

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. 22-7075 (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.
A portion of the original Place of Use was subdivided and sold. The Water Rights were reserved by the seller. Dry
acres under this right includes corners and acreage under the subdivision. Acres under the subdivision will be
transferred to a new Place of 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 received by [Signature] Date 7-17-2015 Receipt # E041265

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/6/2015

WATER RIGHT NO. 22-7075

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

Priority Date: 07/05/1973

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	05/01	11/01	4.94 CFS	1953 AFA
Total Diversion			4.94 CFS	

Location of Point(s) of Diversion:

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

IRRIGATION Use:

Acre Limit: 558

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	28		NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	25		NWSE	40		SWSE	35		SESE	31

		29		SWSE	37		SESE	37						
		32		NWNE	40		SWNE	39						
				NESW	31									
				NWSE	40									
		33		NENE	23		NWNE	40		SWNE	37		SENE	37
				NENW	40		NWNW	40		SWNW	37		SENE	40
				NESW	33		NWSW	39		SWSW	39		SESW	37
				NESE	40		NWSE	40		SWSE	38		SESE	39

Total Acres: 1114

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. F06	The following rights are diverted through points of diversion described above: 22-2184, 22-2230, 22-7075, 22-7507, 22-11147, 22-11149.
4. E56	The rights listed below are limited to the irrigation of a combined total of 1114 acres in a single irrigation season. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-11147, 22-11149.
5. K06	This right is limited to the irrigation of 558 acres within the place of use described above in a single irrigation season.
6. E61	The rights listed below are limited to a total combined diversion rate of 10.17 cfs and to a total combined annual diversion volume of 3899 AF. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-11147, 22-11149.
7. C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. 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.
9. S47	The use of water for irrigation under this right may begin as early as April 1 provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Decreed Date: 10/27/2009

Permit Proof Due Date: 8/1/1978

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 8/2/1973

Number of Protests: 0

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