

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 29 2015

DEPARTMENT OF
WATER RESOURCES

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. 34-13567 (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 Bell-Smith LLC c/o Cole Erb Phone 208-680-1827
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 currently not irrigated due to extra man-power required. Plans are in place for the near future to water
corners, including the placement of a center pivot.

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

<u></u>	<u></u>	<u></u>
Signature of applicant or authorized agent	Print name (and title, if applicable)	Date

_____ Signature of applicant or authorized agent	_____ Print name (and title, if applicable)	_____ Date
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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 J. Strange Date 6-29-15 Receipt # C102689

Name and Address

Security Interest THE BANK OF COMMERCE
C/O WESTERN AG CREDIT FLCA
10980 W SOUTH JORDAN GATEWAY
PO BOX 95850
SOUTH JORDAN, UT 84095-0850

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	4.6 CFS	
Total Diversion			4.6 CFS	

BIG LOST RIVER	SWNE	Sec. 33	Township 07N	Range 24E	CUSTER County
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Acre Limit: 531

[illegible]

				NESW	40								
				NESE	39		NWSE	40		SESE	38		
		35		NENW	38		NWNW	37		SWNW	40		SENW 40
				NESW	40		NWSW	40		SWSW	34		SESW 35

Total Acres: 936

Conditions of Approval:

1. K09 This right is for an enlargement of 531.0 acres within the place of use described for this right.
2. X35 Rights 34-00872A, 34-10729 and 34-13567 when combined shall not exceed a total diversion rate of 8.10 cfs.
Rights 34-116A, 34-872A, 34-2321, 34-7015, 34-10729, 34-10763, 34-10765, 34-10767, 34-13567
3. X35 and 34-13568 when combined shall not exceed a total diversion rate of 23.94 cfs and the irrigation of 936.0 acres.
Use of water under this right will be regulated by a watermaster with responsibility for the distribution
4. R05 of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. R02 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.
6. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 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.
8. K02 This right is based upon an enlargement of Right No. 34-872A and 34-10729 pursuant to Section 42-1426, Idaho Code.
This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
9. C11 The period of use for irrigation described above may be extended in seasons of unusual characteristics
10. S34 to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. F01 Water is delivered through Darlington Ditch.
13. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
14. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
15. T19

Decreed Date: 06/04/2001

Enlargement Statute Priority Date: 4/12/1994



Rocky Mountain
ENVIRONMENTAL™
ASSOCIATES, INC.

RECEIVED

JUN 29 2015

DEPARTMENT OF
WATER RESOURCES

June 22, 2015

RMEA 14-0158

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RECEIVED

JUL 06 2015

Department of Water Resources
Eastern Region

Re: Application for Extension of Time to Avoid Forfeiture of Water Rights

Dear Agent,

Enclosed are ten Applications for Extension of Time to Avoid Forfeiture of a Water Right with their respective Water Right Reports and maps for clarification for Bell-Smith LLC, c/o Mr. Cole Erb. Also enclosed is a check in the amount of \$1000.00 for a total of ten extension fees.

Bell-Smith LLC has not irrigated corners since 2009 due to extra man-power required. Plans for the near future are currently in place to water the corners, including the installation of mini pivots and end guns.

Thank you,

Chad Jensen
Staff Water Rights Analyst

Enclosures: Ten Applications for Extension of Time
 Check for \$1000.00