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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 70218**

This is to certify that: STEVEN L KAUER And/Or  
 PATRICIA A KAUER  
 700 W 695 N  
 BLACKFOOT ID 83221  
 (208)604-2205

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> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 35-2071B     | WR/Decreed          | 04/27/1947      | 0.1 cfs     | N/A           | 11.0              | 13.0               | GROUND WATER  |
| 35-2455B     | WR/Decreed          | 03/20/1956      | 0.08 cfs    | N/A           | 11.0              | 13.0               | GROUND WATER  |
| 35-11409B    | WR/Decreed          | 03/20/1959      | 0.03 cfs    | N/A           | 2.0               | 13.0               | 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> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 35-2071B              | YES          | YES        | YES        | YES            | NO                   | NO                   |
| 35-2455B              | YES          | YES        | YES        | YES            | NO                   | NO                   |
| 35-11409B             | YES          | YES        | 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> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 35-2071B              | 35-13428                         | 0.05 cfs             | 20 af                  | 5.0               | 6.0                | 35-13427                           | 0.05 cfs              | 21 af                   | 6.0                         | 7.0                          |
| 35-2455B              | 35-13430                         | 0.04 cfs             | 17 af                  | 5.0               | 6.0                | 35-13429                           | 0.04 cfs              | 17 af                   | 6.0                         | 7.0                          |
| 35-11409B             | 35-13432                         | 0.01 cfs             | 4 af                   | 1.0               | 6.0                | 35-13431                           | 0.02 cfs              | 4 af                    | 1.0                         | 7.0                          |

**COMBINED**

|               |                 |              |          |          |            |            |            |            |
|---------------|-----------------|--------------|----------|----------|------------|------------|------------|------------|
| <b>TOTALS</b> | <b>0.08 cfs</b> | <b>24 af</b> | <b>6</b> | <b>6</b> | <b>N/A</b> | <b>N/A</b> | <b>N/A</b> | <b>N/A</b> |
|---------------|-----------------|--------------|----------|----------|------------|------------|------------|------------|

Detailed Water Right Description(s) attached

Dated this 4<sup>th</sup> day of

February, 2003

  
 Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

**WATER RIGHT NO. 35-13432**  
**As Modified by Transfer No. 70218**

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13432 is now described as follows.

**Right Holder:** PATRICIA A KAUER And  
 STEVEN L KAUER  
 700 W 695 N  
 BLACKFOOT ID 83221

**Priority Date:** March 20, 1959

**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  | 0.01 CFS              | 4.0 AF        |
|                       |             |           | 0.01 CFS              | 4.0 AF        |

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

GROUND WATER                      NWNE                      Sec. 36 Twp 01S    Rge 34E    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 |        |
| 01S | 34E | 36  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6.0    |

Total Acres: 6

**CONDITIONS OF APPROVAL**

1. Rights 35-13428, 35-13430, 35-13432 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 24 af at the field headgate, and the irrigation of 6 acres.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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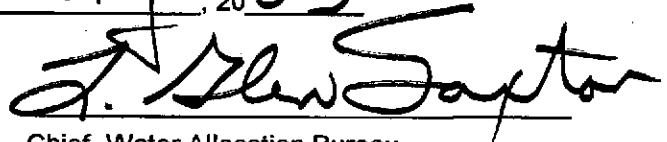
**WATER RIGHT NO. 35-13432**  
**As Modified by Transfer No. 70218**

**CONDITIONS OF APPROVAL**

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.

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 4<sup>th</sup> day of February, 2003



Chief, Water Allocation Bureau

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FEB 25 2003

**WATER RIGHT NO. 35-13430**  
**As Modified by Transfer No. 70218**

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13430 is now described as follows.

**Right Holder:** STEVEN L KAUER And  
 PATRICIA A KAUER  
 700 W 695 N  
 BLACKFOOT ID 83221

**Priority Date:** March 20, 1956

**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        | 0.04 CFS              | 17.0 AF       |
|                       |                       | 0.04 CFS              | 17.0 AF       |

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

GROUND WATER                      NWNE                      Sec. 36 Twp 01S   Rge 34E   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 |        |
| 01S 34E 36  |    |    | 6.0 |    |    |    |    |    |    |    |    |    | 6.0    |

Total Acres: 6

**CONDITIONS OF APPROVAL**

1. Rights 35-13428, 35-13430, 35-13432 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 24 af at the field headgate, and the irrigation of 6 acres.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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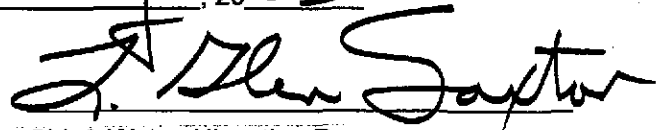
**WATER RIGHT NO. 35-13430**  
**As Modified by Transfer No. 70218**

**CONDITIONS OF APPROVAL**

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.

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 9<sup>th</sup> day of February, 2003

  
Chief, Water Allocation Bureau

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FEB 25 2003

**WATER RIGHT NO. 35-13429**  
**As Modified by Transfer No. 70218**

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13429 is now described as follows.

**Right Holder:** STEVEN L KAUER And  
 PATRICIA A KAUER  
 700 W 695 N  
 BLACKFOOT ID 83221

**Priority Date:** March 20, 1956

**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  | 0.04 CFS              | 17.0 AF       |
|                       |             |           | 0.04 CFS              | 17.0 AF       |

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

GROUND WATER      SWSESW      Sec. 36 Twp 01S    Rge 34E    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 |        |
| 01S | 34E | 36  |    |    |    |    |     |    |    |    |     |    |    |    |    |    |    |    | 7.0    |
|     |     |     |    |    |    |    | 2.8 |    |    |    | 4.2 |    |    |    |    |    |    |    |        |

Total Acres: 7

**CONDITIONS OF APPROVAL**

1. Rights 35-13427, 35-13429, 35-13431 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 28 af at the field headgate, and the irrigation of 7 acres.
2. This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.
3. 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 4<sup>th</sup> day of February, 2003

  
 Chief, Water Allocation Bureau

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FEB 25 2003

**WATER RIGHT NO. 35-13431**  
**As Modified by Transfer No. 70218**

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13431 is now described as follows.

**Right Holder:** PATRICIA A KAUER And  
 STEVEN L KAUER  
 700 W 695 N  
 BLACKFOOT ID 83221

**Priority Date:** March 20, 1959

**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     | 0.02 CFS              | 4.0 AF        |
|                       |             |           | 0.02 CFS              | 4.0 AF        |

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

GROUND WATER SWSESW Sec. 36 Twp 01S Rge 34E BINGHAM County

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE                | NW                | SW                | SE                | Totals |
|-------------|-------------------|-------------------|-------------------|-------------------|--------|
| 01S 34E 36  | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | NE   NW   SW   SE | 7.0    |
|             |                   | 2.8               | 4.2               |                   |        |

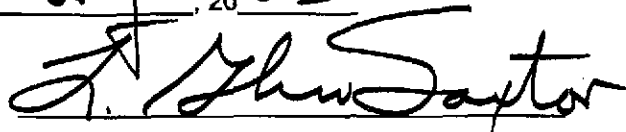
Total Acres: 7

**CONDITIONS OF APPROVAL**

1. Rights 35-13427, 35-13429, 35-13431 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 28 af at the field headgate, and the irrigation of 7 acres.
2. This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.
3. 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 4<sup>th</sup> day of February, 20 03

  
 Chief, Water Allocation Bureau

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FEB 25 2003

**WATER RIGHT NO. 35-13428**  
**As Modified by Transfer No. 70218**

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13428 is now described as follows.

**Right Holder:** PATRICIA A KAUER And  
 STEVEN L KAUER  
 700 W 695 N  
 BLACKFOOT ID 83221

**Priority Date:** April 27, 1947

**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        | 0.05 CFS              | 20.0 AF       |
|                       |                       | 0.05 CFS              | 20.0 AF       |

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

GROUND WATER                      NWNE                      Sec. 36 Twp.01S   Rge 34E 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 |        |
| 01S 34E 36  |    |    |    | 6.0 |    |    |    |    |    |    |    |    |    |    |    |    | 6.0    |

Total Acres: 6

**CONDITIONS OF APPROVAL**

1. Rights 35-13428, 35-13430, 35-13432 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 24 af at the field headgate, and the irrigation of 6 acres.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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 FEB 25 2003

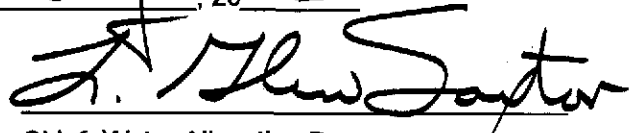
**WATER RIGHT NO. 35-13428**  
**As Modified by Transfer No. 70218**

**CONDITIONS OF APPROVAL**

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.

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 4<sup>th</sup> day of February, 2003



Chief, Water Allocation Bureau

92528

**Right Holder:** STEVEN L KAUER And  
PATRICIA A KAUER  
700 W 695 N  
BLACKFOOT ID 83221

**Source:** GROUND WATER

**GROUND WATER                  SWSESW                  Sec. 36 Twp 01S   Rge 34E BINGHAM County**

| 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 | 34E | 36  |    |    |    |    |    |    |    | 2.8 |    |    |    | 4.2 |    |    |    |    | 7.0    |

1. Rights 35-13427, 35-13429, 35-13431 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 28 af at the field headgate, and the irrigation of 7 acres.
2. This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.
3. 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.

Dated this 4<sup>th</sup> day of February, 2005

Chief, Water Allocation Bureau

**Michael Lee**

FEB 25 2003

**MEMORANDUM**

**TO:** FILE 35-13431  
**FROM:** VAULT  
**RE:** TRANSFER # 70218  
**DATE:** 2.5.03

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**Original Transfer Application, Form and correspondence regarding the above  
referenced Transfer is located within:**

**FILE #** 35-2071B

MICROFILMED  
FEB 25 2003