

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4842
WATER RIGHT NO(S) . ~~13-02198/13-07005~~
21-08240/21-08241

This is to certify that: DBA JORGENSEN BROTHERS
TERRY C JORGENSEN ET UX
KEITH C JORGENSEN ET UX
1928 OLD HWY 30
BANCROFT ID 83217

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>DIVERSION VOLUME</u>
Right No. 13-02198 :			
IRRIGATION	04/15 to 10/15	2.88 CFS	
Priority: 12/22/1958			
Right No. 13-07005 :			
IRRIGATION	04/15 to 10/15	3.74 CFS	
Priority: 05/15/1969			
TOTAL:		* 3.82 CFS	* 108.6 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: NENE, Sec. 14, Township 09S, Range 40E
CARIBOU County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	40E	13	NENW 38	NWNW 39	SWNW 39	
			SENW 38			154
	14		NENE 13	SWNE 30	SENE 40	
			NWNW 39	SWNW 39	SENW 40	201
Total number of acres irrigated:						* 355 **

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 13T.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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APR 27 2000

TRANSFER NO. 4842
WATER RIGHT NO(S). 13-02198/13-07005

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 8. Right 13-02198 is limited to the irrigation of 246.0 acres in the place of use described above in a single irrigation season.
- ** 9. Right 13-07005 is limited to the irrigation of 352.0 acres in the place of use described above in a single irrigation season.
- * 10. Rights 13-02198 and 13-07005 when combined shall not exceed a total diversion rate of 3.82 cfs, a total annual maximum diversion volume of 108.6 af, and the irrigation of 355.0 acres.
11. The well previously used under Rights 13-02198 and 13-07005 shall be abandoned in a manner which complies with Department well abandonment rules.

Dated this 24th day of

April

, 2000.

J. Allen Saxton
Chief, Water Allocation Bureau

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MEMORANDUM

TO: Files 13-02198 & 13-07005

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 4842

DATE: April 24, 2000

Transfer 4842 proposes to change both the point of diversion and place of use under Rights 13-02198 and 13-07005. The original location and the proposed location are within the Bancroft-Lund GWMA; however, the proposed change will move the rights to Basin 29.

The transfer was protested and concerns raised about moving this groundwater right within the GWMA. The protestant was concerned about the impact the transfer would have on both his own well and a neighbor's who was already concerned about production of his own well. The transfer will move the point of diversion for these rights to a closer proximity to their wells than the original well in Basin 13.

Review by Department Staff (see Tim Luke's memo of 03-17-2000) on the previous use of the original well, and rather the rights were primary or supplemental reflected concerns about the lower than average annual volumes. Tim found that these groundwater rights are apparently primary use rights, but that the annual volumes identified for the previous four years are very low when compared to neighboring wells. The total volumes identified for 1996-1999 were 70.2 af, 47.4 af, 81.0 af and 98.7 af, respectively.

The transfer approval was limited to a maximum annual volume of 108.6 af (98.7 af plus 10% to compensate for calculation margin of error) to avoid expansion of use through this transfer approval. Other approval conditions include annual measuring & reporting, Director maintaining jurisdiction for up to 5 years to determine potential injury in the vicinity of the new diversion, watermaster control, irrigation overlap, drilling permit requirements, permissible place of use limits, combined right limits, well abandonment for original well and standard transfer conditions.

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DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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Department of Water Resources
Eastern Region

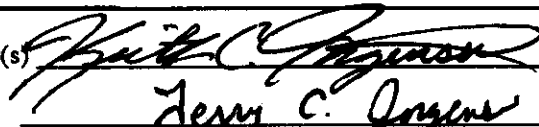
**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 13-7005
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant Everett W. Smith
1670 Turner Road, Grace, Idaho 83241
4. New Owner/Claimant(s) Terry C. Jorgensen et ux & Keith C. Jorgensen et ux
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1928 Old Highway 30 503 Bench Lago Road
City, State and ZIP Code Bancroft, ID 83217 Grace, ID 83241
New Telephone Number (208) 425-3864 208-425-3138
5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) 
Terry C. Jorgensen
Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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APR 13 2000

146937

WARRANTY DEED

The Grantor, FARM CREDIT BANK OF SPOKANE, successor by merger to THE FEDERAL LAND BANK OF SPOKANE, a corporation, for and in consideration of the sum of TEN AND NO/100 DOLLARS, (\$10.00), and other valuable consideration in hand paid, conveys and warrants to JORGENSEN BROTHERS, an Idaho general partnership, whose complete mailing address is 1928 Old Hwy 30 Bancroft, Idaho 83217, the following described real estate situated in the County of Caribou, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED HEREIN BY REFERENCE

Grantor hereby expressly conveys unto the Grantee their successors and assigns, forever, all oil, gas, coal, ores, minerals and fossils of every name, kind or description, not previously reserved which may be in or upon said lands above described or any part thereof. PROVIDED, HOWEVER, Grantor does not warrant or covenant with said Grantee with respect to the existence or nonexistence of any pollutants, contaminants or hazardous waste prohibited by federal, state or local law or claims based thereon arising out of the actual or threatened discharge, release, disposal, seepage, migration or escape of such substances at, from or into the demised premises.

DATED This 13 day of December, 1993.

FARM CREDIT BANK OF SPOKANE

STATE OF IDAHO } ss.
County of Caribou }

146937

By Kim Heisinger
Title: Authorized Agent

I hereby certify that this instrument was filed at the request
of Caribou Title
at 3:30 o'clock p on 17 day of
Dec, 1993 in my office and duly
recorded in Microfilm Records
Edie Izatt
Ex-Officio Recorder Deputy 9⁰⁰
OT

MICROFILMED
APR 13 2000

CARIBOU COUNTY IDAHO

Township 9 South, Range 40 East of the Boise Meridian:

Section 32: $S\frac{1}{2}S\frac{1}{2}$.Section 33: $SW\frac{1}{2}SW\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{2}$.

Township 10 South, Range 40 East of the Boise Meridian:

Section 4: Lots 2,3,4, $S\frac{1}{2}NW\frac{1}{2}$, $SW\frac{1}{2}NE\frac{1}{2}$.

Section 5: $N\frac{1}{2}$, $N\frac{1}{2}SE\frac{1}{2}$, $SW\frac{1}{2}SE\frac{1}{2}$. EXCEPTING THEREFROM: Beginning at a point on the North Right of Way Line of the 66 ft. wide right of way of the Grace Turner Road[F.A.P. RS-1775(4)] at Highway Station 102+08.94, said point being 1292.2 feet West and 33 feet North of the Southeast Corner of Section 5, Township 10 South, Range 40 East of the Boise Meridian; thence running West along said right of way line 420.0 feet; thence North 207.43 feet; thence East 420 feet; thence South 207.43 feet to the Point of Beginning and containing 2.0 Acres, more or less, AND ALSO INCLUDING a permanent and irrevocable easement reserved for ingress and egress across the Westerly 85 feet of said tract; and to an access easement across the Easterly 25 feet of said tract.

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APR 13 2000

EXHIBIT

A

146937

STATE OF IDAHO

)

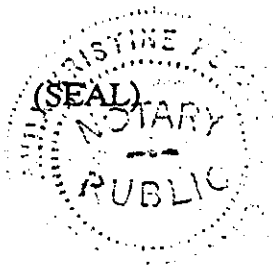
SS

County of Twin Falls

)

On this 13 day of December, 1993, before me, the undersigned Notary Public in and for said county and state, personally appeared KIM HERZINGER, known or identified to me to be the authorized agent of the corporation that executed the foregoing instrument, and acknowledged to me that he executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Kristine A. Heyburn
NOTARY PUBLIC for Idaho
Residing at: Heyburn
Commission Expires: 12-07-94

March 31, 1994

Time: 4:30 P.M.

Microfilm Records

Recorder: Edie Izatt

Deputy: Denise Husley

Fee: 900 CT

WARRANTY DEED

THIS INDENTURE, Made this 10th day of March, 1994, between of JORGENSEN BROTHERS, an Idaho general partnership of Bancroft, County of Caribou, State of Idaho, hereinafter called First Party, and TERRY CARL JORGENSEN and MELONIE JORGENSEN, husband and wife; KEITH C. JORGENSEN and BECKY JILLENE JORGENSEN, husband and wife, of 1928 Old Highway 30, Bancroft, County of Caribou, Idaho, 83217, hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of TEN DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

See EXHIBIT "A" attached hereto and
incorporated herein by reference

SUBJECT to all easements, rights of way, and public roads or highways adjoining or crossing said property, and further subject to retention or reservation of mineral, oil and gas rights by prior owners of said real property or by the United States of America or the State of Idaho.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said Second Party, and to their heirs and assigns forever. And the said First Party, and their heirs the said premises in the quiet and peaceable possession of the said Second Party, their heirs and assigns against the said First Party, and their heirs and assigns and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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APR 13 2000

IN WITNESS WHEREOF, The said First Party has hereunto set their hands and seals, the day and year first above written.

JORGENSEN BROTHERS, an Idaho
general partnership

Terry Carl Jorgensen
TERRY CARL JORGENSEN, General Partner

Melonie Jorgensen
MELONIE JORGENSEN, General Partner

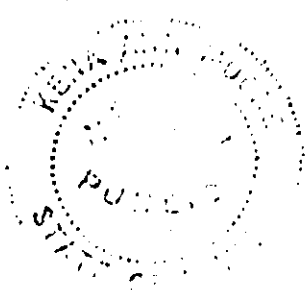
Keith C. Jorgensen
KEITH C. JORGENSEN, General Partner

Becky Jillene Jorgensen
BECKY JILLENE JORGENSEN, General Partner

STATE OF IDAHO)
 : ss.
County of Caribou)

On this 31st day of March, 1994, before me the undersigned, a Notary Public in and for said State, personally appeared Terry Carl Jorgensen, Melonie Jorgensen, Keith C. Jorgensen and Becky Jillene Jorgensen, known to me to be the partners in the partnership of Jorgensen Brothers and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Notary Public
NOTARY PUBLIC for the State of Idaho
Residing at: Soda Springs, Idaho
Commission expires: 3/31/95

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APR 13 2000

Caribou County Idaho:

Township 9 South, Range 40 East of the Boise Meridian:

Section 32: S $\frac{1}{2}$ S $\frac{1}{2}$.

Section 33: SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

Township 10 South, Range 40 East of the Boise Meridian:

Section 4: Lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 5: N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM: Beginning at a point on the North right of way line of the 66 feet wide right of way of the Grace Turner Road [F.A.P. RS-1775(4)] at Highway Station 102+08.94, said point being 1292.2 feet West and 33 feet North of the Southeast Corner of Section 5, Township 10 South, Range 40 east of the Boise Meridian; thence running West along said right of way line 420.0 feet; thence North 207.43 feet; thence East 420 feet; thence South 207.43 feet to the Point of Beginning and containing 2.0 acres, more or less, AND ALSO INCLUDING a permanent and irrevocable easement reserved for ingress and egress across the Westerly 85 feet of said tract; and to an access easement across the Easterly 25 feet of said tract.

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APR 13 2000

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

 DATE: NOV-12-1991
 PAGE: A-50

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	DATE OF CLAIM
SOURCE: GROUNDWATER						
13-07005	EVERETT W. SMITH 1670 TURNER RD. GRACE ID 83241	05/15/1969	IRRIGATION	04-15 10-15	3.74 1056.0	CFS AFY
TOTAL QUANTITY:					3.74 1056.0	CFS AFY
CONSUMPTIVE USE:					880.0	AFY
POINT OF DIVERSION: T10S R40E S05 SENW						
PLACE OF USE: IRRIGATION						
T09S R40E S32 SWSW 16.0 SESW 21.0 SWSE 3.0 SESE 20.0 T10S R40E S05 Lot 1 (NENE)33.0 Lot 2 (NENE)34.0 SENE 28.0 SENE 19.0 Lot 3 (NENW)40.0 Lot 4 (NENW)40.0 SWNW 36.0 SENW 37.0 MUSE 21.0 SUSE 4.0						

352.0 ACRES TOTAL

REMARKS: THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT AND RIGHT
 13-02198 SHALL NOT EXCEED 3.82 CFS.
 THE MAXIMUM COMBINED IRRIGATED LAND UNDER THIS RIGHT AND RIGHT
 13-02198 SHALL NOT EXCEED 355 ACRES.
 THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS SHALL NOT EXCEED A
 DIVERSION RATE OF 0.02 CFS PER ACRE, A DIVERSION AMOUNT OF 3.0
 AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER
 ACRE.

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APR 13 2000

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FILED

'92 JUL 28 PM 1 56

CARIBOU COUNTY CLERK

STATE OF IDAHO } ss.
County of Caribou }

I hereby certify that this instrument was filed at the request
of Department of Water Resources
at 10:00 o'clock A m this 5th day of
August, 1992 in my office and duly
recorded in Microfilm Records
Rebecca Jenkins-Smith
Stephanie Lansberry n.d
Ex-Officio Recorder Deputy

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CARIBOU

In the Matter of General	)	Civil No. 2919
Determination of the Rights to	)	
the Use of Surface and	)	
Groundwater in the Bancroft-Lund	)	FINAL DECREE
Area.	)	

R. Keith Higginson, Director of the Idaho Department of Water Resources, filed a Motion for Final Decree on July 1, 1992, 1992. The motion came on for hearing July 28, 1992.

Based on the motion and the argument presented at hearing, the court finds and concludes as follows:

The Director's Report for the Bancroft-Lund Area was filed November 15, 1992. The court entered an Order Amending Report, which amended Finding of Fact No. 14 and Conclusions of Law 16 and 18, and amended the List of Claims/Rights Not Recommended.

Last Chance Canal Company and Utah Power & Light Company filed objections to the report.

The adjudication statute provides for entry of partial decree of uncontested matters, entry of further partial decrees as

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necessary to resolve objections and final decree incorporating all partial decrees. Idaho Code §42-1412(8)(9)(10). A List of the Uncontested Portions of Director's Report has been filed with the court as required by Idaho Code §42-1412(9), and hearing on the partial decree of uncontested matters is set for July 28, 1992.

A Stipulation Resolving Objections of Utah Power & Light Company and Last Chance Canal Company has been filed with the court along with a motion seeking approval of the stipulation. Hearing on the motion was set for July 28, 1992, immediately preceding hearing on partial decree of uncontested matters. Upon entry of the order approving stipulation there were no contested matters remaining to be resolved. Therefore, no partial decrees are necessary and the court may proceed with entry of the final decree completing the Bancroft-Lund adjudication.

THEREFORE, IT IS HEREBY ADJUDGED AND DECREED that:

All rights to the use of surface and groundwater from the Bancroft-Lund Area are as described in the Director's Report, except that:

1. The Findings of Fact and Conclusions of Law attached hereto are substituted for the Findings of Fact and Conclusions of Law in the Director's Report.

2. List of Claims/Rights Not Recommended attached hereto are substituted for the List of Claims/Rights Not Recommended in the Director's Report.

DATED this 28th day of July, 1992.

151
DANIEL C. HURLBUT
District Judge

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

DATE: NOV-12-1991
PAGE: A-50

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
13-07005	EVERETT W. SMITH 1670 TURNER RD. GRACE ID 83241	05/15/1969	IRRIGATION	04-15 10-15	3.74 1056.0	CFS AFY LICENSE
TOTAL QUANTITY:					3.74	CFS
CONSUMPTIVE USE:					1056.0 880.0	AFY AFY
POINT OF DIVERSION: T10S R40E S05 SENW						
PLACE OF USE: IRRIGATION						
T09S R40E S32 SWSW 16.0 SESW 21.0 SWSE 3.0 SESE 20.0 T10S R40E S05 Lot 1 (NENE)33.0 Lot 2 (NAME)34.0 SWE 28.0 SENE 19.0 Lot 3 (NENW)40.0 Lot 4 (NWNW)40.0 SNW 36.0 SENW 37.0 NWSE 21.0 SWSE 4.0						

352.0 ACRES TOTAL

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AFY PER ACRE, NOR A VOLUME OF CONSUMPTIVE USE OF 2.5 AFY PER
ACRE.

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APR 27 2000

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AUG 10 1992

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FILED

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CARIBOU COUNTY CLERK

DEPUTY

STATE OF IDAHO } ss.
County of Caribou }

I hereby certify that this instrument was filed at the request
of Department of Water Resources
at 10:00 o'clock A m this 5th day of
August, 1992 in my office and duly
recorded in Microfilm Records
Rebecca Jenkins-Smith
Stephanie Lansberry nel
Ex-Officio Recorder Deputy

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF CARIBOU

In the Matter of General	)	Civil No. 2919
Determination of the Rights to	)	
the Use of Surface and	)	
Groundwater in the Bancroft-Lund	)	FINAL DECREE
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APR 21 1993

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1. The Findings of Fact and Conclusions of Law attached hereto are substituted for the Findings of Fact and Conclusions of Law in the Director's Report.

2. List of Claims/Rights Not Recommended attached hereto are substituted for the List of Claims/Rights Not Recommended in the Director's Report.

DATED this 28th day of July, 1992.

151
DANIEL C. HURLBERT
District Judge

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF CARIBOU

IN THE MATTER OF THE GENERAL DETERMINATION)
OF THE RIGHTS TO THE USE OF THE SURFACE)
AND GROUNDWATERS IN THE BANCROFT-LUND AREA)
_____)

Civil No. 2919

DIRECTOR'S REPORT

FILED
APR 14 1980

INTRODUCTION

The above-entitled cause was initiated under the provisions of Idaho Code §42-1406, by submission of a petition containing signatures of more than five water users in the Bancroft-Lund Area, requesting that the Director of the Idaho Department of Water Resources obtain authority to commence a general adjudication of ground water rights in the Bancroft-Lund Area.

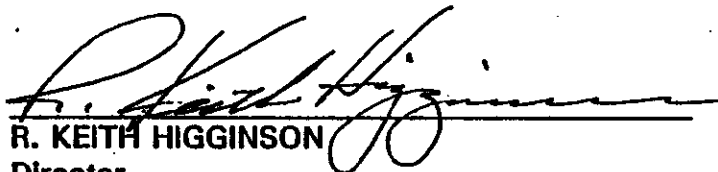
Pursuant to Idaho Code §42-1407, C. Stephen Allred, Director of the Department of Water Resources, petitioned the court on February 11, 1980, for an order commencing a general determination of the existing rights to the use of surface and ground water with point of diversion and place of use within the Bancroft-Lund Area. Orders authorizing the department to commence an investigation and determination of the various rights to the use of said waters and joining about 375 landowners and possible water users in

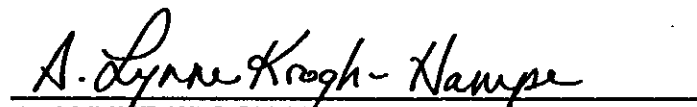
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APR 27 2000

18. Except for entries in the Listing of Water Rights with a basis of "application" or "permit", the surface and ground waters of the Bancroft-Lund Area water system have been found to have been appropriated as described in the Listing of Water Rights. The Listing of Water Rights generally describes the water rights as of June 16, 1980. However, the status of some rights has changed pursuant to administrative proceedings completed after June 16, 1980 but before January 1, 1990, and the Listing of Water Rights describes those rights as they existed upon completion of the administrative proceeding. A summary of those rights is found at pages Page xxiii to Page xxv.

Signed this 8TH day of November, 1991.


R. KEITH HIGGINSON
Director
Idaho Department of Water Resources


A. LYNNE KROGH-HAMPE
Deputy Attorney General
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000
Telephone: (208) 327-7906

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APR 27 2000

THIS RIGHT HAS BEEN SUPERCEDED BY A DECREE

CASE NAME Director's Report - Bancroft - Lund Area

DECREE DATE 7-28-1992

SEE DECREE FILE NO. 13-R

ALL ACTIONS TAKEN BEYOND THIS POINT HAVE BEEN BASED ON THE
DECREED VERSION OF THIS RIGHT & MAY MODIFY THE DECREED RIGHT.

MICROFILMED

APR 27 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant EVERETT W. SMITH Phone 425-3527Post office address GRACE, IDAHO 83241

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 13-2198 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

Applicant is the original holder3. Source of water Groundwater tributary to _____4. Date of priority 12-22-58

5. Water is used for the following purposes:

amount 2.88 cfs for Irrigation purposes from Apr. 1 to Oct. 31amount 0.04 cfs for Domestic purposes from Jan. 1 to Dec. 31amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)6. Total amount of water under right: a. 2.88 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5
Township 10S Range 40E, B.M., in Caribou County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	40E	32											19	19			18		56
10S	40E	5		34	28		38	34	28	28									190

- Total number of acres to be irrigated 2469. Describe any other water rights used for the same purposes as described above License 13-7005

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion No change
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use
- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13-2198																			
9S	40E	32										19	19			3	15		56
10S	40E	5		34	28		38	34	28	28									190
13-7005																			
9S	40E	32										16	21			3	20		60
10S	40E	5	33	34	28	19	40	40	36	37					21	4			292

13-2198 is primary right for 246 acres
13-7005 is supplemental right for 352 acres

number of acres to be irrigated _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to _____
in case of _____ (Name)
vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. 13-7005 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____ Applicant is original holder

3. Source of water Groundwater tributary to _____

4. Date of priority 5-15-69

5. Water is used for the following purposes:

amount 3.74 cfs for Irrigation purposes from May 1 to Oct. 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 3.74 cubic feet per second &/or b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5 Township 10S Range 40E B.M., in Caribou County Additional points of diversion, if any _____

8. Lands irrigated or place of use:

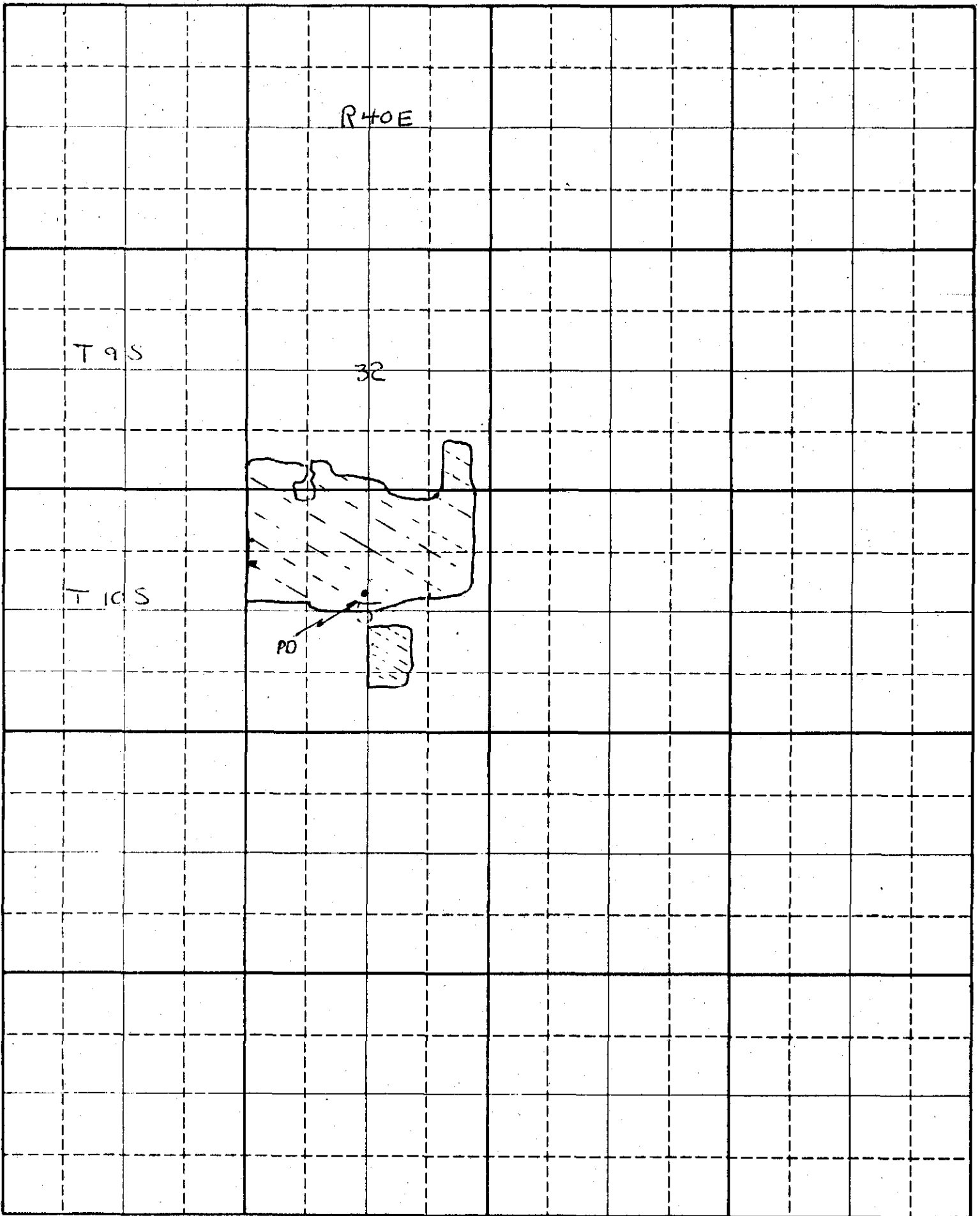
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	40E	32											16	21			21	8	66
10S	40E	5	33	34	28	18	40	40	36	37					20				286

Total number of acres to be irrigated 352

9. Describe any other water rights used for the same purposes as described above License 13-2198

MICROFILMED

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

UNRECORDED

4. Remarks _____

I hereby assert that no one will be injured by such change and 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.

Subscribed and sworn to before me this 21st day of January, 1980.
[Signature]
(Signature of applicant)

[Signature]
(Notary public)

My commission expires 2/14/82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 13-2198/7005 and said application is hereby approved, subject to the following limitations and conditions:

1) No more than 3.82 cfs shall be diverted nor shall more than 1065 acre feet per annum be provided when rights 13-2198 and 13-7005 are combined. (2) No more than 355 acres shall be irrigated under rights 13-2198 and 13-7005 when combined.

Witness my hand this 6TH day of May, 19 81.

[Signature]
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by _____ Date _____

Prelim. check by _____ Fee _____

Received by TRB Date 1-21-81 # 16188

Published in Caribou Co. Sun

Pub. dates 2/12 & 2/19/81

Watermaster recommendation requested on _____

rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by Jim DRT

RECEIVED

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 13-7005 Priority May 15, 1969 Amount 3.74 cfs
(late proof)

THIS IS TO CERTIFY, that EVERETT W. SMITH
of Grace, Idaho, has complied with the terms and conditions of Permit
No. 13-7005 issued pursuant to Application for Permit dated March 13, 1969,
and has submitted proof to the Department of Water Administration on August 3, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.82 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____ hereby confirmed in the following amounts:
Amount 3.74 cfs for Irrigation from April 15 to Oct 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.74 cfs of water be diverted at
any one time, said waters to be diverted within the _____
SE 1/4 NW 1/4 Sec. 5 Twp. 10 S. Rge. 40 E. B. M.
in the county of Caribou and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,000 acre feet per year or
3.0 acre feet per acre when combined with License No. 27686/13-2198.

Description of location of place of use:

TWP.	RANGE	SEC.	NW 1/4								SW 1/4								TOTALS
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
9 S	40 E	32												21			8		66
10 S	40 E	5	33	34	28	18								20					286

Total number of acres irrigated 352

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25TH day of
June, 19 73.


Director

13 7005

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 13-7005)
in the name of EVERETT W. SMITH)

ORDER OF REINSTATEMENT

WHEREAS, on March 13, 1969, Everett W. Smith applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 3.74 cubic feet per second of water from a ground water source within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, Twp. 10 S, Rge. 40 E, B.M., Caribou County, to be used for irrigation purposes; and,

WHEREAS, on May 12, 1969, the Department approved said application and issued Permit No. 13-7005 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1970, and that the applicant permanently install and maintain a measuring device of a type approved by the Department as part of the diverting works; and,

WHEREAS, on June 1, 1970, the Department extended the time within which to submit proof of beneficial use under Permit No. 13-7005 to June 1, 1972; and,

WHEREAS, on March 31, 1972, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make such proof; and,

WHEREAS, on June 6, 1972, the Department notified the permit holder that Permit No. 13-7005 had lapsed for failure to submit the required proof of beneficial use; and,

WHEREAS, on August 3, 1972, the Department received the required proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 13-7005 be REINSTATED and the priority advanced to May 15, 1969.

Dated this 16 day of August, 1972.


C. STEPHEN ALLRED
Deputy Director

13 7005

LICENSE ISSUED FOR 3.74 SEC. FT.
LICENSE PAGE NO. _____

Identification No. 13-7005
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant EVERETT W. SMITH
post office address Route #1, Box 61, Grace, Idaho
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5 Township 10 S
Range 40 E B.M. Caribou County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.74 for Irrigation purpose from May 1 to October 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3.74 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump, motor, sprinkler system (7
lines, 33 nozzles)

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 6,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S	40 E	32											20	20			20	10	70
10 S	40 E	5	25	35	30	25	40	35	30	30						35			285

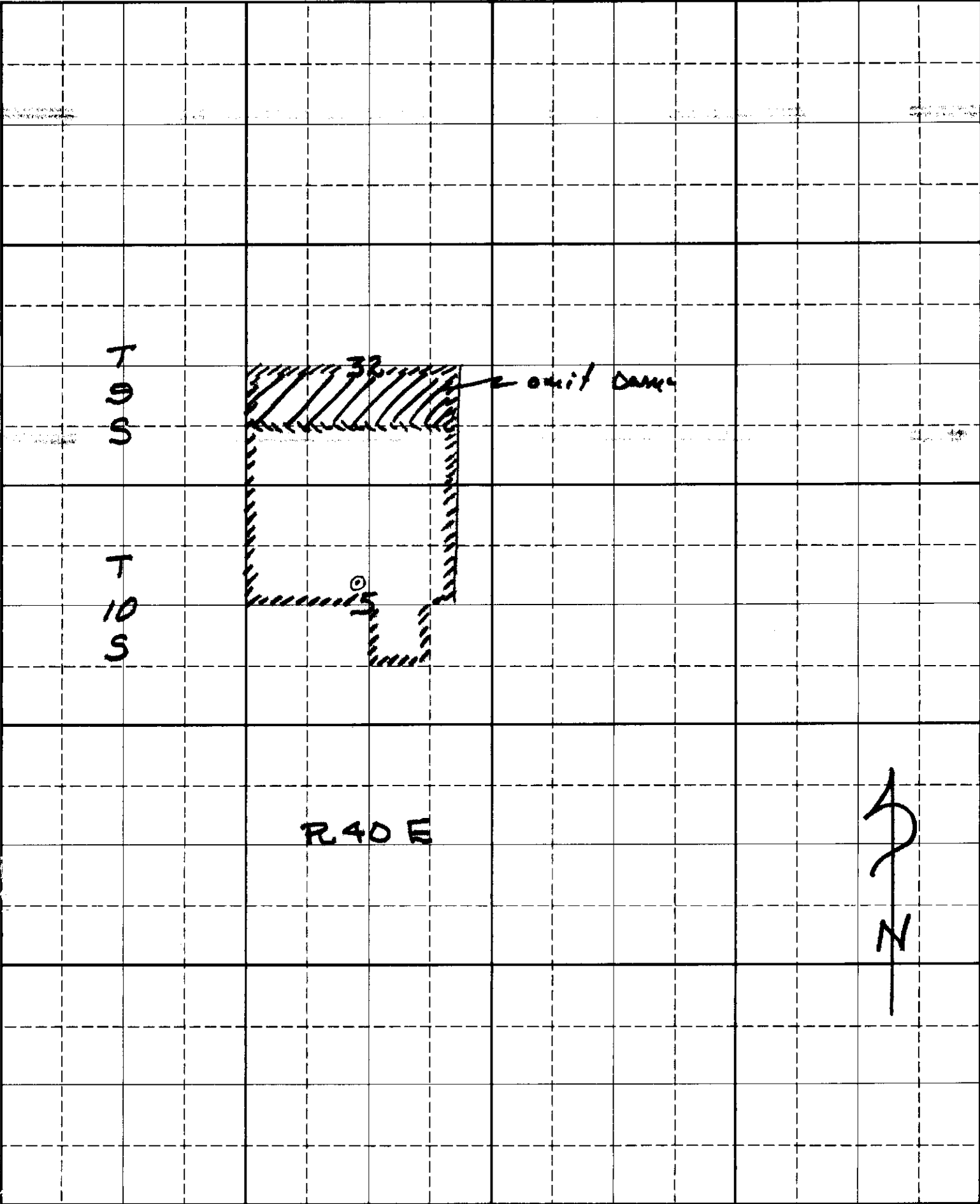
Total number of acres to be irrigated 355

c. Describe any other water rights used for the same purposes License - G-27686
for 2.88 c.f.s. 246 acres

9. a. Who owns the property at the point of diversion Applicant
 b. Who owns the land to be irrigated or 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 _____

10. Remarks Well is same well covered under License G-27686. Additional water from well to cover same and additional ground.

11. Map of proposed project:



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.

Everett Smith
(Applicant)

Received by CA Date 3/13/69 Time 11:45 AM
Preliminary check by Dave Fee \$ 35.00
Receipted by ef Date 3-13-69
Publication prepared by be Date 3-20-69
Published in Shrader Herald
Publication dates 3-27 + 4-3/69
Publication approved tg Date 3-26-69
Priority reduced to _____ Reason _____

Protests filed by: None 5-1-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by AT R.H.
PMC

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7005, and said application is hereby APPROVED.

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 June 1, 1970.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.
This permit is supplemental to all prior rights.

2. Denial of said application is for the following reasons: _____

Witness my hand this 12th day of May 19 69.

R. Kirk Higgs
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME

RECEIVED

State of Idaho)
County of _____)

JUN 1 1970

Permit No. 13-7005

Department of Reclamation

Everett W. Smith
(name)

OF Route 1, Box 61, Grace, Idaho
(address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 13-7005.

That under the terms and conditions of said permit, work thereunder was required to be completed by June 1, 19 70.

That he has heretofore performed the following work described under said permit: Well and water have been developed under another permit and license.

We have installed a new mainline and prepared one-half of the new ground

Costing \$ 6,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Insufficient time to complete the last half
of the ground and irrigate all the new ground.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to June 1, 19 72.

Everett W. Smith
(signature)

Subscribed and sworn before me this 1 day of June, 19 70.

Donald R. Elmore
(notary public)

My commission expires 2-18-1974

ACTION OF THE STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for permit
No. 13-7005 to June 1, 1972.

Witness my hand this 1st day of June, 19 70.

R. Keith Higgins
State Reclamation Engineer

*IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are obtainable through the Department of Reclamation, Statehouse Annex II, Boise, Idaho 83707.

13-7005

A C K N O W L E D G E M E N T

Date: _____

Re: Application No. _____

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. _____, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:

Everett Smith

Applicant

13-7605

Nº 1520

AFFIDAVIT OF PUBLICATION

RECEIVED

Department of Reclamation

STATE OF IDAHO,

ss.

County of Franklin

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co. publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *Two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

March 27, 1969, and ending

with the issue of *April 3*, 1969.

Fees, \$ *7.59*

Subscribed and sworn to before me this *3rd* day

of *April*, 19 *69*.

Beverly W. Mortensen

Notary Public, Residing at Preston, Idaho

My Commission Expires *Feb*, 19 *73*

Will submitted 5-1-69

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Everett, W. L. Bell, Box 22, Grace, Idaho, has on March 13, 1969 applied for permit under application No. 1520 to divert 24 cubic feet per second of water from ground water source. Water will be diverted by a well, pump, motor, sprinkler system within the SE 1/4 NW 1/4, sec. 5, T. 10 N. R. 40 E. B.M., Garbo County and is to be used from May 1 to October 31 for irrigation in the SE 1/4 NW 1/4, sec. 5, T. 10 N. R. 40 E. B.M., and the NW 1/4 SE 1/4, sec. 5, T. 10 N. R. 40 E. B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Grace Herald, Grace, Idaho, on March 27 and April 3, 1969.

Legal No. 1520 Pub. March 27, April 3, 1969.

13-7005

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

Mayor E. Hill

being duly sworn,

deposes and says:

That he is the *Publ. & Publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

March 27, 19*69*, and ending

with the issue of *April 3*, 19*69*

Fees, \$ *7.59*

Subscribed and sworn to before me this *3rd* day

of *April*, 19*69*.

Harvey W. Hatten

Notary Public, Residing at Preston, Idaho

My Commission Expires

Feb. 1970

Will work until Nov. 5-1-69

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Everett W. Smith, Route 1, Box 61, Grace, Idaho has on March 13, 1969 applied for permit under application No. 13-7005 to divert 3.74 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, motor, sprinkler system within the SE 1/4 NW 1/4, sec. 5, T. 10 S, R. 40 E, B.M., Caribou County and is to be used from May 1 to October 15 for irrigation in the S 1/2 SW 1/4, S 1/2 SE 1/4, sec. 32, T. 9 S, R. 40 E, B.M., and the N 1/2 NW 1/4 SE 1/4, sec. 5, T. 10 S, R. 40 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Grace Herald, Grace, Idaho, on March 27 and April 3, 1969.

Legal No. 1520—Pub. March 27, April 3, 1969.

13-7005



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 17, 2000

KEITH C JORGENSEN ET UX
503 BENCH LAGO RD
GRACE ID 83241

RE: Change of Ownership for Decreed Water Right 13-07005

Dear Mr. Jorgensen:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you and Terry Carl Jorgensen, et ux. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: Terry Carl Jorgensen, et ux

MICROFILMED
APR 13 2000

MEMORANDUM

TO: FILE 13-7005.

FROM: PAM SKAGGS

RE: TRANSFER # 4842.

DATE: 8-12-96.

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 13-2198.

MICROFILMED

APR 27 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 7, 1981

Everett W. Smith
Grace,
Idaho 83241

Dear Mr. Smith,

RE: Transfer of Water Right No.'s 13-2198/7005

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 2517). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosure

MICROFILMED

June 26, 1973

Re: Permit No. 13-7005

**Mr. Everett W. Smith
Route 1, Box 62
Grace, Idaho 83241**

Dear Mr. Smith:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

**BDF:DR
Enclosure**

13 7005

June 11, 1973

Mr. Everett W. Smith
Route 1, Box 62
Grace, Idaho 83241

Dear Mr. Smith:

Pursuant to your phone call, we have re-evaluated your Permit No. 13-7005 and the Department is prepared to issue a water license as follows:

Quantity: 3.74 cfs

Source: ground water

Beneficial use: Irrigation of 352 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$ (37),
S $\frac{1}{2}$ SE $\frac{1}{4}$ (29), Sec. 32, Twp. 9 S, Rge. 40 E, B. M. and N $\frac{1}{2}$ (266),
NW $\frac{1}{4}$ SE $\frac{1}{4}$ (20), Sec. 5, Twp. 10 S, Rge. 40 E, B. M.

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 10 S, Rge. 40 E, B. M.

Priority: May 15, 1969 (late proof)

The maximum quantity diverted shall not exceed 1,056 acre feet
per year or 3.0 acre feet per acre when combined with License
No. G-27686/13-2198.

If you do not concur with these findings, please advise us within 10 days of the date of this letter; otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

13 7005

June 6, 1973

Mr. Everett W. Smith
Route 1, Box 61 *MB 2*
Grace, Idaho 83241

Dear Mr. Smith:

A representative of this Department has made an examination of the works covered by your Permit No. 13-7005 and has found the following:

Quantity of water diverted: 3.82 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.18 cfs

The maximum quantity diverted shall not exceed 327 acre feet per year.

Beneficial use: Irrigation of 109 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 32, Twp. 9S, Rge. 40E, B.M. and E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 10S, Rge. 40E, B.M.

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, Twp. 10S, Rge. 40E, B.M.

Priority date established: May 15, 1969

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

13 7005

FIELD REPORT

TOTAL ACREAGE _____ **355**

F.
9
S

F.
10
S

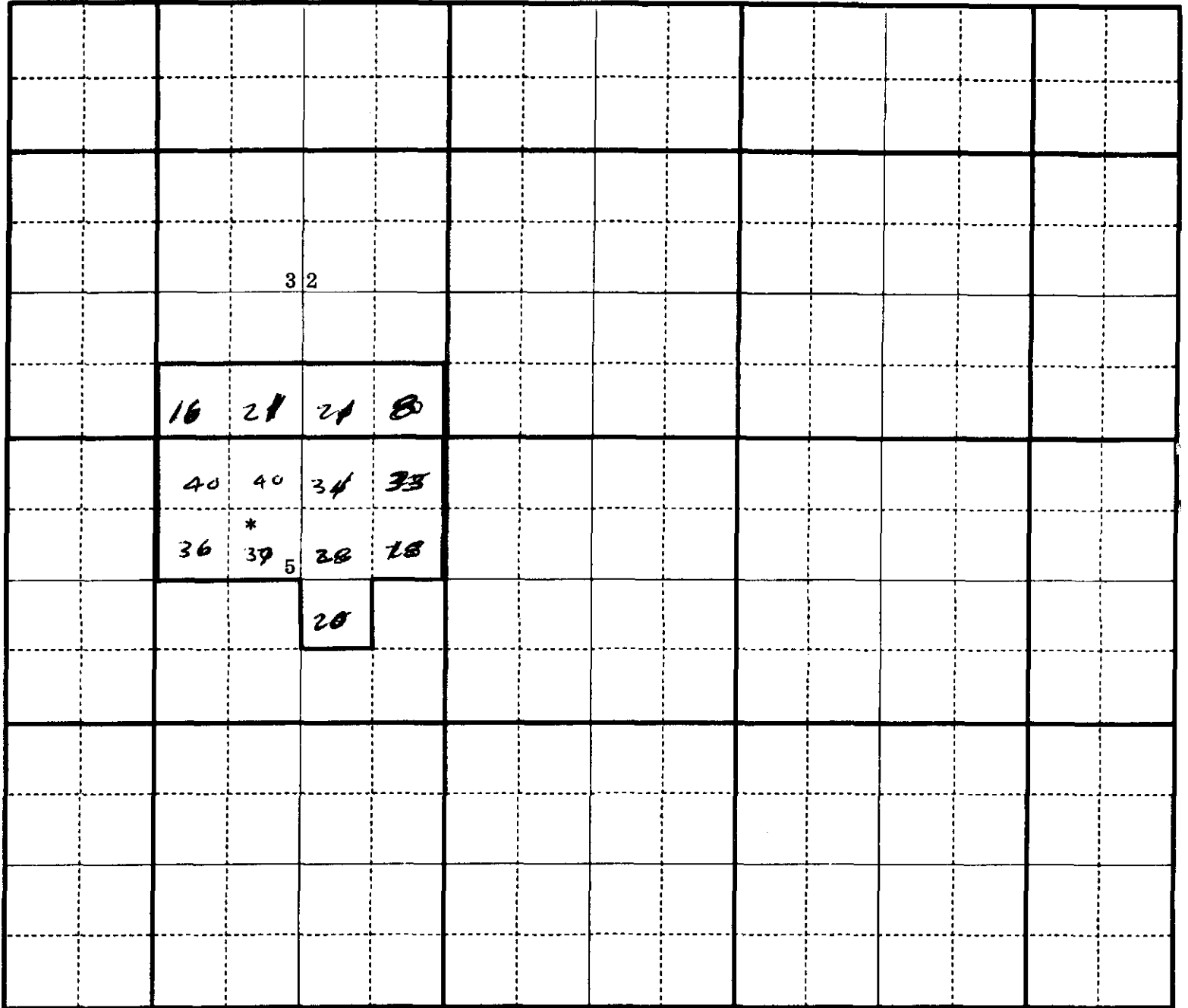
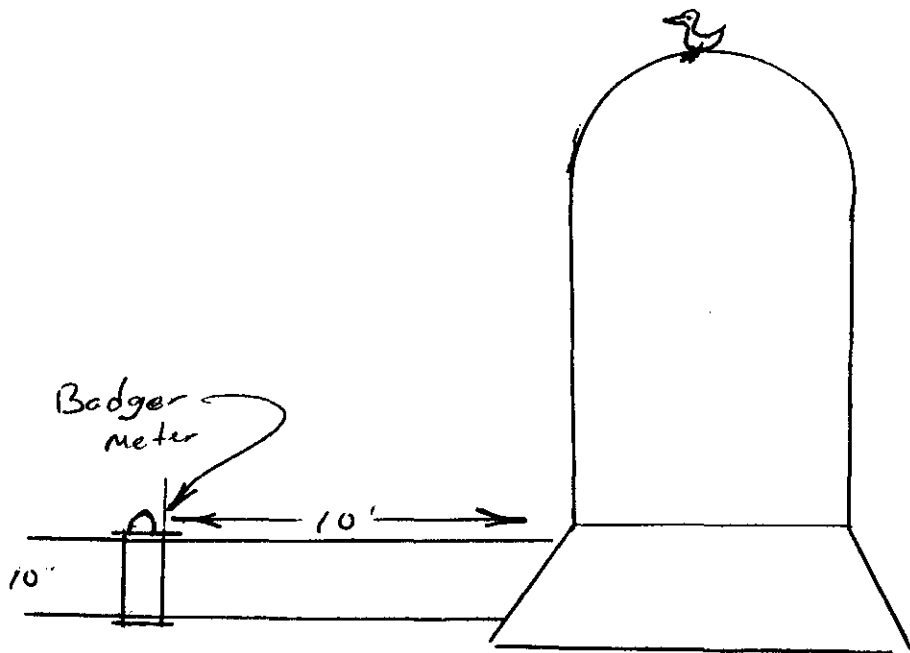
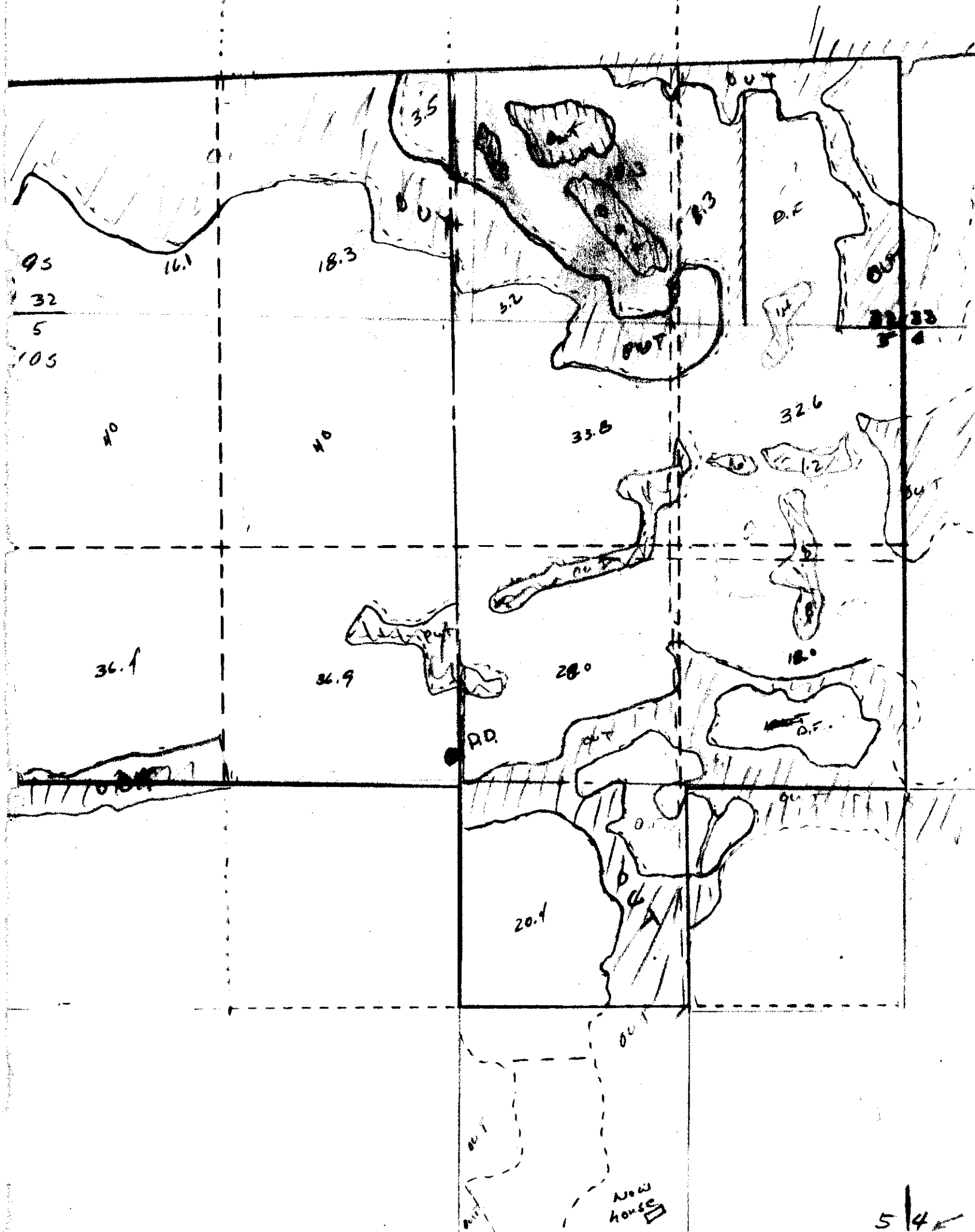


Diagram of System



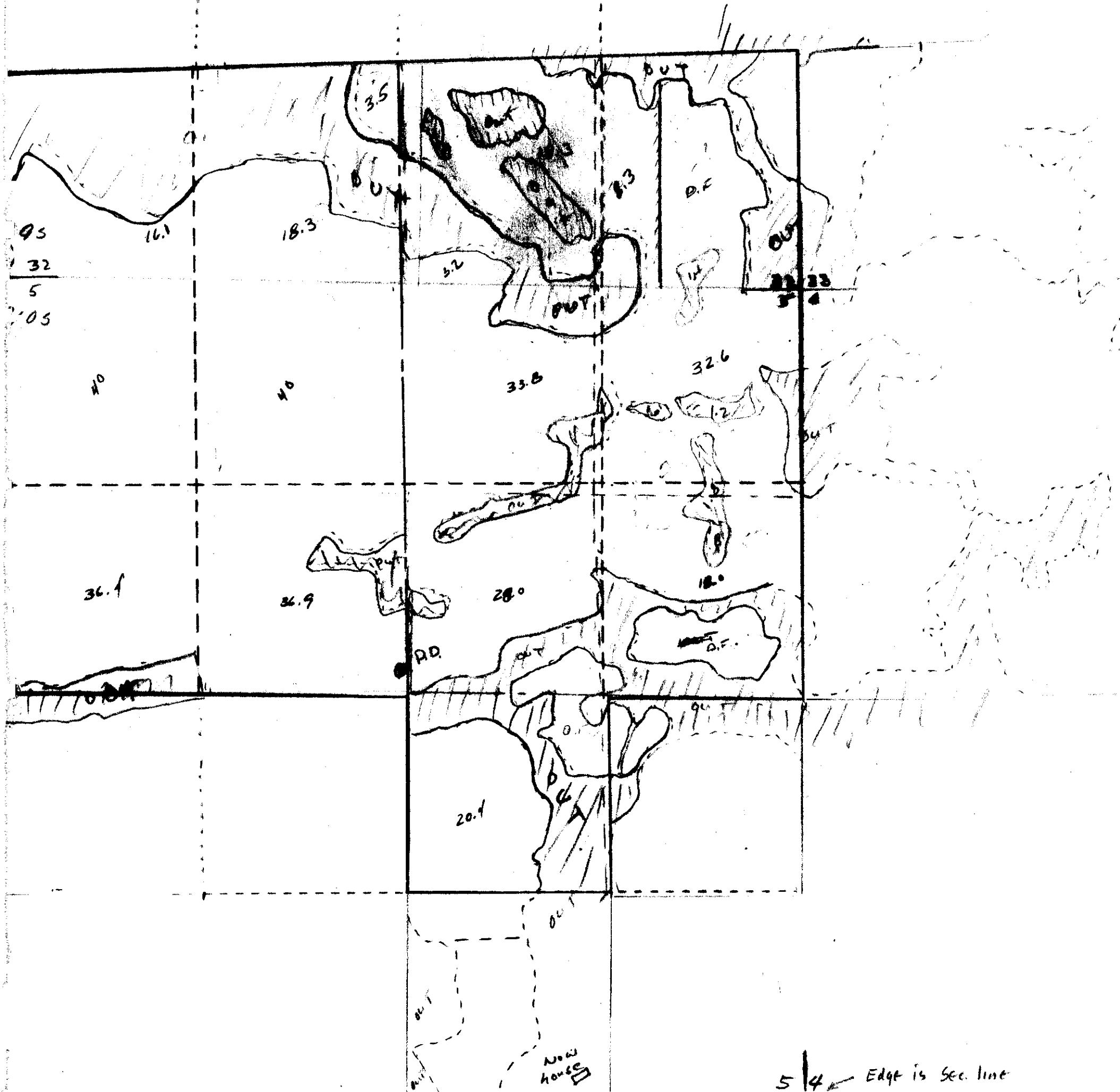
Everett Smith

13-7105



Everett Smith,

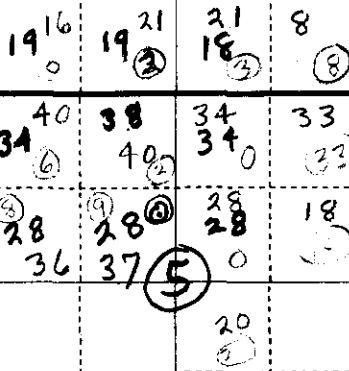
13-7105



WORK SHEET

Re: 13-2198 lic
13-7005 Permit

32



Red-existing
lic 13-2198

blue
Permit
13-7005

109 acres not incl in
lic 13-2198

$109(.02) = 2.18 \text{ ffs}$
 $109(3) = 327 \text{ AF/yr}$

LL
may 17, 73

DATE OF EXAM 8/30/72

13 7005

ACREAGE
Found ~~352~~ 352
Recommended ~~352~~ 352

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 3.74 c.f.s. V = (from permit) 1232 AF/Ann. from May 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 3.82 Method of measurement Potot Lube & Badger
Meter

Total Q recommended 3.74 Meter No. _____ Type _____ Condition _____

Total V recommended 1596

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

1000 gal in 35 sec for 1714 gpm or 3.82 cfs.

SYSTEM DESCRIPTION:

U.S. Motors Hallsheft 125 hp #1226761
LANE & Bowler #26350

REMARKS:

Accompanied by Everett Smith

Examiner's Signature R. M. Thompson Date 9/7/72

Checked by Norman C. Young, P.E. Date 12/26/72

Approved by _____ Date _____

August 17, 1972

Re: Permit No. 13-7005

C
Mr. Everett W. Smith
Route 1, Box 61
Grace, Idaho 83241

O
Dear Mr. Smith:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced.

P
Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If someone other than you should be contacted by the examiner, please advise our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho.

Y
Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Order

bc: Eastern District Office
Enc: Field exam report

13 7005

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Everett W. Smith
b) Post Office Address Route #1, Box 62 Grace, Idaho *Department of Water Reclamation*
2. Permit Number 13-7005
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: SE 1/4 NW 1/4, Section 5
Township 10S, Range 40E, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
amount 3.74 for Irrigation purposes from 5/1 to 10/15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.74 c.f.s. cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Estimate
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Well, pump and electric motor sprinkler system
b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger Flow Meter - 10 inch
c) Give well drillers name and address and date the well was completed _____

Exam typed 8-17-22 by de

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	40E	32											20	20			20	10	70
10S	40E	5	25	35	30	25	40	35	30	30						35			285

Total number of acres irrigated 355

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

Aug. 1972
(Date)

X Everett Smith
(Signature)

State of Ida

County of Carbon ss.

On this 7 day of August, 1972, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Frank, Ida

My commission expires Mar 18, 1973

June 7, 1972

Re: Permit No. 13-7005

Mr. Everett W. Smith
Route 1, Box 61
Grace, Idaho 83241

Dear Mr. Smith:

Pursuant to your phone call of this date, please find enclosed a copy of the proof due notice dated March 31, 1972. We are also enclosing a proof affidavit for your use in submitting the required proof of beneficial use.

If you have any questions regarding the completion of the proof affidavit, please let us know.

Very truly yours,

Darlene Reich, Secretary to
BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of 3/31/72 ltr.
b/u affidavit

13 7005

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

June 6, 1972

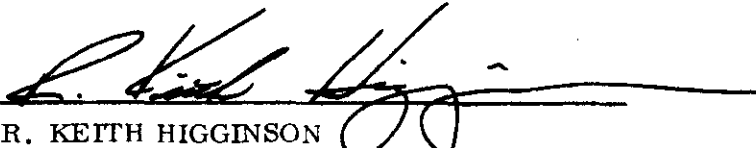
Re: Permit No. 13-7005

Everett W. Smith
Route 1, Box 61
Grace, Idaho 83241

Dear Mr. Smith:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit 13-7005 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:DR

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.	1 2 3	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO. 23488		<i>Ms. Everett Smith</i>
INSURED NO.		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED 4/1/72		SHOW WHERE DELIVERED (only if requested) 13 7005

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

POD Form 3811 Apr. 1969 655-16-71548-11

13 7005

March 31, 1972

CERTIFIED MAIL

3488

Re: Permit No. 13-7005

Everett W. Smith
Route 1, Box 61
Grace, Idaho 83241

Dear Mr. Smith:

One of the conditions of approval of your water Permit No. 13-7005 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

13 7005

June 2, 1970

C
Re: Permit No. 13-7005

O
Mr. Everett W. Smith
Route 1, Box 61
Grace, Idaho 83241

Dear Mr. Smith:

P
Enclosed please find a copy of the APPROVED extension of time for the above referenced permit. The time within which to submit proof of beneficial use has been extended to June 1, 1972. The Department will notify you 60 days in advance of this due date.

If we may be of further service, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Y
DWM:DR
Enclosure

13-7005

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.	1 2 3	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
TITLED NO. 21765		<i>Everett W. Smith</i>
INSURED NO.		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED 4/2/10		<i>Mrs. Everett Smith</i>
		SHOW WHERE DELIVERED (only if requested)
		13-2005

036-16-71848-10 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and
complete instructions on other side, where applicable.
Do not gummed ends, attach and hold firmly to back
of article. Print on front of article RETURN
RECEIPT REQUESTED.

RETURN
TO

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Department of Reclamation
Annex #2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

June 2, 1970

C
Re: Permit No. 13-7005

O
Mr. Everett W. Smith
Route 1, Box 61
Grace, Idaho 83241

P
Dear Mr. Smith:

Enclosed please find a copy of the APPROVED extension of time for the above referenced permit. The time within which to submit proof of beneficial use has been extended to June 1, 1972. The Department will notify you 60 days in advance of this due date.

If we may be of further service, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Y
DWM:DR
Enclosure

13-7005

August 26, 1969

RE: Permit 13-7005

Stephen A. Meek
Asst. Manager
Federal Land Bank Assoc.
P. O. Box 386
Preston, Idaho

Dear Mr. Meek:

This is in reply to your letter of August 22nd, regarding the above referenced permit. If, for some reason the original well does not produce 1 inch per acre or all the land originally applied for was not irrigated, the amount of water the license is issued for is only the actual amount measured or the 1 inch per acre limitation. Therefore, if by adding a few pump of greater horsepower or new bowls, it becomes possible to obtain more water, you can file a new application. The old license retains its priority and amount as originally issued. The new application has a new priority date and will be licensed for any amount that exceeds the original permit up to 1 inch per acre for all the land including the new lands covered by the new permit.

Hope this answers your questions.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

13-7005

C
O
P
Y

FEDERAL LAND BANK ASSOCIATION OF PRESTON

P. O. BOX 386 35 SOUTH STATE PRESTON, IDAHO 83263

TELEPHONE: 852-2145



Department of Reclamation

J. P. GARNER, MANAGER

August 22, 1969

Re: Loan Application
Everett W. Smith

Department of Reclamation
Room 107 State House
Boise, Idaho

Gentlemen:

I am wondering if you can clarify a matter for me.

I have before me Permit No. 13-7005 issued to Everett W. Smith, Route 1, Box 61, Grace, Idaho. Under Page 2 of this permit it says "Well is the same well covered under License ⁶²⁷⁶⁸⁶ ~~627686~~ additional water from well to cover same and additional land." Will you please clarify, if possible, whether the above mentioned license number and priority date will be retained by the applicant, and the above mentioned permit is an application for additional water with a new priority date on the same well.

Any information you might be able to give me concerning this matter will be greatly appreciated.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Stephen A. Meek".

Stephen A. Meek
Asst. Manager

SAM:lt



SERVING FRANKLIN, CARIBOU, ONEIDA, BEAR LAKE, & BANNOCK COUNTIES

13-7005

May 14, 1969

Re: Permit No. 13-7005

Mr. Everett W. Smith
Route 1, Box 61
Grace, Idaho 83241

Dear Mr. Smith:

We enclose a copy of your approved application for permit 13-7005
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 2808 for \$35.00
2 informational letters

13-7005

April 17, 1969

Re: Application No. 13-7005
Everett W. Smith

Grace Herald
Grace, Idaho

Gentlemen:

On March 20, 1969, the Department forwarded a legal notice to you and instructed you to forward the bill of publication and the affidavit of publication to this Department. As of this date, however, we have not received either of these items. Please forward them as soon as possible so we may continue processing the above referenced application.

Your assistance in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TC

13-7005

THE PRESTON *Citizen*

Phone 852-0155

Published Thursdays

PRESTON, IDAHO

RECEIVED
MAR 28 1969
Department of Reclamation

*Application No 13-7005
Everett Smith*

Gentlemen:

Attached herewith is a copy of the legal notice that is currently running in The Citizen. According to our records the notice is scheduled to run until _____.

If there are any errors in the copy, would you please notify us immediately by marking this copy and returning it to the office, so that corrections can be made before the notice runs again. For your information the charge for running the notice will be _____. This is not a proof of publication.

Sincerely Yours,

The Preston Citizen

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Everett W. Smith, Route 1, Box 61, Grace, Idaho has on March 13, 1969 applied for permit under application No. 13-7005 to divert 3.74 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, motor, sprinkler system within the SE 1/4, sec. 5, T. 10 S, R. 40 E, B.M., Caribou County and is to be used from May 1 to October 15 for irrigation in the S 1/2 SW 1/4, S 1/2 SE 1/4, sec. 32, T. 9 S, R. 40 E, B.M., and the NW 1/4 SE 1/4, sec. 5, T. 10 S, R. 40 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within 30 days from the last date of publication of this notice.

R. KEITH HIGGENSON
State Reclamation
Engineer

Published in the Grace Herald, Grace, Idaho, on March 27 and April 3, 1969.

Legal No. 1520—Pub. March 27, April 3, 1969.

For Proofing Only!

13-7005

THE PRESTON *Citizen*

Phone 852-0155

Published Thursdays

PRESTON, IDAHO

*Application No 13-7005
Everett Smith*

Gentlemen:

Attached herewith is a copy of the legal notice that is currently running in The Citizen. According to our records the notice is scheduled to run until _____. If there are any errors in the copy, would you please notify us immediately by marking this copy and returning it to the office, so that corrections can be made before the notice runs again. For your information the charge for running the notice will be _____. This is not a proof of publication.

Sincerely Yours,

The Preston Citizen

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Everett W. Smith, Route 1, Box 61, Grace, Idaho has on March 13, 1939 applied for permit under application No. 13-7005 to divert 3.74 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, motor, sprinkler system within the SE 1/4 NW 1/4, sec. 5, T. 19 S., R. 40 E., B.M., Caribou County and is to be used from May 1 to October 15 for irrigation in the S 1/2 SW 1/4, S 1/2 SE 1/4, sec. 32, T. 9 S., R. 40 E., B.M., and the N 1/2, NW 1/4 SE 1/4, sec. 5, T. 19 S., R. 40 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Grace Herald, Grace, Idaho, on March 27 and April 2, 1939.

Legal No. 1520--Pub. March 27, April 3, 1939.

For Proofing Only!

13-7005

March 20, 1969

Re: Application No. 13-7005
Everett W. Smith

Grace Herald
Grace,
Idaho 83241

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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 date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Legal notice (1)

13-7005

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Everett W. Smith, Route #1, Box 61, Grace, Idaho

has on March 13, 1969
applied for permit under application No. 13-7005 to divert ~~store~~/
3.74 cubic feet per second ~~acre feet~~ of water from a ground
water source. Water will be diverted by a well,
pump, motor, sprinkler system within the SE 1/4,
sec. 5, T. 10 S, R. 40 E, B.M., Caribou County
and is to be used from May 1 to October 15 for irrigation

in the S¹/₂SW¹/₄, S¹/₂SE¹/₄, sec. 32, T. 9 S, R. 40 E, B.M. and the N¹/₂, NW¹/₄SE¹/₄, sec. 5, T. 10 S, R. 40 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Grace Herald, Grace, Idaho
on March 27 and April 3, 1969.

13-7005

April 1, 1970

Re: Permit No. 13-7005

Mr. Everett W. Smith
Route 1, Box 61
Grace, Idaho 83241

Dear Mr. Smith:

One of the conditions of the approval of your permit no. 13-7005 was that proof of application of the water to beneficial use be submitted to this office on or before June 1, 1970.

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code Amended.

Either the proof or a request for extension of time must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



State Reclamation Engineer

Enc: Proof form
dr

CERTIFIED MAIL

#21765

13-7005