

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77231

This is to certify that: SMITH-MAXWELL DITCH CO

C/O LAYNE HAMILTON
839 W RIVERTON RD
BLACKFOOT ID 83221
(208)785-0666

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>
1-10058	WR/Decreed	02/21/1890	10.58 cfs	N/A	263.5	695.0	SNAKE RIVER

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>
1-10058	NO	YES	NO	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>
1-10058	1-10058	10.58 cfs	N/A	263.5	695.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		10.58 cfs	N/A	263.5	695.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 7th day of November, 20 11


Water Resources Program Manager

SUPPORT DATA

IN FILE # 1-10058

WATER RIGHT NO. 1-10058
As Modified by Transfer No. 77231

In accordance with the approval of Transfer No. 77231, Water Right No. 1-10058 is now described as follows.

Right Holder: SMITH-MAXWELL DITCH CO
C/O LAYNE HAMILTON
839 W RIVERTON RD
BLACKFOOT ID 83221

Priority Date: February 21, 1890

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

10.58 CFS

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER	NENESE	Sec. 8 Twp 02S Rge 36E	BINGHAM County
SNAKE RIVER	SWSWSW	Sec. 23 Twp 03S Rge 34E	BINGHAM County
(Rediversion)			
SNAKE RIVER	SESESE	Sec. 10 Twp 03S Rge 35E	BINGHAM County
(Injection)			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 263.5 acres within the authorized place of use in a single irrigation season.
2. Rights 1-10058 and 27-12108 when combined shall not exceed a total diversion rate of 13.9 cfs and the irrigation of 695 acres.
3. Place of use is within the area served by Smith-Maxwell Ditch Company.
4. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
5. Point of injection into and point of rediversion from Blackfoot River.
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 place of use.
7. This right is a combination of old Right Nos. 1-28C, 1-28E, 1-87B, 1-87C, 1-87D, 1-169F, and 1-169G.
8. 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. 1.

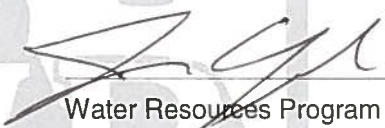
WATER RIGHT NO. 1-10058
As Modified by Transfer No. 77231

CONDITIONS OF APPROVAL

9. 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).
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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.

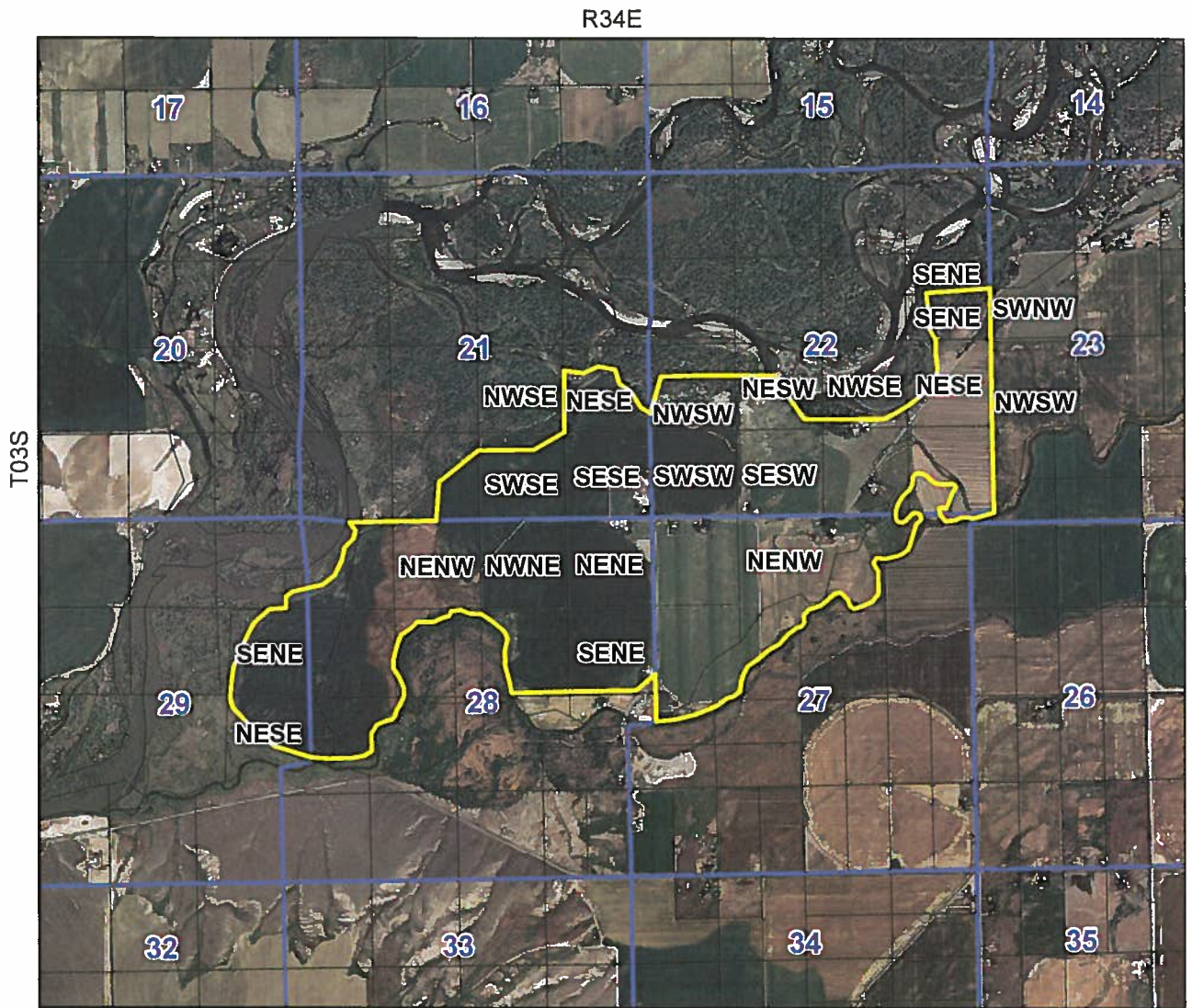
This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of November, 20 11


Water Resources Program Manager

State of Idaho
Department of Water Resources
Water Right License
1-10058

Water Service Area Boundary for Smith-Maxwell Ditch Co



0 0.35 0.7 1.4 Miles

Legend

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

