

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71013

This is to certify that: JAMES K SCHAEFFER And
DIANNE SCHAEFFER
300 N 1005 W
PAUL ID 83347
(208)438-5234

have 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>
36-13767	WR/Decreed	03/01/1955	0.17 cfs	N/A	N/A	N/A	GROUND WATER
36-2344	WR/Decreed	01/22/1958	5.34 cfs	N/A	N/A	470.0	GROUND WATER

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

<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>
36-2557	WR/Decreed	12/13/1962	4.76 cfs	N/A	N/A	319.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

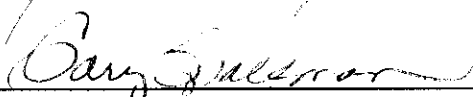
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-13767	NO	YES	YES	NO	YES	NO
36-2344	YES	YES	NO	NO	YES	YES

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>
36-13767	36-13767	0.17 cfs	14.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-2344	36-16200	0.26 cfs	58.0 af	N/A	N/A	36-16199	5.08 cfs	N/A	N/A	447.0
COMBINED TOTALS		0.43 cfs	72.6 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 10th day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16199
As Modified by Transfer No. 71013

In accordance with the approval of Transfer No. 71013, Water Right No. 36-16199 is now described as follows.

Right Holder: JAMES K SCHAEFFER And
 DIANNE SCHAEFFER
 300 N 1005 W
 PAUL ID 83347

Priority Date: January 22, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	5.08 CFS
			5.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENW Sec. 29 Twp 08S Rge 22E MINIDOKA 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	
08S	22E	28						40.0	40.0										80.0
08S	22E	29	38.0	40.0	28.0	37.0	38.0	40.0	40.0	26.0									287.0
08S	22E	30	40.0			40.0													80.0

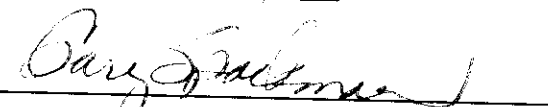
Total Acres: 447

CONDITIONS OF APPROVAL

1. Rights 36-2557 and 36-16199 when combined shall not exceed a total diversion rate of 9.84 cfs, a total annual maximum diversion volume of 2744 af at the field headgate, and the irrigation of 686 acres.
2. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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 10th day of May, 2004


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-16200
As Modified by Transfer No. 71013

In accordance with the approval of Transfer No. 71013, Water Right No. 36-16200 is now described as follows.

Right Holder: JAMES K SCHAEFFER And
 DIANNE SCHAEFFER
 300 N 1005 W
 PAUL ID 83347

Priority Date: January 22, 1958

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.26 CFS	58.0 AF
			0.26 CFS	58.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENW Sec. 29 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	22E	29			X														

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
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. 130.
5. Prior to the diversion and use of water under Transfer approval 71013, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. 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.
8. Right 36-13767 is also diverted through the point of diversion described above.

WATER RIGHT NO. 36-16200
As Modified by Transfer No. 71013

CONDITIONS OF APPROVAL

9. The right holder shall accomplish the change authorized by this transfer within one (1) 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 10th day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-13767
As Modified by Transfer No. 71013

In accordance with the approval of Transfer No. 71013, Water Right No. 36-13767 is now described as follows.

Right Holder: JAMES K SCHAEFFER And
 DIANNE SCHAEFFER
 300 N 1005 W
 PAUL ID 83347

Priority Date: March 01, 1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.09 CFS	11.0 AF
DOMESTIC	01/01	to 12/31	0.08 CFS	3.6 AF
			0.17 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENW Sec. 29 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08S	22E	29	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
			X	X			

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08S	22E	29	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
			X	X			

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
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. 130.
6. Prior to the diversion and use of water under Transfer approval 71013, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
7. Right 36-16200 is also diverted through the point of diversion described above.

WATER RIGHT NO. 36-13767
As Modified by Transfer No. 71013

CONDITIONS OF APPROVAL

8. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
9. The right holder shall accomplish the change authorized by this transfer within one (1) 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 10th day of May, 2004



Chief, Water Allocation Bureau

WATER RIGHT NO. 36-2557
As Modified by Transfer No. 71013

In accordance with the approval of Transfer No. 71013, Water Right No. 36-2557 is now described as follows.

Right Holder: JAMES K SCHAEFFER And
 DIANNE SCHAEFFER
 300 N 1005 W
 PAUL ID 83347

Priority Date: December 13, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	4.76 CFS
			4.76 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESENW Sec. 28 Twp 08S Rge 22E MINIDOKA 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	
08S	22E	28	40.0	40.0	39.0	40.0	40.0	40.0	40.0	40.0									319.0

Total Acres: 319

CONDITIONS OF APPROVAL

1. Rights 36-2557 and 36-16199 when combined shall not exceed a total diversion rate of 9.84 cfs, a total annual maximum diversion volume of 2744 af at the field headgate, and the irrigation of 686 acres.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than August 27, 2001.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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 10th day of May, 2004


 Chief, Water Allocation Bureau