES	YES	NO	NO
37-22035	NO	NO	YES	YES	NO	NO
37-22037	NO	NO	YES	YES	NO	NO
37-22039	NO	NO	YES	YES	NO	NO
37-22041	NO	NO	YES	YES	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>
37-22027	37-22027	0.06 cfs	N/A	24.1	27.9		N/A	N/A	N/A	N/A
37-22029	37-22029	0.18 cfs	N/A	24.1	27.9		N/A	N/A	N/A	N/A
37-22031	37-22031	0.34 cfs	N/A	24.1	27.9		N/A	N/A	N/A	N/A
37-22033	37-22033	0.11 cfs	N/A	24.1	27.9		N/A	N/A	N/A	N/A
37-22035	37-22035	0.12 cfs	N/A	24.1	27.9		N/A	N/A	N/A	N/A
37-22037	37-22037	0.02 cfs	N/A	24.1	27.9		N/A	N/A	N/A	N/A
37-22039	37-22039	0.04 cfs	N/A	24.1	27.9		N/A	N/A	N/A	N/A
37-22041	37-22041	0.24 cfs	N/A	24.1	27.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.48 cfs	84.4 af	24.1	27.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of May, 2008



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22027
As Modified by Transfer No. 73737

In accordance with the approval of Transfer No. 73737, Water Right No. 37-22027 is now described as follows.

Right Holder: STEPHEN SCHMID And
 KATHRYN SCHMID
 205 9TH AVE N
 TWIN FALLS ID 83301

Priority Date: May 31, 1887

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MITIGATION	04/15	to 10/31	0.06 CFS
IRRIGATION	04/15	to 10/31	0.06 CFS
			0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	NWSESW	Sec. 12 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER	NWSESW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
BIG WOOD RIVER	NESWSW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
GROUND WATER	L3 (SESESW)	Sec. 1 Twp 01S	Rge 18E	BLAINE County
GROUND WATER	L3 (SESESW)	Sec. 1 Twp 01S	Rge 18E	BLAINE 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	
01S 18E 1								12.1	14.5			1.3					27.9
							L 3										

Total Acres: 27.9

CONDITIONS OF APPROVAL

1. The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head for the irrigation of no more than 24.1 acres in a single irrigation season.
2. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head for the irrigation of 28 acres within a single irrigation season.

WATER RIGHT NO. 37-22027
As Modified by Transfer No. 73737

CONDITIONS OF APPROVAL

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.
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. 37.
5. 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).
6. Prior to the diversion and use of water under Transfer approval 73737, 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. Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
8. This right is measured and administered at the points of rediversion.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is a split from former right 37-20886 .
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 13th day of May, 2008



Chief, Water Allocation Bureau

1. The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head for the irrigation of no more than 24.1 acres in a single irrigation season.
2. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head for the irrigation of 28 acres within a single irrigation season.

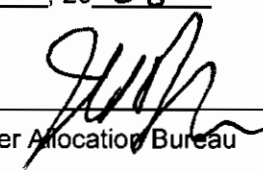
WATER RIGHT NO. 37-22029
As Modified by Transfer No. 73737

CONDITIONS OF APPROVAL

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.
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. 37.
5. 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).
6. Prior to the diversion and use of water under Transfer approval 73737, 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. Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
8. This right is measured and administered at the points of rediversion.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is a split from former right 37-20887 .
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 13th day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22031
As Modified by Transfer No. 73737

In accordance with the approval of Transfer No. 73737, Water Right No. 37-22031 is now described as follows.

Right Holder: STEPHEN SCHMID And
 KATHRYN SCHMID
 205 9TH AVE N
 TWIN FALLS ID 83301

Priority Date: May 31, 1887

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MITIGATION	04/15	to 10/31	0.34 CFS
IRRIGATION	04/15	to 10/31	0.34 CFS
			0.34 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER	NWSENW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
BIG WOOD RIVER	NESWSW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE County
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE 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	
01S	18E	1								12.1	14.5			1.3					27.9
										L 3									

Total Acres: 27.9

CONDITIONS OF APPROVAL

1. The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head for the irrigation of no more than 24.1 acres in a single irrigation season.
2. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head for the irrigation of 28 acres within a single irrigation season.

WATER RIGHT NO. 37-22031
As Modified by Transfer No. 73737

CONDITIONS OF APPROVAL

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.
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. 37.
5. 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).
6. Prior to the diversion and use of water under Transfer approval 73737, 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. Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
8. This right is measured and administered at the points of rediversion.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is a split from former right 37-20888 .
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 13th day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22033
As Modified by Transfer No. 73737

In accordance with the approval of Transfer No. 73737, Water Right No. 37-22033 is now described as follows.

Right Holder: STEPHEN SCHMID And
 KATHRYN SCHMID
 205 9TH AVE N
 TWIN FALLS ID 83301

Priority Date: May 15, 1885

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MITIGATION	04/15	to 10/31	0.11 CFS
IRRIGATION	04/15	to 10/31	0.11 CFS
			0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER	NWSENW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
BIG WOOD RIVER	NESWSW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE County
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE 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	
01S	18E	1									12.1	14.5		1.3					27.9
											L 3								

Total Acres: 27.9

CONDITIONS OF APPROVAL

1. The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head for the irrigation of no more than 24.1 acres in a single irrigation season.
2. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head for the irrigation of 28 acres within a single irrigation season.

WATER RIGHT NO. 37-22033
As Modified by Transfer No. 73737

CONDITIONS OF APPROVAL

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.
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. 37.
5. 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).
6. Prior to the diversion and use of water under Transfer approval 73737, 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. Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
8. This right is measured and administered at the points of rediversion.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is a split from former right 37-20889 .
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 13th day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22035
As Modified by Transfer No. 73737

In accordance with the approval of Transfer No. 73737, Water Right No. 37-22035 is now described as follows.

Right Holder: STEPHEN SCHMID And
 KATHRYN SCHMID
 205 9TH AVE N
 TWIN FALLS ID 83301

Priority Date: June 30, 1884

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MITIGATION	04/15	to 10/31	0.12 CFS
IRRIGATION	04/15	to 10/31	0.12 CFS
			0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER	NWSENW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
BIG WOOD RIVER	NESWSW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE County
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE 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	
01S	18E	1									12.1	14.5		1.3					27.9
											L 3								

Total Acres: 27.9

CONDITIONS OF APPROVAL

1. The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head for the irrigation of no more than 24.1 acres in a single irrigation season.
2. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head for the irrigation of 28 acres within a single irrigation season.

WATER RIGHT NO. 37-22035
As Modified by Transfer No. 73737

CONDITIONS OF APPROVAL

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.
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. 37.
5. 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).
6. Prior to the diversion and use of water under Transfer approval 73737, 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. Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
8. This right is measured and administered at the points of rediversion.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is a split from former right 37-20890 .
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 13th day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22037
As Modified by Transfer No. 73737

In accordance with the approval of Transfer No. 73737, Water Right No. 37-22037 is now described as follows.

Right Holder: STEPHEN SCHMID And
 KATHRYN SCHMID
 205 9TH AVE N
 TWIN FALLS ID 83301

Priority Date: June 15, 1891

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MITIGATION	04/15 to	10/31	0.02 CFS
IRRIGATION	04/15 to	10/31	0.02 CFS
			0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER	NWSENW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
BIG WOOD RIVER	NESWSW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE County
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE 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	
01S	18E	1								12.1	14.5			1.3					27.9
										L 3									

Total Acres: 27.9

CONDITIONS OF APPROVAL

1. The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head for the irrigation of no more than 24.1 acres in a single irrigation season.
2. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head for the irrigation of 28 acres within a single irrigation season.

WATER RIGHT NO. 37-22037
As Modified by Transfer No. 73737

CONDITIONS OF APPROVAL

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.
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. 37.
5. 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).
6. Prior to the diversion and use of water under Transfer approval 73737, 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. Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
8. This right is measured and administered at the points of rediversion.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is a split from former right 37-20891 .
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 13th day of May, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22039
As Modified by Transfer No. 73737

In accordance with the approval of Transfer No. 73737, Water Right No. 37-22039 is now described as follows.

Right Holder: STEPHEN SCHMID And
 KATHRYN SCHMID
 205 9TH AVE N
 TWIN FALLS ID 83301

Priority Date: March 24, 1883

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MITIGATION	04/15 to	10/31	0.04 CFS
IRRIGATION	04/15 to	10/31	0.04 CFS
			0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER	NWSENW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
BIG WOOD RIVER	NESWSW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE County
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE 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	
01S 18E 1								12.1				14.5				1.3	27.9
							L 3										

Total Acres: 27.9

CONDITIONS OF APPROVAL

- The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head for the irrigation of no more than 24.1 acres in a single irrigation season.
- The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head for the irrigation of 28 acres within a single irrigation season.

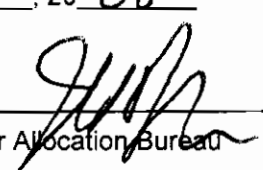
WATER RIGHT NO. 37-22039
As Modified by Transfer No. 73737

CONDITIONS OF APPROVAL

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.
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. 37.
5. 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).
6. Prior to the diversion and use of water under Transfer approval 73737, 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. Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
8. This right is measured and administered at the points of rediversion.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is a split from former right 37-20892.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 13th day of May, 20 08



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22041
As Modified by Transfer No. 73737

In accordance with the approval of Transfer No. 73737, Water Right No. 37-22041 is now described as follows.

Right Holder: STEPHEN SCHMID And
 KATHRYN SCHMID
 205 9TH AVE N
 TWIN FALLS ID 83301

Priority Date: March 24, 1883

Source: BIG WOOD RIVER
 GROUND WATER

Tributary: MALAD RIVER
 BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.24 CFS
MITIGATION	04/15	to 10/31	0.24 CFS
			0.24 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER	SESW	Sec. 12 Twp 01N	Rge 18E	BLAINE County
BIG WOOD RIVER	NWSENW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
BIG WOOD RIVER	NESWSW	Sec. 25 Twp 01N	Rge 18E	BLAINE County
(Rediversion)				
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE County
GROUND WATER	L3 (SESENW)	Sec. 1 Twp 01S	Rge 18E	BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01S	18E	1								12.1				14.5				1.3	27.9
										L 3									

Total Acres: 27.9

CONDITIONS OF APPROVAL

1. The use of ground water under rights 37-22027, 37-22029, 37-22031, 37-22033, 37-22035, 37-22037, 37-22039, and 37-22041 when combined shall not exceed a total diversion rate of 0.48 cfs and a total annual maximum diversion volume of 84.4 af at the well head for the irrigation of no more than 24.1 acres in a single irrigation season.
2. The use of ground water under rights 37-22026, 37-22027, 37-22028, 37-22029, 37-22030, 37-22031, 37-22032, 37-22033, 37-22034, 37-22035, 37-22036, 37-22037, 37-22038, 37-22039, 37-22040 and 37-22041 when combined shall not exceed a total diversion rate of 0.56 cfs and a total annual maximum diversion volume of 98.0 af at the well head for the irrigation of 28 acres within a single irrigation season.

WATER RIGHT NO. 37-22041
As Modified by Transfer No. 73737

CONDITIONS OF APPROVAL

3. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River and is actually diverted into the Bypass Canal for mitigation purposes.
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. 37.
5. 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).
6. Prior to the diversion and use of water under Transfer approval 73737, 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. Water is diverted from the Big Wood River into the Bypass Canal where it is rediverted into either the Baseline Canal in the SENW Sec. 25 or into the Dittoe Ditch in the SWSW Sec. 25, T1N, R18E, where it shall remain undelivered and allowed to sink to mitigate for the use of ground water under this right.
8. This right is measured and administered at the points of rediversion.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This right is a split from former right 37-20893 .
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 13th day of May, 20 08



Chief, Water Allocation Bureau