

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68553

This is to certify that: WILLIAM J SWANSON TRUST
125 GRADUATE DR
KETCHUM ID 83340
(208)726-5201

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>
37-934	AJC/Decreed	11/01/1917	1.60 cfs	N/A	N/A	80.0	SILVER CREEK
37-2683	AJC/License	08/23/1961	3.00 cfs	469 af	N/A	157.0	GROUND WATER
37-7349	WR/License	03/07/1974	1.60 cfs	N/A	82.0	232.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

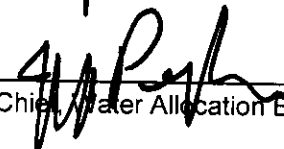
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-934	NO	NO	NO	NO	NO	NO
37-2683	NO	NO	YES	YES	NO	NO
37-7349	NO	NO	YES	YES	NO	NO

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>
37-2683	37-2683B	1.12 cfs	175.7 af	58.8	152.0	37-2683A	1.88 cfs	293.3 af	N/A	98.2
37-7349	37-7349B	0.43 cfs	77.0 af	22.0	152.0	37-7349A	1.17 cfs	N/A	60.0	169.9
COMBINED TOTALS		1.24 cfs	217.7 af	62.2	152.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18 day of July, 2003

For 
Chief Water Allocation Bureau

WATER RIGHT NO. 37-934
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-934 is now described as follows.

Right Holder: WILLIAM J SWANSON TRUST
 125 GRADUATE DR
 KETCHUM ID 83340

Priority Date: November 01, 1917

Source: SILVER CREEK

Tributary: LITTLE WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.60 CFS	
			1.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SILVER CREEK SWNENE Sec. 27 Twp 01S Rge 20E 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 20E 22																11.0	11.0
01S 20E 26							38.0										38.0
01S 20E 27	31.0																31.0

Total Acres: 80

CONDITIONS OF APPROVAL

- Right 37-934 shall be considered abandoned and/or forfeited through approval of Transfer 68553.

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 18 day of July, 2003


 For _____
 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2683A
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-2683A is now described as follows.

Right Holder: DON MC FARLAND And
 CAROL C MC FARLAND
 PO BOX 268
 EDEN ID 83325

Priority Date: August 23, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	1.88 CFS	293.3 AF
			1.88 CFS	293.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWNESW	Sec. 20 Twp 01S Rge 20E	BLAINE County
GROUND WATER	SWSWSE	Sec. 22 Twp 01S Rge 20E	BLAINE County
GROUND WATER (Injection)	NENESW	Sec. 20 Twp 01S Rge 20E	BLAINE County
GROUND WATER (Rediversion)	SWNENE	Sec. 22 Twp 01S Rge 20E	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	20E	22													6.0	30.0	4.0	29.0	69.0
01S	20E	26					14.1												14.1
01S	20E	27	15.1																15.1

Total Acres: 98.2

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
2. Measuring devices of a type approved by this Department shall be installed and maintained at each point of diversion and rediversion for measurement into and out of Silver Creek.
3. If the well is drilled deeper than 100 feet, the surface seal must consist of cement or bentonite clay grout and extend from land surface to a depth of not less than 75 feet below land surface, or 5 feet into the next significant confining layer, whichever is greater.

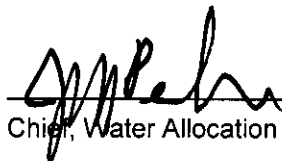
WATER RIGHT NO. 37-2683A
As Modified by Transfer No. 68553

CONDITIONS OF APPROVAL

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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

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 18 day of July, 20 03


for Chief, Water Allocation Bureau

WATER RIGHT NO. 37-2683B
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-2683B is now described as follows.

Right Holder: WILLIAM J SWANSON TRUST
 125 GRADUATE DR
 KETCHUM ID 83340

Priority Date: August 23, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	1.12 CFS	175.7 AF
		1.12 CFS	175.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E BLAINE County
GROUND WATER (Injection)	NESW	Sec. 20 Twp 01S Rge 20E BLAINE County
GROUND WATER (Rediversion)	SESW	Sec. 26 Twp 01S Rge 20E BLAINE County
GROUND WATER (Rediversion)	NENE	Sec. 27 Twp 01S Rge 20E 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	20E	26					7.0	24.0	20.0	5.0					26.0	14.0	7.0	12.0	115.0
01S	20E	27	15.0			22.0													37.0

Total Acres: 152

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 58.8 acres within the place of use described above in a single irrigation season.
2. 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. 37M.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized ground water point of diversion, point of injection into Silver Creek, and points of rediversion from Silver Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

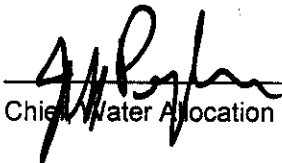
WATER RIGHT NO. 37-2683B
As Modified by Transfer No. 68553

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of redirection from Silver Creek under Rights 37-2683B and 37-7349B shall not exceed 1.24 cfs, nor total combined annual volume of 217.7 af, for the irrigation of 62.2 acres.
5. Rediversion of ground water from Silver Creek under Rights 37-2683B & 37-7349B shall not exceed the amount of ground water actually diverted from the authorized well and injected into Silver Creek.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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 18 day of July, 20 03

For  _____
Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7349A
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-7349A is now described as follows.

Right Holder: M DON MC FARLAND And
 CAROL L MC FARLAND
 PO BOX 268
 EDEN ID 83325-0268

Priority Date: March 07, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.17 CFS	
			1.17 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E	BLAINE County
GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E	BLAINE County
(Injection)			
GROUND WATER	NENE	Sec. 27 Twp 01S Rge 20E	BLAINE County
(Rediversion)			
GROUND WATER	NWNE	Sec. 27 Twp 01S Rge 20E	BLAINE County
(Rediversion)			

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 20E 22			19.5	2.5									16.8	39.0	25.5	34.4	137.7
01S 20E 26							15.1										15.1
01S 20E 27	15.7	1.4															17.1

Total Acres: 169.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60 acres within the place of use described above in a single irrigation season.
2. This right when combined with Right 37-02683A and all other rights shall provide no more than .02 cfs per acre nor more than 210.0 afa for 60 acres within the place of use listed above.
3. Use of this right with Right 37-02683A is limited to a total combined annual diversion volume of 503.3 af and to the irrigation of a combined total of 158.2 acres in a single irrigation season.

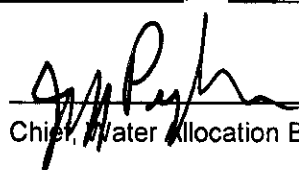
WATER RIGHT NO. 37-7349A
As Modified by Transfer No. 68553

CONDITIONS OF APPROVAL

4. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
5. Permanent measuring devices and lockable controlling works of a type acceptable to the Department shall be permanently installed in such a manner that the amount of groundwater injected into Silver Creek and the amount of water rediverted from Silver Creek can be measured.
6. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. Rights 37-02444 and 37-02683 are also diverted through the point of diversion described above.
9. Approval of this transfer does not confirm the validity of this water right.

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 18 day of July, 20 03


For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-7349B
As Modified by Transfer No. 68553

In accordance with the approval of Transfer No. 68553, Water Right No. 37-7349B is now described as follows.

Right Holder: WILLIAM J SWANSON TRUST
 125 GRADUATE DR
 KETCHUM ID 83340

Priority Date: March 07, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.43 CFS	77.0 AF
			0.43 CFS	77.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E BLAINE County
GROUND WATER	NESW	Sec. 20 Twp 01S Rge 20E BLAINE County
(Injection)		
GROUND WATER	SESW	Sec. 26 Twp 01S Rge 20E BLAINE County
(Rediversion)		
GROUND WATER	NENE	Sec. 27 Twp 01S Rge 20E BLAINE County
(Rediversion)		

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 20E 26					7.0	24.0	20.0	5.0					26.0	14.0	7.0	12.0	115.0
01S 20E 27	15.0			22.0													37.0

Total Acres: 152

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 22 acres within the place of use described above in a single irrigation season.
2. 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. 37M.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for the authorized ground water point of diversion, point of injection into Silver Creek, and points of rediversion from Silver Creek. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

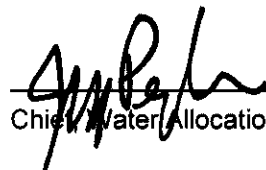
WATER RIGHT NO. 37-7349B
As Modified by Transfer No. 68553

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of diversion from Silver Creek under Rights 37-2683B and 37-7349B shall not exceed 1.24 cfs, nor total combined annual volume of 217.7 af, for the irrigation of 62.2 acres.
5. Rediversion of ground water from Silver Creek under Rights 37-2683B & 37-7349B shall not exceed the amount of ground water actually diverted from the authorized well and injected into Silver Creek.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
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 period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this 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.

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 18 day of July, 2003

for 
Chief, Water Allocation Bureau