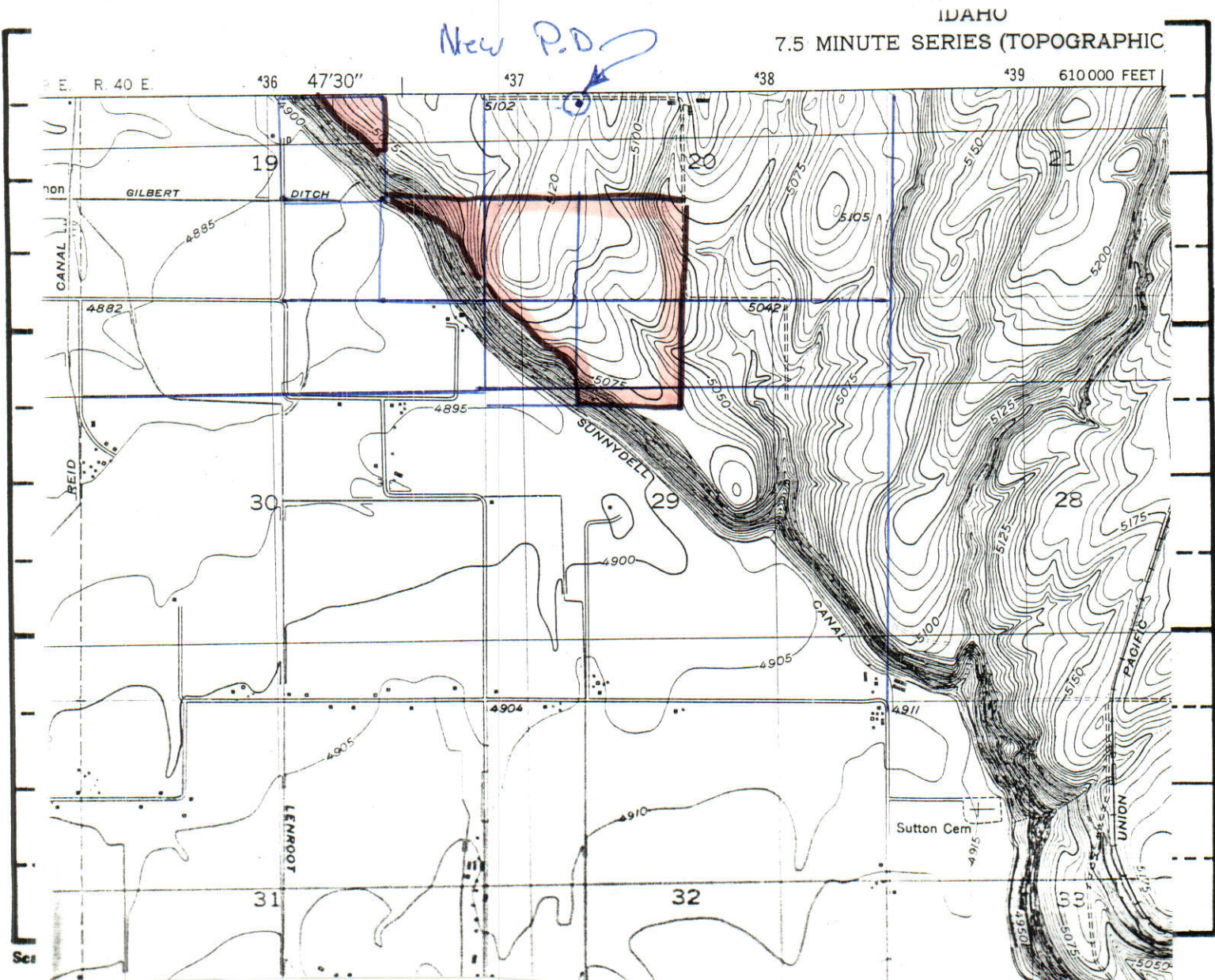


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at ID. Falls, this 17 day of April, 19 91.

Blaine Smith
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWT Fee = \$20.00 #E015970 Received by HWT Date 4-17-91

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

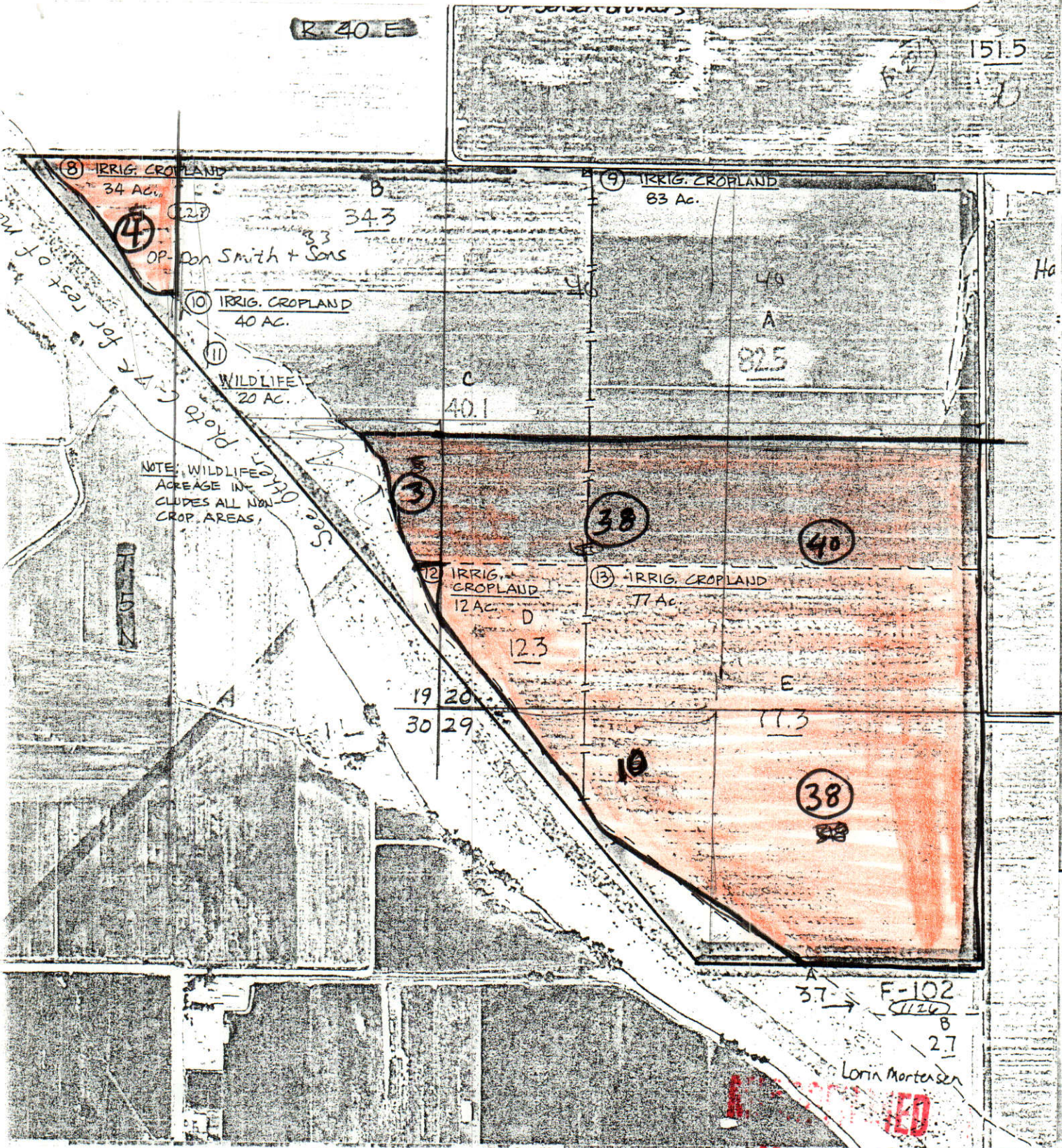
I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See attached sheet for conditions of approval.

Witness my hand this 8th day of May, 19 91.

L. Glen Saxton
Chief, Water Allocation Bureau

MAY 29 1991

Owner Don Smith & Sons Operator _____
County Madison State Idaho Date 2/84
Approximate acres 268 Approximate scale 1" = 660'
Cooperating with _____ Conservation District _____
Plan identification _____ Photo number 278-150
Assisted by M.W. Burgener USDA Soil Conservation Service



APR 11 1991

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 01 1991

STATE OF IDAHO
County of Madison

I, TERRY WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

WATER RIGHTS #22-07553 a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for

TWO consecutive issues, the first publication having been made on FEBRUARY 21, 1991 and the last publication having been made on FEBRUARY 28, 1991.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 1TH day of MARCH in the year of 1991, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name 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.

Stephen L. Ladd
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

22-07553
HUSKINSON, ROBERT D.
HUSKINSON, SUE R.
1082 N. HILL ROAD
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: SESW Sec 13 T 06N R 40

E Use: IRRIGATION (3.000 CFS) Total
Diversions: (3.000 CFS)
Date Filed: 8/25/1988
In: T06N R40E S13 NESW NWSW
SWSW SESW NESE NWSE SWSE
SESE 253.0 ACRES TOTAL

22-07563
SMITH, GARY
SMITH, BLAINE
1829 S. MEADOWVIEW AVE.
REXBURG, ID 83440
Source: GROUNDWATER
Diversions Pt: NENW Sec 24 T 05N R 39E

Use: IRRIGATION (2.660 CFS) Total
Diversions: (2.660 CFS)
Date Filed: 8/8/1988
In: T05N R40E S19 NWSE SESE S20
SWSW SESW S29 NENW NWNW 133.0
ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MARCH 11, 1991.

R. KEITH HIGGINSON
Director
Publ. Feb. 21 and 28, 1991J.

OK
TJL
3-1-91

OK
TJL
3-1-91

NOT RECORDED

APR 11 1991

NWSE

NWSW

SESE

SWSW

SESW

19 20

30 29

NWNW

MICROFILMED

SEP 03 2003

NENW

22-7563



22-7563

MICROFILMED
SEP 03 2003

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	CFS
Original Application	22-07563	Garry Smith &/or Blaine Smith	2.66
~~Full Assignment~~	~~22-07563~~	~~Blaine Smith~~	~~2.66~~
~~Full Assignment~~	~~22-07563~~	~~Northwest Farm Credit Services~~	~~2.66~~
Full Assignment	22-07563	Blaine Smith & Marsha Lyn Smith & Northwest Farm Credit Services	2.66

RECEIVED

APR 07 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

I, Blaine & Marsha Lyn Smith, hereby assign to Blaine Smith and Marsha Lyn Smith and Northwest Farm Credit Services, ACA
of 2082 W 5200 S, Rexburg, Idaho 83440 / P.O. Box 157 Rexburg, Idaho 83440
Address

Check One:

- XXI. All my right, title, and interest in and to Permit No. 22-07563
to appropriate the public waters of the State of Idaho.
2. The following described portion of my right, title, and interest in
and to Permit No. _____ to appropriate the public waters
of the State of Idaho. (Describe that portion of the permit being
assigned by listing the acreage within each 40 acre subdivision, the
point of diversion and the amount of water in cubic feet per second
for direct diversion, or acre feet for storage)

Made this 16th day of March, 1993.

Blaine Smith
Water Right Holder Blaine Smith
Marsha Smith
Water Right Holder (Spouse, etc.)
Marsha Lyn Smith

State of Idaho)
County of Madison) ss

On this 16 day of March, 1993, personally appeared
before me the signer(s) of the above instrument, who duly acknowledged to
me that he (she) (they) executed the same.

Lerna Bain
Notary Public residing at
St. Anthony

s e a l

My commission expires:

02/16/95

APR 07 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Blaine Smith & Marsha Lyn Smith, hereby assign to Northwest Farm Credit Services, ACA
husband and wife
Of, 217 North Second East, P.O. Box 157, Rexburg, Idaho 83440
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 22-07563 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 13th day of November, 1992

Blaine Smith Marsha Smith
Applicant

State of Idaho)
ss
County of Madison)

On this 13th day of November, 1992 personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Lerna Bair
Notary Public

seal

Residing at: St. Anthony

RECORDED

My commission expires: 02/16/95

JAN 21 1993

STATE OF IDAHO

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Blaine Smith Phone 356-3510
of (address) 2082 W. 5200 S. Rexburg, ID, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 22-07563, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SW 1/4, Section 20, Township 5N, Range 40E, B.M.,
County of Madison. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 2.66 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

NO CHANGE

3. Place of use or land to be irrigated:

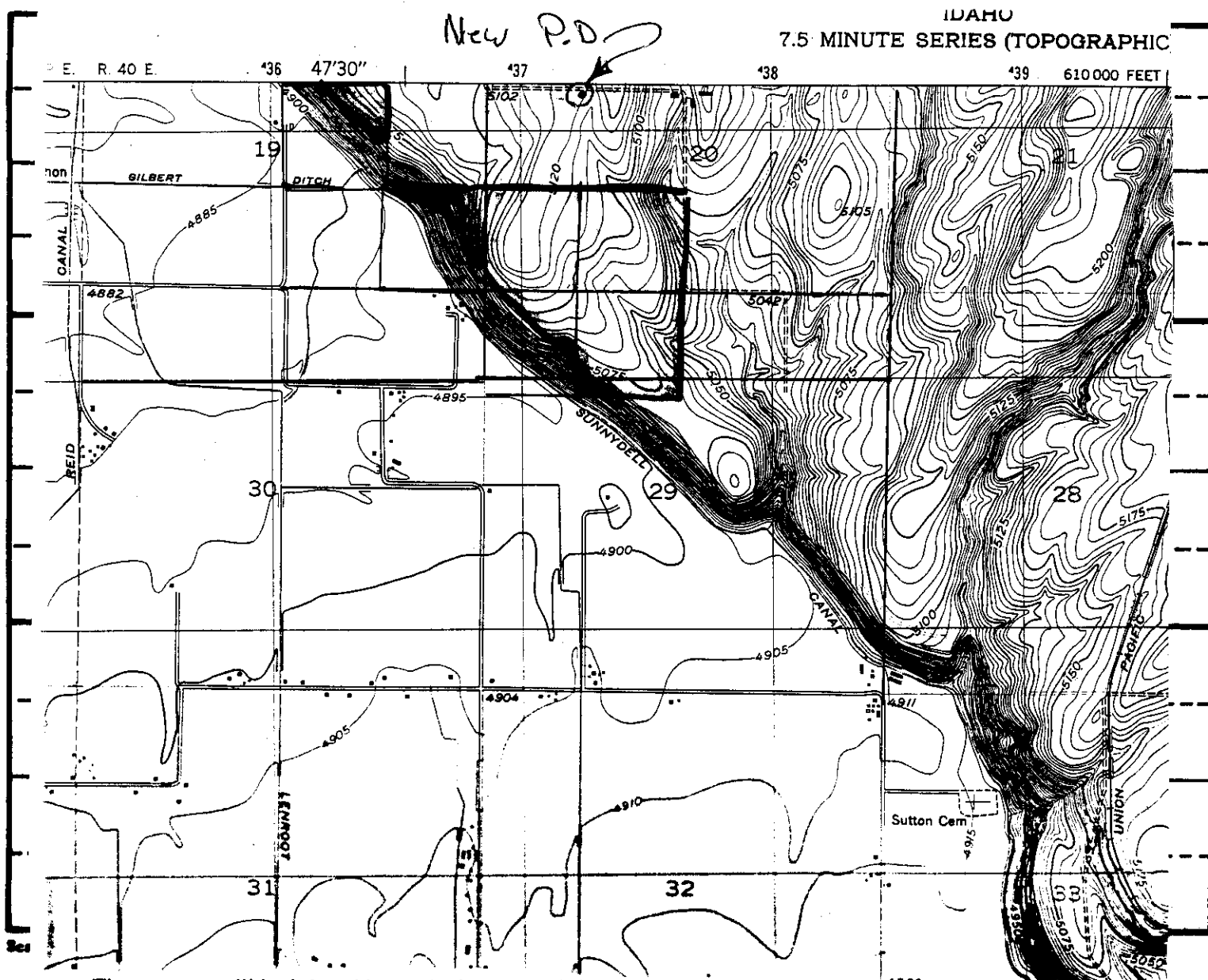
TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	40E	19														4		3	7
		20										38	40						78
		29					38	10											48

Total number of acres to be irrigated = 133

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MAY 29 1991

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at ID. Falls, this 17 day of April, 19 91.

Blaine Smith
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWT Fee = \$20.00 #E01590 Received by HWT Date 4-17-91

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See attached sheet for conditions of approval.

Witness my hand this

8th day of

May

19 91

L. Glen Saxton
Chief, Water Allocation Bureau

MAY 29 1991

CONDITIONS OF APPROVAL

Amendment of Permit No. 22-7563

1. The previous conditions as set forth in Permit No. 22-7563 must be met.
2. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Dated this 8th day of May, 1991.

A. Glen Saffron

Chief, Water Allocation Bureau

MAY 29 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 22-07563

Proposed Priority: August 8, 1988 Maximum Diversion Rate: 2.66 CFS
This is to certify, that **GARRY SMITH**
BLAINE SMITH
1829 S. MEADOWVIEW AVE.
REXBURG, ID 83440

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	2.66 CFS

LOCATION OF POINT(S) OF DIVERSION: NENW Sec. 24, Township 05N, Range 39E
MADISON County

PLACE OF USE: IRRIGATION
TWN RGE SEC

	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 40E 19	NWSE 4	SESE 3		7
20	SWSW 38	SESW 40		78
29	NENW 38	NWNW 10		48

Total number of acres irrigated: 133

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1992.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
6. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
8. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 2 cubic feet per second for each acre of land.

RECORDED
APR 11 1991

State of Idaho
Department of Water Resources

PAGE 2

Permit To Appropriate Water

NO. 22-07563

CONDITIONS/REMARKS:

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

2nd day of April, 1991.

R. Keith Higginson

for
R. Keith Higginson, Director

RECEIVED

APR 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Garry and for Blaine Smith

1. Name of applicant 1829 S. Macdonald Ave Kenburg Phone 356-3510

Post office address 2082 West 82nd South, Kenburg 83440

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____

Sec. 24 Township 5 N Range 39 E B.M. Madison County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 2.66 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 2.66 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Well, Pump to Sprinkler System

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total

reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:

_____ to _____ inclusive.

c. Proposed well diameter is 20 inches; proposed depth of well is 465' feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

1 years (minimum 1 year).

APR 11 1991

- 406 1 1 021

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corres

[illegible]

Total number of acres to be irrigated 133.

10. Describe any other water rights used for the same purposes as described above. A 22-02297

11. a. Who owns the property at the point of diversion? APPLICANT

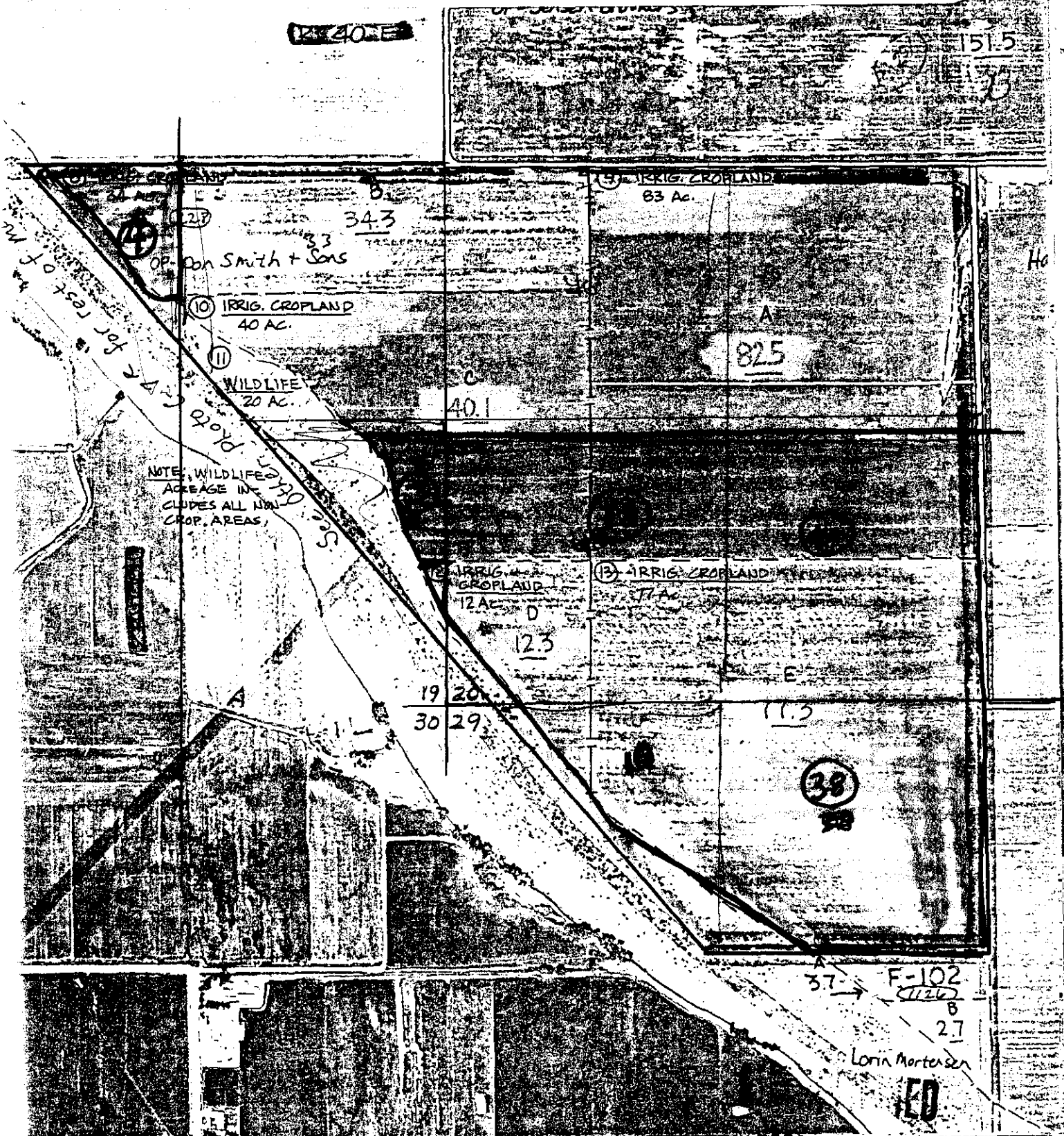
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

FD

APR 11 1991

Owner Don Smith & Sons Operator _____
County Madison State Idaho Date 2/84
Approximate acres 268 Approximate scale 1" = 660'
Cooperating with Madison Soil Conservation District
Plan identification _____ Photo number 278-150
Assisted by M. W. Burgener USDA Soil Conservation Service



APR 11 1991

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

RECEIVED
APR 11 1891

Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Blaine Smith
(Applicant)

Received by S.M. Date 8/8/88 Time 12 05 Preliminary check by KCW
Fee \$ 85⁰⁰ Receipted by S.M. # E001125 Date 8/8/88
Publication prepared by BRENDA MILLER Date 2-12-91 Published in Rexburg Standard Journal
Publication approved TJL Date 3-1-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

APR 11 1991

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-02297
Date Received: 8/08/1988
Receipt No: E001124
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON SMITH & SONS INC. 208-356-3510
Address: 2082 WEST 5200 SOUTH
REXBURG, ID 83440
2. Date of Priority: SEP 20, 1960
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
05N 40E 20 NW SW MADISON
5. Description of diverting works:
WELL & PUMP TO SPRINKLER SYSTEM.
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/01 11/01 1.520
7. Total Quantity Appropriated is:
1.520 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 282.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE.
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	40E	19	NE	SE		IRR	33.0
						Section Acres	33.0

A22-02297

Page 1

Date: 09/12/88

APR 11 1991

FILED

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	20	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
						Section Acres	80.0
						Total Acres	113.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 29035

MICROFILMED
APR 11 1991

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
APR 11 1991

THE STANDARD-JOURNAL
Rexburg, Idaho
AFFIDAVIT OF PUBLICATION

RECEIVED

MAR 01 1991

STATE OF IDAHO
County of Madison

I, TERRY WEATHERSTON being first duly sworn, depose and say, that I am the printer of THE STANDARD-JOURNAL, a semi-weekly newspaper printed and published semi-weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

WATER RIGHTS #22-07553 a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any supplement issue thereof for

TWO consecutive issues, the first publication having been made on FEBRUARY 21, 1991 and the last publication having been made on FEBRUARY 28, 1991.

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 1TH day of MARCH in the year of 1991, before me, a Notary Public, personally appeared Terry Weatherston, known or identified to me to be the person whose name 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.

Joseph R. Smith
Notary Public for Idaho

Residing at Rexburg, Idaho
My commission expires: June 8, 1993.

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT

22-07553
HUSKINSON, ROBERT D.
HUSKINSON, SUE R.
1088 N. HILL ROAD
REXBURG, ID 83440
Source: GROUNDWATER
Diverion Pt: SE25W Sec 15 T 06N R 40
E
Use: IRRIGATION (3,000 CFS) Total
Diverion: (3,000 CFS)
Date Filed: 5/28/1990
In: T06N R40E S15 N1/2SE S20
SWSW SE25W S20 N1/2W N1/2W 133.0
SE25 253.0 ACRES TOTAL

SMITH, GARY
SMITH, BEANNE
1829 S. MEADOWVIEW AVE.
REXBURG, ID 83440
Source: GROUNDWATER
Diverion Pt: N1/2W Sec 24 T 06N R
30E
Use: IRRIGATION (2,000 CFS) Total
Diverion: (2,000 CFS)
Date Filed: 5/28/1990
In: T06N R40E S15 N1/2SE S20
SWSW SE25W S20 N1/2W N1/2W 133.0
ACRES TOTAL

The person(s) will be subject to all prior water rights. Priority may be established based on the criteria of Sec. 42-208A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 1000 West Main, Boise, Idaho 83720 on or before MARCH 11, 1991.

Witness my hand and the seal of the State of Idaho this 21st day of February, 1991.
R. KEITH HUSKINSON
Director
Publ. Feb. 21 and 28, 1991J.

OK
TJL
3-1-91

OK
TJL
3-1-91

NOT RECORDED
FILMED

APR 11 1991

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JUN 13 2003

Page 1

Permit No: 22-7563

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No: 22-7563

Exam Date: 6/6/2003

1. Current Owner: BLAINE SMITH
2082 W 5200 S
REXBURG ID 83440
(208)356-3510

2. Accompanied by: NONE

Phone No:

Address:

Relationship to Permit Holder:

3. SOURCE

TRIBUTARY

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: 22-2297

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER

NW1/4SW1/4

Sec. 20, Twp 05N, Rge 40E, B.M.

MADISON County

Method of Determination: GPS/FE/GIS

2.

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	
05N 40E 19													4.0			3.0	7.0
05N 40E 20									38.0	39.0							77.0
05N 40E 29					37.0	12.0											49.0

Total Acres: 133

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SEP 03 2003

Method of Determination:

3. ☐ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☐ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge</u> <u>Size</u>
	100hp	US	Electrical Motor	Holloshaft	
	booster	30	GE		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>

2. Measurements:

Sonic METER 1100 gpm or 2.45 cfs

50 psi

E. FLOW CALCULATIONS

Measured Method:

☐ Additional Computation Sheets Attached

MICROFILMED

SEP 03 2003

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 133 \times 3.5 = 465.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 2.45 \times 214 \times 1.9835 = 1039.9$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 465.5$$

2. Volume Calculations for Other Uses:

G. NARRATIVE/REMARKS/COMMENTS

well/pump to pivots and handlines 100 hp US Electrical Motors with a 30 hp GE booster.
pod is same as 22-2297.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.450 CFS	465.50 AF
<u>Totals:</u>		2.450 CFS	465.50 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

DAVE CARLSON

Date

6/9/2003

Reviewer

Date

MICROFILMED
SEP 03 2003



NWSE

NSW

SESE

SWSW

SESW

19 80
20 29

MICROFILMED
SEP 03 2013



22-7563

MICROFILMED
SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 25, 1993

BLAINE SMITH
MARSHA LYN SMITH
2082 W 5200 S
REXBURG ID 83440

and

NORTHWEST FARM CREDIT SERVICES
PO BOX 157
REXBURG ID 83440-0157

Re: Permit No. 22-07563

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. CHAPMAN
Water Resource Agent

BLC:cz

MICROFILMED

APR 07 1993



Farm Credit Services

March 22, 1993

RECEIVED

MAR 24 1993

Department of Water Resources

217 North Second East
P.O. Box 157
Rexburg, Idaho 83440
208/356-4442

Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720
Attn: Brenda L. Miller

Dear Brenda:

In December of 1992, we sent you an Assignment of Permit No. 22-07563 which you had filed for us and then returned an acknowledgment letter. Our legal department in Spokane advised us that the Assignment we sent you was incorrectly typed. Also, in the meantime we found out that we needed to have 1 person removed from the permit itself.

Please find attached a Notice of Change of Water Right Ownership paper taking Garry Smith's name off the water permit, and a new Assignment of Permit form which will need to be filed.

I apologize for this error and for the 're-do' of this assignment. Should you have any questions, please feel free to call me at 1-800-464-6812.

Respectfully,

Lorna Bair
Operations Assistant

Attachments

MICROFILMED

APR 07 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAR 24 1993

Department of Water Resources

DATE OF CLOSING: 12-9-92

LEGAL DESCRIPTION OF PROPERTY: Township 05N Range 40 E
 Section 19, 20 1/4 of 1/4 of 1/4, Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
 Assigned by IDWR: 22-07563

☐ Name and Address of Former Owner/Claimant(s)(Seller): Garry Smith and Blaine Smith
2082 West 5200 South
Rexburg, Idaho 83440

☐ New Owner/Claimant (Purchaser): Blaine Smith and Marsha Lyn Smith

☐ New Mailing Address: 2082 West 5200 South
Rexburg, Idaho 83440

☐ New Telephone Number: (208) 356 - 3510

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Blaine Smith Date 3-16-93
Blaine Smith Date 3-16-93

☐ Signature of Former Owner/Claimant(s): Marsha Lyn Smith Date 3-16-93
Garry Smith Date 3-16-93
Blaine Smith Date 3-19-93

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
 Initial Review and Data-Entry
 Date: By:
 Further Action Needed:
 Further Action Taken
 Date: By:
 Final Review and Data-Entry
 Date: By:
 Claim Numbers of Split, if any:

APR 07 1993

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 22, 1992

NORTHWEST FARM CREDIT SERVICES
PO BOX 10
BLACKFOOT ID 83221-0010

Re: Permit No. 22-07563

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Miller".

BRENDA L. MILLER
Water Resource Agent

BLM:cz

A faint, illegible stamp, possibly a date or administrative mark.

JAN 21



Farm Credit Services

217 North Second East
P.O. Box 157
Rexburg, Idaho 83440
208/356-4442

RECEIVED

NOV 16 1992

Department of Water Resources
Eastern District Office

November 13, 1992

Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Dear Sirs:

Enclosed please find one (1) original Assignment of Application For Permit, and one (1) copy of the same assignment. Northwest Farm Credit Services, ACA in Rexburg, Idaho, has taken real estate as collateral for a loan to Blaine Smith and Marsha Lyn Smith of Rexburg. Part of the requirement for this loan was that Smith's provide Farm Credit with assignment of permit no. 22-07563.

Please file the enclosed assignment in our behalf and send us a letter of receipt and acknowledgment of this assignment. We would request that in the future, copies of all notices and/or correspondence regarding this permit number be sent to our branch address, P.O. Box 157, Rexburg, Idaho 83440. Should you have any questions concerning this matter, please feel free to call us at 1-800-464-6812.

Respectfully,

Lorna Bair
Operations Assistant
Rexburg Branch

Enclosures

RECEIVED

JAN 21 1993

RECEIVED

Form 217

11/91
FEB 05 1992

Department of Water Resources
Eastern District Office

OFFICE USE ONLY
Amt. of Fee \$ 150.00
Date 5 Feb 1992
Receipt No. E016899
Receipt by KCW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

356-5240 GARRY

1. Permit No. 22-7563 Telephone No. 356-3510 Blaine
2. Name(s) of Permit Holder(s): GARRY SMITH, BLAINE SMITH
3. Mailing Address: 1829 S Meadowview Ave. Rexburg 83440
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Hopkins Date Drilled: 1961

OPTIONAL:

Pump horsepower: 100 Pressure (psi): 40 Dynamic pumping level (ft.): 260
30 Booster

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 133 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 2.66 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No ☒ Installed? _____ Yes ☒ No ☒

OR

Flow Measurement Port: Required? ☒ Yes _____ No ☒ Installed? ☒ Yes _____ No ☒

8. Fee Enclosed: \$ 150.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Blaine Smith
Name Telephone No. _____
2082 W 5200 S Rexburg Id 83440
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

5 Feb 1992 Blaine Smith Garry Smith MAR 04 1992
Date Signature (and title, if on behalf of a company or organization)

February 14, 1992

GARRY SMITH
BLAINE SMITH
1829 S. MEADOWVIEW AVE.
REXBURG ID 83440

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07563

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
MAR 04 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 22-7563

Reviewed by Klg

Date 2/7/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

irrigate 133 acres
Correct Uses? yes

SOURCE OF WATER

Surface water source
Ground water source

1961 NA Drilling permit required?
Copy in the file? Drilling Permit No.
Amount paid for permit Correct?
Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
150 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 2/5/92
2/4/92 KLG

January 31, 1992

GARRY SMITH
BLAINE SMITH
1829 S. MEADOWVIEW AVE.
REXBURG ID 83440

PROOF DUE NOTICE

RE: PERMIT NO. 22-07563

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

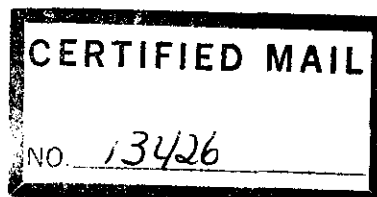
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



May 9, 1991

RE: Permit No. 22-07563

Blaine Smith
2082 W. 5200 S.
Rexburg, ID 83440

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

MAY 29 1991

RECEIVED
MAY 3 1991

State of Idaho
Department of Water Resources

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HWT

Right Number 22-02563 Applicant Blaine Smith

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- NA ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) NA
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions OLG

By HWT Date 5-1-91

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By CS Date 5-3-91
- ☒ Approved copy sent to applicant and to Region. By BLM Date 5-10-91



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 8, 1991

GARRY SMITH
BLAINE SMITH
1829 S. MEADOWVIEW AVE.
REXBURG, ID 83440

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07563

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum flows established by state action, and is held in trust for the State of

APR 11 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

APR 11 1991

APPLICATION FOR PERMIT REVIEW

Application #: 22-7563
Date: 3-29-91

Reviewer: Pam Skaggs

Existing:

No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - N/A

Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03 (existing well)
LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99
Not included - 046-P23 (All GW, even existing wells)

Location:

Water Districts - WD No. 01
Surface water - 005, 005-01H-P01 (LT.7 w/pump)
005-01J-P08 (GT.7)
Groundwater *existing* - P05
Irrigation Districts - 023
Canal Co. Areas - 023
Drainage Districts - 024
Boise Front (63) - 058 (Groundwater)
Swan Falls Flag - 7 (1, Blank or Other)
Trust - 051-052-053-P74 (Cons.), 041 (DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....
Boise (63) - 11D-P72
Payette (65) - 047-P04, 059-P71
Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (Choose One), 042(req.)
002-P06(M.D.), 007(Spec.), 044(Policy 5G)
Power - Use Power Review
Mining - 06A or 010, 09E-P10 & 054(req.)
Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)
Rec. & Aesthetic - 027(Non-Consumptive)
Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date: 04-01-1992

Other Conditions Recommended

4-2-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

FEBRUARY 12, 1991

The Rexburg Standard-Journal
Box 10
Rexburg, ID 83440

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 11, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED
FILMED

APR 11 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

22-07563

SMITH, GARRY
SMITH, BLAINE
1829 S. MEADOWVIEW AVE.
REXBURG, ID 83440

Source: GROUNDWATER

Diversion Pt: NENW Sec 24 T 05N R 39E

Use: IRRIGATION (2.660 CFS)
Total Diversion: (2.660 CFS)

Date Filed: 8/ 8/ 1988

In: T05N R40E S19	NWSE	SESE
S20	SWSW	SESW
S29	NENW	NWNW

133.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MARCH 11, 1991.

Published 2/21/1991 & 2/28/1991

R. Keith Higginson, Director

FILMED
APR 11 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 22-7563/Trust Water Processing

DATE: 1-31-91

This application is a trust water filing which has come up for sequential processing under the appropriate rules and statutes. The applicant has returned a trust water questionnaire claiming development prior to 1984.

A place of use overlap report in the file shows that the land was classified as irrigated by the department for the 1986 irrigation season. My review of a 1976 orthophoto shows that the land was irrigated at that time as well.

This application is considered a trust water filing due to its post 1984 priority date, but the acreage under the filing is not counted as trust acreage since it was developed and irrigated prior to 1984.

MICROFILMED

APR 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 22-7563

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☐

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☒ No ☐

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. _____

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. _____

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Senior # G-29035 Priority Sept 20, 1960 1.52 cfs

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Blaine Smith

Date 1-25-91

over
MICROFILMED

APR 11 1991

we have been using this ~~total~~ ~~since~~ additional
water since 1965. on front side of form is our
licence # & expiry date. for original Permit.

if further information is required please contact
me.

Thank you

Blaine Smith

REPROFILMED

APR 11 1991

APR 11 1991

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
2207563	REED CANAL CO.	D	SNAKE RIVER, SOUTH F	05N	40E	19	:	X	X	X	:	X	X	:	
0100251	JENSEN	L	GROUNDWATER	05N	40E	19	38	39	34	39	:	29	:	:	179
2202198	SMITH	L	GROUNDWATER	05N	40E	19	:	:	:	:	:	33	:	:	33
2202297	SMITH	A	GROUNDWATER	05N	40E	19	:	:	:	:	:	4	:	3	7
2207563	1986 MAPPING DATA	---	COUNTY 65 QUAD W	94	05N	40E	19	42	40	40	43	:	38	30	448
2207563	JENSEN	L	GROUNDWATER	05N	40E	20	36	37	:	38	39	:	:	:	150
2202198	HANSEN	L	GROUNDWATER	05N	40E	20	:	:	:	:	:	39	39	38	156
2202275	SMITH	L	GROUNDWATER	05N	40E	20	:	:	:	40	40	:	:	:	80
2202297	ARLENCO INC.	P	GROUNDWATER	05N	40E	20	37	40	:	40	40	:	:	:	157
2207476	SMITH	A	GROUNDWATER	05N	40E	20	:	:	:	38	40	:	:	:	78
2207563	1986 MAPPING DATA	---	COUNTY 65 QUAD W	94	05N	40E	20	40	40	39	39	:	41	42	653
2207563	SMITH	L	GROUNDWATER	05N	40E	29	40	35	:	:	:	:	:	:	115
2202250	HANSEN	L	GROUNDWATER	05N	40E	29	39	31	:	38	10	:	:	:	70
2202275	SMITH	A	GROUNDWATER	05N	40E	29	:	:	:	38	10	:	:	:	48
2207563	1986 MAPPING DATA	---	COUNTY 65 QUAD X	44	05N	40E	29	41	39	34	41	:	39	24	559

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 7, 1991

RE: APPLICATION FOR PERMIT NO. 22-2523

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information will be sent to you after you return the questionnaire.

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Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

FILED
APR 11 1991

kcw -

SWAN FALLS

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY KC Wilson DATE 9/12/88 APPLICATION NUMBER 22-7563

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) NONE
- ☒ Overlapping point of diversion NONE
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested DEC 24 1990

RECEIVED

Department of Water Resources

☒ Yes ☐ No 1. Form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

☐ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☐ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☐ No Protests received
Final date for protest _____
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below.

☐ See below for additional information

Date of priority recommended

By _____ Date _____

☐ See below for additional information

By _____ Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|--|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | ☐ Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 19, 1988

Garry and/or Blaine Smith
2082 W. 5200 S.
Rexburg, Idaho 83440

RE: Application for Permit #22-7563

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application for water right permit. The application has been assigned identification No. 22-7563. Please refer to this number in all future correspondence.

The Department can not proceed with the processing of your application at this time. It seeks the appropriation of water within the area covered by the civil suit of Idaho Power Company vs. Idaho Department of Water Resources, et al., Ada County Civil No. 81375 (Swan Falls Suit). Until there has been a final resolution to this suit and rules and regulations promulgated for considering new appropriations, the processing of applications in this area has been suspended. During the interim, your application will be held in this office.

The staff in our office will be glad to answer any questions you have concerning the above matter.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

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