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DEPARTMENT OF WATER RESOURCESTransfer No. 74019APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Boyd C. and Jill J. Smith Trust Phone (208) 523-0620Post Office address c/o Holden Kidwell Hahn & Crapo, P.O. Box 50130, Idaho Falls, ID 83405

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Create a permissible place of use encompassing
properties owned by the applicant. This transfer is appurtenant to the
South Leigh Creek water rights.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>SEE</u>				to _____
<u>ATTACHMENT</u>				to _____
<u>"A"</u>				to _____
				to _____

1. Total amount of water being transferred 20.93 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water South Leigh Creek tributary to Teton River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	NW	NE	32	6N	46E	Teton	Pt. of entry into Idaho; POD is in Wyoming, T44N, R118W, Sec. 6, NESENE
		SW	NW	31	6N	46E	Teton	
		SW	NW	31	6N	46E	Teton	
	NW	NW	SW	32	6N	46E	Teton	

5. Lands irrigated or place of use: See Attachment "B"

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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PART 1

6. General Information:

- a. Description of diversion system Diversion from creek to PVC pipeline serving
center pivots and other sprinkler systems. Booster pumps at center pivots.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract
agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change.
- d. Remarks:
Transfer application is based upon final SRBA recommendations.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19_____.

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ATTACHMENT "A"

PART 1.B.1. Description of right(s), or portion thereof, after the requested change.

Transfer #2 - South Leigh Creek rights

NO OPTION LAND INCLUDED

Revised transfers August 2007

WR Number		Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use From To	
Group 1	22-42	1/22/1916	0.80 cfs	Irrigation	4/15	10/31
	22-160	6/1/1891	3.20 cfs	Irrigation	4/15	10/31
	22-545	6/1/1896	1.80 cfs	Irrigation	4/15	10/31
	22-616	1/22/1916	8.00 cfs	Irrigation	4/15	10/31
	22-13160	1/1/1905	0.630 cfs	Irrigation	4/15	10/31
Gp 5	22-13144	1/22/1916	3.60 cfs	Irrigation	4/15	10/31
	22-13148	1/18/1905	2.90 cfs	Irrigation	4/15	10/31
Total Group 1			14.43 cfs	688.9 acres		
Total Group 5			6.50 cfs	153.6 acres		
TOTAL ALL RIGHTS			20.93 cfs	842.5 acres		
			2948.8 acre-ft/year			

Note: Water right groups refer to the groupings made by IDWR for the SRBA recommendations.

ATTACHMENT "B"**PART 1.B.5. Description of Irrigation PPU**

Transfer #2 - South Leigh Creek rights

Revised transfers August 2007

NO OPTION LAND INCLUDED

Twp	Rge	Sec	Qtr	Qtr	PPU Description*
6N	45E	25	NE	SE	14
				NW	27
			SW	SE	39
				SE	37
		36	NE	NE	39
				SW	21
			SE	NE	25
				NW	21
			SW	NW	7.6
				NE	40
			NW	SE	39
				SW	22
6N	46E	30	NE	SW	22
				NW	24
			SW	SW	32
				SE	37
			NE	SE	34
				NW	26
			SW	SE	39
				SE	39
		31	NE	NE	40
				NW	40
			SW	NE	38
				SE	22
			NE	NW	40
				NW	38
			SW	NW	26
				SE	35
		32	NW	NE	14
				SW	28
			NE	NW	32
				NW	36
			SW	NW	14
				SE	15
			NW	SE	25
				SW	1.3

Total PPU area 1006.9

Irrigated acreage allowed within PPU in any
single irrigation season: 842.5(All rights on ranch limited to 1006.9 acres
in combination)

* SRBA recommended acres - all rights

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2 – ADDITIONAL INFORMATION

Current Water Right Nos.: 22-42, 22-160, 22-545, 22-616, 22-13160, 22-13144,
22-13148

Documentation of Ownership of the Current Place of Use:

Adjudication recommendations

To your knowledge, has any portion of the water right undergone a period of five (5) or more consecutive years of non-use?

No.

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Group 1

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11/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-42

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

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.800 CFS

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).

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R46E S32 NENWNE Lot 1 Within TETON County
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.

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		04/15 10/31		0.800 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>				
	T06N R45E S36 NENE	39.00	T06N R46E S30 NESW	3.60	
	T06N R46E S30 Lot 3 NWSW	7.00	T06N R46E S30 Lot 4 SWSW	32.00	
	T06N R46E S30 SESW	37.00	T06N R46E S30 NESE	34.00	
	T06N R46E S30 NWSE	14.00	T06N R46E S30 SWSE	39.00	
	T06N R46E S30 SESE	39.00	T06N R46E S31 NENE	40.00	
	T06N R46E S31 NWNE	40.00	T06N R46E S31 SWNE	38.00	
	T06N R46E S31 SENE	22.00	T06N R46E S31 NENW	40.00	
	T06N R46E S31 Lot 1 NWNW	38.00	T06N R46E S31 Lot 2 SWNW	26.00	
	T06N R46E S31 SENW	35.00	T06N R46E S32 Lot 1 NWNE	14.00	
	T06N R46E S32 Lot 2 SWNE	28.00	T06N R46E S32 NENW	32.00	
	T06N R46E S32 NWNW	36.00	T06N R46E S32 SWNW	14.00	
	T06N R46E S32 SENW	15.00	T06N R46E S32 Lot 3 NWSE	25.00	
	T06N R46E S32 Lot 4 SWSE	1.30			

688.9 ACRES TOTAL

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 688.9 acres in a single irrigation season. Combined Right Nos.: 22-42, 22-160, 22-545, 22-616, 22-13160.

The rights listed below are limited to the irrigation of a combined total of 736.3 acres in a single irrigation season. Combined Right Nos.: 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160.

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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Killpack Pipeline.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-160

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

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 3.200 CFS

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).

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T06N R46E S32 NENWNE Lot 1 Within TETON County
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.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>	
IRRIGATION		04/15	10/31	3.200 CFS	
PLACE OF USE:	<u>IRRIGATION in TETON County</u>				
T06N R45E S36	NENE	39.00	T06N R46E S30	NESW	3.60
T06N R46E S30 Lot 3	NWSW	7.00	T06N R46E S30 Lot 4	SWSW	32.00
T06N R46E S30	SESW	37.00	T06N R46E S30	NESE	34.00
T06N R46E S30	NWSE	14.00	T06N R46E S30	SWSE	39.00
T06N R46E S30	SESE	39.00	T06N R46E S31	NENE	40.00
T06N R46E S31	NWNE	40.00	T06N R46E S31	SWNE	38.00
T06N R46E S31	SENE	22.00	T06N R46E S31	NENW	40.00
T06N R46E S31 Lot 1	NWNW	38.00	T06N R46E S31 Lot 2	SWNW	26.00
T06N R46E S31	SENW	35.00	T06N R46E S32 Lot 1	NWNE	14.00
T06N R46E S32 Lot 2	SWNE	28.00	T06N R46E S32	NENW	32.00
T06N R46E S32	NWNW	36.00	T06N R46E S32	SWNW	14.00
T06N R46E S32	SENW	15.00	T06N R46E S32 Lot 3	NWSE	25.00
T06N R46E S32 Lot 4	SWSE	1.30			

688.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 688.9 acres in a single irrigation season. Combined Right Nos.: 22-42, 22-160, 22-545, 22-616, 22-13160.

The rights listed below are limited to the irrigation of a combined total of 736.3 acres in a single irrigation season. Combined Right Nos.: 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160.

This right is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through Killpack Pipeline.

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11/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-545

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

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 1.800 CFS

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).

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION:

T06N R46E S32 NENWNE Lot 1 Within TETON County
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.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	1.800 CFS

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S36	NENE	39.00	T06N R46E S30	NESW	3.60
T06N R46E S30 Lot 3	NWSW	7.00	T06N R46E S30 Lot 4	SWSW	32.00
T06N R46E S30	SESW	37.00	T06N R46E S30	NESE	34.00
T06N R46E S30	NWSE	14.00	T06N R46E S30	SWSE	39.00
T06N R46E S30	SESE	39.00	T06N R46E S31	NENE	40.00
T06N R46E S31	NWNE	40.00	T06N R46E S31	SWNE	38.00
T06N R46E S31	SENE	22.00	T06N R46E S31	NENW	40.00
T06N R46E S31 Lot 1	NWNW	38.00	T06N R46E S31 Lot 2	SWNW	26.00
T06N R46E S31	SENW	35.00	T06N R46E S32 Lot 1	NWNE	14.00
T06N R46E S32 Lot 2	SWNE	28.00	T06N R46E S32	NENW	32.00
T06N R46E S32	NWNW	36.00	T06N R46E S32	SWNW	14.00
T06N R46E S32	SENW	15.00	T06N R46E S32 Lot 3	NWSE	25.00
T06N R46E S32 Lot 4	SWSE	1.30			

688.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 688.9 acres in a single irrigation season. Combined Right Nos.: 22-42, 22-160, 22-545, 22-616, 22-13160.

This right is limited to the irrigation of 90.0 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 736.3 acres in a single irrigation season. Combined Right Nos.: 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Killpack Pipeline.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-616

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

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 8.000 CFS

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).

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T06N R46E S32 NENWNE Lot 1 Within TETON County
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.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
IRRIGATION		04/15	10/31	8.000 CFS
PLACE OF USE:	<u>IRRIGATION in TETON County</u>			
T06N R45E S36	NENE	39.00	T06N R46E S30	NESW 3.60
T06N R46E S30 Lot 3	NWSW	7.00	T06N R46E S30 Lot 4	SWSW 32.00
T06N R46E S30	SESW	37.00	T06N R46E S30	NESE 34.00
T06N R46E S30	NWSE	14.00	T06N R46E S30	SWSE 39.00
T06N R46E S30	SESE	39.00	T06N R46E S31	NENE 40.00
T06N R46E S31	NWNE	40.00	T06N R46E S31	SWNE 38.00
T06N R46E S31	SENE	22.00	T06N R46E S31	NENW 40.00
T06N R46E S31 Lot 1	NWNW	38.00	T06N R46E S31 Lot 2	SWNW 26.00
T06N R46E S31	SENW	35.00	T06N R46E S32 Lot 1	NWNE 14.00
T06N R46E S32 Lot 2	SWNE	28.00	T06N R46E S32	NENW 32.00
T06N R46E S32	NWNW	36.00	T06N R46E S32	SWNW 14.00
T06N R46E S32	SENW	15.00	T06N R46E S32 Lot 3	NWSE 25.00
T06N R46E S32 Lot 4	SWSE	1.30		

688.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 736.3 acres in a single irrigation season. Combined Right Nos.: 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160.

This right is limited to the irrigation of 400 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 688.9 acres in a single irrigation season. Combined Right Nos.: 22-42, 22-160, 22-545, 22-616, 22-13160.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Killpack Pipeline.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13160

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

SOURCE: SOUTH LEIGH CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.630 CFS

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).

PRIORITY DATE: 01/18/1905

POINT OF DIVERSION:

T06N R45E S32 NENWNE Lot 1 Within TETON County
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.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE		QUANTITY
	04/15	10/31	
IRRIGATION			0.630 CFS
PLACE OF USE: <u>IRRIGATION in TETON County</u>			
T06N R45E S36 NENE	39.00	T06N R46E S30 NESW	3.60
T06N R46E S30 Lot 3 NWSW	7.00	T06N R46E S30 Lot 4 SWSW	32.00
T06N R46E S30 SESW	37.00	T06N R46E S30 NESE	34.00
T06N R46E S30 NWSE	14.00	T06N R46E S30 SWSE	39.00
T06N R46E S30 SESE	39.00	T06N R46E S31 NENE	40.00
T06N R46E S31 NWNE	40.00	T06N R46E S31 SWNE	38.00
T06N R46E S31 SENE	22.00	T06N R46E S31 NENW	40.00
T06N R46E S31 Lot 1 NWNW	38.00	T06N R46E S31 Lot 2 SWNW	26.00
T06N R46E S31 SENW	35.00	T06N R46E S32 Lot 1 NWNE	14.00
T06N R46E S32 Lot 2 SWNE	28.00	T06N R46E S32 NENW	32.00
T06N R46E S32 NWNW	36.00	T06N R46E S32 SWNW	14.00
T06N R46E S32 SENW	15.00	T06N R46E S32 Lot 3 NWSE	25.00
T06N R46E S32 Lot 4 SWSE	1.30		

688.9 ACRES TOTAL

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 736.3 acres in a single irrigation season. Combined Right Nos.: 22-312, 22-487C, 22-13016, 22-42, 22-160, 22-545, 22-616, 22-13160.

The rights listed below are limited to the irrigation of a combined total of 688.9 acres in a single irrigation season. Combined Right Nos.: 22-42, 22-160, 22-545, 22-616, 22-13160.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Killpack Pipeline.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 22-208.

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Group 5

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IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13144
NAME AND ADDRESS: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER
QUANTITY: 3.600 CFS
PRIORITY DATE: 01/22/1916
POINT OF DIVERSION: T06N R46E S31 SWNW Lot 2 Within TETON County
T06N R46E S31 SWNW Lot 2 Within TETON County
T06N R46E S32 NWNWSW Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	3.600 CFS

PLACE OF USE:

IRRIGATION in TETON County					
T06N R45E S36	SWNE	21.00	T06N R45E S36	SENE	25.00
T06N R45E S36	SWNW	7.60	T06N R45E S36	SENW	21.00
T06N R45E S36	NESW	40.00	T06N R45E S36	NWSE	39.00

153.6 ACRES TOTAL

Right Nos. 22-13144 and 22-13148 are limited to the irrigation of a combined total of 153.6 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Desert Ditch, South Beard Ditch and or North Beard Ditch.

This right is a split from former right 22-615A.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

RECEIVED
NOV 20 2006

74019

11/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13148
NAME AND ADDRESS: THE BOYD CHARLES SMITH & JILL JOHNSON SMITH TRUST
C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
SOURCE: SOUTH LEIGH CREEK TRIBUTARY: TETON RIVER
QUANTITY: 2.900 CFS
PRIORITY DATE: 01/18/1905
POINT OF DIVERSION: T06N R46E S31 SWNW Lot 2 Within TETON County
T06N R46E S31 SWNW Lot 2 Within TETON County
T06N R46E S32 NWNWSW Within TETON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	2.900 CFS

PLACE OF USE:

IRRIGATION in TETON County					
T06N R45E S36	SWNE	21.00	T06N R45E S36	SENE	25.00
T06N R45E S36	SWNW	7.60	T06N R45E S36	SENW	21.00
T06N R45E S36	NESW	40.00	T06N R45E S36	NWSE	39.00

153.6 ACRES TOTAL

Right Nos. 22-13144 and 22-13148 are limited to the irrigation of a combined total of 153.6 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

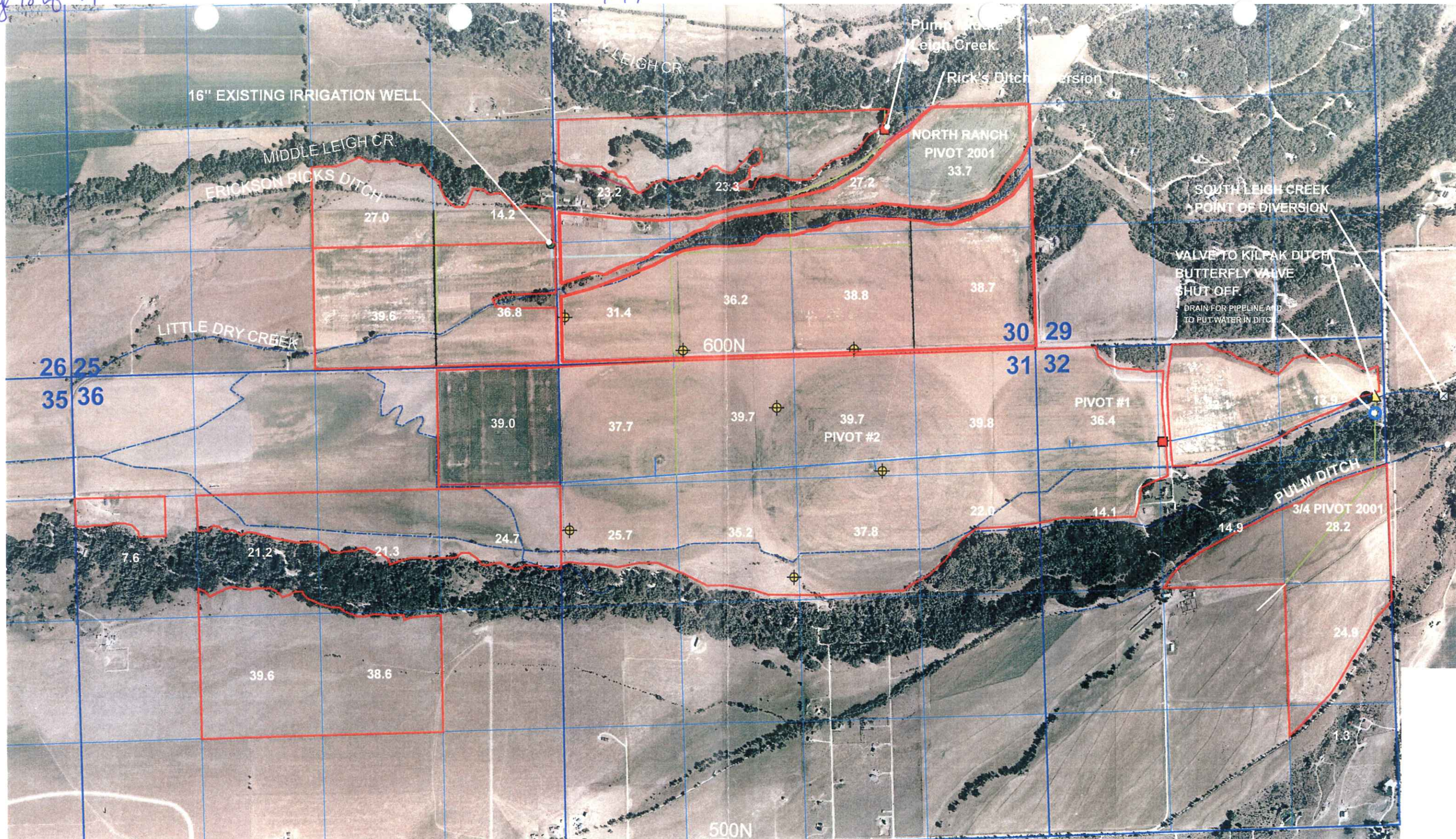
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 22-208A.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Desert Ditch, South Beard Ditch and or North Beard Ditch.



0 500 1,000 2,000
Feet

BROCKWAY ENGINEERING, PLLC.
ALR - AUG. 8, 2007

TETON RANCH / BOYD C & JILL J. SMITH TRUST
MAP FOR TRANSFER & GW PERMIT APPLICATIONS
Aeriographics Photo 8/2003

- | | | |
|--|---|---|
| PPU Boundary for Transfer | ● Wells.shp | — Pvc pipe 8in.shp |
| ⊕ Proposed New Irrigation Wells (Approx. Location) | ▲ Valve.shp | — Pvc pipe 18in.shp |
| ● Butterfly valve.shp | — New mainline.shp | — Ditch.shp |
| ⊗ Diversions.shp | — 8" W/Rissers.shp | — T. 06N. R. 46E |
| ■ Pump.shp | — Sections.shp | — Pvc pipe 6in.shp |
| | | Ppu by 40.shp |



PART 3**B. CHANGES IN NATURE OF USE**

- | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|------------------------------|------------------------|----------------------|
| _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ to _____ |
- Quantity and quality of return flows and location of discharge:
None
- Describe the effects on other water uses resulting from the proposed change:
None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

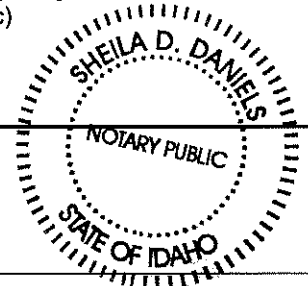
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 7th day of August, 2007.

Chad Blum
(Signature of Applicant)

Sheila D. Daniels
(Notary Public)

My commission expires Aug. 6, 2013

**FOR DEPARTMENT USE ONLY**

Transfer contains 19 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee 1030

Receipted by SC Date 5/4/10 EO 31868

Published in Teton Valley News - Statewide Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____