

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74019

This is to certify that: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405
 (208)523-0620

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>
22-13160	AJC/Decreed	01/18/1905	0.63 cfs	N/A	40.0	688.9	SOUTH LEIGH CREEK
22-42	AJC/Decreed	01/22/1916	0.8 cfs	N/A	40.0	688.9	SOUTH LEIGH CREEK
22-616	AJC/Decreed	01/22/1916	8 cfs	N/A	400.0	688.9	SOUTH LEIGH CREEK
22-160	AJC/Decreed	06/01/1891	3.2 cfs	N/A	160.0	688.9	SOUTH LEIGH CREEK
22-545	AJC/Decreed	06/01/1896	1.8 cfs	N/A	90.0	688.9	SOUTH LEIGH CREEK
22-13148	AJC/Decreed	01/18/1905	2.9 cfs	N/A	N/A	153.6	SOUTH LEIGH CREEK
22-13144	AJC/Decreed	01/22/1916	3.6 cfs	N/A	N/A	153.6	SOUTH LEIGH CREEK

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>
22-13160	NO	NO	YES	NO	NO	NO
22-42	NO	NO	YES	NO	NO	NO
22-616	NO	NO	YES	NO	NO	NO
22-160	NO	NO	YES	NO	NO	NO
22-545	NO	NO	YES	NO	NO	NO
22-13148	NO	NO	YES	NO	NO	NO
22-13144	NO	NO	YES	NO	NO	NO

SUPPORT DATA
 IN FILE # 22-42

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
22-13160	22-13160	0.63 cfs	N/A	40.0	1,006.9		N/A	N/A	N/A	N/A
22-42	22-42	0.80 cfs	N/A	40.0	1,006.9		N/A	N/A	N/A	N/A
22-616	22-616	8.00 cfs	N/A	400.0	1,006.9		N/A	N/A	N/A	N/A
22-160	22-160	3.20 cfs	N/A	160.0	1,006.9		N/A	N/A	N/A	N/A
22-545	22-545	1.80 cfs	N/A	90.0	1,006.9		N/A	N/A	N/A	N/A
22-13148	22-13148	2.90 cfs	N/A	153.6	1,006.9		N/A	N/A	N/A	N/A
22-13144	22-13144	3.60 cfs	N/A	153.6	1,006.9		N/A	N/A	N/A	N/A
COMBINED TOTALS		20.93 cfs		842.5	1006.9		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21ST day of November, 20 07

Chief, Water Allocation Bureau

WATER RIGHT NO. 22-42
As Modified by Transfer No. 74019

In accordance with the approval of Transfer No. 74019, Water Right No. 22-42 is now described as follows.

Right Holder: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

Priority Date: January 22, 1916

Source: SOUTH LEIGH CREEK **Tributary:** TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	0.80 CFS
			0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH LEIGH CREEK L1 (NENWNE) Sec. 32 Twp 06N Rge 46E TETON 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	
06N 45E 25													14.0	27.0	39.0	37.0	117.0
06N 45E 36	39.0		21.0	25.0			7.6	21.0	40.0					39.0			192.6
06N 46E 30									22.0	24.0	32.0	37.0	34.0	26.0	39.0	39.0	253.0
										L 3	L 4						
06N 46E 31	40.0	40.0	38.0	22.0	40.0	38.0	26.0	35.0									279.0
						L 1	L 2										
06N 46E 32		14.0	28.0		32.0	36.0	14.0	15.0					25.0	1.3			165.3
		L 1	L 2										L 3	L 4			

Total Acres: 1006.9

CONDITIONS OF APPROVAL

1. Water is delivered through Killpack Pipeline.
2. The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 6 NESENE (L2), 6PM. The point of diversion shown above is where the conveyance system enters Idaho.
3. The quantity of water diverted under this water right shall be from the portion awarded to IDAHO and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

WATER RIGHT NO. 22-42
As Modified by Transfer No. 74019

4. This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.
5. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. 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 lands above.
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. 01.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. 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).
12. Rights 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 688.9 acres.
13. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 736.3 acres.
14. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160, 22-13144, 22-13148, 22-130B, 22-481A, 22-482A, 22-483A, 22-2029D, 22-130D, 22-136C, 22-515B, 22-516B and 22-517B when combined shall not exceed a total diversion rate of 32.31 cfs and the irrigation of 1006.9 acres.

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 21st day of November, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-160
As Modified by Transfer No. 74019

In accordance with the approval of Transfer No. 74019, Water Right No. 22-160 is now described as follows.

Right Holder: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: June 01, 1891

Source: SOUTH LEIGH CREEK **Tributary:** TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	3.20 CFS
			3.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH LEIGH CREEK L1 (NENWNE) Sec. 32 Twp 06N Rge 46E TETON 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	
06N 45E 25													14.0	27.0	39.0	37.0	117.0
06N 45E 36	39.0		21.0	25.0			7.6	21.0	40.0					39.0			192.6
06N 46E 30									22.0	24.0	32.0	37.0	34.0	26.0	39.0	39.0	253.0
										L 3	L 4						
06N 46E 31	40.0	40.0	38.0	22.0	40.0	38.0	26.0	35.0									279.0
						L 1	L 2										
06N 46E 32		14.0	28.0		32.0	36.0	14.0	15.0					25.0	1.3			165.3
		L 1	L 2										L 3	L 4			

Total Acres: 1006.9

CONDITIONS OF APPROVAL

1. Water is delivered through Killpack Pipeline.
2. The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 6 NESENE (L2), 6PM. The point of diversion shown above is where the conveyance system enters Idaho.
3. The quantity of water diverted under this water right shall be from the portion awarded to IDAHO and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

WATER RIGHT NO. 22-42
As Modified by Transfer No. 74019

4. This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.
5. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. 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 lands above.
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. 01.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. 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).
12. Rights 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 688.9 acres.
13. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 736.3 acres.
14. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160, 22-13144, 22-13148, 22-130B, 22-481A, 22-482A, 22-483A, 22-2029D, 22-130D, 22-136C, 22-515B, 22-516B and 22-517B when combined shall not exceed a total diversion rate of 32.31 cfs and the irrigation of 1006.9 acres.

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 21st day of November, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-545
As Modified by Transfer No. 74019

In accordance with the approval of Transfer No. 74019, Water Right No. 22-545 is now described as follows.

Right Holder: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: June 01, 1896

Source: SOUTH LEIGH CREEK **Tributary:** TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	1.80 CFS
			1.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH LEIGH CREEK L1 (NENWNE) Sec. 32 Twp 06N Rge 46E TETON 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	
06N 45E 25													14.0	27.0	39.0	37.0	117.0
06N 45E 36	39.0		21.0	25.0			7.6	21.0	40.0					39.0			192.6
06N 46E 30									22.0	24.0	32.0	37.0	34.0	26.0	39.0	39.0	253.0
										L 3	L 4						
06N 46E 31	40.0	40.0	38.0	22.0	40.0	38.0	26.0	35.0									279.0
						L 1	L 2										
06N 46E 32		14.0	28.0		32.0	36.0	14.0	15.0					25.0	1.3			165.3
		L 1	L 2										L 3	L 4			

Total Acres: 1006.9

CONDITIONS OF APPROVAL

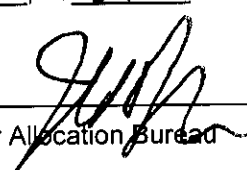
1. Water is delivered through Killpack Pipeline.
2. The quantity of water diverted under this water right shall be from the portion awarded to IDAHO and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).
3. The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 6 NESENE (L2), 6PM. The point of diversion shown above is where the conveyance system enters Idaho.

WATER RIGHT NO. 22-42
As Modified by Transfer No. 74019

4. This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.
5. This right is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. 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 lands above.
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. 01.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. 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).
12. Rights 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 688.9 acres.
13. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 736.3 acres.
14. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160, 22-13144, 22-13148, 22-130B, 22-481A, 22-482A, 22-483A, 22-2029D, 22-130D, 22-136C, 22-515B, 22-516B and 22-517B when combined shall not exceed a total diversion rate of 32.31 cfs and the irrigation of 1006.9 acres.

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 21ST day of November, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-616
As Modified by Transfer No. 74019

In accordance with the approval of Transfer No. 74019, Water Right No. 22-616 is now described as follows.

Right Holder: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: January 22, 1916

Source: SOUTH LEIGH CREEK

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	8.00 CFS
			8.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH LEIGH CREEK L1 (NENWNE) Sec. 32 Twp 06N Rge 46E TETON 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	
06N 45E 25													14.0	27.0	39.0	37.0	117.0
06N 45E 36	39.0		21.0	25.0			7.6	21.0	40.0					39.0			192.6
06N 46E 30									22.0	24.0	32.0	37.0	34.0	26.0	39.0	39.0	253.0
										L 3	L 4						
06N 46E 31	40.0	40.0	38.0	22.0	40.0	38.0	26.0	35.0									279.0
						L 1	L 2										
06N 46E 32		14.0	28.0		32.0	36.0	14.0	15.0					25.0	1.3			165.3
		L 1	L 2										L 3	L 4			

Total Acres: 1006.9

CONDITIONS OF APPROVAL

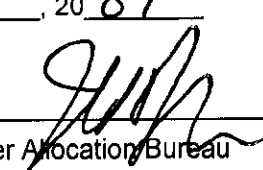
1. This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.
2. The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 6 NESENE (L2), 6PM. The point of diversion shown above is where the conveyance system enters Idaho.
3. The quantity of water diverted under this water right shall be from the portion awarded to IDAHO and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

WATER RIGHT NO. 22-42
As Modified by Transfer No. 74019

4. Water is delivered through Killpack Pipeline.
5. This right is limited to the irrigation of 400 acres within the place of use described above in a single irrigation season.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. 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 lands above.
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. 01.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. 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).
12. Rights 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 688.9 acres.
13. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 736.3 acres.
14. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160, 22-13144, 22-13148, 22-130B, 22-481A, 22-482A, 22-483A, 22-2029D, 22-130D, 22-136C, 22-515B, 22-516B and 22-517B when combined shall not exceed a total diversion rate of 32.31 cfs and the irrigation of 1006.9 acres.

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 21st day of November, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13160
As Modified by Transfer No. 74019

In accordance with the approval of Transfer No. 74019, Water Right No. 22-13160 is now described as follows.

Right Holder: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: January 18, 1905

Source: SOUTH LEIGH CREEK **Tributary:** TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	0.63 CFS
			0.63 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH LEIGH CREEK L1 (NENWNE) Sec. 32 Twp 06N Rge 46E TETON 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	
06N 45E 25													14.0	27.0	39.0	37.0	117.0
06N 45E 36	39.0		21.0	25.0			7.6	21.0	40.0					39.0			192.6
06N 46E 30									22.0	24.0	32.0	37.0	34.0	26.0	39.0	39.0	253.0
										L 3	L 4						
06N 46E 31	40.0	40.0	38.0	22.0	40.0	38.0	26.0	35.0									279.0
						L 1	L 2										
06N 46E 32		14.0	28.0		32.0	36.0	14.0	15.0					25.0	1.3			165.3
		L 1	L 2										L 3	L 4			

Total Acres: 1006.9

CONDITIONS OF APPROVAL

1. This right is a split from former right 22-208.
2. Water is delivered through Killpack Pipeline.
3. The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 6 NESENE (L2), 6PM. The point of diversion shown above is where the conveyance system enters Idaho.
4. This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

WATER RIGHT NO. 22-42
As Modified by Transfer No. 74019

5. The quantity of water diverted under this water right shall be from the portion awarded to IDAHO and deducted there from as set forth in *Roxana Canal Co. v. Daniels*, Equity No. 2447 (D. Wy. Feb. 4, 1941).
6. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. 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 lands above.
9. 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. 01.
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.
12. 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).
13. Rights 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 688.9 acres.
14. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616 and 22-13160 when combined shall not exceed the irrigation of 736.3 acres.
15. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160, 22-13144, 22-13148, 22-130B, 22-481A, 22-482A, 22-483A, 22-2029D, 22-130D, 22-136C, 22-515B, 22-516B and 22-517B when combined shall not exceed a total diversion rate of 32.31 cfs and the irrigation of 1006.9 acres.

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 21st day of November, 2007



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13144
As Modified by Transfer No. 74019

In accordance with the approval of Transfer No. 74019, Water Right No. 22-13144 is now described as follows.

Right Holder: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: January 22, 1916

Source: SOUTH LEIGH CREEK

Tributary: TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	3.60 CFS
			3.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH LEIGH CREEK	L2 (SWNW)	Sec. 31 Twp 06N	Rge 46E	TETON County
SOUTH LEIGH CREEK	L2 (SWNW)	Sec. 31 Twp 06N	Rge 46E	TETON County
SOUTH LEIGH CREEK	NWNWSW	Sec. 32 Twp 06N	Rge 46E	TETON 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	
06N 45E 25													14.0	27.0	39.0	37.0	117.0
06N 45E 36	39.0		21.0	25.0			7.6	21.0	40.0					39.0			192.6
06N 46E 30									22.0	24.0	32.0	37.0	34.0	26.0	39.0	39.0	253.0
										L 3	L 4						
06N 46E 31	40.0	40.0	38.0	22.0	40.0	38.0	26.0	35.0									279.0
						L 1	L 2										
06N 46E 32		14.0	28.0		32.0	36.0	14.0	15.0						25.0	1.3		165.3
		L 1	L 2											L 3	L 4		

Total Acres: 1006.9

CONDITIONS OF APPROVAL

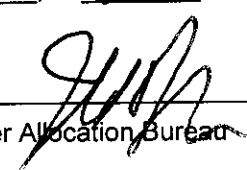
1. Water is delivered through Desert Ditch, South Beard Ditch and or North Beard Ditch.
2. This right is a split from former right 22-615A.
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

WATER RIGHT NO. 22-42
As Modified by Transfer No. 74019

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 lands above.
5. 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. 01.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.
8. 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).
9. Rights 22-13144 and 22-13148 when combined shall not exceed the irrigation of 153.6 acres.
10. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160, 22-13144, 22-13148, 22-130B, 22-481A, 22-482A, 22-483A, 22-2029D, 22-130D, 22-136C, 22-515B, 22-516B and 22-517B when combined shall not exceed a total diversion rate of 32.31 cfs and the irrigation of 1006.9 acres.

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 21ST day of November, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13148
As Modified by Transfer No. 74019

In accordance with the approval of Transfer No. 74019, Water Right No. 22-13148 is now described as follows.

Right Holder: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
 C/O HOLDEN KIDWELL HAHN & CRAPO
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: January 18, 1905

Source: SOUTH LEIGH CREEK **Tributary:** TETON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	2.90 CFS
			2.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH LEIGH CREEK	L2 (SWNW)	Sec. 31 Twp 06N	Rge 46E	TETON County
SOUTH LEIGH CREEK	L2 (SWNW)	Sec. 31 Twp 06N	Rge 46E	TETON County
SOUTH LEIGH CREEK	NWNWSW	Sec. 32 Twp 06N	Rge 46E	TETON 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	
06N	45E	25													14.0	27.0	39.0	37.0	117.0
06N	45E	36	39.0		21.0	25.0			7.6	21.0	40.0					39.0			192.6
06N	46E	30									22.0	24.0	32.0	37.0	34.0	26.0	39.0	39.0	253.0
												L 3	L 4						
06N	46E	31	40.0	40.0	38.0	22.0	40.0	38.0	26.0	35.0									279.0
								L 1	L 2										
06N	46E	32		14.0	28.0		32.0	36.0	14.0	15.0					25.0	1.3			165.3
				L 1	L 2										L 3	L 4			

Total Acres: 1006.9

CONDITIONS OF APPROVAL

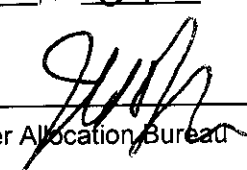
1. Water is delivered through Desert Ditch, South Beard Ditch and or North Beard Ditch.
2. This right is a split from former right 22-208A.
3. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

WATER RIGHT NO. 22-42
As Modified by Transfer No. 74019

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 lands above.
5. 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. 01.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.
8. 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).
9. Rights 22-13144 and 22-13148 when combined shall not exceed the irrigation of 153.6 acres.
10. Rights 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160, 22-13144, 22-13148, 22-130B, 22-481A, 22-482A, 22-483A, 22-2029D, 22-130D, 22-136C, 22-515B, 22-516B and 22-517B when combined shall not exceed a total diversion rate of 32.31 cfs and the irrigation of 1006.9 acres.

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 21ST day of November, 20 07



Chief, Water Allocation Bureau