

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77929**

This is to certify that: MERLIN SMITH SR
833 S STOUT AVE
BLACKFOOT ID 83221
(208)317-3513

And

JENNIFER SMITH And
MERLIN SMITH JR
399 N 500 W
BLACKFOOT ID 83221
(208)317-3514

And

ALAN PARKS
86 N 900 W
BLACKFOOT ID 83221
(208)681-9404

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-2858A	WR/Decreed	01/16/1967	2.94 cfs	616 af	N/A	154.0	GROUND WATER
35-2882	WR/Decreed	03/28/1966	1.70 cfs	460.0 af	N/A	115.0	GROUND WATER
27-12139	WR/Decreed	02/24/1977	0.11 cfs	20.6 af	N/A	5.9	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-2858A	YES	NO	YES	NO	NO	NO
35-2882	YES	YES	YES	NO	NO	NO
27-12139	NO	YES	YES	NO	NO	NO

SUPPORT DATA
IN FILE # 27-12139

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77929

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
35-2858A	35-14265	2.89 cfs	606 af	151.5	244.0	35-14264	0.05 cfs	10 af	N/A	2.5
35-2882	35-2882	1.28 cfs	346.4 af	86.6	244.0	35-14257	0.42 cfs	113.6 af	N/A	28.4
27-12139	35-14278	0.11 cfs	20.6 af	5.9	244.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.28 cfs	973 af	244.0	244.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of June, 20 12



Water Resources Program Manager

WATER RIGHT NO. 35-14264
As Modified by Transfer No. 77929

In accordance with the approval of Transfer No. 77929, Water Right No. 35-14264 is now described as follows.

Right Holder: ALAN PARKS And/Or
 NICOLE L PARKS And/Or
 PAULA G PARKS
 86 N 900 W
 BLACKFOOT ID 83221

Priority Date: January 16, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.05 CFS	10.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 18 Twp 02S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	34E	18								2.5									2.5

Total Acres: 2.5

CONDITIONS OF APPROVAL

- 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14th day of June, 20 12



Water Resources Program Manager

WATER RIGHT NO. 35-14265
As Modified by Transfer No. 77929

In accordance with the approval of Transfer No. 77929, Water Right No. 35-14265 is now described as follows.

Right Holder: ALAN PARKS And/Or
 NICOLE L PARKS And/Or
 PAULA G PARKS
 86 N 900 W
 BLACKFOOT ID 83221

Priority Date: January 16, 1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	2.89 CFS	606.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 18 Twp 02S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	33E	12													34.0	7.5	6.9	35.5	83.9
02S	33E	13	19.0	4.1															23.1
02S	34E	18					34.5	34.0	34.0	34.5									137.0

Total Acres: 244

WATER RIGHT NO. 35-14265
As Modified by Transfer No. 77929

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 151.5 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2882, 35-14265 and 35-14278 when combined shall not exceed the irrigation of 244.0 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 77929, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14th day of June, 20 12



Water Resources Program Manager

WATER RIGHT NO. 35-2882
As Modified by Transfer No. 77929

In accordance with the approval of Transfer No. 77929, Water Right No. 35-2882 is now described as follows.

Right Holder: MERLIN SMITH SR
 833 S STOUT
 BLACKFOOT ID 83221

And

MERLIN SMITH JR And
 JENNIFER SMITH
 399 N 500 W
 BLACKFOOT ID 83221

Priority Date: March 28, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.28 CFS	346.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 18 Twp 02S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	33E	12													34.0	7.5	6.9	35.5	83.9
02S	33E	13	19.0	4.1															23.1
02S	34E	18					34.5	34.0	34.0	34.5									137.0

Total Acres: 244

WATER RIGHT NO. 35-2882
As Modified by Transfer No. 77929

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 86.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2882, 35-14265 and 35-14278 when combined shall not exceed the irrigation of 244.0 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 77929, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14th day of June, 2012


Water Resources Program Manager

WATER RIGHT NO. 35-14257
As Modified by Transfer No. 77929

In accordance with the approval of Transfer No. 77929, Water Right No. 35-14257 is now described as follows.

Right Holder: MERLIN SMITH SR
833 S STOUT
BLACKFOOT ID 83221

And

MERLIN SMITH JR And
JENNIFER SMITH
399 N 500 W
BLACKFOOT ID 83221

Priority Date: March 28, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.42 CFS	113.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENE Sec. 32 Twp 03S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	33E	32													20.0	0.4		8.0	28.4

Total Acres: 28.4

WATER RIGHT NO. 35-15247
As Modified by Transfer No. 72733

CONDITIONS OF APPROVAL

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 72733 the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14th day of June, 20 12



Water Resources Program Manager

WATER RIGHT NO. 35-14278
As Modified by Transfer No. 77929

In accordance with the approval of Transfer No. 77929, Water Right No. 35-14278 is now described as follows.

Right Holder: STANLEY J JENSEN And
 LOIS B JENSEN
 768 CYPRESS ST
 POCA TELLO ID 83201

Priority Date: February 24, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.11 CFS	20.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNWNW Sec. 18 Twp 02S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	33E	12													34.0	7.5	6.9	35.5	83.9
02S	33E	13	19.0	4.1															23.1
02S	34E	18					34.5	34.0	34.0	34.5									137.0

Total Acres: 244

WATER RIGHT NO. 35-14278
As Modified by Transfer No. 77929

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 5.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2882, 35-14265 and 35-14278 when combined shall not exceed the irrigation of 244.0 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. 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.
5. Prior to the diversion and use of water under Transfer approval 77929, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 14th day of June, 2012


Water Resources Program Manager