

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77903APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Wiley and Carolyn SmithPhone (208) 588-2218Mailing address 5872 Hwy 93 Mackay, ID 83251Email wileys@atcnet.net

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____

Phone _____

Mailing address _____

Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☐ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

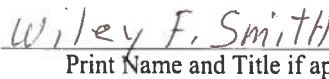
OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.



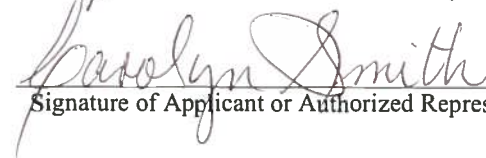
Signature of Applicant or Authorized Representative



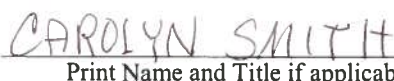
Print Name and Title if applicable



Date



Signature of Applicant or Authorized Representative



Print Name and Title if applicable



Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2. Water Right Place of Use is being re-arranged to mitigate the irrigation of approximately 16 acres.**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐					
☒ ☐	34-834	3.20	irrigation	5/01 to 10/15	Cedar Creek to Sinks
☒ ☐	34-834	0.02	stockwater	5/01 to 10/15	Cedar Creek to Sinks
☒ ☐	34-835	3.20	irrigation	5/01 to 10/15	Cedar Creek to Sinks
☒ ☐	34-836	3.20	irrigation	5/01 to 10/15	Rock Creek to Sinks
☒ ☐	34-836	0.19	stockwater	5/01 to 10/15	Rock Creek to Sinks
☒ ☐	34-836	0.02	stockwater	10/16 to 4/30	Rock Creek to Sinks
☒ ☐	34-839	3.20	irrigation	5/01 to 10/15	Cedar Creek to Sinks
☒ ☐	34-2303	4.00	irrigation	4/01 to 11/15	Cedar Creek to Sinks
☒ ☐	34-4039	3.20	irrigation	4/01 to 11/15	Rock Creek to Sinks

Total authorized under rights 23.2 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 23.2 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	22E	5							28.7		19	40.7	40.9	30.1					159.4
09N	22E	6												32.6			33.9	16.7	83.2
09N	22E	7	10.4	24.1	17.1	33.8	17.7								36.3	3.2		10	152.6
09N	22E	8					28.2	33.1	27			26.8	8.7						123.8

Total Acres (for irrigation use) 519

77903

APPLICATION FOR TRANSFER OF A WATER RIGHT
Supplemental Page for Description of Rights after Transfer**

[illegible]

****Insert this page into Part 1B of the Application for Transfer of a Water Right.**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. 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:

All water is conveyed through ditches and mainline.

- b. Who owns the property at the point(s) of diversion? BLM

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

There will be no effect on the land now irrigated pursuant to this transfer.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

N/A

- f. 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, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-834

WATER RIGHT NUMBER: 34-834

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALVIN WEST
	DICKEY, ID
Attorney	RIGBY ANDRUS & MOELLER CHTD PO BOX 250 REXBURG, ID 83440 (208)356-3633
Current Owner	WILEY F SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218
Current Owner	CAROLYN SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218

Priority Date: 06/10/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CEDAR CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	5/01 to 10/15	0.020 CFS	
IRRIGATION	5/01 to 10/15	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

CEDAR CREEK	NW1/4NW1/4	Sec. 10, Twp 09N, Rge 22E, B.M.
CUSTER 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	
09N	22E	5							26.0		17.0	39.0	32.0	30.0					144.0
09N	22E	6											32.0			23.0	12.0		67.0
09N	22E	7	9.0	21.0	24.0	34.0	27.0								39.0	15.0	3.0	28.0	200.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-834

09N 22E 8	16.0	31.0	27.0	26.0	8.0	108.0
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Total Acres: 519

STOCKWATER same as IRRIGATIONConditions of Approval:

1. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
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. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS 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.
4. The portion of this right for stockwater purposes may be diverted so long as the amount of water diverted at the point of diversion for stockwater purposes does not constitute unreasonable waste and does not conflict with the public interest, as determined by the director.
5. THIS RIGHT AND RIGHT NOS. 34-00835, 34-00839 AND 34-02303 ARE THE ONLY IRRIGATION RIGHTS DIVERTED FROM CEDAR CREEK, AND THE HISTORICAL PRACTICE HAS BEEN TO USE THIS WATER AS EFFICIENTLY AS POSSIBLE. THE RESULT OF THIS PRACTICE HAS BEEN THAT IN TIMES OF SCARCITY THE PLACE OF USE DESCRIBED ABOVE HAS BEEN IRRIGATED WITH A DIVERSION RATE PER ACRE THAT IS LESS THAN 0.02 CFS.
WATER IS DELIVERED THROUGH CEDAR CREEK DIVERSION.
SOURCE IS ALSO KNOWN AS DRY CREEK.
STOCKWATER 800 CATTLE
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. N01 The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described above.
8. RIGHTS DIVERTED FROM CEDAR CREEK HAVE HISTORICALLY BEEN ADMINISTERED INDEPENDENTLY FROM THE BIG LOST RIVER AND ITS OTHER TRIBUTARIES.
9. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
10. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 519 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00835, 34-00836, 34-00839, 34-02303, 34-04039 AND 34-10585.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Remarks:Comments:

1. DCARLSON 4/29/1992 NOTICE OF ERROR
Comment: ADDED ACRES. CHANGED REMARKS. ADDED STOCKWATER. NEED A LARGER DIV RATE FROM 10:00AM-3:00PM TO PREVENT FREEZE UP OF THE DITCHES AND PIPELINES
2. SSHERMAN 5/24/1994 NOTICE OF APPEARANCE
Comment: NOA REC'D 03/08/1994.
3. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-834

Dates and Other Information:

Licensed Date:
 Decreed Date: 5/22/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 34
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		519
Combined Water Rights: 34-4039 , 34-834 , 34-835 , 34-836 , 34-839 , 34-10585 , 34-2303		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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SubCase:

SubCase Number: 34-834
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date: 10/7/1998
 Attorney Assigned: SARA C DENISTON
 Adjudication Agent:
 Basis of Claim:
 Date Filed: 2/26/1993 Objection Status: Active
 Date Filed: 10/28/1997 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-835

WATER RIGHT NUMBER: 34-835

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROLYN SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218
Original Owner	ALVIN WEST
Current Owner	DICKEY, ID WILEY F SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218

Priority Date: 06/01/1898

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CEDAR CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> _____ <u>To</u> _____	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

CEDAR CREEK	NW1/4NW1/4	Sec. 10, Twp 09N, Rge 22E, B.M.
CUSTER 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		
09N	22E	5							26.0					17.0	39.0	32.0	30.0			144.0
09N	22E	6													32.0			23.0	12.0	67.0
09N	22E	7	9.0	21.0	24.0	34.0	27.0											39.0	15.0	200.0
09N	22E	8					16.0	31.0	27.0				26.0	8.0						108.0

Total Acres: 519

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 34-835

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 519 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00834, 34-00836, 34-00839, 34-02303, 34-04039 AND 34-10585.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. RIGHTS DIVERTED FROM CEDAR CREEK HAVE HISTORICALLY BEEN ADMINISTERED INDEPENDENTLY FROM THE BIG LOST RIVER AND ITS OTHER TRIBUTARIES.
3. THIS RIGHT AND RIGHT NOS. 34-00834, 34-00839 AND 34-02303 ARE THE ONLY IRRIGATION RIGHTS DIVERTED FROM CEDAR CREEK, AND THE HISTORICAL PRACTICE HAS BEEN TO USE THIS WATER AS EFFICIENTLY AS POSSIBLE. THE RESULT OF THIS PRACTICE HAS BEEN THAT IN TIMES OF SCARCITY THE PLACE OF USE DESCRIBED ABOVE HAS BEEN IRRIGATED WITH DIVERSION RATE PER ACRE THAT IS LESS THAN 0.02 CFS.
WATER IS DELIVERED THROUGH CEDAR CREEK DIVERSION.
SOURCE IS ALSO KNOWN AS DRY CREEK.
4. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS 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.
5. 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.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:Comments:

1. DCARLSON 4/29/1992 NOTICE OF ERROR
Comment: ADDED ACRES. CHANGED REMARKS.

2. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:
Decreed Date: 5/29/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-836

WATER RIGHT NUMBER: 34-836

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALVIN WEST
Current Owner	DICKEY, ID CAROLYN SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218
Current Owner	WILEY F SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218
Attorney	RIGBY ANDRUS & MOELLER CHTD PO BOX 250 REXBURG, ID 83440 (208)356-3633

Priority Date: 06/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ROCK CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	10/16 to 04/30	0.020 CFS	
STOCKWATER	05/01 to 10/15	0.190 CFS	
IRRIGATION	05/01 to 10/15	3.200 CFS	
<u>Total Diversion:</u>		3.200 CFS	

Location of Point(s) of Diversion

ROCK CREEK	SW1/4SE1/4	Sec. 34, Twp 10N, Rge 22E, B.M.
CUSTER 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				
09N	22E	5							26.0					17.0	39.0	32.0	30.0					144.0
09N	22E	6													32.0				23.0	12.0		67.0
09N	22E	7	9.0	21.0	24.0	34.0	27.0											39.0	15.0	3.0	28.0	200.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-836

09N 22E 8		16.0	31.0	27.0		26.0	8.0		108.0

Total Acres: 519

STOCKWATER same as IRRIGATIONConditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS 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.
3. RIGHT NOS. 34-04039 AND 34-10585 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE. THE HISTORICAL PRACTICE HAS BEEN TO USE THE WATER DIVERTED FROM ROCK CREEK AS EFFICIENTLY AS POSSIBLE. THE RESULT OF THIS PRACTICE HAS BEEN THAT IN TIMES OF SCARCITY THE PLACE OF USE DESCRIBED ABOVE HAS BEEN IRRIGATED WITH A DIVERSION RATE PER ACRE THAT IS LESS THAN 0.02 CFS.
STOCKWATER 800 CATTLE
4. 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.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 519 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00834, 34-00835, 34-00839, 34-02303, 34-04039 AND 34-10585.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
8. RIGHTS DIVERTED FROM ROCK CREEK HAVE HISTORICALLY BEEN ADMINISTERED INDEPENDENTLY FROM THE BIG LOST RIVER AND ITS OTHER TRIBUTARIES.

Remarks:Comments:

1. DCARLSON 4/29/1992 NOTICE OF ERROR
Comment: ADDED ACRES, CHANGED REMARKS. ADDED STOCKWATER. NEED LARGER DIV RATE FROM 10:00AM-3:00PM TO PREVENT FREEZE UP OF THE DITCHES AND PIPELINES.
2. SSHERMAN 5/24/1994 NOTICE OF APPEARANCE
Comment: NOA REC'D 03/08/1994.
3. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-836

Dates and Other Information:

Licensed Date:
 Decreed Date: 5/29/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 34
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		519
Combined Water Rights: 34-4039 , 34-834 , 34-835 , 34-836 , 34-839 , 34-10585 , 34-2303		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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SubCase:

SubCase Number: 34-836
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date: 10/7/1998
 Attorney Assigned: SARA C DENISTON
 Adjudication Agent:
 Basis of Claim:
 Date Filed: 10/28/1997 Objection Status: Active
 Date Filed: 2/26/1993 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-839

WATER RIGHT NUMBER: 34-839

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MAMIE WEST
Current Owner	DICKEY, ID CAROLYN SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218
Current Owner	WILEY F SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218

Priority Date: 06/01/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CEDAR CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> _____ <u>To</u> _____	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

CEDAR CREEK	NW1/4NW1/4	Sec. 10, Twp 09N, Rge 22E, B.M.
CUSTER 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				
09N	22E	5							26.0					17.0	39.0	32.0	30.0					144.0
09N	22E	6														32.0			23.0	12.0		67.0
09N	22E	7	9.0	21.0	24.0	34.0	27.0											39.0	15.0	3.0	28.0	200.0
09N	22E	8					16.0	31.0	27.0					26.0	8.0							108.0

Total Acres: 519

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-839

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 519 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00834, 34-00835, 34-00836, 34-02303, 34-04039 AND 34-10585.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS 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.
4. 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.
5. THIS RIGHT AND RIGHT NOS. 34-00834, 34-00835 AND 34-02303 ARE THE ONLY IRRIGATION RIGHTS DIVERTED FROM CEDAR CREEK, AND THE HISTORICAL PRACTICE HAS BEEN TO USE THIS WATER AS EFFICIENTLY AS POSSIBLE. THE RESULT OF THIS PRACTICE HAS BEEN THAT IN TIMES OF SCARCITY THE PLACE OF USE DESCRIBED ABOVE HAS BEEN IRRIGATED WITH DIVERSION RATE PER ACRE THAT IS LESS THAN 0.02 CFS.
WATER IS DELIVERED THROUGH CEDAR CREEK DIVERSION.
SOURCE IS ALSO KNOWN AS DRY CREEK.
6. RIGHTS DIVERTED FROM CEDAR CREEK HAVE HISTORICALLY BEEN ADMINISTERED INDEPENDENTLY FROM THE BIG LOST RIVER AND ITS OTHER TRIBUTARIES.

Remarks:Comments:

1. DCARLSON 4/29/1992 NOTICE OF ERROR

Comment: ADDED ACRES. CHANGED REMARKS

2. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:
 Decreed Date: 5/22/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 34
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-2303

WATER RIGHT NUMBER: 34-2303

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROLYN SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218
Original Owner	FRANCIS L SMITH STAR RT MACKAY, ID 83251 (208)588-2579
Current Owner	WILEY F SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218

Priority Date: 03/30/1953

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CEDAR CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	to 11/15	4.000 CFS	
	<u>Total Diversion:</u>		4.000 CFS	

Location of Point(s) of Diversion

CEDAR CREEK	NW1/4NW1/4	Sec. 10, Twp 09N, Rge 22E, B.M.
CUSTER 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	
09N	22E	5							26.0		17.0	39.0	32.0	30.0					144.0
09N	22E	6											32.0				23.0	12.0	67.0
09N	22E	7	9.0	21.0	24.0	34.0	27.0								39.0	15.0	3.0	28.0	200.0
09N	22E	8					16.0	31.0	27.0		26.0	8.0							108.0

Total Acres: 519

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-2303

Conditions of Approval:

1. THIS RIGHT AND RIGHT NOS. 34-00834, 34-00835 AND 34-00839 ARE THE ONLY IRRIGATION RIGHTS DIVERTED FROM CEDAR CREEK, AND THE HISTORICAL PRACTICE HAS BEEN TO USE THIS WATER AS EFFICIENTLY AS POSSIBLE. THE RESULT OF THIS PRACTICE HAS BEEN THAT IN TIMES OF SCARCITY THE PLACE OF USE DESCRIBED ABOVE HAS BEEN IRRIGATED WITH DIVERSION RATE PER ACRE THAT IS LESS THAN 0.02 CFS.
WATER IS DELIVERED THROUGH CEDAR CREEK DIVERSION.
SOURCE IS ALSO KNOWN AS DRY CREEK.
2. The portion of this right for stockwater purposes may be diverted so long as the quantity diverted at the point of diversion for stockwater purposes does not constitute unreasonable waste and does not conflict with the public interest, as determined by the Director.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 519 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00834, 34-00835, 34-00836, 34-00839, 34-04039 AND 34-10585.
4. 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.
5. N01 The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described above.
6. RIGHTS DIVERTED FROM CEDAR CREEK HAVE HISTORICALLY BEEN ADMINISTERED INDEPENDENTLY FROM THE BIG LOST RIVER AND ITS OTHER TRIBUTARIES.
7. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:Comments:

1. CFRITSCH 7/10/1997 COPIED FROM REMARKS

Comment: THIS IS A HIGH WATER CLAIM USED IN CONJUNCTION WITH THE RIGHTS LISTED IN OTHER RIGHTS ON THE LISTED LANDS. SOURCE ALSO KNOWN AS DRY CREEK.

2. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. dshaff 8/26/2003 Stockwater Remarks

Comment: The remarks for stockwater use for the quantity element were placed in the data to correspond to the decree, although no use for stock water is represented in the right.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-2303

Dates and Other Information:

Licensed Date:
 Decreed Date: 5/9/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 34
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		519
Combined Water Rights: 34-4039 , 34-834 , 34-835 , 34-836 , 34-839 , 34-10585 , 34-2303		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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SubCase:

SubCase Number: 34-2303
 Class: 2
 SF5 Filed Date:
 Special Master Recom Signed Date: 10/7/1998
 Attorney Assigned: SARA C DENISTON
 Adjudication Agent:
 Basis of Claim:
 Date Filed: 8/5/1997 Objection Status: Active
 Date Filed: 10/28/1997 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-4039

WATER RIGHT NUMBER: 34-4039

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANCIS L SMITH STAR RT MACKAY, ID 83251 (208)588-2579
Current Owner	CAROLYN SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218
Current Owner	WILEY F SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218

Priority Date: 03/31/1934

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ROCK CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/15	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

ROCK CREEK	SW1/4SE1/4	Sec. 34, Twp 10N, Rge 22E, B.M.
CUSTER 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				
09N	22E	5							26.0					17.0	39.0	32.0	30.0					144.0
09N	22E	6														32.0				23.0	12.0	67.0
09N	22E	7	9.0	21.0	24.0	34.0	27.0											39.0	15.0	3.0	28.0	200.0
09N	22E	8					16.0	31.0	27.0					26.0	8.0							108.0

Total Acres: 519

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-4039

Conditions of Approval:

1. RIGHTS DIVERTED FROM ROCK CREEK HAVE HISTORICALLY BEEN ADMINISTERED INDEPENDENTLY FROM THE BIG LOST RIVER AND ITS OTHER TRIBUTARIES.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 519 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00834, 34-00835, 34-00836, 34-00839, 34-02303 AND 34-10585.
3. 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.
4. RIGHT NOS. 34-00836 AND 34-10585 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE. THE HISTORICAL PRACTICE HAS BEEN TO USE THE WATER DIVERTED FROM ROCK CREEK AS EFFICIENTLY AS POSSIBLE. THE RESULT OF THIS PRACTICE HAS BEEN THAT IN TIMES OF SCARCITY THE PLACE OF USE DESCRIBED ABOVE HAS BEEN IRRIGATED WITH DIVERSION RATE PER ACRE THAT IS LESS THAN 0.02 CFS.

Remarks:Comments:

1. DCARLSON 4/29/1992 NOTICE OF ERROR
Comment: ADDED ACRES, CHANGED REMARKS.
2. CARLSON 5/10/1992 CHANGED STAGE FROM S TO J
Comment:
3. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:
 Decreed Date: 11/24/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 34
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Rate	Volume	Acres
		519

Combined Water Rights: 34-4039 , 34-834 , 34-835 , 34-836 , 34-839 ,
34-10585 , 34-2303

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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77903

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-10585

WATER RIGHT NUMBER: 34-10585

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROLYN SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218
Current Owner	WILEY F SMITH STAR RT 5872 HWY 93 MACKAY, ID 83251 (208)588-2218

Priority Date: 05/01/1951

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ROCK CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/15	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

ROCK CREEK	SW1/4SE1/4	Sec. 34, Twp 10N, Rge 22E, B.M.
CUSTER 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	
09N	22E	5							26.0		17.0	39.0	32.0	30.0					144.0
09N	22E	6											32.0				23.0	12.0	67.0
09N	22E	7	9.0	21.0	24.0	34.0	27.0								39.0	15.0	3.0	28.0	200.0
09N	22E	8					16.0	31.0	27.0		26.0	8.0							108.0

Total Acres: 519

Conditions of Approval:

77903

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-10585

1. RIGHT NOS. 34-00836 AND 34-04039 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE. THE HISTORICAL PRACTICE HAS BEEN TO USE THE WATER DIVERTED FROM ROCK CREEK AS EFFICIENTLY AS POSSIBLE. THE RESULT OF THIS PRACTICE HAS BEEN THAT IN TIMES OF SCARCITY THE PLACE OF USE DESCRIBED ABOVE HAS BEEN IRRIGATED WITH DIVERSION RATE PER ACRE THAT IS LESS THAN 0.02 CFS.
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. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 519 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00834, 34-00835, 34-00836, 34-00839, 34-02303 AND 34-04039.
4. RIGHTS DIVERTED FROM ROCK CREEK HAVE HISTORICALLY BEEN ADMINISTERED INDEPENDENTLY FROM THE BIG LOST RIVER AND ITS OTHER TRIBUTARIES.

Remarks:Comments:

1. DCARLSON 4/27/1992 NOTICE OF ERROR

Comment: ADDED ACRES AND CHANGED REMARKS DROPPED STOCKWATER

2. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:
 Decreed Date: 11/24/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 34
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Rate	Volume	Acres
		519

Combined Water Rights: 34-4039 , 34-834 , 34-835 , 34-836 , 34-839 ,
34-10585 , 34-2303

Element Reviewed/Verified Dates:

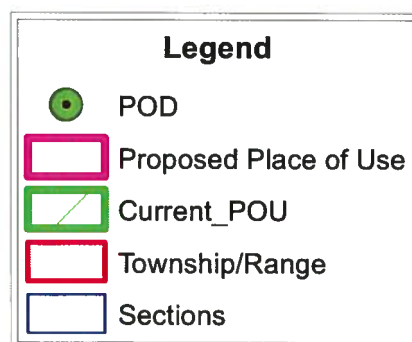
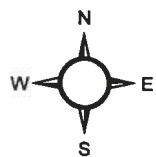
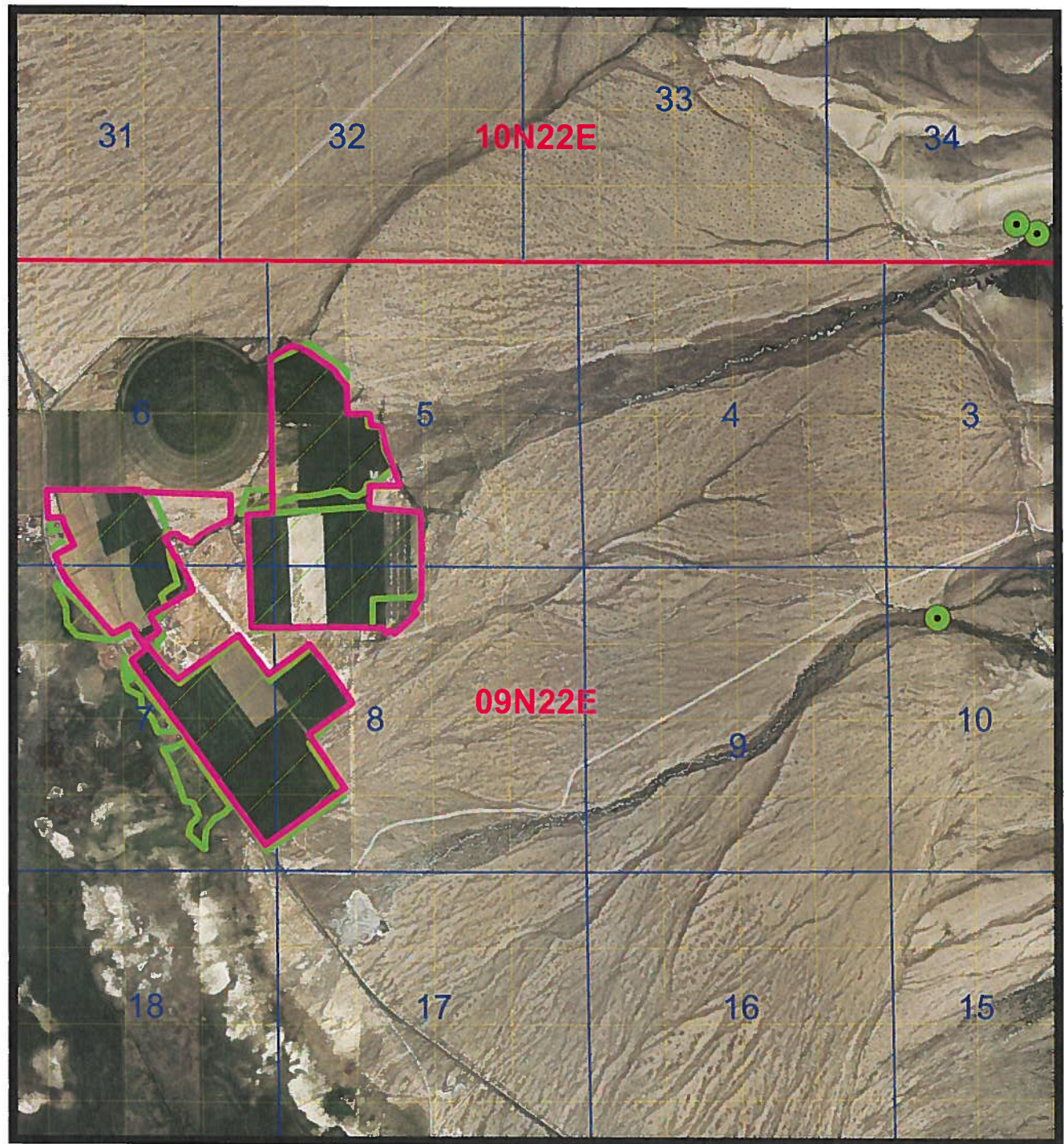
Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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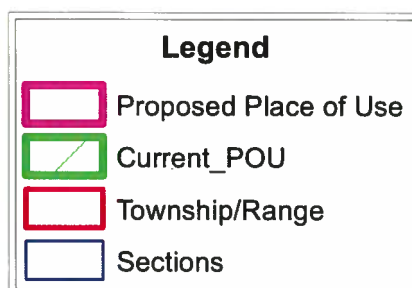
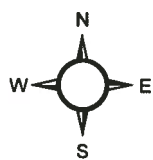
77903

Smith Proposed Transfer- Points of Diversion #7a



0 1,100 2,200 4,400 Feet

77903



0 500 1,000 2,000 Feet

77903

RECEIVED

APR 19 2012

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

Transfer No.

77903

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

77903

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