

(After Split)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/11/2022

Water Right 29-13749

Owner Type **Name and Address**
Current Owner MAX W HALL
 PO BOX 784
 LAVA HOT SPGS, ID 83246-0784
 (208) 776-5663

Priority Date: 5/1/1903

Basis: Decreed

Status: Active

Source **Tributary**
WEST BOB SMITH CREEK PORTNEUF RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/15	09/15	0.350 CFS	
	Total Diversion		0.350 CFS	

Source and Point(s) of Diversion:

WEST BOB SMITH CREEK	SEENW	Sec. 15, Twp 09S, Rge 37E, BANNOCK County
WEST BOB SMITH CREEK	SESENW	Sec. 15, Twp 09S, Rge 37E, BANNOCK County

Place Of Use:

IRRIGATION within BANNOCK County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	37E	14											5.1						5.1
09S	37E	15								2.5					37.0	20.0		34.9	94.4
09S	37E	22	2.0	6.6	19.0 L2	4.2 L1			5.2 L4	8.3 L3									45.3

POU Total Acres: 144.8

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. E52 The rights listed below are limited to a total combined diversion rate of 1.88 cfs. Combined Right Nos.: 29-13741, 29-13743, 29-13745, 29-13747, 29-13749, 29-13751 and 29-13753.

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5. E56 The rights listed below are limited to the irrigation of a combined total of 144.8 acres in a single irrigation season. Combined Right Nos.: 29-13741, 29-13743, 29-13745, 29-13747, 29-13749, 29-13751 and 29-13753.
6. S35 The use of water for irrigation under this right may begin as early as April 1 and May continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinate early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
7. All water rights diverted from West Bob Smith Creek sharing priority date 5/1/1903 when combined shall not exceed a total diversion rate of 0.68 cfs.
8. All water rights diverted from West Bob Smith Creek at the Max Hall upper diversion (SENEW, Sec. 15, Twp 09S, Rge 37E) and the Max Hall lower diversion (SESEW, Sec. 15, Twp 09S, Rge 37E), except those rights sharing priority date 8/7/1932, when combined shall not exceed a total diversion rate of 3.542 cfs.
9. K01 Right No. 29-13753 is an enlargement of this right pursuant to Idaho Code § 42-1426.

Dates and Other Information:

Decreed Date: 7/29/2005

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 29

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:

Rate

1.880

Volume

Acres

144.8

Water Rights

29-13741 ,29-13743 ,29-13745 ,29-13747 ,29-13749 ,29-13751 ,29-13753

SubCase:

N/A

Water Supply Bank:

N/A

(Before Split)

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8/9/2022

Water Right 29-13749

Owner Type **Name and Address**
Current Owner MAX W HALL
PO BOX 784
LAVA HOT SPGS, ID 83246-0784
(208) 776-5663

Priority Date: 5/1/1903

Basis: Decreed

Status: Active

Source **Tributary**
WEST BOB SMITH CREEK PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	09/15	0.370 CFS	
	<u>Total Diversion</u>		0.370 CFS	

Source and Point(s) of Diversion:

WEST BOB SMITH CREEK	SENENW	Sec. 15, Twp 09S, Rge 37E, BANNOCK County
WEST BOB SMITH CREEK	SESENW	Sec. 15, Twp 09S, Rge 37E, BANNOCK County

Place Of Use:

IRRIGATION within BANNOCK County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S	37E	14												13.6					13.6
09S	37E	15									2.5				37.0	20.0		34.9	94.4
09S	37E	22	2.0	6.6	19.0 L2	4.2 L1			5.2 L4	8.3 L3									45.3

POU Total Acres: 153.3

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. E52 The rights listed below are limited to a total combined diversion rate of 1.99 cfs. Combined Right Nos.: 29-13741, 29-13743, 29-13745, 29-13747, 29-13749, 29-13751 and 29-13753.

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|----|-----|---|
| 5. | E56 | The rights listed below are limited to the irrigation of a combined total of 153.3 acres in a single irrigation season. Combined Right Nos.: 29-13741, 29-13743, 29-13745, 29-13747, 29-13749, 29-13751 and 29-13753. |
| 6. | S35 | The use of water for irrigation under this right may begin as early as April 1 and May continue to as late as October 31, provided other elements of the right are not exceeded. The use o water before April 15 and after September 15 under this remark is subordinate to all water rights having no subordinate early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right. |
| 7. | | All water rights diverted from West Bob Smith Creek sharing priority date 5/1/1903 when combined shall not exceed a total diversion rate of 0.68 cfs. |
| 8. | | All water rights diverted from West Bob Smith Creek at the Max Hall upper diversion (SEENW, Sec. 15, Twp 09S, Rge 37E) and the Max Hall lower diversion (SESENW, Sec. 15, Twp 09S, Rge 37E), except those rights sharing priority date 8/7/1932, when combined shall not exceed a total diversion rate of 3.542 cfs. |
| 9. | K01 | Right No. 29-13753 is an enlargement of this right pursuant to Idaho Code § 42-1426. |

Dates and Other Information:

Decreed Date: 7/29/2005

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 29

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits:

Rate

1.990

Volume

Acres

153.3

Water Rights

29-13741 ,29-13743 ,29-13745 ,29-13747 ,29-13749 ,29-13751 ,29-13753

SubCase:

N/A

Water Supply Bank:

N/A

Idaho Department of Water Resources

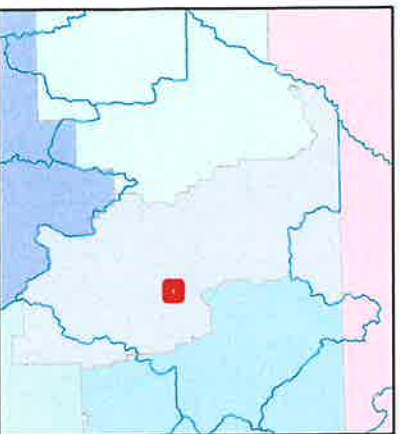


Water Right

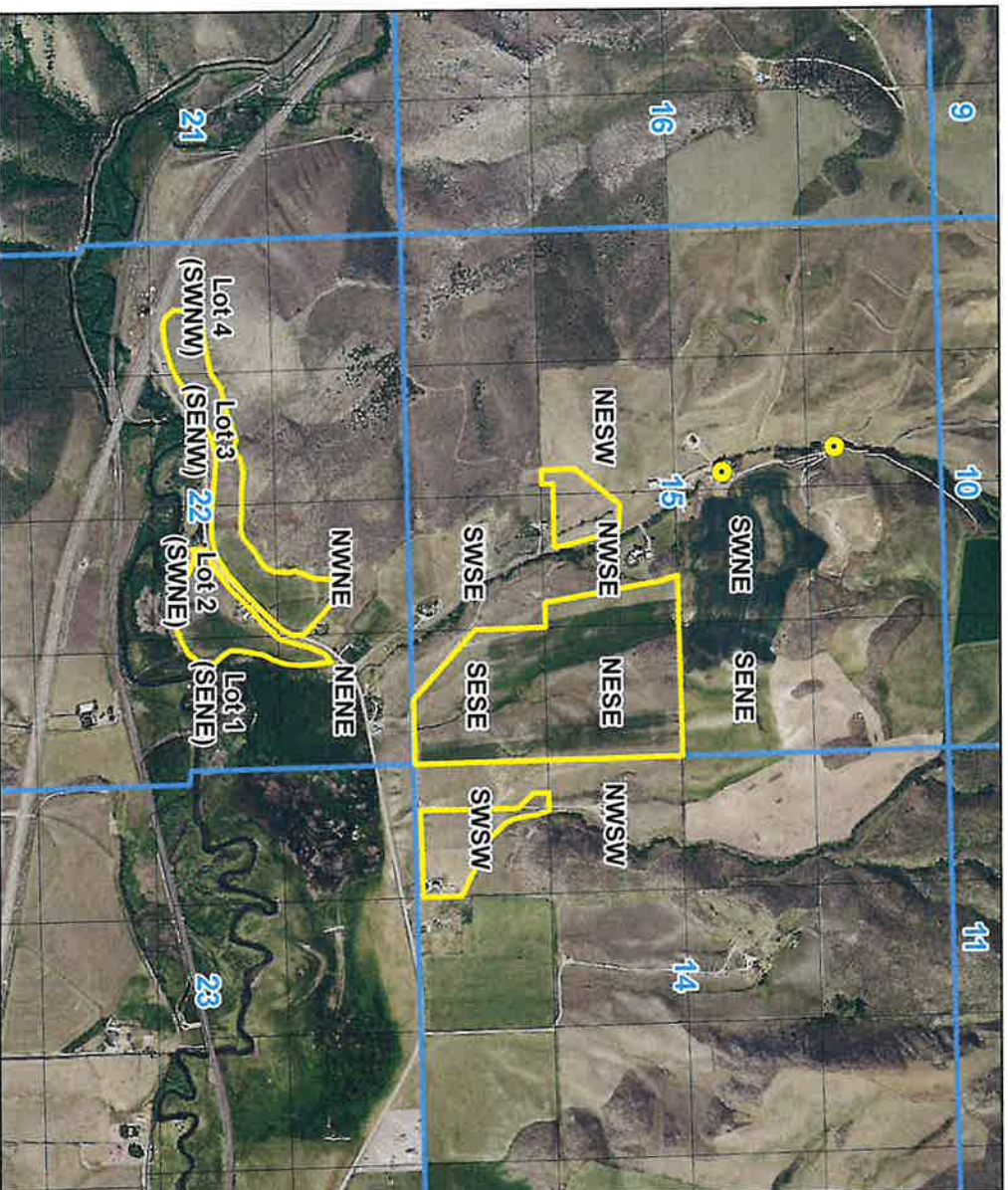
29-13741, 29-13743, 29-13745,
29-13747, 29-13749, 29-13751,
29-13753

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Bannock County
IDWR Basin 29



Idaho Department of Water Resources

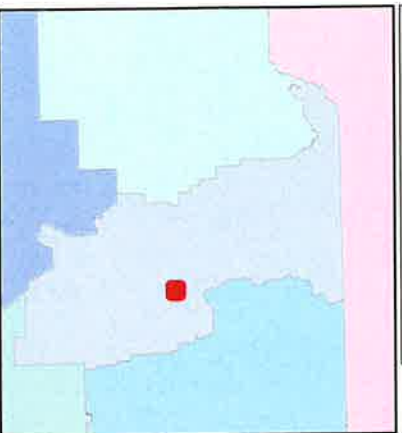
37E

Water Right

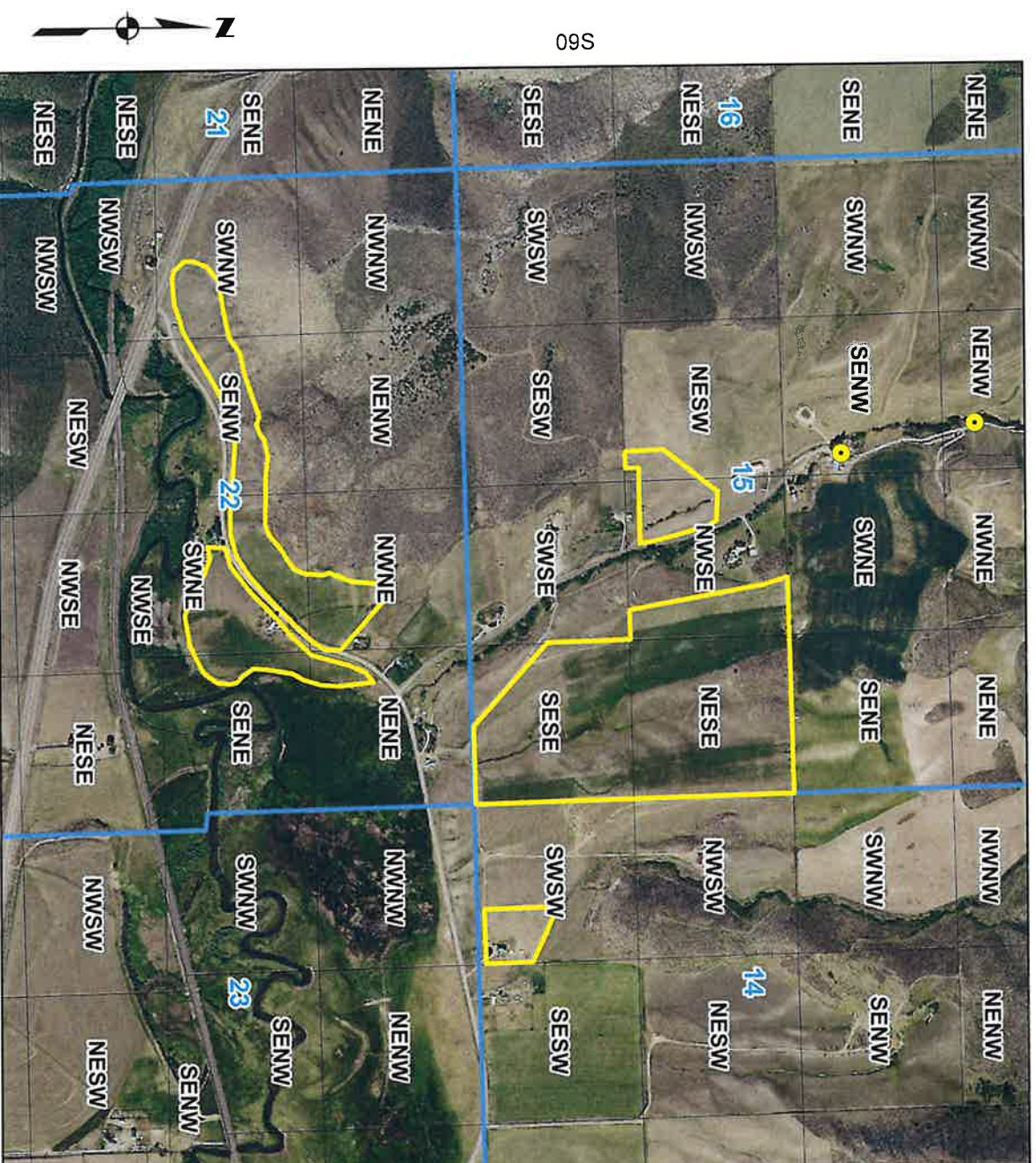
29-13741, 29-13743, 29-13745,
29-13747, 29-13749, 29-13751,
29-13753

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Bannock County
IDWR Basin 29



Background: 2021 Aerial Photography