

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

✓ RS
4-17-17
RECEIVED
MAR 29 2017
WATER RESOURCES
WESTERN REGION

Notice of Abandonment of Water Right

Print Name of Water Right Owner(s): Candace Smith + Gene Smith
Mailing Address: 2228 Canyon Creek Rd., Mountain Home, Id. 83647
Phone: (208) 587-4146

Note: If you are not listed as the current owner of the water right in the Idaho Department of Water Resources' records, you must include evidence of ownership of the water right (or portion of the water right) with this form. Evidence may include a warranty deed, quitclaim deed, court decree, contract of sale, etc.

I am the current owner of X all, or part of, the water right described in the Idaho Department of Water Resources' records as Water Right No. 61-10267.

I hereby abandon all, or X part of the water right designated above. This abandonment is intentional and voluntary. I recognize that this abandonment permanently eliminates the right to divert and use water under the water right designated above.

If this abandonment applies to a portion of the water right, please indicate which part is abandoned by describing the diversion rate, annual diversion volume or storage volume, and place of use (include acres if the use is irrigation) and by attaching a detailed map identifying the specific locations.

Abandon irrigation right for 1/2 acre. Domestic
right will still be used with remaining 1/2 acre for
lawns. Please change address to: 2228 Canyon Creek Rd and
remove Candace Smith deceased 8-8-2000.

Gene E. Smith 3-27-17
Signature of Water Right Owner(s) or Authorized Representative Date

Gene Smith
Print Name and Title of Authorized Representative
(Complete if applicable and include your authority to act on behalf of the water right owner)

State of Idaho)
County of Elmore) ss

On this 27 day of March, 2017, the signer(s) of the above instrument appeared before me and duly acknowledged to me that he/she executed the same.

SEAL



Chris Alzola
Notary Public

My commission expires: 5-21-2017

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/27/2017

WATER RIGHT NO. 61-10267

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CANDACE SMITH
Current Owner	GENE E SMITH RT 2 BOX 482 MOUNTAIN HOME, ID 83647 (208)587-4013

Priority Date: 04/17/1953

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.03 CFS	4 AFA — Abandon
DOMESTIC	1/01	12/31	0.04 CFS	0.6 AFA
Total Diversion			0.07 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNWNE|Sec. 23|Township 03S|Range 06E|ELMORE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ELMORE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>

03S 06E 23 | | NWNE 1 | | | | | | | |

Place of Use Legal Description: DOMESTIC ELMORE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03S	06E	23		NWNE										

Total Acres: 1

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. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. 2 POINTS OF DIVERSION LOCATED IN T03S, R06E, S23, NWNWNE.
4. C15 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
5. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates:

Licensed Date:

Decreed Date: 10/26/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number: 161

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 20, 2017

GENE SMITH
2228 CANYON CREEK RD
MOUNTAIN HOME ID 83647

Re: Abandonment of Partial Water Right No. 61-10267

Dear Applicants:

The Department has received your recent abandonment of the above referenced partial water right. For your convenience a copy of the abandonment is enclosed.

You will need to submit a Notice of change in Water Right Ownership (form included) with a death certificate to remove Candace Smith from the water right. **NO FEE IS REQUIRED.**

Please feel free to contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Rachel Neely', is written over a light blue horizontal line.

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosure

CC:
WATERMASTER OF 161
NICK MILLER
IDWR WESTERN REGION

IDAHO DEPARTMENT OF WATER RESOURCES

4/18/2017

Proof Report

Water Right 61-10267

Owner Type **Name and Address**
 Current Owner GENE E SMITH
 2228 CANYON CREEK RD
 MOUNTAIN HOME, ID 83647
 (208)587-4146

Current Owner CANDACE SMITH
 2228 CANYON CREEK RD
 MOUNTAIN HOME, ID 83647
 (208)587-4146

Priority Date: 4/17/1953**Basis:** Decreed**Status:** Active

Source
 GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.020 CFS	2.0 AF
DOMESTIC	01/01	12/31	0.040 CFS	0.6 AF
Total Diversion			0.060 CFS	2.6 AF

Source and Point(s) of Diversion

GROUND WATER

NWNWNE

Sec. 23, Twp 03S, Rge 06E, ELMORE County

Place Of Use

DOMESTIC within ELMORE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	06E	23		X															

IRRIGATION within ELMORE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	06E	23		1.0															1.0

POU Total Acres: 1.0

Conditions of Approval:

1. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
2. WB5 Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
3. Two points of diversion located in T03S, R06E, S23, NWNWNE.
4. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

Proof Report

5. C15 The following water rights from the following sources of water in basin 61 shall be administered separately from all other water rights in basin 61: water right no. source none none the following water rights from the following sources of water in basin 61 shall be administered separately from all other water rights in the snake river basin: water right no. source none none all water rights within basin 61 are from connected sources of water in the snake river basin and shall be administered conjunctively.
6. 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.

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
61-10267

This map depicts the DOMESTIC and IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

06E

03S



-  Point of Diversion
-  Domestic Place of Use
-  Irrigation Place of Use
-  Townships
-  PLS Sections

0 0.0125 0.025 0.05 Miles

