



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

August 5, 2013

C.L. "BUTCH" OTIER
Governor

Rigby Andrus & Rigby
PO Box 250
Rexburg ID 83440

GARY SPACKMAN
Director

RE: Notice of Change in Water Right Ownership
Water Rights: 22-13457

Dear Sir/Madam:

On March 11, 2013, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership, specifically a deed for the entire place of use of the water right or a deed from the current owner of the water right for the water right only to you. On April 24, 2013 and June 27, 2013 (copy enclosed), we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$25.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Bench Farms Limited

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 11 2013
Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
22-13457	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: John H. Smith and Richard F. Smith
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Bench Farms Limited, an Idaho limited partnership
Name of each new owner as listed on the conveyance document
- New owner continued _____ Name connector ☐ and ☐ or ☐ and/or _____
P.O. Box 8
Mailing address _____
Rexburg ID 83440
City State ZIP
Telephone _____ Email _____

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: March 31, 1992.
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: [Signature] General Partner 3-8-13
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 3/11/2013 Receipt No. E038477 Receipt Amt. \$25-
Approved by _____ Processed by _____ Date _____

2021-10

WARRANTY DEED

MARILYN D. SMITH, of Seattle, King County, Washington, as Grantor, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto RICHARD F. SMITH, of 637 Millhollow Road, Rexburg, Madison County, Idaho, as Grantee, and to Grantee's successors and assigns forever, all of the following described real estate located in Madison County, Idaho:

Any and all interest in the:

SE 1/4 of Section 12, Township 5 North, Range 40 E.B.M., South 1/2 of Section 7, Township 5 North, Range 41 E.B.M. North 1/2 of NW 1/4 of Section 18, Township 5 North, Range 41 E.B.M. West 1/2 of East 1/2 of Section 13, Township 5 North, Range 40 E.B.M.

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

Grantor, for herself, her beneficiaries and assigns does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantee, his successors and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

WARRANTY DEED
0236c

State of Idaho }
County of Madison } SS 2021-10
I hereby certify that the within instrument was
filed APR 07 2021
in _____ and
to _____
by _____
At the request of _____ Deputy
First American Title Company

241770

IN WITNESS WHEREOF, Grantor has hereunto subscribed her
name to this instrument this 30 day of March, 1992.

GRANTOR:

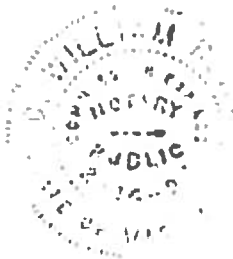
Marilyn D. Smith

STATE OF WASHINGTON

COUNTY OF KING

)
:SS
)

On this 30 day of March, in the year of 1992, before me
a Notary Public in and for said State, personally appeared
MARILYN D. SMITH, known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
she executed the same.



William R.

Notary Public

Residing in: Seattle, WA

My Commission Expires: 2/14/93

WARRANTY DEED
0236c

241751

12/19/89 (2)
First American Title Company

WARRANTY DEED

HELEN H. SMITH, of 54 South 200 East, Rexburg, Madison County, Idaho, as Grantor, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto RICHARD F. SMITH, of 637 Millhollow Road, Rexburg, Madison County, Idaho, as Grantee, and to Grantee's successors and assigns forever, all of the following described real estate located in Madison County, Idaho:

Any and all interest in the:

SE 1/4 of Section 12, Township 5 North, Range 40 E.B.M., South 1/2 of Section 7, Township 5 North, Range 41 E.B.M. North 1/2 of NW 1/4 of Section 18, Township 5 North, Range 41 E.B.M. West 1/2 of East 1/2 of Section 13, Township 5 North, Range 40 E.B.M.

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

Grantor, for herself, her beneficiaries and assigns does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantee, his successors and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

WARRANTY DEED
0235c

241751

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument this 25th day of March, 1992.

GRANTOR:

Helen H. Smith
Helen H. Smith

STATE OF IDAHO

COUNTY OF MADISON

)
:SS
)

On this 25th day of March, in the year of 1992, before me a Notary Public in and for said State, personally appeared HELEN H. SMITH, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Notary Public
Notary Public

Residing in: Boise, Idaho

My Commission Expires: 7-1-92

Notary Public
County of Madison

}SS

241751

I hereby certify that the within instrument was

filed APR 07 1992

19 at 1:52 PM M., and

recorded on Film

241751

by BETH E. PEESE, Recorder

Deputy

At the request of

First American Title Company

WARRANTY DEED
0235c

M19301

241752

First American Title Company

WARRANTY DEED

For Value Received KAREN SMITH HAWKINS of 36 N. 3rd W., Rexburg, Idaho

the grantor , does hereby grant, bargain, sell and convey unto RICHARD F. SMITH

whose current address is South of Rexburg, Rexburg, Idaho

the grantee , the following described premises, in Madison County Idaho, to wit:

Any and all Interest in the:

SE1/4 of Section 12, Township 5 North, Range 40 E.B.M.
 South 1/2 of Section 7, Township 5 North, Range 41 E.B.M.
 North 1/2 of NW1/4 of Section 18, Township 5 North,
 Range 41 E.B.M.
 West 1/2 of East 1/2 of Section 13, Township 5 North,
 Range 40 E.B.M.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
 and his heirs and assigns forever. And the said Grantor do es hereby covenant to and
 with the said Grantee , that she is the owner in fee simple of said premises; that they are free
 from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Deputy TARY

STATE OF IDAHO, COUNTY OF Madison
 On this 7th day of Dec, 19 81,
 before me, a notary public in and for said State, personally
 appeared

Karen Smith
Hawkins

known to me to be the person whose name
 subscribed to the within instrument, and acknowledged to
 me that

Mailex J. Lyle
 Notary Public
 Residing at
 Comm. Expires 7/1/82

State of Idaho } SS 241752
 County of Madison }
 I hereby certify that the within instrument was
 filed APR 07 1982
 at 11:24 M.
 recorded on Film
241752 Fee 3
 by LENN B. FREER Recorder
 At the request of First American Title Company

Published by the American Land Title Co.

241753

M19309

First American Title Company

WARRANTY DEED

For Value Received KRISTINE SMITH HOSAC of 2820 Ustick Road, Boise, Idaho

the grantor , does hereby grant, bargain, sell and convey unto RICHARD F. SMITH

whose current address is South of Rexburg, Rexburg, Idaho

the grantee , the following described premises, in...Madison.....County Idaho, to wit:

Any and all Interest in the:

SE1/4 of Section 12, Township 5 North, Range 40 E.B.M.
 South 1/2 of Section 7, Township 5 North, Range 41 E.B.M.
 North 1/2 of NW1/4 of Section 18, Township 5 North,
 Range 41 E.B.M.
 West 1/2 of East 1/2 of Section 13, Township 5 North,
 Range 40 E.B.M.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , and his heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee , that she is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: 3-20-92

Kristine Smith Hosac

STATE OF IDAHO, COUNTY OF

On this, 20th day of March, 1992,
 before me, a Notary Public in and for said State, personally
 appeared Kristine Smith Hosac

known to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to
 me that she executed the same.

Residing at Rexburg
 Comm. Expires: 3-25-94

Notary Public
 , Idaho

State of Idaho } ss 241753
 County of Madison

I hereby certify that the within instrument was
 filed APR 07 1992

19 at 15:20 M., and

recorded on File

241753 Fee 3
 by BETH B. FLESE, Recorder

At the request of

First American Title Company

Furnished by the AMERICAN LAND TITLE CO.

241754

M19309

First American Title Co.

WARRANTY DEED

For Value Received MICHELLE SMITH of 6907 Ustick Road, Boise, Idaho

the grantor does hereby grant, bargain, sell and convey unto RICHARD F. SMITH

whose current address is South of Rexburg, Rexburg, Idaho

the grantee, the following described premises, in Madison County Idaho, to wit:

Any and all Interest in the:

SE1/4 of Section 12, Township 5 North, Range 40 E.B.M.
 South 1/2 of Section 7, Township 5 North, Range 41 E.B.M.
 North 1/2 of NW1/4 of Section 18, Township 5 North,
 Range 41 E.B.M.
 West 1/2 of East 1/2 of Section 13, Township 5 North,
 Range 40 E.B.M.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: Nov 24, 1981

STATE OF IDAHO, COUNTY OF Ada
 On this 24th day of November, 1981,
 before me, a notary public in and for said State, personally
 appeared Michelle Smith

known to me to be the person whose name
 subscribed to the within instrument, and acknowledged to
 me that she executed the same.

Michelle Smith
 Notary Public
 , Idaho

State of Idaho
 County of Madison
 I hereby certify that the within instrument was
 filed APR 07 1982
 at 15.28 M., and
 recorded on File
241754 Fee 3
 by BETTIE B. GSE, Recorder
 At this day, first of
 First American Title Company.

Printed by the AMERICAN LAND TITLE CO.



241755

M 19309
First American Title Company (6)**WARRANTY DEED**

For Value Received DEBBIE SMITH CLEVERLY of 4225 Creswell, Boise, Idaho

the grantor, do es hereby grant, bargain, sell and convey unto RICHARD F. SMITH

whose current address is South of Rexburg, Rexburg, Idaho

the grantee, the following described premises, in.....Madison.....County Idaho, to wit:

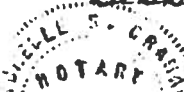
Any and all Interest in the:

SE1/4 of Section 12, Township 5 North, Range 40 E.B.M.
South 1/2 of Section 7, Township 5 North, Range 41 E.B.M.
North 1/2 of NW1/4 of Section 18, Township 5 North,
Range 41 E.B.M.
West 1/2 of East 1/2 of Section 13, Township 5 North,
Range 40 E.B.M.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and his heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: NOV 24, 1981

Debbie Smith CleverlySTATE OF IDAHO, COUNTY OF Ada
On this 24th day of November, 1981,
before me, a notary public in and for said State, personally
appeared Debbie Smith Cleverlyknown to me to be the person whose name
is subscribed to the within instrument, and acknowledged to
me that he executed the same.J. L. S. CRAIG
Notary Public
Residing at Boise City, Idaho
Comm. Expires 10-23-83State of Idaho } SS 241755
County of Madison }
I hereby certify that the within instrument was
recorded on APR 07 1982
at 1:30 PM M., and
for 241755 Fee 3
by BETH D. BRICE, Recorder
At the request of First American Title Company

Furnished by the AMERICAN LAND TITLE CO.

241755

119309

⑦

QUITCLAIM DEED

For Value Received

RICHARD F. SMITH

do(es) hereby convey, release, remise and forever quit claim unto

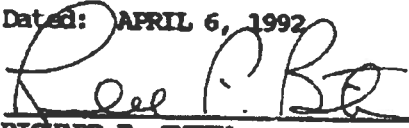
JOHN H. "SNUFFY" SMITH & JUNE SMITH, husband and wife

the following described premises, to-wit:

South 1/2 of Section 7, Township 5 North, Range 41 East, B.M. Madison
County, IdahoSouthwest 1/4 of the Northeast 1/4 of Section 13, Township 5 North,
Range 40 East, B.M. Madison County, Idaho.

together with their appurtenances.

Dated: APRIL 6, 1992

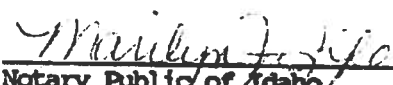

 RICHARD F. SMITH

STATE OF IDAHO

COUNTY OF MADISON

) : ss)

On this 6th day of APRIL, in the year 1992,
before me, a Notary Public in and for said
State, personally appeared RICHARD F. SMITH
known or identified to me to be the person(s)
whose name(s) is/are subscribed to the within
Instrument, and acknowledged to me that
he/she/they executed the same.


 Notary Public of Idaho
 Residing at REXBURG, Idaho
 Commission Expires 3-25-94
State of Idaho } SS 241755
County of MadisonI hereby certify that the within instrument was
Filed APR 07 1992

19 at 15:30 M. and

recorded on File

 241755
 by BETHA REESE, Notary
 Attest: _____ Deputy

 Attest: _____
 First American Title Company

241757

WARRANTY DEED

JOHN H. SMITH and JUNE SMITH, husband and wife, of 245 South 400 East, Rexburg, Madison County, Idaho, as Grantors, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto JAY FRED SMITH, a married man dealing in his sole and separate property, of 803 Barney Dairy Road, Rexburg, Madison County, Idaho and CRAIG J. SMITH, a married man dealing in his sole and separate property, of 19 North 1427 East, Rexburg, Madison County, Idaho, as Grantees, and to Grantees' successors and assigns forever, all of the following described real estate located in Madison County, Idaho:

Township 5 North, Range 40 East, Boise Meridian,
Madison County, Idaho, Section 13: SW 1/4 NE 1/4

Township 5 North, Range 41 East, Boise Meridian,
Madison County, Idaho, Section 7: S 1/2

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

Grantors, for themselves, their beneficiaries and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantees, their successors and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

WARRANTY DEED
0237c

201757

IN WITNESS WHEREOF, Grantors have hereunto subscribed
their names to this instrument this 25th day of March, 1992.

GRANTORS:

John H. Smith
John H. Smith

June Smith
June Smith

STATE OF ARIZONA

COUNTY OF YUMA

)
:SS
)

On this 25th day of March, in the year of 1992, before me
a Notary Public in and for said State, personally appeared JOHN
H. SMITH and JUNE SMITH, known to me to be the persons whose
names are subscribed to the within instrument, and acknowledged
to me that they executed the same.

Notary Public

Residing in: YUMA, ARIZONA

My Commission Expires: 10/10/94

County of Madison

SS 201757

I hereby certify that the within instrument was

Recorded APR 07 1992

19 at 10:34 AM, and

Recorded by E

By D. H. REESE, Recorder

At the request of

WARRANTY DEED
0237c

241758

1719309 (9)

WARRANTY DEED

JAY FRED SMITH, a married man dealing in his sole and separate property, of 803 Barney Dairy Road, Rexburg, Madison County, Idaho and CRAIG J. SMITH, a married man dealing in his sole and separate property, of 19 North 1427 East, Rexburg, Madison County, Idaho, as Grantors, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto BENCH FARMS LIMITED, an Idaho Limited Partnership, of Rexburg, Madison County, Idaho, 637 Millhollow Road, Rexburg, Idaho 83440 as Grantee, and to Grantee's successors and assigns forever, all of the following described real estate located in Madison County, Idaho:

Township 5 North, Range 41 East, Boise Meridian, Madison County, Idaho, Section 7: S 1/2

TOGETHER with all improvements, easements, hereditaments and appurtenances thereto.

Grantors, for themselves, their beneficiaries and assigns do hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantee, its successors and assigns forever against the lawful claims of all persons.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

WARRANTY DEED
0265c

State of Idaho)
County of Madison) SS 241758
I hereby certify that the within instrument was
Executed APR 07 1982
19 at 10:30 M. and
recorded on Film
241758 Fee
by BERT B. REESE, Recorder
At the request of
First American Title Company

241759

IN WITNESS WHEREOF, Grantors have hereunto subscribed
their names to this instrument this 31st day of March, 1992.

GRANTORS:

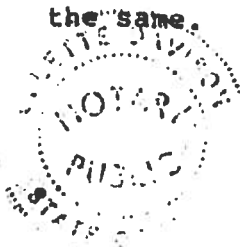
Jay Fred Smith
Jay Fred Smith
Craig J. Smith
Craig J. Smith

STATE OF IDAHO

COUNTY OF MADISON

)
:SS
)

On this 31st day of March, in the year of 1992, before me
a Notary Public in and for said State, personally appeared JAY
FRED SMITH, known to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me that he executed
the same.



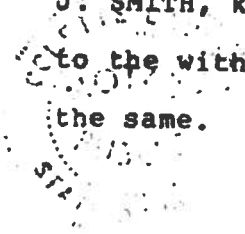
Julie H. Harrison
Notary Public
Residing in: Boise, Idaho
My Commission Expires: 10-1-92

STATE OF IDAHO

COUNTY OF MADISON

)
:SS
)

On this 31st day of March, in the year of 1992, before me
a Notary Public in and for said State, personally appeared CRAIG
J. SMITH, known to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me that he executed
the same.



Julie H. Harrison
Notary Public
Residing in: Boise, Idaho
My Commission Expires: 10-1-92

WARRANTY DEED
0265c

QUITCLAIM DEED

241759

m/9309

(10)

For Value Received

RICHARD F. SMITH

do(es) hereby convey, release, remise and forever quit claim unto

BENCH FARMS LIMITED, an Idaho Limited partnership

the following described premises, to-wit:

Township 5 North, Range 41 East, Boise Meridian, Madison County, Idaho:
Section 7: S 1/2

together with their appurtenances.

Dated: APRIL 6, 1992

Richard F. Smith

RICHARD F. SMITH

STATE OF IDAHO
COUNTY OF MADISON

)
:
ss
)

On this 6th day of APRIL, in the year 1992, before me, a Notary Public in and for said State, personally appeared RICHARD F. SMITH known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

Marilyn J. Jiles
Notary Public of Idaho
Residing at REXBURG, Idaho
Commission Expires 3-25-94

State of Idaho }
County of Madison } SS 241759

I hereby certify that the within instrument was
filed APR 07 1992

19 at 15:30 M. and
recorded on Film

241759 Fee 3
By Beth B. Reese, Recorder
Deputy

At the request of
First American Title Company

AFTER RECORDING MAIL TO:

Bench Farms Limited
P.O. Box 8
Rexburg, ID 83440

Microfile No. 350302
1 DAY DEC 2008
At 09 O'Clock 27 M
MARILYN RASMUSSEN
MADISON CO RECORDER
Fee \$6.00
KEngland Deputy
Recorded at Request of
FIRST AMERICAN TITLE - RE

QUITCLAIM DEED

Date: November 28, 2008

For Value Received, **Richard F. Smith and Jill D. Smith, husband and wife**, do(es) hereby convey, release, remise, and forever quit claim unto **Bench Farms Limited, an Idaho Limited Partnership**, whose address is **P.O. Box 8 Rexburg, ID 83440**, herein after called the Grantee, the following described premises situated in **Madison County, Idaho**, to-wit:

Township 5 North Range 40 East Boise Meridian:
Section 12: SE $\frac{1}{4}$
Section 13: W $\frac{1}{2}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$

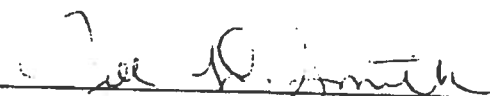
Township 5 North Range 41 East Boise Meridian:
Section 18: N $\frac{1}{2}$ NW $\frac{1}{4}$
Section 7: S $\frac{1}{2}$

together with its appurtenances.

Dated: 11/28/08



Richard F. Smith

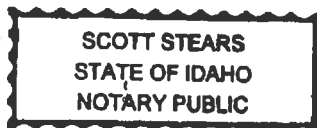


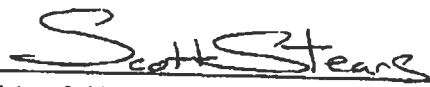
Jill D. Smith

Date: 11/28/2008

STATE OF Idaho)
COUNTY OF Madison)
SS.

On this 28th day of November, 2008, before me, a Notary Public in and for said State, personally appeared **Richard F. Smith and Jill D. Smith**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public of Idaho
Residing at: Rexburg, ID
Commission Expires: 4-6-2012

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

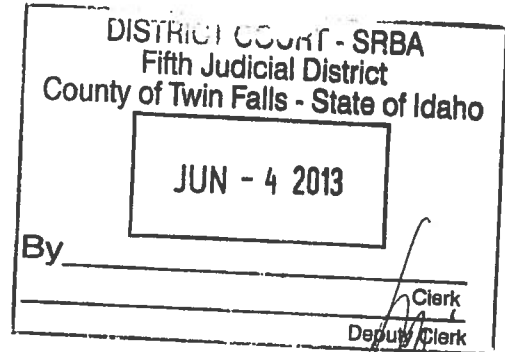
Water Right 22-13457

NAME AND ADDRESS: RICHARD F SMITH
PO BOX 8
REXBURG, ID 83440

JOHN H SMITH
PO BOX 805
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 5.87 CFS
2074.00 AFY



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.

PRIORITY DATE: 12/29/1982

POINT OF DIVERSION: T05N R41E S07 LOT 4 (SWSW) Within Madison County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.87 CFS 2074.00 AFY

PLACE OF USE:	Irrigation	Within Madison County
	T05N R40E S12	NESE 36.0 NWSE 35.0 SWSE 40.0 SESE 40.0
	S13	NENE 7.7
	R41E S07	NESW 35.0
	LOT 4	(SWSW) 39.0
		SESW 40.0
		NESE 35.0
		NWSE 31.0
		SWSE 30.0
		SESE 38.0
	S18	NENW 39.0
	LOT 2	(NWNW) 39.0
		SENW 38.0
	592.7 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13457

NAME AND ADDRESS: JOHN H SMITH
PO BOX 805
REXBURG ID 83440

RICHARD F SMITH
PO BOX 8
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.870 CFS
2,074.00 AFY

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.

PRIORITY DATE: 12/29/1982

POINT OF
DIVERSION:

T05N R41E S7 SWSW Lot 4 Within MADISON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

5.870 CFS
2,074.00 AFY

PLACE OF USE: IRRIGATION in MADISON County

T05N R40E S12	NESE	36.00	T05N R40E S12	NWSE	35.00
T05N R40E S12	SWSE	40.00	T05N R40E S12	SESE	40.00
T05N R40E S13	NENE	7.70	T05N R41E S07	NESW	35.00
T05N R41E S07 Lot 3 NWSW		33.00	T05N R41E S07 Lot 4 SWSW		39.00
T05N R41E S07	SESW	40.00	T05N R41E S07	NESE	35.00
T05N R41E S07	NWSE	31.00	T05N R41E S07	SWSE	30.00
T05N R41E S07	SESE	38.00	T05N R41E S18	NENW	39.00
T05N R41E S18 Lot 1 NWNW		39.00	T05N R41E S18 Lot 2 SWNW		37.00
T05N R41E S18	SENW	38.00			

592.7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right does not grant any right-of-way or easement across the land of another.

This right is renumbered from former right 22-7418A.