

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72856**

This is to certify that: PAUL W BEHREND And
DEBRA J BEHREND
2706 W 1800 S
ABERDEEN ID 83210
(208)397-4047

And

KRISTIN R BEHREND And
NICHOLAS P BEHREND
2976 W 2000 S
ABERDEEN ID 83210
(208) 221-0342

And

GREGORY W KNITTEL And
JENNECCA S KNITTEL
1780 S 2800 W
ABERDEEN ID 83210
(208)397-3010

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>
35-2419	WR/Decreed	04/20/1955	2.50 cfs	800.0 af	N/A	200.0	GROUND WATER
35-13598	WR/Decreed	04/01/1979	0.11 cfs	29.2 af	7.3	287.0	GROUND WATER
35-13599	AJC/License	08/05/1976	3.24 cfs	774.4 af	193.6	212.0	GROUND WATER

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

35-13596	WR/Decreed	04/01/1979	0.17 cfs	44.4 af	11.1	287.0	GROUND WATER
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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>
35-2419	YES	NO	YES	NO	NO	NO
35-13598	NO	YES	YES	NO	NO	NO
35-13599	YES	YES	YES	NO	NO	NO

SUPPORT DATA

IN FILE # 35-2419

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72856

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-2419	35-13571	0.56 cfs	180.0 af	45.0	129.0	35-13570	1.94 cfs	620.0 af	N/A	155.0
35-13598	35-13598	0.11 cfs	29.2 af	7.3	129.0		N/A	N/A	N/A	N/A
35-13599	35-13626	1.28 cfs	306.8 af	76.7	129.0	35-13625	1.96 cfs	467.6 af	116.9	128.0
						35-13596	0.17 cfs	44.4 af	11.1	128.0
COMBINED TOTALS		1.84 cfs	516 af	129.0	129.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of July, 2007



Administrator, Water Management Division

WATER RIGHT NO. 35-13570
As Modified by Transfer No. 72856

In accordance with the approval of Transfer No. 72856, Water Right No. 35-13570 is now described as follows.

Right Holder: JENNECCA S KNITTEL And
 GREGORY W KNITTEL
 1780 S 2800 W
 ABERDEEN ID 83210

Priority Date: April 20, 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	1.94 CFS	620.0 AF
		1.94 CFS	620.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 21 Twp 05S Rge 30E BINGHAM 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		
05S	30E	21									12.0				17.0	31.0	32.0	32.0	31.0	155.0

Total Acres: 155

CONDITIONS OF APPROVAL

- 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 12th day of July, 20 07


 Administrator, Water Management Division

WATER RIGHT NO. 35-13571
As Modified by Transfer No. 72856

In accordance with the approval of Transfer No. 72856, Water Right No. 35-13571 is now described as follows.

Right Holder: NICHOLAS P BEHREND And
 KRISTIN R BEHREND
 2976 W 2000 S
 ABERDEEN ID 83210

And

PAUL W BEHREND And
 DEBRA J BEHREND
 2706 W 1800 S
 ABERDEEN ID 83210

And

GREGORY W KNITTEL And
 JENNECCA S KNITTEL
 1780 S 2800 W
 ABERDEEN ID 83210

Priority Date: April 20, 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	0.56 CFS	180.0 AF
		0.56 CFS	180.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 21 Twp 05S Rge 30E BINGHAM 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	
05S	30E	21	32.0	32.0	33.0	32.0													129.0

Total Acres: 129

WATER RIGHT NO. 35-13571
As Modified by Transfer No. 72856

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 45 acres within the place of use described above in a single irrigation season.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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. 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.
6. Prior to the diversion and use of water under Transfer approval 72856 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. Rights 35-13571, 35-13598 and 35-13626 when combined shall not exceed a total diversion rate of 1.84 cfs, a total annual maximum diversion volume of 516 af at the field headgate, and the irrigation of 129 acres.
8. 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.
9. 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.
10. The following rights are also diverted through point of diversion described above: 35-13570, 35-13571, 35-13598, 35-13626.

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 12th day of July, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 35-13598
As Modified by Transfer No. 72856

In accordance with the approval of Transfer No. 72856, Water Right No. 35-13598 is now described as follows.

Right Holder: PAUL W BEHREND And
 DEBRA J BEHREND
 2706 W 1800 S
 ABERDEEN ID 83210
 (208)397-4047
 And
 KRISTIN R BEHREND And
 NICHOLAS P BEHREND
 2976 W 2000 S
 ABERDEEN ID 83210
 (208) 221-0342
 And
 GREGORY W KNITTEL And
 JENNECCA S KNITTEL
 1780 S 2800 W
 ABERDEEN ID 83210
 (208)397-3010

Priority Date: April 01, 1979

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	0.11 CFS	29.2 AF
		0.11 CFS	29.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 21 Twp 05S Rge 30E BINGHAM 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	
05S	30E	21	32.0	32.0	33.0	32.0													129.0

Total Acres: 129

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 7.3 acres within the place of use described for this right.
2. This right is based upon an enlargement of Right No. 35-13626 pursuant to Section 42-1426, Idaho Code.

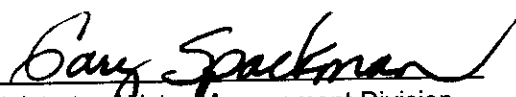
WATER RIGHT NO. 35-13598
As Modified by Transfer No. 72856

CONDITIONS OF APPROVAL

3. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. The following rights are also diverted through point of diversion described above: 35-13570, 35-13571, 35-13598, 35-13626.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. 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.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. Prior to the diversion and use of water under Transfer approval 72856 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.
10. Rights 35-13571, 35-13598 and 35-13626 when combined shall not exceed a total diversion rate of 1.84 cfs, a total annual maximum diversion volume of 516 af at the field headgate, and the irrigation of 129 acres.
11. 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.
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.
13. Rights 35-13598 and 35-13626 when combined shall not exceed a total diversion rate of 1.28 cfs.

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 12th day of July, 20 08


Administrator, Water Management Division

WATER RIGHT NO. 35-13596
As Modified by Transfer No. 72856

In accordance with the approval of Transfer No. 72856, Water Right No. 35-13596 is now described as follows.

Right Holder: PAUL W BEHREND And
 DEBRA J BEHREND
 2706 W 1800 S
 ABERDEEN ID 83210
 (208)397-4047
 And
 KRISTIN R BEHREND And
 NICHOLAS P BEHREND
 2976 W 2000 S
 ABERDEEN ID 83210
 (208) 221-0342
 And
 GREGORY W KNITTEL And
 JENNECCA S KNITTEL
 1780 S 2800 W
 ABERDEEN ID 83210
 (208)397-3010

Priority Date: April 01, 1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.17 CFS	44.4 AF
			0.17 CFS	44.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 13 Twp 05S Rge 29E POWER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05S	29E	13	NE	NW	SW	SE	128.0

Total Acres: 128

WATER RIGHT NO. 35-13596
As Modified by Transfer No. 72856

CONDITIONS OF APPROVAL

1. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
2. 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.
3. This right is for an enlargement of 11.1 acres within the place of use described for this right.
4. This right is based upon an enlargement of Right No. 35-13625 pursuant to Section 42-1426, Idaho Code.
5. The rights listed below are limited to a total combined diversion rate of 1.96 cfs and to a total combined annual diversion volume of 512 AF. Combined Right Nos.: 35-13596, 35-13625.
6. The rights listed below are limited to the irrigation of a combined total of 128 acres in a single irrigation season. Combined Right Nos.: 35-13596, 35-13625
7. The following rights are also diverted through point of diversion described above: 35-13596, 35-13625

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 12th day of July, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 35-13625
As Modified by Transfer No. 72856

In accordance with the approval of Transfer No. 72856, Water Right No. 35-13625 is now described as follows.

Right Holder: PAUL W BEHREND And
 DEBRA J BEHREND
 2706 W 1800 S
 ABERDEEN ID 83210
 (208)397-4047
 And
 KRISTIN R BEHREND And
 NICHOLAS P BEHREND
 2976 W 2000 S
 ABERDEEN ID 83210
 (208) 221-0342
 And
 GREGORY W KNITTEL And
 JENNECCA S KNITTEL
 1780 S 2800 W
 ABERDEEN ID 83210
 (208)397-3010

Priority Date: August 05, 1976

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	1.96 CFS	467.6 AF
			1.96 CFS	467.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 13 Twp 05S Rge 29E POWER 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	
05S	29E	13													32.0	32.0	32.0	32.0	128.0

Total Acres: 128

WATER RIGHT NO. 35-13625
As Modified by Transfer No. 72856

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 1.96 cfs and to a total combined annual diversion volume of 512 AF. Combined Right Nos.: 35-13596, 35-13625.
2. The rights listed below are limited to the irrigation of a combined total of 128 acres in a single irrigation season. Combined Right Nos.: 35-13596, 35-13625
3. Right No. 35-13596 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. The following rights are also diverted through point of diversion described above: 35-13596, 35-13625.
5. This right is limited to the irrigation of 116.9 acres within the place of use described above in a single irrigation season.
6. 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 12th day of July, 20 07


Administrator, Water Management Division

WATER RIGHT NO. 35-13626
As Modified by Transfer No. 72856

In accordance with the approval of Transfer No. 72856, Water Right No. 35-13626 is now described as follows.

Right Holder: PAUL W BEHREND And
 DEBRA J BEHREND
 2706 W 1800 S
 ABERDEEN ID 83210
 (208)397-4047
 And
 KRISTIN R BEHREND And
 NICHOLAS P BEHREND
 2976 W 2000 S
 ABERDEEN ID 83210
 (208) 221-0342
 And
 GREGORY W KNITTEL And
 JENNECCA S KNITTEL
 1780 S 2800 W
 ABERDEEN ID 83210
 (208)397-3010

Priority Date: August 05, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.28 CFS	306.8 AF
			1.28 CFS	306.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESE Sec. 21 Twp 05S Rge 30E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05S	30E	21	32.0	32.0	33.0	32.0	129.0

Total Acres: 129

CONDITIONS OF APPROVAL

- Right No. 35-13598 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
- The following rights are also diverted through point of diversion described above: 35-13570, 35-13571, 35-13598, 35-13626.

WATER RIGHT NO. 35-13626
As Modified by Transfer No. 72856

CONDITIONS OF APPROVAL

3. This right is limited to the irrigation of 76.7 acres within the place of use described above in a single irrigation season.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
6. 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.
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. Prior to the diversion and use of water under Transfer approval 72856 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.
9. Rights 35-13571, 35-13598 and 35-13626 when combined shall not exceed a total diversion rate of 1.84 cfs, a total annual maximum diversion volume of 516 af at the field headgate, and the irrigation of 129 acres.
10. 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.
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.
12. Rights 35-13598 and 35-13626 when combined shall not exceed a total diversion rate of 1.28 cfs.

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 12th day of July, 20 07


Administrator, Water Management Division