

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**TRANSFER OF WATER RIGHT**  
**TRANSFER NO. 74658**

This is to certify that: BRAD SMITH  
 412 RIVER ROAD  
 GRACE ID 83241  
 (208)427-6649

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>                   |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------------------------|
| 13-681A      | WR/Decreed          | 05/02/1884      | 2.0 cfs     | N/A           | N/A               | N/A                | PATS HOLLOW CREEK, SAND SPRINGS |

**Purpose of Transfer (Changes Proposed)**

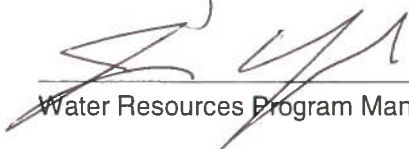
| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 13-681A               | NO           | NO         | YES        | NO             | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 13-681A               | 13-681A                          | 2.0 cfs              | N/A                    | 95.0              | 142.0              |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>2.0 cfs</b>       | <b>N/A</b>             | <b>95.0</b>       | <b>142.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 31<sup>st</sup> day of January, 2012

  
 Water Resources Program Manager

SUPPORT DATA  
 IN FILE # 13-681A

**WATER RIGHT NO. 13-681A**  
**As Modified by Transfer No. 74658**

In accordance with the approval of Transfer No. 74658, Water Right No. 13-681A is now described as follows.

**Right Holder:** BRADLEY M SMITH  
 412 RIVER RD  
 GRACE ID 83241

**Priority Date:** May 02, 1884

**Source:** PATS HOLLOW CREEK  
 SAND SPRINGS

**Tributary:** BEAR RIVER  
 BEAR RIVER

|                              |                    |                  |                              |
|------------------------------|--------------------|------------------|------------------------------|
| <b><u>BENEFICIAL USE</u></b> | <b><u>From</u></b> | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> |
| IRRIGATION                   | 04/20              | to 09/30         | 2.00 CFS                     |

**LOCATION OF POINT(S) OF DIVERSION:**

|                   |      |        |         |         |                |
|-------------------|------|--------|---------|---------|----------------|
| SAND SPRINGS      | SESE | Sec. 4 | Twp 11S | Rge 40E | CARIBOU County |
| PATS HOLLOW CREEK | SESE | Sec. 4 | Twp 11S | Rge 40E | CARIBOU 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   |        |
| 11S | 40E | 9   |    |    |    |    |    |    |      |      |    |    |      |    |    |    |    | 22.0 | 22.0   |
| 11S | 40E | 10  |    |    |    |    |    |    |      |      |    |    | 40.0 |    |    |    |    |      | 40.0   |
| 11S | 40E | 15  |    |    |    |    |    |    | 40.0 | 40.0 |    |    |      |    |    |    |    |      | 80.0   |

Total Acres: 142

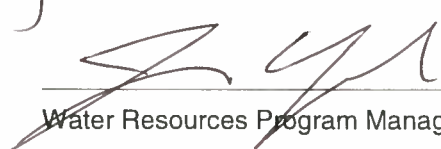
**WATER RIGHT NO. 13-681A**  
**As Modified by Transfer No. 74658**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of a specific 95.0 acres within the 142.0 acre place of use authorized by this right in a single irrigation season. The specific 95.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 95.0 acres to be irrigated within the 142.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. 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. 11.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. 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.
5. This right does not grant any right-of-way or easement across the land of another.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 31<sup>st</sup> day of January, 2012

  
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Water Resources Program Manager