

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 67922

This is to certify that: GLEN CRAIG SMITH
 155 E 2069 S
 OAKLEY ID 83346
 (208)862-3358

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>
45-581C	AJC/Decreed	12/31/1879	0.40 cfs			51.0	MILL CREEK, SPRING CREEK
45-582C	AJC/Decreed	05/01/1884	0.30 cfs			51.0	MILL CREEK, SPRING CREEK
45-685	AJC/Decreed	12/31/1879	0.02 cfs			1.5	MILL CREEK, SPRING 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>
45-581C	NO	YES	YES	NO	NO	NO
45-582C	NO	YES	YES	NO	NO	NO
45-685	NO	YES	YES	YES	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>
45-581C	45-581C	0.40 cfs	N/A	51.0	52.5					
45-582C	45-582C	0.30 cfs	N/A	51.0	52.5					
45-685	45-685	0.02 cfs	N/A	1.5	52.5					
COMBINED										
TOTALS		0.72 cfs		52.5	52.5					

SUPPORT DATA

IN FILE # 45-581C

Detailed Water Right Description(s) attached

Dated this 13th day of January, 2005


 Chief, Water Allocation Bureau

SCANNED

MAK 11-2005

WATER RIGHT NO. 45-581C
As Modified by Transfer No. 67922

In accordance with the approval of Transfer No. 67922, Water Right No. 45-581C is now described as follows.

Right Holder: VICKIE SMITH AND
 GLEN CRAIG SMITH
 155 E 2069 S
 OAKLEY ID 83346

Priority Date: December 31, 1879

Source: MILL CREEK
 SPRING CREEK

Tributary: SINKS
 MILL CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to	12/31	0.05 CFS
IRRIGATION	03/15 to	11/15	<u>0.40 CFS</u>
			0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING CREEK	SENESEW	Sec. 3	Twp 14S	Rge 23E	CASSIA County
MILL CREEK	SENESEW	Sec. 3	Twp 14S	Rge 23E	CASSIA County
(Rediversion)					
MILL CREEK	NENWSW	Sec. 3	Twp 14S	Rge 23E	CASSIA County
(Rediversion)					
SPRING CREEK	NENWSW	Sec. 3	Twp 14S	Rge 23E	CASSIA County
MILL CREEK	NESWSE	Sec. 3	Twp 14S	Rge 23E	CASSIA County
(Injection)					
MILL CREEK	SWSENE	Sec. 10	Twp 14S	Rge 23E	CASSIA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	23E	3											X						
14S	23E	4			X	X													

SCANNED

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WATER RIGHT NO. 45-581C
As Modified by Transfer No. 67922

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	
14S 23E 3											1.5						1.5
14S 23E 4			13.0	38.0													51.0

Total Acres: 52.5

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
2. Approval of Transfer 67922 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 45-A.
4. This right is limited to the irrigation of 51 acres within the place of use described above in a single irrigation season.
5. Rights 45-581C and 45-582C when combined shall not exceed irrigation of 51 acres.
6. The stockwater use authorized under this right shall not exceed 2.7 afa.
7. The total instantaneous diversion of water from all points of diversion under Rights 45-581C, 45-582C and 45-685 shall not exceed 0.72 cfs.
8. During times of low flow when the quantity of water is not sufficient to fill all the December 31, 1879 priority rights from the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, the practice of delivery by rotation among individual appropriators within groups of water users may occur by agreement of the parties, or according to common practice and usage, provided that no water right user shall be denied the right to receive water on a continuous flow basis by reason of this decree.
9. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

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WATER RIGHT NO. 45-581C
As Modified by Transfer No. 67922

10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
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 13th day of January, 2005


Chief, Water Allocation Bureau

SCANNED
MAR 14 2005

WATER RIGHT NO. 45-582C
As Modified by Transfer No. 67922

In accordance with the approval of Transfer No. 67922, Water Right No. 45-582C is now described as follows.

Right Holder: GLEN CRAIG SMITH AND
 VICKIE SMITH
 155 E 2069 S
 OAKLEY ID 83346

Priority Date: May 01, 1884

Source: MILL CREEK
 SPRING CREEK

Tributary: SINKS
 MILL CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.30 CFS
			0.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING CREEK	SENESEW	Sec. 3 Twp 14S Rge 23E CASSIA County
MILL CREEK	SENESEW	Sec. 3 Twp 14S Rge 23E CASSIA County
(Rediversion)		
MILL CREEK	NENWSW	Sec. 3 Twp 14S Rge 23E CASSIA County
(Rediversion)		
SPRING CREEK	NENWSW	Sec. 3 Twp 14S Rge 23E CASSIA County
MILL CREEK	NESWSE	Sec. 3 Twp 14S Rge 23E CASSIA County
(Injection)		
MILL CREEK	SWSENE	Sec. 10 Twp 14S Rge 23E CASSIA 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	
14S	23E	3																	1.5
14S	23E	4			13.0	38.0													51.0

Total Acres: 52.5

SCANNED
 MAY 16 2006

WATER RIGHT NO. 45-582C
As Modified by Transfer No. 67922

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
2. Approval of Transfer 67922 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 45-A.
4. This right is limited to the irrigation of 51 acres within the place of use described above in a single irrigation season.
5. Rights 45-581C and 45-582C when combined shall not exceed irrigation of 51 acres.
6. The total instantaneous diversion of water from all points of diversion under Rights 45-581C, 45-582C and 45-685 shall not exceed 0.72 cfs.
7. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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WATER RIGHT NO. 45-582C
As Modified by Transfer No. 67922

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.

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 13th day of January, 2005


Chief, Water Allocation Bureau

SCANNED
MAR 11 6 2005

WATER RIGHT NO. 45-685
As Modified by Transfer No. 67922

In accordance with the approval of Transfer No. 67922, Water Right No. 45-685 is now described as follows.

Right Holder: GLEN CRAIG SMITH AND
 VICKIE SMITH
 155 E 2069 S
 OAKLEY ID 83346

Priority Date: December 31, 1879

Source: MILL CREEK
 SPRING CREEK

Tributary: SINKS
 MILL CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01 to	12/31	0.01 CFS
IRRIGATION	03/15 to	11/15	<u>0.02 CFS</u>
			0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING CREEK	SENESEW	Sec. 3	Twp 14S	Rge 23E	CASSIA County
MILL CREEK	SENESEW	Sec. 3	Twp 14S	Rge 23E	CASSIA County
(Rediversion)					
MILL CREEK	NENWSW	Sec. 3	Twp 14S	Rge 23E	CASSIA County
(Rediversion)					
SPRING CREEK	NENWSW	Sec. 3	Twp 14S	Rge 23E	CASSIA County
MILL CREEK	NESWSE	Sec. 3	Twp 14S	Rge 23E	CASSIA County
(Injection)					
MILL CREEK	SWSENE	Sec. 10	Twp 14S	Rge 23E	CASSIA County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	23E	3											X						
14S	23E	4			X	X													

SCANNED

WATER RIGHT NO. 45-685
As Modified by Transfer No. 67922

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	
14S 23E 3											1.5						1.5
14S 23E 4			13.0	38.0													51.0

Total Acres: 52.5

CONDITIONS OF APPROVAL

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
2. Approval of Transfer 67922 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 45-A.
4. This right is limited to the irrigation of 1.5 acres within the place of use described above in a single irrigation season.
5. The stockwater use authorized under this right shall not exceed 0.04 afa.
6. The total instantaneous diversion of water from all points of diversion under Rights 45-581C, 45-582C and 45-685 shall not exceed 0.72 cfs.
7. During times of low flow when the quantity of water is not sufficient to fill all the December 31, 1879 priority rights from the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, the practice of delivery by rotation among individual appropriators within groups of water users may occur by agreement of the parties, or according to common practice and usage, provided that no water right user shall be denied the right to receive water on a continuous flow basis by reason of this decree.
8. Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

SCANNED

WATER RIGHT NO. 45-685
As Modified by Transfer No. 67922

9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
12. 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 13th day of January, 2005



Chief, Water Allocation Bureau

SCANNED

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67922

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STATE OF IDAHO

Transfer No. 4206

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Glen Craig Smith Phone 678-3015-W
802-3358-H
Post Office address Rt. 1 Box 140B; Oakley, ID 83346

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create permissible place of use.
2. Describe the reason for the proposed changes Combine the P/D's and P/U's for all rights to allow water from any right to be used at any P/U. to compensate for reduced flow rates late in the irrigation season. Change P/D's to the locations described in B.4.

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 _____
See attached Exhibit B.1 _____ to _____
_____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred .725 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Spring Creek - ~~Mill Creek~~ tributary to Mill Creek.
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
~~SE~~	~~NE~~	~~SW~~	~~3~~	~~145~~	~~23E~~	~~Cassia~~		
~~NE~~	~~SE~~	~~NE~~	~~4~~	~~145~~	~~23E~~	~~"~~		
~~SW~~	~~NW~~	~~SE~~	~~3~~	~~145~~	~~23E~~	~~Cassia~~		PD for home site
~~NE~~	~~NW~~	~~SW~~	~~"~~	~~"~~	~~"~~	~~"~~		PD for 80 in Sec. 4

5. Lands irrigated or place of use:

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	
145	23E	4			13	38													51
		4			S	S													
		3									2.5								2.5
		3									S								

SCANNED

MAY 14 2002

Total acres 53.5

(4206/67922)

PART 1

6. General Information:

- a. Description of diversion system check dams, headgates, weirs and open ditches. Stock are watered directly from open ditches.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes L 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The irrigation potential can be better utilized if water can be interchanged between the rights and combined at different P/U's when necessary.
- d. Remarks:
The current 5 hrs/day rotation for the 2.5 acre parcel is inadequate ~~to~~ in providing a flow sufficient to irrigate the parcel. Smith owns 2.5 acres of the original 8 acres under 45-00685. The other 5.5 acres has not been claimed in SRBA.

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 _____

SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: (Basin Creek Decree)

- a. Decree No. 45-00581 Decreed to TOM C. GORRINGE
in case of A. Kenneth Dunn vs. Kyle Adams, et al
dated 3-27-1987 in 5th Judicial Dist county of Cassia
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Spring Creek-Mill Creek tributary to Mill Creek

4. Date or priority 12-31-1879

5. Water is used for the following purpose:

amount .80 for IRRIGATION purposes from 4-1 to 10-31
(cfs/ac-ft)
amount .09 for Stockwater purposes from 1-1 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	3	14S	23E	Cassia	
		SW	SE	"	"	"	"	
1		NE	NE	4	"	"	Cassia	

8. Lands irrigated or place of use: 10 SE NE 10

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	
13S	23E	33															19		19
14S	23E	4		39	13	38													90
		X																	

Total acres 109

9. Describe any other water rights used for the same purpose as described above

45-00582

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .40 for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .045 for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	3	14S	23E	Cassia	
		NE	NE	4	14S	23E	"	

3. Lands irrigated or place of use:

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	
14S	23E	4			13	38													51

Total acres 51**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount .40 for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .045 for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	10	14S	23E	Cassia	
		NW	SW	3	14S	23E	"	

3. Lands irrigated or place of use:

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	
13S	23E	33															19		19
14S	23E	4			39														39

SCANNED

Total acres 58

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A45-00581C on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Spring Creek - Mill Creek tributary to Mill Creek4. Date or priority 12-31-1899

5. Water is used for the following purpose:

amount .40 cfs for Irrigation purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .40 " for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	3	145	23E	Cassia	
		SW	SE	3	"	"	"	
1		NE	NE	4	"	"	"	

8. Lands irrigated or place of use: SE NE 10

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	
145	23E	4			13	38													51

Total acres 519. Describe any other water rights used for the same purpose as described above 45-00582

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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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APR 14 2006

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: (Basin Creek Decree)
 - a. Decree No. 45-00582 Decreed to Tom C. Gorringer
in case of A. Kenneth Dunn vs. Kyle Adams, et al.
dated 3-27-87 in 5th Judicial Dist. county of Cassia
 - b. License No. _____ issued by the Idaho Department of Water Resources.
 - c. Claim No. _____ on file with the Idaho Department of Water Resources.
 - d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____
3. Source of water Spring Creek - Mill Creek tributary to Mill Creek
4. Date or priority 5-1-1884
5. Water is used for the following purpose:

amount .60 for Irrigation purposes from 4-1 to 10-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
6. Total amount of water under right .60 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	3	14S	23E	Cassia	
		SW	SE	"	"	"	"	
1		NE	NE	4	"	"	"	
		SE	SE	10	"	"	"	

8. Lands irrigated or place of use:

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	
13S	23E	33															19		19
14S	23E	4		39	13	38													90

Total acres 109

9. Describe any other water rights used for the same purpose as described above _____

45-00581

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .30 for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	3	14S	23E	Cassia	
1		NE	NE	4	14S	23E	"	

3. Lands irrigated or place of use:

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	
14S	23E	4			13	38													51

Total acres 51**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount .30 for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .30 for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	3	14S	23E	Cassia	
		SE	SE	10	"	"	"	

3. Lands irrigated or place of use:

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	
13S	23E	33															19		19
14S	23E	4				39													39

Total acres 58

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A45-00582C on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water Spring Creek-Mill Creek tributary to Mill Creek

4. Date or priority 5-1-1884

5. Water is used for the following purpose:

amount .30 for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .30 for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .30 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	3	145	23E	Cassia	
		SW	SE	"	"	"	"	
1		NE	NE	4	"	"	"	

8. Lands irrigated or place of use: SE SE 10

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	
145	23E	4			13	38													51

Total acres 51

9. Describe any other water rights used for the same purpose as described above 45-00581

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

SCANNED

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2.

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 45-00685 Decreed to Mildred Stevenson
 in case of A. Kenneth Dunn vs. Kyle Adams, et al
 dated 3-27-1987 in 5th Judicial Dist. county of Cassia
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☒ Warranty Deed☐ Other _____3. Source of water Spring Creek - Mill Creek tributary to Mill Creek4. Date or priority 12-31-1879

5. Water is used for the following purpose:

amount .08 for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .02 for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .08 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	~~SW~~	NE	SW	3	145	23E	Cassia	
	~~NE~~	SE	NE	10	145	23E	"	

8. Lands irrigated or place of use:

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	
145	23E	3											S 8						8

Total acres 8

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .025 for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .01 for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	3	14S	23E	Cassia	

3. Lands irrigated or place of use:

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	
14S	23E	3											5/25						2.5

Total acres 2.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount .055 for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft)
 amount .01 for Stockwater purposes from 1-1 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	3	14S	23E	Cassia	
		SE	NE	10	"	"	"	

3. Lands irrigated or place of use:

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	
14S	23E	3											5/5						5.5

Total acres 5.5

SCANNED

MAR 11 4 00A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A45-00685 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☒ Warranty Deed☐ Other _____3. Source of water Spring Creek - Mill Creek tributary to Mill Creek4. Date or priority 12-31-1879

5. Water is used for the following purpose:

amount .05 for IRRIGATION purposes from 4-1 to 10-31
(cfs/ac-ft)
amount .02 for Stockwater purposes from 1-1 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .08 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
				<u>3</u>	<u>14S</u>	<u>23E</u>	<u>Cassia</u>	

8. Lands irrigated or place of use:

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	
<u>14S</u>	<u>23E</u>	<u>3</u>											<u>5/25</u>						<u>2.5</u>

Total acres 2.5

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
N/A If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

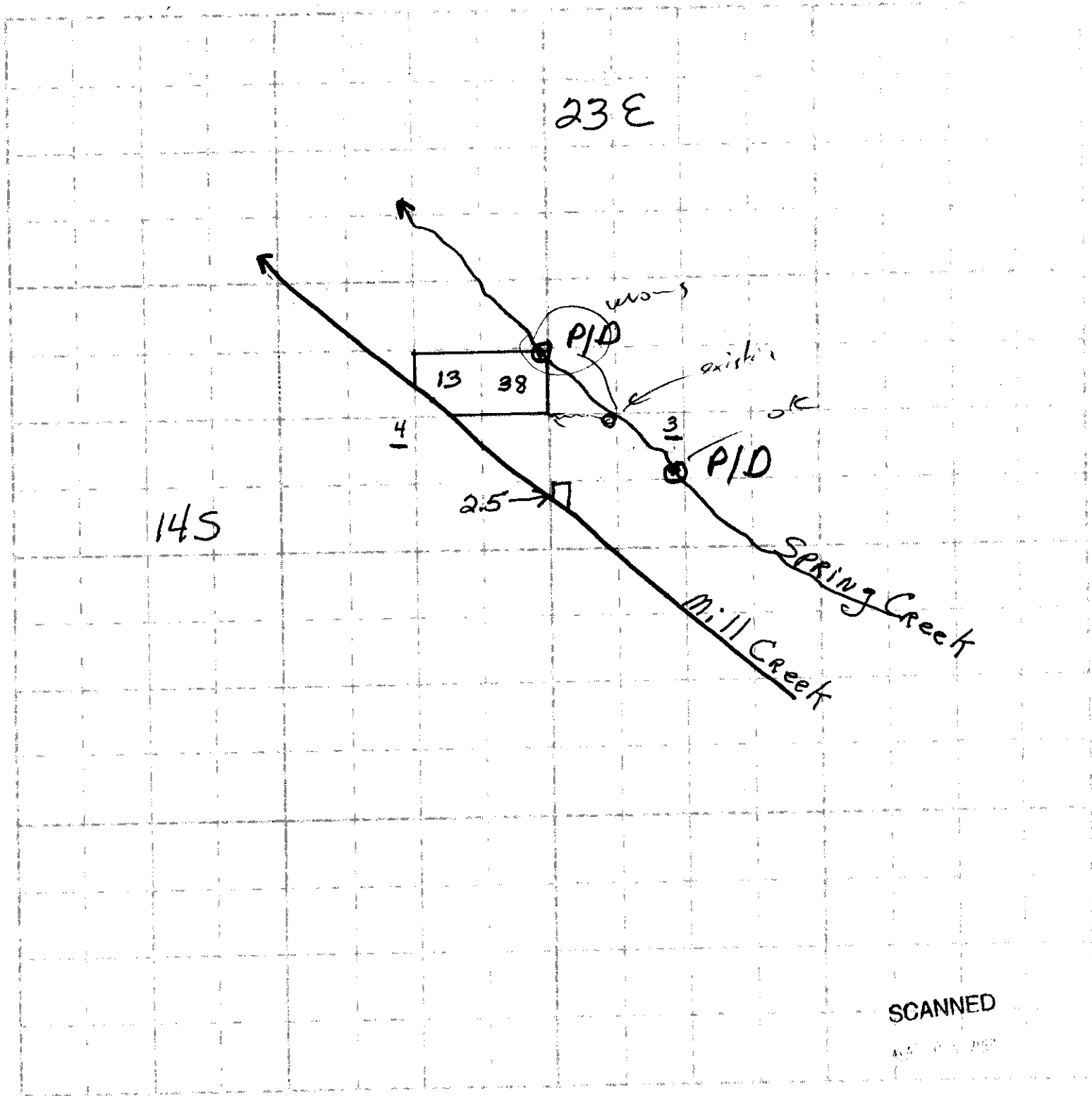
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

SCANNED

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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.

Glen Craig Smith
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of November, 19 92.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/1998

FOR DEPARTMENT USE ONLY

Transfer contains 16 pages and 4 attachments

Received by MTS Date 11-2-92 Protest filed by WD-45A (withdrawn)

Prelim. check by J. E. Stanton Fee \$50.00

Receipted by MTS Date 11-2-92 5015735

Published in So. ID. Press Copies of protest forwarded by _____

Pub. dates 9/13 + 9/20/93 Hearing held by _____ Date _____

Watermaster recommendation requested on 8/31/93 Recommended for ☒ approval ☐ denial

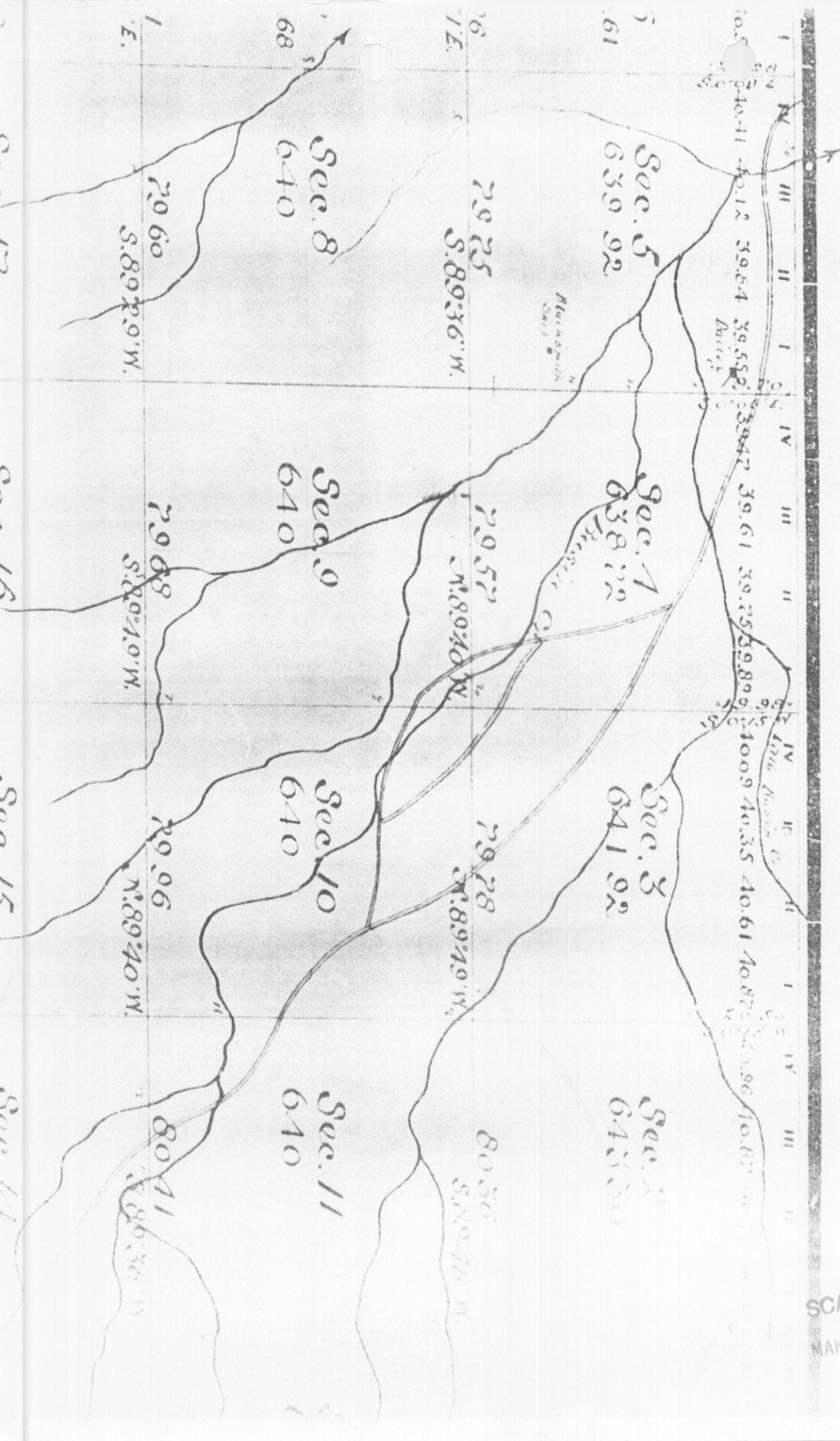
_____ rec'd. 9/8/93 by AD

Copy of transfer sent to lien holder _____

SCANNED

SEP 11 1993

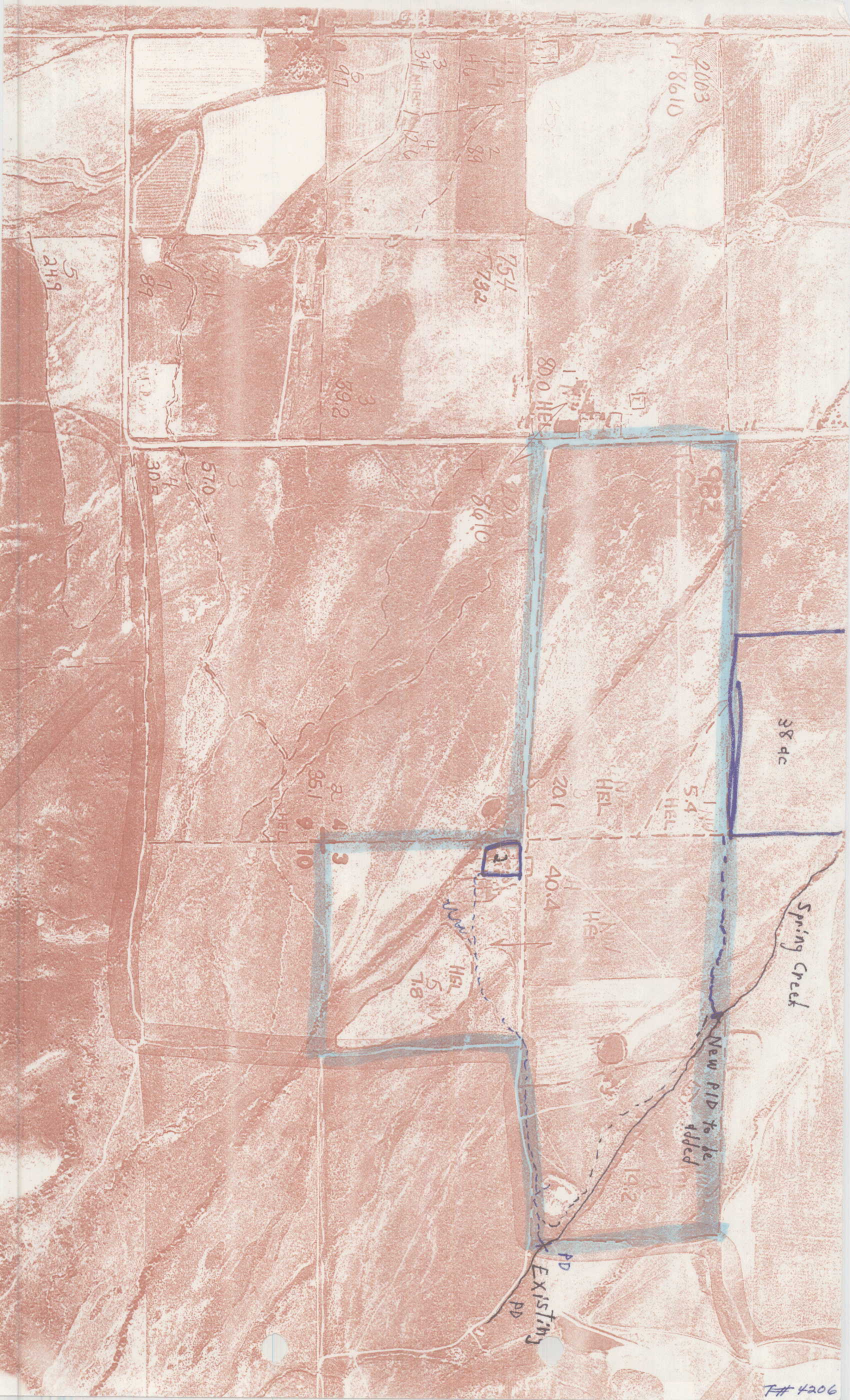
SHIP N^o 14 SOUTH, RANGE N^o 23 EAST, BOUNDARY



SCANNED
MAR 11 4 2005

T# 4206





2003
18610

754
732

800 Hel

982

38 ac

5.4
HEL

20.1
HEL

40.4
HEL

Spring Creek

New PID to be added

19.2

PD

Existing

PD

2003
8610

3
59.2

2
4
3
35.1
9
10

HEL
5
7.8

57.0

30.5

7
89

5
24.9

B.1. DESCRIPTION OF RIGHT (S) OR PORTION THEREOF, AFTER THE CHANGE

<u>RIGHT NUMBER</u>	<u>PRIORITY</u>	<u>AMOUNT</u>	<u>NATURE OF USE</u>	<u>PERIOD OF USE</u>
45-00685 ^B part	12-31-1879	.025CFS .01CFS	IRRIGATION STOCKWATER	4-1 TO 10-31 1-1 TO 12-31
A45-00685 ^B	12-31-1879	.025 ²⁵ CFS .01 ¹ CFS	IRRIGATION STOCKWATER	4-1 TO 10-31 1-1 TO 12-31
45-00581 ^B part	12-31-1879	.40CFS .045 cfs	IRRIGATION Stockwater	4-1 TO 10-31 1-1 TO 12-31
A45-00581C	12-31-1879	.40CFS .40CFS	IRRIGATION STOCKWATER	4-1 TO 10-31 1-1 TO 12-31
45-00582 ^B part	05-01-1884	.30CFS .045	IRRIGATION	4-1 TO 10-31
A45-00582C	05-01-1884	.30CFS ~~.30CFS~~	IRRIGATION ~~STOCKWATER~~	4-1 TO 10-31 ~~1-1 TO 12-31~~

94
9-1-13

SCANNED

444 11 1 1984

T # 4206

ATT. # 1

INDEXED

THIS BLANK FURNISHED BY *Land Title and Escrow, Inc.*

99393

WARRANTY DEED

For Value Received

BRIAN J. SULLIVAN, a single man, and MAUREEN ANN WOHLRAD, a single woman

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
CRAIG SMITH, a single man

Address: Oakley, Idaho 83346

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:

TOWNSHIP 14 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 3: Commencing at a point on the West boundary of the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3, 33 feet South of the
center of the roadway along the North boundary
line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3;
Thence East 117 feet to a point;
Thence South 62 feet to a point;
Thence East 75 feet to a point;
Thence North 62 feet to a point;
Thence East 22 feet to a point;
Thence South 215 feet to a point;
Thence West 8 feet to a point;
Thence South 127 feet to a point;
Thence West 206 feet to a point;
Thence North 342 feet to the Point of Beginning.

TOGETHER WITH the right to use that certain easement
granted by Grant of Easement dated April 14, 1969,
and recorded January 16, 1975, as Instrument Number
80698 on Film No. 93, records of Cassia County, Idaho.

SUBJECT TO:

Taxes for 1977 and subsequent years.

Deed of Trust in favor of First Federal Savings and Loan Association
of Twin Falls, which the Grantee assumes and agrees to pay.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and
to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said
Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incum-
brances except as above described and that Grantor will warrant and defend the same from all lawful
claims whatsoever.

Dated: May 6, 1977, attested by me

Witnessed by: June 1977

CALVIN G. HENNER

Assessor Cassia County

By: *[Signature]*

[Signature]
Brian J. Sullivan

[Signature]
Maureen Ann Wohlrab

STATE OF ~~IDAHO~~ ^{New York} COUNTY OF ~~CASSIA~~ ^{Rockland}

On this 25 day of May, 1977
before me, a notary public in and for said State, per-
sonally appeared

BRIAN J. SULLIVAN and
MAUREEN ANN WOHLRAD

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

[Signature]
Notary Public

Residing at ^{Burley} ~~Idaho~~
24 ROOSEVELT ST. NEAR RIVER NY
10965

STATE OF IDAHO, COUNTY OF CASSIA

I hereby certify that this instrument was filed for record
at the request of:

at 18 minutes past 3 o'clock P.m.,
this 13 day of June,
1977 in my office, and duly recorded in Book
of Deeds at page 99393

FRANK B. KEARNS

Ex-Officio Recorder

By *[Signature]*

Deputy.

Fees \$1.00

Mail to: LAND TITLE AND ESCROW, INC.

Instrument No.

99393

SCANNED

Commission Expires March 30, 1979

LAWRENCE V. SMITH
Notary Public State of New York

T # 4206

WALTER G

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County
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130.2
73.2 f
24.9 f
5.9 fee
104.1 f

TRACT 1

TRACT 2

TRACT

SCANNED

442

EXHIBIT 'A' - Ardis Gorringer property sold to Glen Craig Smith

TOWNSHIP 14 SOUTH, RANGE 23 EAST, BOISE MERIDIAN

Section 4: S $\frac{1}{2}$ NE $\frac{1}{4}$ LESS the following three parcels of land:

EXCEPTION NO. 1: Part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 4, described as follows:

Beginning at the center $\frac{1}{4}$ section corner of said Section 4, said point marked by a 5/8 inch rebar, which shall be the Point of Beginning;
Thence North 0°09'41" East (North, Rec.) along $\frac{1}{4}$ section line for 330.00 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°33'12" East (East, Rec.) for 660.00 feet to a $\frac{1}{2}$ inch rebar;
Thence South 0°09'41" West (South, Rec.) for 330.00 feet to a $\frac{1}{2}$ inch rebar on the $\frac{1}{4}$ section line;
Thence North 89°33'12" West (West, Rec.) along said $\frac{1}{4}$ section line for 660.00 feet to the Point of Beginning.

EXCEPTION NO. 2: All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and East of Spring Creek.

EXCEPTION NO. 3: All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and West of Mill Creek.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

SCANNED

1997-04-18

T# 4206

REAL ESTATE PURCHASE AND SALE AGREEMENT

RE-21
Rev. 11-81

(with Earnest Money Provision)

THIS CONTRACT CONTROLS THE TERMS OF SALE OF THE PROPERTY. READ CAREFULLY BEFORE SIGNING. IF ANY QUESTION, CONSULT YOUR ATTORNEY.

THIS AGREEMENT SUPERCEDES PREVIOUS PURCHASE AND SALE AGREEMENT DATED APRIL 2, 1984,
Idaho April 2 19 84

Glen Craig Smith and Vickie Smith, husband and wife,
(hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in
Oakley, Idaho, Basin, County of Cassia
State of Idaho, commonly known as Part of the Ardis Gorringer land,
legally described as: (Legal description attached marked "Exhibit 'A'")

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at the time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. TOTAL PURCHASE PRICE IS THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00) payable as follows:

A. Earnest Money. (a) Buyer hereby deposits and a receipt is hereby acknowledged of ONE THOUSAND Dollars (\$1,000.00)

evidenced by: ☐ Cash, ☒ Personal Check, ☐ Cashiers Check, ☐ Note Due, or
paid or delivered as earnest money in part payment of the purchase price for the premises.

(b) Earnest Money to be deposited in trust account upon acceptance by all parties.

(c) All Earnest Money shall be held by Idaho Realty, Burley, Idaho for the benefit of the parties hereto,
and L. B. Jardine, Idaho Realty, (Broker) shall hold the completely executed broker's copy of this agreement.

B. Balance of purchase price to be paid as follows: Nine Thousand (\$9,000.00) dollars shall be paid in cash at closing, which shall be on or before May 15, 1984. The balance of Twenty Thousand (\$20,000.00) dollars shall be secured by a mortgage, payable: \$370.78 per month including 80% interest per annum. The first such payment shall be paid June 15, 1984, and a like sum shall be paid each and every month thereafter for a total of 72 months (6 years) or until the full unpaid balance plus 10% interest per annum has been paid.

2. Buyer's offer is made subject to the acceptance of Seller on or before 12:00 o'clock midnight of May 7, 1984.
If Seller does not accept this agreement within the time specified, the entire Earnest Money shall be refunded to Buyer on demand.

3. Title of Seller is to be conveyed by warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by Seller may be paid out of purchase money at date of closing. Any liens, encumbrances or defects which are to be discharged or assumed by Buyer or to which title is taken subject to (not otherwise set forth above) are:
None

4. The Seller shall, within a reasonable time after closing, furnish to the Buyer a title insurance policy in the amount of the purchase price of the premises from a title insurance company showing marketable and insurable title subject to the liens, encumbrances and defects elsewhere set out in this agreement to be discharged or assumed by the Buyer. Prior to closing the transaction, the Seller shall furnish to the Buyer a preliminary report or commitment made by a title insurance company showing the condition of the title to said premises. The parties agree that Cassia County Abstract Title Company shall provide said title policy and preliminary report or commitment. It is agreed that if the title to said premises is not marketable, or cannot be made so within thirty (30) days after notice containing a written statement of defects is delivered or mailed to the Seller, or if the Seller, having approved said sale fails to consummate the same as herein agreed, such failure shall constitute a default and the Earnest Money shall be returned to the Buyer and Seller shall pay for the cost of title insurance, escrow and legal fees, if any. Buyer's acceptance of the Earnest Money does not constitute a waiver of other remedies available.

5. It is hereby agreed that the "closing agent" for this agreement shall be Cassia County Abstract, Burley, Idaho.
L. B. Jardine dba Idaho Realty, Burley, Idaho. is the broker responsible for the closing.

Where not otherwise provided by law, the parties shall each pay one-half of said closing agent's fees. The closing date shall be May 15, 1984.

6. On or before the closing date, Buyer and Seller shall deposit with the closing agent all funds and instruments necessary to complete the sale.

7. Seller shall deliver possession to Buyer on or before May 15, 1984, and taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, loans or obligations assumed or taken subject to, and utilities shall be prorated as of Pro-rate taxes May 15, 1984, except as follows:
Buyers shall pay all of 1984 water assessment.

Buyer shall pay for fuel in fuel tank, the amount to be determined by the supplier at Seller's expense.

8. The parties agree that this agreement contains the following additional terms and conditions: The Buyers shall have prepayment privileges without penalty. Included in sale with subject land is a water right of twenty shares of water from Upper Spring Creek in Oakley, Idaho, Basin.

9. The following items of property now on the premises are specifically excluded from the sale: None

The following items of personal property are specifically included in the sale: None

10. IMPORTANT: THE REVERSE OF THIS AGREEMENT CONTAINS IMPORTANT PROVISIONS WHICH ALSO CONSTITUTE PART OF THE AGREEMENT. Each of the parties acknowledges reading this agreement in full.

Listing Agency: Idaho Realty, Burley, Idaho

Selling Agency: Idaho Realty, Burley, Idaho
By: L. B. Jardine

WARRANTY DEED

For Value Received ARDIS JOAN GORRINGE, a divorced woman,

the grantor do es hereby grant, bargain, sell and convey unto
GLEN CRAIG SMITH and VICKIE SMITH, husband and wife,
P. O. Box 140-B - Oakley, Idaho 83346

the grantee s the following described premises, to-wit:

TOWNSHIP 14 SOUTH, RANGE 23 EAST, BOISE MERIDIAN

Section 4: S $\frac{1}{2}$ NE $\frac{1}{4}$ LESS the following three parcels of land:

EXCEPTION NO. 1: Part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 4, described as follows:

Beginning at the center $\frac{1}{4}$ section corner of said Section 4, said point marked by a 5/8 inch rebar, which shall be the Point of Beginning;
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Thence South 89°33'12" East (East, Rec.) for 660.00 feet to a $\frac{1}{2}$ inch rebar;
Thence South 0°09'41" West (South, Rec.) for 330.00 feet to a $\frac{1}{2}$ inch rebar on the $\frac{1}{4}$ section line;
Thence North 89°33'12" West (West, Rec.) along said $\frac{1}{4}$ section line for 660.00 feet to the Point of Beginning.

EXCEPTION NO. 2: All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North and East of Spring Creek.

EXCEPTION NO. 3: All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and West of Mill Creek.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

SUBJECT TO:

General taxes for the year 1984 and subsequent years.
Together with all water and water rights, including but not limited to 20 inches of water from Basin Creek with a priority of March 1, 1879, as described in Quitclaim Deed No. 145762, recorded August 26, 1982.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all incumbrances except as above described, and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: May 15, 1984.

Ardis Joan Gorrige
ARDIS JOAN GORRINGE

STATE OF IDAHO, COUNTY OF CASSIA:

On this 15th day of May, 1984, before me, a notary public in and for said State, personally appeared

Ardis Joan Gorrige

known to me to be the person whose name i subscribed to the within instrument, and acknowledged to me that she executed the same.

Richard S. Harper

Residing at Burley, Idaho. Comm Expires Life

T# 4206

10 30, 1979

LISTING OF RIGHTS - BASIN CREEK

PAGE 53

SOURCE: SPRING CREEK

TRIBUTARY TO: MILL CREEK

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACRES	BASIS FOR RIGHT
45-0577A	GORRINGE, CARL & GORRINGE, MILDRED S. OAKLEY, IDAHO 83346 REMARKS: SOURCES FOR THIS RIGHT ARE MILL CREEK & SPRING CREEK.	12/31/1879	IRRIGATION	3/15 11/15	--- AFR .05 CFS	SMSE 5 3 T145 R23E SENE 510 T145 R23E	LOT 1(10) S 4 T145 R23E *10*	DECREE
45-0577B	GORRINGE, CARL & GORRINGE, MILDRED S. OAKLEY, IDAHO 83346 REMARKS: SOURCES FOR THIS RIGHT ARE MILL CREEK & SPRING CREEK.	12/31/1879	IRRIGATION	3/15 11/15	--- AFR .75 CFS	SMSE 5 3 T145 R23E NMSM 5 3 T145 R23E SENE 510 T145 R23E	SMSE(22) SUMM(40) SENN(33) NMSE(15) LOT 2(2) LOT 3(8) LOT 4(18) S 3 T145 R23E LOT 1(12) S 4 T145 R23E *150*	DECREE
45-0581	GORRINGE, TOM C. OAKLEY, IDAHO 83346 REMARKS: SOURCES FOR THIS RIGHT ARE MILL CREEK & SPRING CREEK.	12/31/1879	IRRIGATION	3/15 11/15	--- AFR .80 CFS	LOT 1 5 4 T145 R23E NMSM 5 3 T145 R23E SMSE 5 3 T145 R23E SENE 510 T145 R23E	SMSE(19) S33 T135 R23E SMSE(13) SENE(38) LOT 2(39) S 4 T145 R23E *109*	DECREE
45-0584	GOWEN, WALTER & GOWEN, BELVA OAKLEY, IDAHO 83346 REMARKS: SOURCES FOR THIS RIGHT ARE MILL CREEK & SPRING CREEK.	12/31/1879	IRRIGATION	3/15 11/15	--- AFR .40 CFS	NESM 5 3 T145 R23E SENE 510 T145 R23E	NESM(10) NMSM(40) S 3 T145 R23E *50*	DECREE
			STOCKWATER	1/ 1 12/31	5.40 AFR .09 CFS *---*AFR *.80*CFS		SAME AS OTHER USE	
			STOCKWATER	1/ 1 12/31	.70 AFR .02 CFS 5.00 AFR *---*AFR *.40*CFS		NESM S 3 T145 R23E NMSM S 3 T145 R23E	

MAK-U 4 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

March 2, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

GEORGE K WELLS
ACTING WATERMASTER
2073 S POLE LINE RD
OAKLEY ID 83346

RE: TRANSFER OF WATER RIGHTS 45-581C, 45-582C (Transfer 67922)

Dear George:

Enclosed is a copy of the recently approved Transfer of Water Rights for the above referenced water rights (Transfer 67922) the names of Glenn Craig Smith and Vickie Smith.

If you have any questions, please call me at 208-327-7940.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 13, 2005

GLEN CRAIG SMITH
VICKIE SMITH
155 E 2069 S
OAKLEY ID 83346

RE: Transfer No.: 67922 - Water Rights 45-581C, 45-582C, 45-685
Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

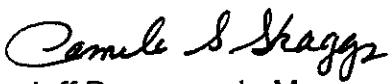
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4948.

Sincerely,


for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

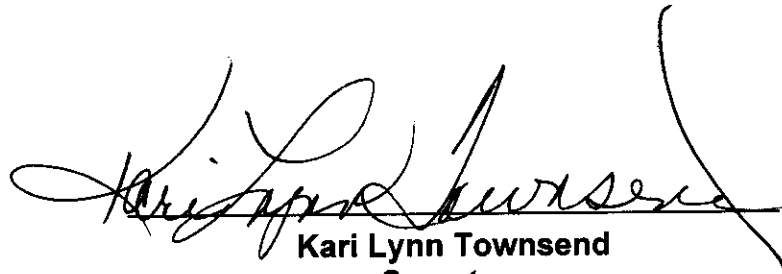
CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 67922

WATER RIGHTS 45-581C, 45-582C, 45-685

**GLEN CRAIG SMITH
VICKIE SMITH
155 E 2069 S
OAKLEY ID 83346**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 13, 2005

BRANDON BEDKE
WATERMASTER
PO BOX 145
OAKLEY ID 83346-0145

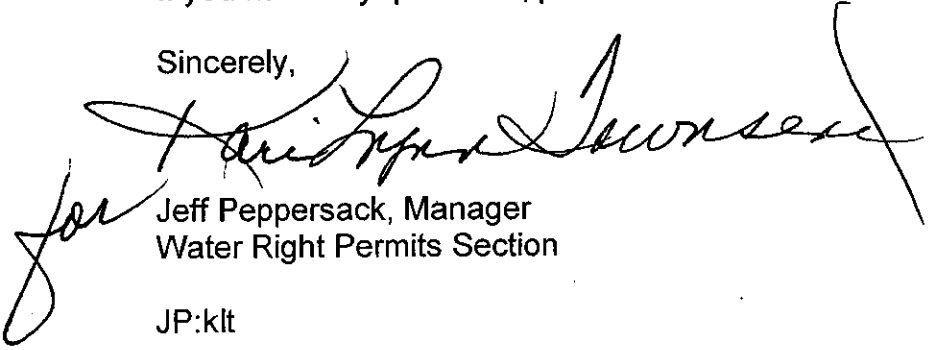
RE: TRANSFER OF WATER RIGHTS 45-581C, 45-582C, 45-685 (Transfer 67922)

Dear Brandon:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 67922) the names of Glenn Craig Smith and Vickie Smith.

If you have any questions, please call me at 208-327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MEMORANDUM

Date: January 13, 2005

To: Transfer File No. 67922 - Water Right Files 45-581C, 45-582C and 45-685

From: Jeff Peppersack

Re: Transfer Review

See Allen Merritt's review memo dated March 29, 2002 for general review. This memo adds review notes related to changes since that time. Review for the transfer approval was based, in part, on the Director's Report for the SRBA claims.

- Right 45-685B was updated to 45-685 since no other parts were claimed in the SRBA.
- Priority date and rotation conditions were carried from the Director's Report recommendations for each of the rights (originated from Basin Creek decree).
- Mill Creek tributary to Sinks was carried from the Director's Report recommendations for each of the rights.
- Vickie Smith was added as a water right owner per the Director's Report recommendation for each of the rights.
- The Director's Report recommendations for rights 45-581C and 45-685 contained errors in total volumes reported. For example, 45-581C listed stockwater as 2.7 afa, no volume for irrigation and a total volume of 2.70 afa. The stockwater volume limits will be included as conditions to avoid the problem. Irrigation volumes will not be imposed, consistent with the Basin Creek decree. The transfer approvals can be used to correct and update the recommendations.

RECEIVED

APR - 1 2002

MEMO

FROM: Allen Merritt



DATE: March 29, 2002 Department of Water Resources

TO: Transfer File No. T4206 (67922)

In the name of: Glen Craig Smith

Water Right(s): 45-581C
45-582C
45-685 split to 45-685A and 45-685B

SUBJECT: Review and Recommendation

This transfer was filed to tie two properties into a PPU. This would allow Mr. Smith to divert more water at the upper diversion to adequately irrigate the smaller southern parcel where the house is located during times of low flow.

The northern parcel was purchased from Tom Gorringer who was the owner at the time of the Basin Creek Decree. Smith only bought a portion of the Gorringer land so the original rights 45-581 and 45-582 had been split due to the ownership change.

The southern parcel was purchased from Sullivan/Wohlrath who were successors to Mildred Stevenson who was the owner at the time of the Basin Creek Decree. Smith only bought a portion of the original Stevenson land indicating he purchased 2.5 acres on the transfer. After inspection of the deed and maps from the original "Basin Creek Findings of Fact" it appears he only purchased 1.5 acres of the 8 acres found irrigated. I based the recommendation of 45-685B on Smith's 1.5/8.0 share of the Stevenson right. NOTE THAT 45-685A HAS NOT BEEN CLAIMED IN THE SRBA YET.

The rights involved were decreed from two sources: Mill Creek and Spring Creek. The water is diverted out of Spring Creek to irrigation but during portions of the year Mill Creek is diverted in a "feeder ditch" and dumped into Spring Creek upstream from all diversions. The transfer application left off Mill Creek as a source but I believe this was unintentional so I put Mill Creek back in as a source in my recommendation. The transfer application appears to have incorrectly located the proposed points of diversion. I have corrected this in my recommendation.

The transfer was processed in 1993 and protested by the WD 45-A since they felt that the transfer would mess up their rotation scheme. After further consideration they withdrew their protest in 2002.

I have created GIS shapes of my recommendation and they reside on AS02 GIS Data under the Transfer Shapes folder. The pou and pod shapes are under t67922.

Recommendation

I recommend that this transfer be approved subject to conditions:

WATER RIGHT NO. 45 581C

- GEN Rights 45-581C, 45-582C and 45-685B when combined shall not exceed a total diversion rate of 0.72 cfs and the irrigation of 52.5 acres.
- W35 Rights 45-581C and 45-582C when combined shall not exceed the irrigation of 51 acres.
- W27 This right is limited to the irrigation of 51 acres within the place of use described above in a single irrigation season.
- WB4 The total instantaneous diversion of water from all points of diversion under Rights 45-581C, 45-582C and 45-685B shall not exceed 0.72 cfs.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 45-A.
- T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- W57 Approval of Transfer 67922 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T19 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

WATER RIGHT NO. 45 582C

- GEN Rights 45-581C, 45-582C and 45-685B when combined shall not exceed a total diversion rate of 0.72 cfs and the irrigation of 52.5 acres.
- W35 Rights 45-581C and 45-582C when combined shall not exceed the irrigation of 51 acres.
- W27 This right is limited to the irrigation of 51 acres within the place of use described above in a single irrigation season.
- WB4 The total instantaneous diversion of water from all points of diversion under Rights 45-581C, 45-582C and 45-685B shall not exceed 0.72 cfs.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 45-A.
- T18 Prior to diversion of water under this approval, the right holder shall provide a means of

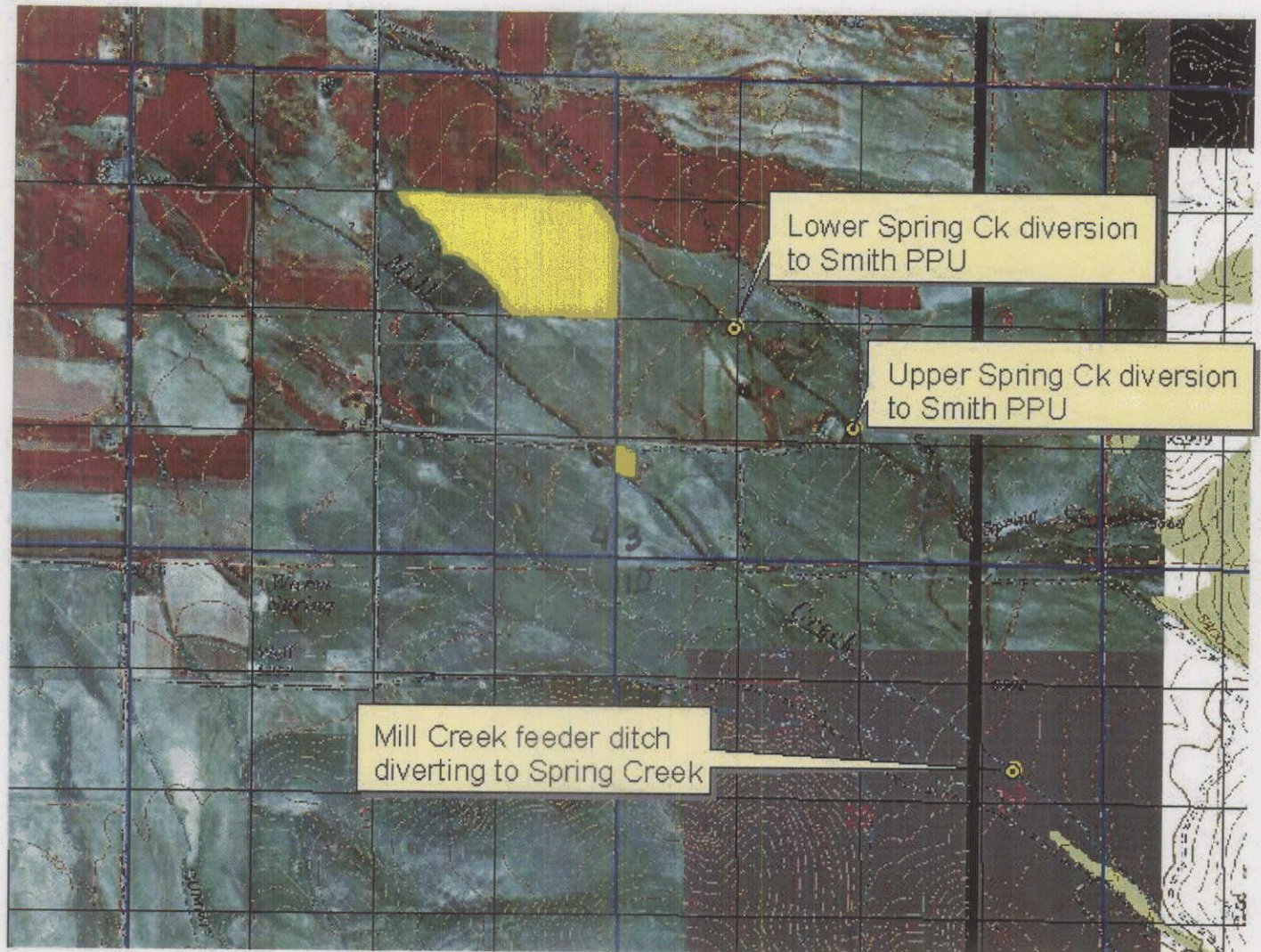
measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

- W57 Approval of Transfer 67922 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T19 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

WATER RIGHT NO. 45 685B

- GEN Rights 45-581C, 45-582C and 45-685B when combined shall not exceed a total diversion rate of 0.72 cfs and the irrigation of 52.5 acres.
- W27 This right is limited to the irrigation of 1.5 acres within the place of use described above in a single irrigation season.
- WB4 The total instantaneous diversion of water from all points of diversion under Rights 45-581C, 45-582C and 45-685B shall not exceed 0.72 cfs.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 45-A.
- T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- W57 Approval of Transfer 67922 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T19 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Glen Craig Smith
T4206 (67922)
Recommended PU & PD



1320 0 1320 2640 3960 Feet

Twp 14S, R23E





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

March 4, 2002

RECEIVED

KARL J. DREHER
Director

MAR 13 2002

Department of Water Resources
Southern Region

GLEN CRAIG SMITH
155 E 2069 S
OAKLEY ID 83346

RE: Applicant for Transfer No. 4206/67922

Dear Mr. Smith:

Thank you for your prompt response to our recent letter regarding your continued interest in pursuing the matter of the above referenced protested application.

As your letter indicates, you plan to talk to the Water District 45-A representatives again regarding this matter. Please inform me of the outcome. If they choose to withdraw their protest, I will need a written withdrawal signed by the district's representative. If they choose not to withdraw their protest then let me know and I will schedule a conference.

Please note that the application is considered a contested case and subject to the Rules of Procedure adopted by the Department. If you need a copy of these rules, please contact this office. The Rules of Procedure are also available on the Internet by using the IDWR Homepage at the following electronic address:

<http://www.idwr.state.id.us/apa/idapa37/0101.htm>

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications. If the protest cannot be resolved informally by a Pre-Hearing Conference, the matter will be scheduled for a formal Hearing.

In addition, this office acknowledges the change of address noted on your most recent letter. However, pursuant to a new Departmental policy, all changes of address made to our data system require a signed Change of Address form on file. Therefore, please complete, sign, date and return the enclosed form; of special importance is the segment containing all Water Right Numbers related to the address change.

If you have questions, please contact our office at your earliest convenience.

Very truly yours,


Allen D. Merritt, P.E.
Regional Manager

Enclosure

cc: ROBERT BEDKE
BASIL FAIRCHILD
WATER DISTRICT #45-A
OAKLEY ID 83346

BASIL SAID HE WOULD GO TO
TWIN FALLS AND TALK TO
YOU IN PERSON.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

GLEN CRAIG SMITH
155 E 2069 S
OAKLEY ID 83346

RE: Protested Application for Transfer No. 4206/67922

Dear Mr. Smith:

We have received a withdrawal of the protest filed by Basin Water District against approval of the above referenced application. Since they were the only protestant, the issue of the protest has now been resolved.

The Department is now prepared to proceed with the normal processing of the application which includes regional review and may also include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication prior to being forwarded to our State Office.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:MB



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

BASIL FAIRCHILD CHAIRMAN
BASIN WATER DISTRICT #45
2025 SOUTH POLELINE RD
OAKLEY ID 83346

Re: Application for Permit No. 45-7746 (Anderson Farms) & Application For Transfer No. 4206/67922 (Glen Craig Smith)

Dear Mr. Fairchild:

This office acknowledges receipt of the withdrawal of the Water District's protests against the above referenced applications.

Since you were the only protestant, the issue of the protests has been resolved. The Department will continue review of the applications without further contact with you unless information is requested.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:mb

March 8, 2002

To Whom It May Concern:

We the undersigned members of Basin Water District have re-evaluated Glen Craig Smith's transfer application #4206 filed in 1992 and have decided to withdraw our protest.

Basil Fairchild
Chairman

RECEIVED

MAR 08 2002

**Department of Water Resources
Southern Region**

3/8/02

Mr. Basil Firdild came into the office
and we discussed two files that the
Basin CLK WD had protested.

He decided to with draw protests on
both applications.

T4206 (67922) in the name of Smith
and

45-T746 in the name of Anderson Farms

He indicated that Anderson Farms had sold to
2 Matthews. The issue was changing the
season of use which Anderson's had done
yet they never sent in a withdrawal.

Adm



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 4, 2002

GLEN CRAIG SMITH
155 E 2069 S
OAKLEY ID 83346

RE: Applicant for Transfer No. 4206/67922

Dear Mr. Smith:

Thank you for your prompt response to our recent letter regarding your continued interest in pursuing the matter of the above referenced protested application.

As your letter indicates, you plan to talk to the Water District 45-A representatives again regarding this matter. Please inform me of the outcome. If they choose to withdraw their protest, I will need a written withdrawal signed by the district's representative. If they choose not to withdraw their protest then let me know and I will schedule a conference.

Please note that the application is considered a contested case and subject to the Rules of Procedure adopted by the Department. If you need a copy of these rules, please contact this office. The Rules of Procedure are also available on the Internet by using the IDWR Homepage at the following electronic address:

<http://www.idwr.state.id.us/apa/idapa37/0101.htm>

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications. If the protest cannot be resolved informally by a Pre-Hearing Conference, the matter will be scheduled for a formal Hearing.

In addition, this office acknowledges the change of address noted on your most recent letter. However, pursuant to a new Departmental policy, all changes of address made to our data system require a signed Change of Address form on file. Therefore, **please complete, sign, date and return the enclosed form; of special importance is the segment containing all Water Right Numbers related to the address change.**

If you have questions, please contact our office at your earliest convenience.

Very truly yours,

Allen D. Merritt, P.E.
Regional Manager

Enclosure

cc: ROBERT BEDKE
BASIL FAIRCHILD
WATER DISTRICT #45-A
OAKLEY ID 83346

2/28/02

ALLEN MERRITT,

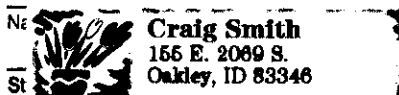
YES, I WOULD LIKE YOU TO CONTINUE TO HOLD THE APPLICATION. I WOULD LIKE TO HAVE A HEARING ON THE APPLICATION. I WORK MONDAY THRU SATURDAY. I AM OFF ON MONDAY UNTIL EVENING. WHAT WOULD WORK FOR YOU BEST?

I TALKED TO THE WATER DISTRICT 45A REPRESENTATIVES YEARS AGO AND THEY SAID THEY WOULD APPROVE THE APPLICATION AND OKAY IT WITH THE WATER DEPARTMENT. OBVIOUSLY THEY DIDN'T DO THAT. I WILL TALK TO THEM AGAIN. THEY ARE ROBERT BEDKE & BASIL FAIRCHILD.

THANK YOU,

Craig Smith

RECEIVED
MAR 01 2002
Department of Water Resources
Southern Region





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2002

RECEIVED

MAR 01 2002

Department of Water Resources
Southern Region

Glen Craig Smith

~~Rt. 1 Box 140B~~ 155 E. 2069 So.
Oakley, ID 83346

RE: Transfer Application No. 4206 (45-01581 Pt)

Dear Mr. Smith:

As you may recall several years ago you filed an application for transfer to modify water rights on Mill and Spring Creeks in the Basin Creek area. The transfer application was protested by Water District 45-A. To date no conference or hearing has been held regarding this protested matter.

The purpose of this letter is to inquire of your continued interest in your application. Please let me know within **30 days** of your continued interest.

Do you want to withdraw the application? Do you want our office to continue to hold the application? Do you want to schedule a conference and/or a hearing? What dates are you available to hold a conference?

If you have questions, please feel free to contact me at this office.

Sincerely,

Allen Merritt, PE
Southern Region Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2002

Glen Craig Smith
Rt.1 Box 140B
Oakley, ID 83346

RE: Transfer Application No. 4206

Dear Mr. Smith:

As you may recall several years ago you filed an application for transfer to modify water rights on Mill and Spring Creeks in the Basin Creek area. The transfer application was protested by Water District 45-A. To date no conference or hearing has been held regarding this protested matter.

The purpose of this letter is to inquire of your continued interest in your application. Please let me know within **30 days** of your continued interest.

Do you want to withdraw the application? Do you want our office to continue to hold the application? Do you want to schedule a conference and/or a hearing? What dates are you available to hold a conference?

If you have questions, please feel free to contact me at this office.

Sincerely,

Allen Merritt, PE
Southern Region Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

February 23, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ROBERT BEDKE SECRETARY
WATER DISTRICT #45-A
OAKLEY ID 83346

RE: APPLICATION FOR TRANSFER NO. 4206 (45-00581B, 45-00582B, 45-00685B)-Smith

Dear Protestants:

The Department has recently reviewed a number of applications which are pending in Department files to determine what further action is appropriate in connection with the applications.

It has been noted that you filed a protest against the above referenced application.

The purpose of this letter is to inquire if you are still interested in pursuing the protest or if you wish to withdraw your protest. **Please notify this office in writing of your decision.**

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Allen D. Merritt, P.E.
Southern Region Manager

AM:mb



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

01-Oct-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

GLEN CRAIG SMITH
RT 1 BOX 140B
OAKLEY ID 83346

RE: APPLICATION FOR TRANSFER NO. 4206 (45-00581B, 45-00582B,
45-00685B)

Dear Mr. Smith:

Enclosed is a copy of a protest filed against the above
referenced application.

The Department suggests you contact the protestant(s)
directly to determine the exact nature of the protest(s) and,
if possible, to resolve the matter without action by the
Department.

The attachment to this letter describes the issues which the
Department must consider in taking action on an application.
It also gives a brief description of the conference and
hearing procedure followed by the Department in resolving
protested applications.

If you have any questions or if this office can be of further
assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

01-Oct-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

ROBERT BEDKE SECRETARY
WATER DISTRICT #45-A
OAKLEY ID 83346

RE: APPLICATION FOR TRANSFER NO. 4206, (45-00581B,
45-00582B, 45-00685B) - Smith

Dear Protestants:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)

RECEIVED

SEP 29 1993

Department of Water Resources
Southern Region Office

September 28, 1993

Director of Water Resources
222 Shoshone Street E.
Twin Falls, Idaho 83301

Director of Water Resources,

As officers of Basin Water District we would like to
protest any change of diversion for the following water rights
of Glen Craig Smith:

No: 45-00581

No: 45-00582

No: 45-00685

No: A45-00685

No: A45-00582C

We protest this change because it would cause a definite
imbalance of the delivery of water in our system.

Robert Bedke
Sec. District 45A.

Don Bedke
Committeeman

Basil Fairchild
Committeeman

Oakley Rd 83346

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

RECEIVED

SEP 23 1993

Department of Water Resources
Southern Region Office

County of Cassia)
STATE OF IDAHO) ss
)

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive week(s), commencing with the issue dated Sept 13, 19 93, and ending with the issue dated Sept 20, 19 93.

Kary D Miller

STATE OF IDAHO)
COUNTY OF CASSIA)

On this 21st day of September in the year of 1993 before me, a Notary Public, personally appeared Kary Miller, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Telly Blom

Notary Public for Idaho

Residing at Burley, ID

My commission expires: May 23, 1997

Cost of Publication 160.92
Notary Fee .50
Total Cost 161.42

OK
NB
9-27-93

93-315
NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that GLEN CRAIG SMITH of Oakley, ID has applied to the Department of Water Resources for changes to point of diversion and combine rights in permissible place of use from surface water sources and further classified as Transfer # 4206.

The rights to be changed authorize diversion of water from Spring Creek/Mill Creek tributary to Mill Creek located in Sections 3, 4, & 10, T14S, R23E within Cassia County. The rights are recorded in part as follows:

Number: 45-00581
Priority: 12/31/1879
Amount: .80 cfs
Acres: 109 & stockwater
WATER RIGHT CLAIMED IN SNAKE
RIVER BASIN ADJUDICATION AND
RECORDED AS FOLLOWS:

Water Right No. A45-00581C
Priority Date: 12/31/1879
Name: Glen Craig Smith &/or
Vickie Smith
Basis of right: Decreed Water
Right No. 45-00581
Source: Spring Creek/Mill
Creek tributary to Mill Creek
Use & Amount:
irrigation (0.40 cfs)
stockwater (0.40 cfs)
Points of Diversion: NWSW,
SWSE, S3, T14S, R23E; Lot 1
(NENE), S4, T14S, R23E; SENE,
S10, T14S, R23E.
Place of Use: 51 acres within
S1/2NE, S4, T14S, R23E.

Number: 45-00582
Priority: 05/01/1884
Amount: .60 cfs
Acres: 109

WATER RIGHT CLAIMED IN SNAKE
RIVER BASIN ADJUDICATION AND
RECORDED AS FOLLOWS:

Water Right No. A45-00582C
Priority Date: 12/31/1879
Name: Glen Craig Smith &/or
Vickie Smith
Basis of right: Decreed Water
Right No. 45-00582
Source: Spring Creek/Mill
Creek tributary to Mill Creek
Use & Amount:
irrigation (0.30 cfs)
stockwater (0.30 cfs)
Points of Diversion: NWSW,
SWSE, S3, T14S, R23E; Lot 1
(NENE), S4, T14S, R23E; SESE,
S10, T14S, R23E.
Place of Use: 51 acres within
S1/2NE, S4, T14S, R23E.

Number: 45-00685
Priority: 12/31/1879
Amount: .08 cfs
Acres: 8 & stockwater

WATER RIGHT CLAIMED IN SNAKE
RIVER BASIN ADJUDICATION AND
RECORDED AS FOLLOWS:

Water Right No. A45-00685
Priority Date: 12/31/1879
Name: Glen Craig Smith &/or
Vickie Smith
Basis of right: Decreed Water
Right No. 45-00485
Source: Spring Creek/Mill
Creek tributary to Mill Creek
Use & Amount:
irrigation (.05 cfs)
stockwater (.02 cfs)
Points of Diversion:
NESW, S3, T14S, R23E.
Place of Use: 2.5 acres within
SWSW, S3, T14S, R23E.

TO BE CHANGED AS FOLLOWS

Portions of these water rights
(45-00581B, 45-00582B,
45-00685B) will be diverted
from Spring Creek tributary to
Mill Creek located in SWNWSE,
NENWSW, S3, T14S, R23E; Cassia
County and will be used for
stockwater and irrigation of
53.5 acres within SWSW, S3,
T14S, R23E; S1/2NE, S4, T14S,
R23E; using a total diversion
rate of .725 cfs.

Any protest against approval of
the above proposal must be
filed with the applicant and
with the Director, Department
of Water Resources, 222
Shoshone St. E., Twin Falls ID
83301 on or before September
30, 1993.

R. Keith Higginson, Director

Published in the South Idaho Press on Sep-
tember 13 and 20, 1993.

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. _____

SEP 08 1993

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Southern Region Office

I, LeRoy Fairchild, watermaster of Daison Creek,
of Water District No. #45A, County of Cassia, State of Idaho,
whose address is P.O. Box 145 Oakley, Idaho, 83346
have read the attached copy of the application for transfer of water right for _____
Shen Craig Smith, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: that headgate and weirs are
installed

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Oakley, Idaho, this 7 day of September 1993.

LeRoy Fairchild
(signature)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

03-Sep-1993

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that GLEN CRAIG SMITH of Oakley, ID has applied to the Department of Water Resources for changes to point of diversion and combine rights in permissible place of use from surface water sources and further classified as **Transfer # 4206**.

The rights to be changed authorize diversion of water from Spring Creek/Mill Creek tributary to Mill Creek located in Sections 3, 4, & 10, T14S, R23E within Cassia County. The rights are recorded in part as follows:

Number: 45-00581
Priority: 12/31/1879
Amount: .80 cfs
Acres: 109 & stockwater

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A45-00581C
Priority Date: 12/31/1879
Name: Glen Craig &/or Vickie Smith
Basis of right: Decreed Water Right No. 45-00581
Source: Spring Creek/Mill Creek tributary to Mill Creek
Use & Amount: irrigation (0.40 cfs)
 stockwater (0.40 cfs)
Points of Diversion: NWSW, SWSE, S3, T14S, R23E; Lot 1 (NENE), S4, T14S, R23E; SENE, S10, T14S, R23E.
Place of Use: 51 acres within S1/2NE, S4, T14S, R23E.

Number: 45-00582
Priority: 05/01/1884
Amount: .60 cfs
Acres: 109

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS FOLLOWS:

Water Right No. A45-00582C
Priority Date: 12/31/1879
Name: Glen Craig &/or Vickie Smith
Basis of right: Decreed Water Right No. 45-00582
Source: Spring Creek/Mill Creek tributary to Mill Creek
Use & Amount: irrigation (0.30 cfs)
 stockwater (0.30 cfs)
Points of Diversion: NWSW, SWSE, S3, T14S, R23E; Lot 1 (NENE), S4, T14S, R23E; SESE, S10, T14S, R23E.
Place of Use: 51 acres within S1/2NE, S4, T14S, R23E.

Number: 45-00685
Priority: 12/31/1879
Amount: .08 cfs
Acres: 8 & stockwater

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION AND RECORDED AS
FOLLOWS:

Water Right No. A45-00685
Priority Date: 12/31/1879
Name: Glen Craig Smith &/or Vickie Smith
Basis of right: Decreed Water Right No. 45-00485
Source: Spring Creek/Mill Creek tributary to Mill Creek
Use & Amount: irrigation (.05 cfs)
 stockwater (.02 cfs)
Points of Diversion: NESW, S3, T14S, R23E.
Place of Use: 2.5 acres within SWSW, S3, T14S, R23E.

TO BE CHANGED AS FOLLOWS

Portions of these water rights (45-00581B, 45-00582B, 45-00685B) will be diverted from Spring Creek tributary to Mill Creek located in SWNWSE, NENWSW, S3, T14S, R23E; Cassia County and will be used for stockwater and irrigation of 53.5 acres within SWSW, S3, T14S, R23E; S1/2NE, S4, T14S, R23E; using a total diversion rate of .725 cfs.

Any protest against approval of the above proposal must be filed with the applicant and with the Director, Department of Water Resources, 222 Shoshone St. E., Twin Falls ID 83301 on or before September 30, 1993.

R. Keith Higginson, Director

Published in South Idaho Press on 9/13 & 9/20/93.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

03-Sep-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

GLEN CRAIG SMITH
RT 1 BOX 140B
OAKLEY ID 83346

Re: Application for Transfer No. 4206 (45-00581 Part, 45-00582 Part,
45-00685 Part)

Dear Mr. Smith:

The Department of Water Resources acknowledges receipt of your
Application for Transfer.

This office has scheduled advertising the application in the South
Idaho Press for 9/13 and 9/20/93. The advertisement will be published
for two weeks, and a period of ten days following the second
publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the
protest. The protest must be resolved before the application is
approved or denied. If the protest is not resolved voluntarily, this
Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final
processing of the application and will notify you of the outcome of
this review.

Please feel free to contact this office if you have any questions
regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

31-Aug-1993

R. KEITH HIGGINSON
Director

LEROY FAIRCHILD , WATERMASTER
OAKLEY ID 83346

WATER DISTRICT # 45-A

Re: Application for Transfer of Water Right No. 45-000581
Part, 45-00582 Part, 45-00685 Part (T# 4206, Glen Craig
Smith)

Dear Mr. Fairchild:

Enclosed is a copy of an Application for Transfer of a Water
Right within your District, and Watermaster's Recommendation
Form.

Section 42-222 of the IDAHO CODE requires that the
watermaster must be advised of proposed changes in water
rights in the water district and must notify the Department
of his recommendation on the application.

Please complete the enclosed recommendation form and return
it to this office.

Processing of the application can be completed in 20 days,
therefore, your prompt response to this request will be
appreciated.

If you have any questions about the application, please
contact this office or the applicant.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

Enclosures

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: G. C. Smith Transfer

FROM: Jim Stanton

DATE: 7-29-93

On 7-27-93 I visited this property accompanied by the owner's son. I inspected both points of diversion. The upper diversion presently serves 2 acres or so around the Smith home (the property is 2.5 acres, with about 2 acres in lawn & possibly pasture). The lower PD is an old headgate & ditch that need to be rehabilitated. Both PDs are located differently than shown on the transfer; based on call from Mr. Smith today, I corrected the transfer to reflect my field work. Mr. Smith also said that the water only is sufficient to irrigate the east half of the 80, about 38 acres. It appears that approval of this transfer will allow Mr. Smith to divert more water out of Spring Creek over the season than he has in the past. This would constitute an expansion that could harm other water users. Transfer should be limited to irrigation of 40 acres with up to ~~600~~ 160 AFA (80.7 24-hour second feet).

(X) For your information

() Response required

J. F. Stanton
signature

T-# 4206

WR5809NP
No. 45-00581

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/01/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM C. GORRINGE OAKLEY ID 83346	12/31/1879	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.80 CFS 0.09 CFS	5.4 AFA
TOTAL DIVERSION:					0.80 CFS	5.4 AFA

Water Source: SPRING CREEK
MILL CREEK

Tributary to: MILL CREEK

Stage: DECREED

Point(s) of Diversion: T14S R23E S03 NW SW SW SE
S04 Lot 01()
S10 SE NE

Place of use Legal Description for: IRRIGATION

NE										NW										SW										SE										
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM									
13S	23E	33	:								:								:						:						19.0									
14S	23E	4	:		02-39			13		38	:								:						:						90.0									
TOTAL ACRES																												109.0												

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion and Source:

45-00540	45-00541	45-00542	45-00564	45-00565	45-00566	45-00567	45-00568	45-00569	45-00574
45-00576	45-00577A	45-00577B	45-00578A	45-00578B	45-00579A	45-00579B	45-00580A	45-00580B	45-00582
45-00584	45-00585	45-00586	45-00587	45-00588	45-00594	45-00595	45-00601	45-00657	45-00685

Other Water Rights Listing Overlapping Place(s) of use:
45-00582

Remarks: SOURCES FOR THIS RIGHT ARE MILL CREEK & SPRING CREEK.

Dates:	App. Received:	Priority Date:	12/31/1879
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 45A Field Exam Fee:

Audit: 03/28/88 05/28/88 CONVERT