

RECEIVED

OCT 01 2020

Department of Water Resources  
Eastern Region

FORM 202 Rev. 09/16

STATE OF IDAHO

Ident. No. 21-13280

DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Ryan Smith Phone 208-390-9262  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 661 Dell Dr City Rexburg  
 State Idaho ZIP 83440 Email rdsmithdmd@yahoo.com
2. Name of representative, if any \_\_\_\_\_ Phone \_\_\_\_\_  
 Mailing address \_\_\_\_\_ City \_\_\_\_\_  
 State \_\_\_\_\_ ZIP \_\_\_\_\_ Email \_\_\_\_\_
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR  
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR  
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Fall River which is a tributary of Henrys Fork
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
08N	43E	8			NW	NE	Fremont	Fall River	

5. Water will be used for the following purposes:
- Amount .06 for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .06 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 4'X4' concrete box with 50 horse turbine pump
- b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? \_\_\_\_\_; drilling firm \_\_\_\_\_; well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

**For Department Use**

Received by m. pottis Date 10-1-20 Time 11:34a Preliminary check by \_\_\_\_\_  
 Fee \$ 100.00 Received by m. pottis Receipt No. E046327 Date \_\_\_\_\_

21-13280

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
  - Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
  - Domestic; show number of households \_\_\_\_\_
  - Other; describe fully. \_\_\_\_\_

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	43E	8		2.0															2.0

Total number of acres to be irrigated: 2.0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? This will be for the irrigation of a tree farm.
11. a. Who owns the property at the point of diversion? Ryan Smith
- b. Who owns the land to be irrigated or place of use? Ryan Smith
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: \_\_\_\_\_
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This request is to deliver storage water I have shares for through Palisades Water Users Inc.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

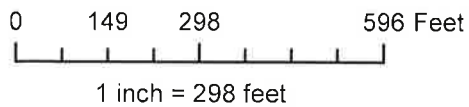
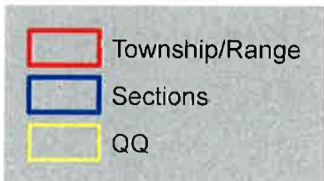
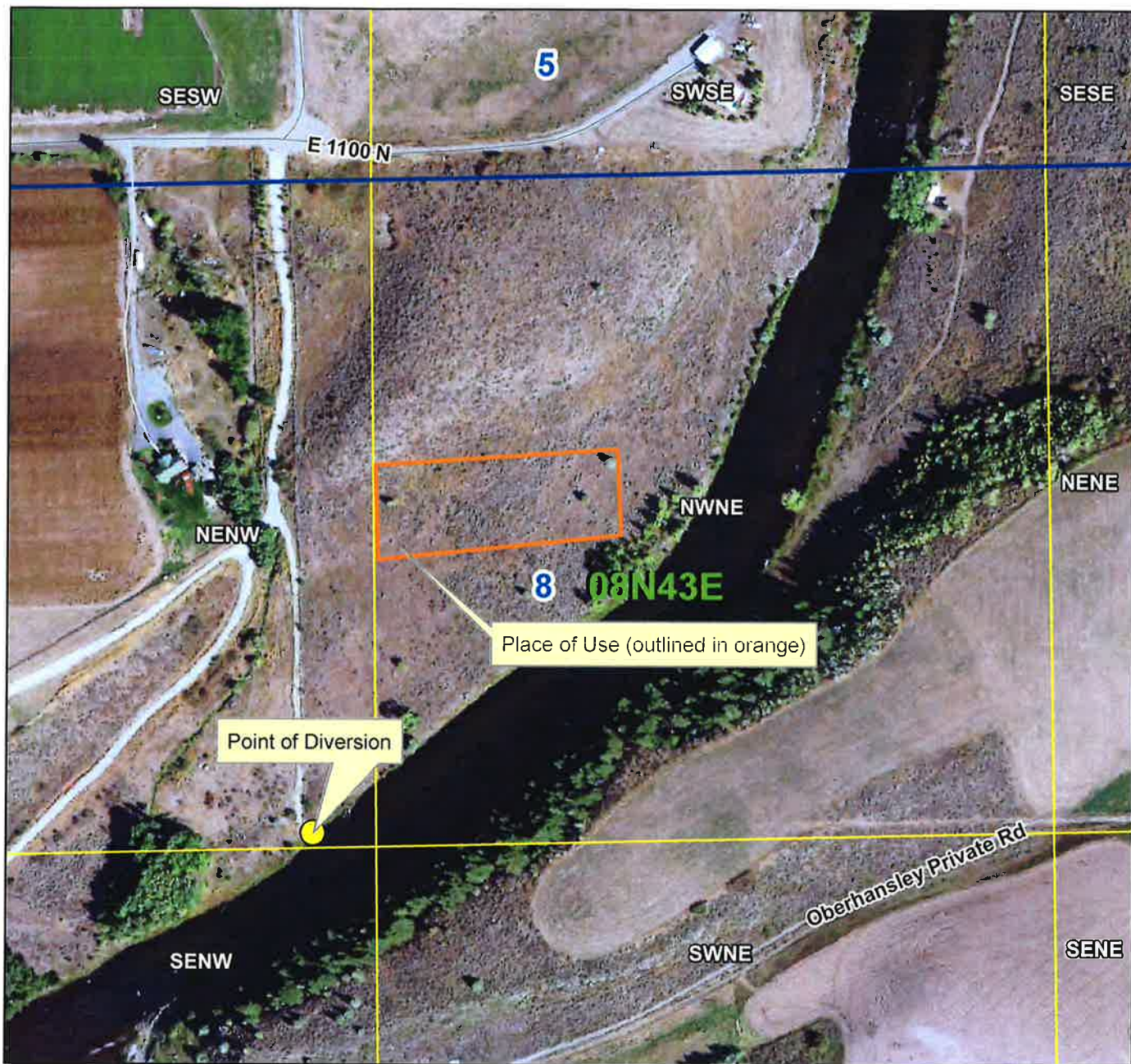
Ryan Smith Owner

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)





Point of diversion and place of use  
are located within NWNE, Section 8, 08N, 43E.  
Aerial photography not properly aligned with PLSS.





NOTICE: THE SIGNATURE OF THIS ASSIGNMENT  
MUST CORRESPOND WITH THE NAME AS WRITTEN UPON THE  
FACE OF THE CERTIFICATE IN EVERY PARTICULAR WITHOUT  
ALTERATION OR ENLARGEMENT, OR ANY CHANGE WHATSOEVER.

*For Value Received, hereby sell, assign, and transfer*  
*into*  
*Shares*  
*of the Capital Stock represented by the within*  
*Certificate, and do hereby, irrevocably, constitute and appoint*  
*to transfer the said Stock on the books of the within named*  
*Corporation, with full power of substitution in the premises:*  
*Dated*  
*In presence of*

**CERTIFICATE**  
**FOR**  
**5**  
**SHARES**



**CAPITAL STOCK**

**PALISADES WATER USERS,  
INC.**

**ISSUED TO  
RYAN SMITH OR KRISTI  
SMITH**

**DATED  
APRIL 6, 2019**



INCORPORATED UNDER THE LAWS OF

THE STATE OF IDAHO

Shares 5

PALISADES WATER USERS, INCORPORATED

75,000 SHARES OF ASSESSABLE  
COMMON STOCK OF NO PAR VALUE

THIS CERTIFIES THAT

RYAN SMITH OR KRISTI SMITH

is the owner of  
Five (5) Shares of No Par Value  
each of the Capital Stock of  
PALISADES WATER USERS, INC.

transferable only on the books of the Corporation by the holder  
herein person or by Attorney upon surrender of this Certificate  
properly endorsed.  
NOTICE: Pursuant to the Bylaws, this stock is 1- ASSESSABLE, and 2- its TRANSFER IS  
RESTRICTED. A copy of the Bylaws will be provided upon request.

In Witness Whereof, the said Corporation has caused this Certificate to be  
signed by its duly authorized officers and to be sealed with the Seal of the Corporation  
this 6TH day of APRIL A.D. 2019

SECRETARY

PRESIDENT

SHARES

NO PAR VALUE

EACH





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

October 7, 2020

RYAN SMITH  
661 DELL DR  
REXBURG, ID 83440-3585

RE: Application for Permit No. 21-13280

Dear Applicant:

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the REXBURG STANDARD JOURNAL on 10/16/2020 and 10/23/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman  
Administrative Assistant

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, October 07, 2020 8:50 AM  
**To:** Olenichak, Tony  
**Subject:** Application for Permit of 21-13280  
**Attachments:** RecommendationForm New Appropriation0.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, October 07, 2020 9:25 AM  
**To:** STANDARD JOURNAL (legalnotices@postregister.com)  
**Subject:** Legal Notice for Standard Journal  
**Attachments:** 21-13280 Standard Journal.docx

LEGAL NOTICE DEPARTMENT  
REXBURG STANDARD JOURNAL  
PO BOX 10  
REXBURG, ID 83440

RE: Application for Permit No. 21-13280

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 11/2/2020. Your cooperation is appreciated.

Thank You,

Christina Henman  
Administrative Assistant  
Idaho Dept. of Water Resources, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 497-3793



**The following application(s) have been filed to appropriate the public waters of the State of Idaho:**

**21-13280**

**RYAN SMITH**

**661 DELL DR**

**REXBURG, ID 83440-3585**

**Point of Diversion NWNE S8 T08N R43E FREMONT County**

**Source FALL RIVER Tributary HENRYS FORK**

**Use: IRRIGATION**

**04/01 to 10/31**

**0.06 CFS**

**Total Diversion:**

**0.06 CFS**

**Date Filed: 10-01-2020**

**Place Of Use: IRRIGATION**

**T08N R43E S8**

**NWNE**

**Total Acres: 2**

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 11/2/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/16/2020 and 10/23/2020