

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 17 2015
Department of Water Resources
Eastern Region

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222(4), Idaho Code, provides that a water right holder may apply to protect a valid water right from forfeiture. Upon a showing of reasonable cause, the Director may grant one (1) extension of five (5) years in which to resume use.

1. Water Right No. 22-7507 (one right per application)
☒ Attach a copy of the water right record, available at <http://www.idwr.idaho.gov>, *Water Right Transfers, Step 1*, or by contacting any Department office.
2. Applicant Richard Smith Phone 208-390-7000
3. Are you the current water right holder of record? Yes ☒ No ☐
☐ If no, provide documentation of your authority to sign on behalf of the right holder -- OR -- attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee.
4. Mailing address ☒ Same as water right record -- OR -- complete the following information:
Address _____ City _____
State _____ Zip code _____ Email _____
5. Give the last date water was beneficially used 2009
6. Explain your reasons for non-use of the water right and your reasons for requesting an extension of time.
Attach additional documentation if needed.
Corners are dry. Applicant is requesting an extension of time to preserve the Water Right for future use.

The information contained in this application is true to the best of my knowledge.

[Signature]
Signature of applicant or authorized agent

Richard Smith
Print name (and title, if applicable)

7/5/2015
Date

Signature of applicant or authorized agent

Print name (and title, if applicable)

Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby _____ said application, subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before _____

Signed this _____ day of _____, 20____.

Title: _____

Stamped received ☒ Fee receipted by [Signature] Date 7-17-2015 Receipt # E041265

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/6/2015

WATER RIGHT NO. 22-7507

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD F SMITH
	PO BOX 8
	REXBURG, ID 83440
	(208)390-7000

Priority Date: 06/28/1985

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	04/01	10/31	3.14 CFS	549.5 AFA
Total Diversion			3.14 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSESW	Sec. 28	Township 06N	Range 40E	MADISON County
GROUND WATER	SENESEW	Sec. 33	Township 06N	Range 40E	MADISON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON 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>
06N	40E	32		NENE	38		SENE	40						
				NESE	40		SESE	39						

Total Acres: 157

Conditions of Approval:

- | | |
|--------|---|
| 1. 048 | The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference. |
|--------|---|

2.	E52	The rights listed below are limited to a total combined diversion rate of 10.85 cfs. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-7507, 22-11147, 22-11149.
3.	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.
4.	F06	The following rights are diverted through points of diversion described above: 22-2184, 22-2230, 22-7075, 22-7507, 22-11147, 22-11149.
5.	004	This right does not grant any right-of-way or easement across the land of another.
6.	R63	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.

Dates:

Decreed Date: 10/27/2009

Permit Proof Due Date: 1/1/1991

Permit Proof Made Date: 11/19/1990

Permit Approved Date: 12/13/1989

Application Received Date: 06/22/1985

Number of Protests: 0

Other Information:

State or Federal: S

Combined Rate Limit: 10.85

Mitigation Plan: False



RECEIVED
JUL 17 2015
Department of Water Resources
Eastern Region

July 17, 2015

RMEA 15-0014

Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Applications for Extension of Time to Avoid Forfeiture of a Water Right

Dear Agent,

Attached are two Applications for Extension of Time to Avoid Forfeiture of Water Right numbers 22-7075 and 22-7807 for Richard Smith of Rexburg. Also attached is a check in the amount of \$200.00 to cover the fee for the two Applications.

A portion of Mr. Smith's original Place of Use was subdivided and sold. The Water Rights were retained on all but a few lots. We can send the deeds, if necessary. Dry acres include corners as well as acreage under the subdivision. Mr. Smith is requesting an extension of time to preserve the Water Rights for future use.

Thank you,

A handwritten signature in blue ink, appearing to read "Chad Jensen".

Chad Jensen
Staff Water Rights Analyst

Included: Two Applications for Extension of Time with Attachments
 Check for \$200.00