

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80347**

This is to certify that: **GREG SMEDLEY**
2472 S OLD HWY 91
INKOM, ID 83245

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-14135	WR/DECREED	6/17/1902	0.120 cfs	N/A	N/A	6.0	ROBBERS ROOST CREEK
29-14136	WR/DECREED	8/18/1919	0.090 cfs	N/A	4.6	6.0	PORTNEUF RIVER

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-261	WR/DECREED	6/17/1902	2.290 cfs	N/A		114.5	ROBBERS ROOST CREEK
29-260	WR/DECREED	6/17/1902	0.550 cfs	N/A		26.9	ROBBERS ROOST CREEK

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>
29-14135	YES	YES	YES	NO	NO	NO
29-14136	YES	YES	YES	NO	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>
29-14135	29-14162	0.060 cfs	N/A	N/A	3.0	29-14135	0.060 cfs	N/A	N/A	3.0
29-14136	29-14163	0.045 cfs	N/A	2.3	3.0	29-14136	0.045 cfs	N/A	2.3	3.0
COMBINED TOTALS		0.060 cfs	N/A	3.0	3.0		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 80347

IN FILE # 29-14135

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80347

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 2nd day of November, 2015.


for _____
Chief, Water Allocation Bureau



WATER RIGHT NO. 29-14135

As Modified by Transfer No. 80347

In accordance with the approval of Transfer No. 80347, Water Right No. 29-14135 is now described as follows:

Right Holder: GREG SMEDLEY
2472 S OLD HWY 91
INKOM, ID 83245
AND
JAMIE SMEDLEY
2472 S OLD HWY 91
IKNOM, ID 83245

Priority Date: 6/17/1902

Source: ROBBERS ROOST CREEK **Tributary:** PORTNEUF RIVER

BENEFICIAL USE IRRIGATION

From 04/01 **To** 10/31 **Diversion Rate**
0.060 cfs
0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

ROBBERS ROOST CREEK SWNESE Sec 23 Twp 08S Rge 36E BANNOCK County
ROBBERS ROOST CREEK SWNWSE Sec 23 Twp 08S Rge 36E BANNOCK County
ROBBERS ROOST CREEK NWSWSW Sec 24 Twp 08S Rge 36E BANNOCK County

PLACE OF USE: IRRIGATION

			NE			NW			SW			SE			Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	36E	23											3.0		3.0

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. Rights 29-14135 and 29-14136 when combined shall not exceed a total diversion rate of 0.06 cfs and the irrigation of 3.0 acres.
2. Rights 29-260, 29-14135, 29-14162 and 29-261 rotate the use of the waters of Robbers Roost Creek as: 29-260, 29-14135, and 29-14162 (2.5 days); 29-261 (5 days) as decreed 1911, District Judge A. Budge, and 1982 agreement.
3. This right when combined with 29-14136 shall provide no more than 0.02 cfs per acre.
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.

Transfer No. 80347

WATER RIGHT NO. 29-14162

As Modified by Transfer No. 80347

In accordance with the approval of Transfer No. 80347, Water Right No. 29-14162 is now described as follows:

Right Holder: GREG SMEDLEY
2472 S OLD HWY 91
INKOM, ID 83245
AND
JAMIE SMEDLEY
2472 S OLD HWY 91
IKNOM, ID 83245

Priority Date: 6/17/1902

Source: ROBBERS ROOST CREEK **Tributary:** PORTNEUF RIVER

BENEFICIAL USE IRRIGATION

From 04/01 **To** 10/31 **Diversion Rate**
0.060 cfs
0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

ROBBERS ROOST CREEK SWNE Sec 14 Twp 08S Rge 36E BANNOCK County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	36E	14			0.2	2.8													3.0

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. Rights 29-14162 and 29-14163 when combined shall not exceed a total diversion rate of 0.06 cfs and the irrigation of 3.0 acres.
2. Rights 29-260, 29-14135, 29-14162 and 29-261 rotate the use of the waters of Robbers Roost Creek as: 29-260, 29-14135, and 29-14162 (2.5 days); 29-261 (5 days) as decreed 1911, District Judge A. Budge, and 1982 agreement.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 29D.

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WATER RIGHT NO. 29-14162
As Modified by Transfer No. 80347

CONDITIONS OF APPROVAL

5. 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 place of use.
6. In the event that this Robbers Roost Creek right is diverted from the Portneuf River in the SWNE of Sec. 14, T08S, R36E, the watermaster for Water District 29D may require the right holder to install a measuring device on Robbers Roost Creek in accordance with department specifications.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.

WATER RIGHT NO. 29-14136

As Modified by Transfer No. 80347

In accordance with the approval of Transfer No. 80347, Water Right No. 29-14136 is now described as follows:

Right Holder: GREG SMEDLEY
2472 S OLD HWY 91
INKOM, ID 83245
AND
JAMIE SMEDLEY
2472 S OLD HWY 91
IKNOM, ID 83245

Priority Date: 8/18/1919

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.045 cfs
0.045 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER NWSE Sec 23 Twp 08S Rge 36E BANNOCK County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	36E	23															3.0		3.0
Right Acre Limit:			2.3																
POU Total Acres:			3.0																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.3 acres within the authorized place of use in a single irrigation season.
2. Rights 29-14135 and 29-14136 when combined shall not exceed a total diversion rate of 0.06 cfs and the irrigation of 3.0 acres.
3. This right when combined with Right No. 29-14135 shall provide no more than .02 cfs per acre.
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.

Transfer No. 80347

WATER RIGHT NO. 29-14163
As Modified by Transfer No. 80347

In accordance with the approval of Transfer No. 80347, Water Right No. 29-14163 is now described as follows:

Right Holder: GREG SMEDLEY
2472 S OLD HWY 91
INKOM, ID 83245
AND
JAMIE SMEDLEY
2472 S OLD HWY 91
IKNOM, ID 83245

Priority Date: 8/18/1919

Source: PORTNEUF RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
0.045 cfs
0.045 cfs

LOCATION OF POINT(S) OF DIVERSION

PORTNEUF RIVER SWNE Sec 14 Twp 08S Rge 36E BANNOCK County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	36E	14			0.2	2.8													3.0

Right Acre Limit: 2.3
POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.3 acres within the authorized place of use in a single irrigation season.
2. Rights 29-14162 and 29-14163 when combined shall not exceed a total diversion rate of 0.06 cfs and the irrigation of 3.0 acres.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. 29D.

Transfer No. 80347

WATER RIGHT NO. 29-14163
As Modified by Transfer No. 80347

CONDITIONS OF APPROVAL

5. 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 place of use.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.



WATER RIGHT NO. 29-261

As Modified by Transfer No. 80347

In accordance with the approval of Transfer No. 80347, Water Right No. 29-261 is now described as follows:

Right Holder: DOUGLAS P NORMAN AND
CAROL C NORMAN
PO BOX 117
INKOM, ID 83245

Priority Date: 6/17/1902

Source: ROBBERS ROOST CREEK **Tributary:** PORTNEUF RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	2.290 cfs
			2.290 cfs

LOCATION OF POINT(S) OF DIVERSION

ROBBERS ROOST CREEK NWSWSW Sec 24 Twp 08S Rge 36E BANNOCK County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	36E	23															0.8	6.7	7.5
08S	36E	26	19.0	27.0	21.0	26.0										14.0			107.0

POU Total Acres: 114.5

CONDITIONS OF APPROVAL

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHTS 29-260, 29-14135, 29-14162, AND 29-00261 ROTATE THE USE OF ALL OF THE WATERS OF ROBBERS ROOST CREEK AS: 29-00260, 29-14135, AND 29-14162 (2.5 DAYS); 29-00261 (5 DAYS). AS DECREED 1911, DIST. JUDGE A. BUDGE, AND 1982 AGREEMENT.
3. 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.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.29 CFS. COMBINED RIGHT NOS.: 29-7064, 29-261, 29-11608.
5. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 29-261, 29-7064, 29-11608 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

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WATER RIGHT NO. 29-260**As Modified by Transfer No. 80347**

In accordance with the approval of Transfer No. 80347, Water Right No. 29-260 is now described as follows:

Right Holder: FRANK HOUGH
3712 SO OLD HWY 91
MCCAMMON, ID 83250
Or
MARY S HOUGH
3712 S OLD HWY 91
MCCAMMON, ID 83250
Or
DARLENE SAMUELSON
3577 S OLD HWY 91
MCCAMMON, ID 83250

Priority Date: 6/17/1902

Source: ROBBERS ROOST CREEK **Tributary:** PORTNEUF RIVER

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.550 cfs

0.550 cfs

LOCATION OF POINT(S) OF DIVERSION

ROBBERS ROOST CREEK	SWNESE	Sec 23 Twp 08S Rge 36E	BANNOCK County
ROBBERS ROOST CREEK	SWNWSE	Sec 23 Twp 08S Rge 36E	BANNOCK County
ROBBERS ROOST CREEK	NWSWSW	Sec 24 Twp 08S Rge 36E	BANNOCK County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	36E	23			7.3	1.1									4.5	14.0			26.9

POU Total Acres: 26.9

CONDITIONS OF APPROVAL

1. USE OF THIS RIGHT WITH RIGHT NO. 29-13245 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.55 CFS.
2. USE OF THIS RIGHT WITH RIGHT NO. 29-13245 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 26.9 ACRES IN A SINGLE IRRIGATION SEASON.
3. RIGHTS 29-260, 29-14135, 29-14162, AND 29-00261 ROTATE THE USE OF ALL OF THE WATERS OF ROBBERS ROOST CREEK AS: 29-00260, 29-14135, AND 29-14162 (2.5 DAYS); 29-00261 (5 DAYS). AS DECREED 1911, DIST. JUDGE A. BUDGE, AND 1982 AGREEMENT.

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WATER RIGHT NO. 29-260

As Modified by Transfer No. 80347

CONDITIONS OF APPROVAL

4. 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.
5. THIS RIGHT WHEN COMBINED WITH RIGHT NO.29-13245 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

