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JUL 02 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☒ Change diversion point(s)☐ Add diversion point(s)☐ Ownership change1. APPLICANT(S) BARBARA SMITH Phone (208) 254-93192. MAILING ADDRESS 15731 S OLD HWY 91 City McCammonState ID Zip 83250 Email _____☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see *fee schedule*.☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.3. LIST WATER RIGHT NUMBER(S) 29-2044E☒ Attach a copy of the water right(s) as recorded, available at not available www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.4. TOTAL AMOUNT OF WATER transferred is .018 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
09S	36E	12	2		SE	NE	Bannock	Portneuf River	Lewis/Goodenough
									ditch

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

A headgate built in the early 1900's, to open ditch to each place of use. This application is a correction to the POD, the water rights have always been taken from this point of diversion?

- b. Who owns the property at the point(s) of diversion? Richard Lockyer
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Historical use

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and 1/4 of section information. The Map Tool, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts> provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Barbara Smith
Signature of applicant or authorized agent

Print name and title if applicable

June 29, 2012
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 4 pages of attachments.

Received by Km

Date 7-9-2012

Fee paid \$200.00 Date 7/5/2012

Received by Km

Receipt # E037781

Preliminary review completed by

Date

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 29-2044E

Current Owner: BARBARA A SMITH
Priority Date: 5/18/1906
Origin: Water Right
Status: Active
Basis: Decreed

Source

PORTNEUF RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

0.18 CFS

Annual Volume

Total Diversion

0.18 CFS

Location of Point(s) of Diversion

PORTNEUF RIVER

L1(SW1/4NW1/4NE1/4)

Sec. 12,

Twp 09S,

Rge 36E B.M.

BANNOCK County

Place of Use

IRRIGATION Within BANNOCK County

T08S R36E S35

NESE

4.10

T08S R36E S36

NWSW

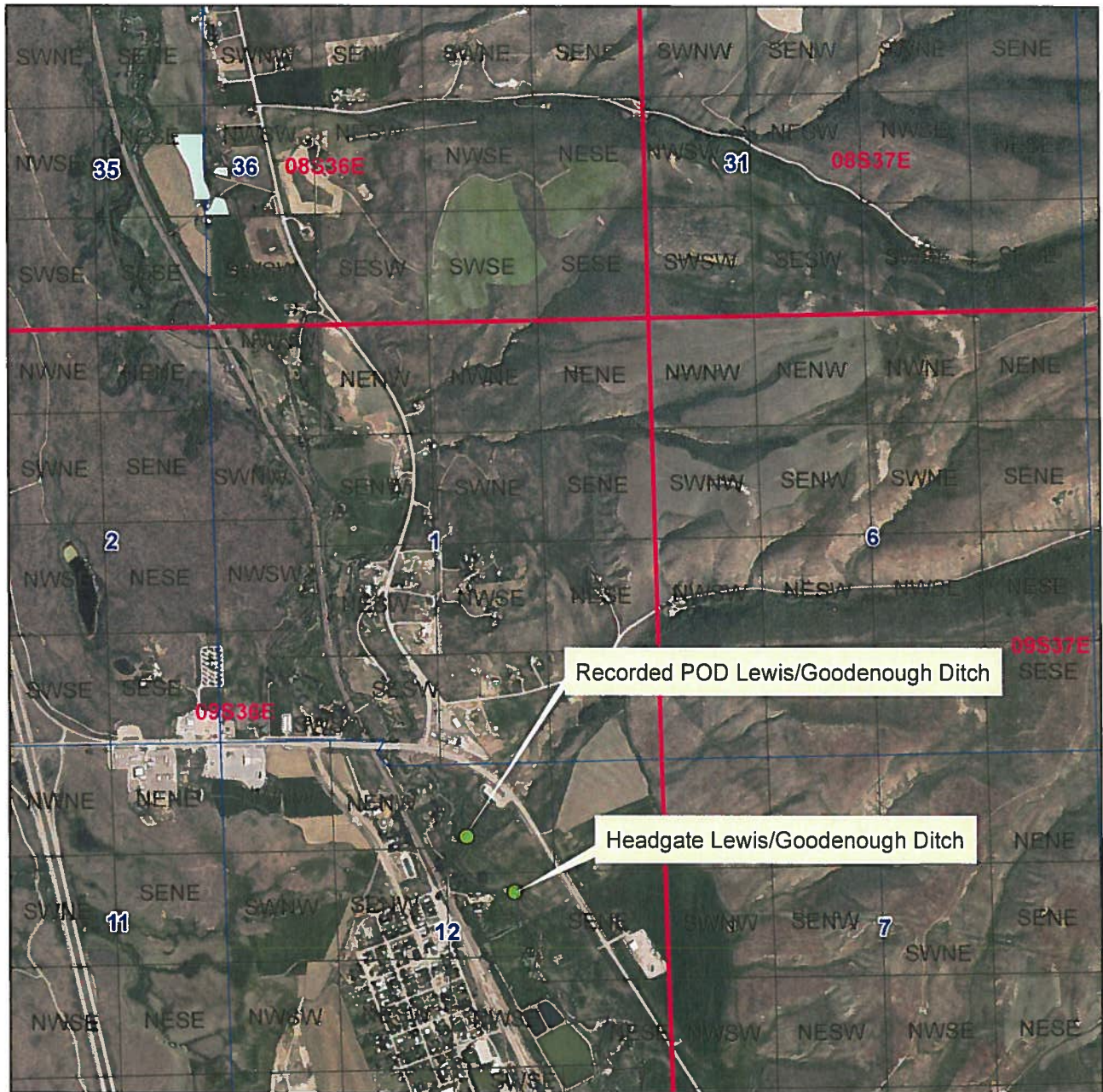
1.70

Total Acres: 5.8

Conditions of Approval:

1. E51 USE OF THIS RIGHT WITH RIGHT NO. 29-7609 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS AT THE POINT OF DIVERSION
2. 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.
3. F01 WATER IS DELIVERED THROUGH LEWIS-GOODENOUGH DITCH.
4. D09 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED ABOVE AT THE POINT OF MEASUREMENT IN T9S, R36E, S12, SWNWNE (L1).
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-02044A.

Decreed Date: 8/27/2004



Barbara Smith

- 29-2044E
- Township/Range
- Sections
- QQ

0 0.2 0.4 0.8 Miles

78021

