

JUL 09 2024

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Richard F. Smith

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: Authorization to use City of Rexburg municipal system to deliver water right

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Richard F. Smith Phone 208-390-7000
Mailing address PO Box 8, Rexburg, ID 83440 Email rsmith727@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership in the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process

☐ No Representative

Name of Representative Rocky Mountain Environmental Associates, Inc. Phone 208.524.2353 ext 104
Mailing address 482 Constitution Way Ste 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.com

- ☐ Send all correspondence for this application to the representative and not to the applicant
OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Richard F. Smith Richard F. Smith 7/9/24
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title (if applicable) Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code 33-221.0.5?
If yes, ☐ attach an explanation and any supporting documentation labeled as Part 1A.2.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.3:

Applicant proposes to convert the described portion of water right 22-7075 for municipal purposes to be delivered through the City of Rexburg's municipal system. More details are attached in Part 1A.3

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Richard F. Smith Phone 208-390-7000
Mailing address PO Box 8, Rexburg, ID 83440 Email rfsmith727@gmail.com

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- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
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- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

See next page for signature. Richard F. Smith _____
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date
This page is included since signature page is a poor copy. _____
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code §42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Applicant proposes to convert the described portion of water right 22-7075 for municipal purposes to be delivered through the City of Rexburg's municipal system. More details are attached in Part 1A.3.

Narrative in Support of Application

Richard F. Smith – Application for Transfer 22-7075

Water right 22-7075 is a part of a shared place of use and diversion system with a group of other ground water rights described below. This right covers approximately 50% of the place of use, with no overlaps with other water rights. The total acres is a sum of all rights combined with no limitations on acreage. However, there is a limitation on diversion rate, which is a result of well and system capacity.

Table 1. Existing Water Rights

WR #	Priority	CFS	AFA	Acres	CFS/AC
Existing Water Right Description					
22-2184	10/3/1960	3.55	1085	310	0.011
22-2230	9/18/1963	1.68	518	148	0.011
22-7075	7/5/1973	4.94	1953	558	0.009
22-11147	4/1/1962	0.54	168	48	0.011
22-11149	4/15/1981	0.57	175	50	0.011
Combined		10.17	3899	1114	0.009

This application proposes to remove 28 acres of water right from the combined system. It is proposed that the 28 acres to be removed be a portion of 22-7075. Since there are no overlapping acres, it is presumed that the split right can be separated from the group of rights, provided all limitations are acknowledged and addressed, and there is no enlargement. These concerns are addressed within this narrative, along with other details on timing and water banking leases.

Split Quantities and Combined Use Limits

Table 2 below identifies the quantities proposed in this transfer application and the resulting split. The split portions do not cumulatively exceed the original quantities as shown in Table 1. The Sum of Split Portions equals the combined values of the existing water rights.

Table 2. Proposed Water Rights

WR #	Priority	CFS	AFA	Acres	CFS/AC
Proposed Transfer Quantities					
Portion of 22-7075	7/5/1973	0.25	98	28	0.009
After Transfer Approval - Water Right Description					
22-2184	10/3/1960	3.55	1085	310	0.011
22-2230	9/18/1963	1.68	518	148	0.011
22-7075	7/5/1973	4.69	1855	530	0.009
22-11147	4/1/1962	0.54	168	48	0.011
22-11149	4/15/1981	0.57	175	50	0.011
Combined		9.92	3801	1086	0.009

Sum of Split Portions - Verified DOES NOT EXCEED Pre-Split				
Combined	10.17	3899	1114	0.009

Combined Use Limitation with 22-7507

Right 22-7075 not only has a combined rate limitation with the 4 rights shown above, but there is another rate limitation that includes right 22-7507 (which shares the same diversion, but not the same place of use). This limitation is as follows:

**The rights listed below are limited to a total combined diversion rate of 10.85 cfs.
Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-7507, 22-11147, 22-11149.**

To avoid enlargement through this transfer, it is proposed that this diversion limitation be reduced by the transferred quantity of 0.25 cfs to a combined diversion rate of 10.6 cfs.

Water Supply Bank

All of the ground water rights listed above are partially enrolled in Water Supply Bank Lease Agreement No. 1428. A portion of the acres that are proposed to be transferred in this application are currently leased to the WSB. Table 3 below shows the water right quantities that are currently enrolled.

Table 3. WSB Lease Quantities

WR #	Priority	CFS	AFA	Acres	CFS/AC
Water Supply Bank Lease No. 1428					
22-2184	10/3/1960	0.22	67.2	19.2	0.011
22-2230	9/18/1963	0.1	32.2	9.2	0.011
22-7075	7/5/1973	0.3	121.1	34.6	0.009
22-11147	4/1/1962	0.03	10.5	3	0.010
22-11149	4/15/1981	0.04	10.85	3.1	0.013
Combined		0.63		69	0.009

Figure 1 shows the acres that are leased the WSB, with an overlay of the acres proposed to be transferred. Of the 28 acres proposed to be transferred, 19 acres are currently enrolled in the WSB and 9 acres are not. Applicant proposes to postpone use of the 19 acres that will be transferred, which is equivalent to 68% of the transferred quantities, until the lease agreement expires in December 31, 2025.

Figure 1. WSB and Transfer Locations



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	22-7075	0.25 cfs	Municipal	1/1 to 12/31	Ground water
		50.8 afa			

Total authorized under rights 0.25 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.25 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☒ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
See supplemental list attached.										

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Municipal Service Area of the City of Rexburg																			
Total Acres (for irrigation use)																			

Ident. No. _____

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
☐ Yes	6N	40E	17			SW	SW	MADISON	GROUND WATER	NORTH WELL
☐ Yes	6N	40E	17			SW	SW	MADISON	GROUND WATER	WELL 8
☐ Yes	6N	40E	20			SW	SW	MADISON	GROUND WATER	SMITH PARK
☐ Yes	6N	40E	29			SW	SW	MADISON	GROUND WATER	WELL 1
☐ Yes	6N	40E	29			SW	SW	MADISON	GROUND WATER	WELL 6
☐ Yes	6N	40E	30			SE	NW	MADISON	GROUND WATER	PORTER PARK
☐ Yes	6N	40E	30			NE	SE	MADISON	GROUND WATER	BYUI
☐ Yes	6N	40E	31			NE	SE	MADISON	GROUND WATER	WELL 5
☐ Yes	6N	40E	31			NE	SE	MADISON	GROUND WATER	WELL 7
☐ Yes	6N	39E	26			SE	SE	MADISON	GROUND WATER	WELL 9
	6N	39E	26			SE	SE	MADISON	GROUND WATER	WELL 10

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 corresponding place of use below.

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
The City has 10 active municipal wells and 1 well that is under construction that connect to a series of mainlines for delivery. Each of the City's wells have existing measuring devices and lockable controlling works.
- b. Who owns the property at the point(s) of diversion? The City of Rexburg and BYU-Idaho.
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
See the attached authorization letter from the City. The City also leases the BYUI well, which is located on property owned by BYUI. This well is included as a POD in the application since the City has a current lease.
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

 It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
 If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The land now irrigated, or authorized to be irrigated will be dried up and will no longer receive irrigation water from this water right.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Proposed POU/POD: City of Rexburg municipal water rights share the same delivery system.
Existing POU/POD: Water rights 22-2184, 22-2230, 22-11147, and 22-11149. The acres are not overlapping, enabling a portion of 22-7075 to be transferred. A combined diversion limit must be addressed. See Part 1A.3.
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
 Yes No
☐ ☒ undergone a period of five or more consecutive years of non-use,
☒ ☐ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?
 If yes, describe:
A portion of 22-7075 is leased to the Water Supply Bank under Lease Agreement 1428, which expires December 31, 2025. See Part 1A.3 and Attachment #9

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

6/18/2024

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 22-7075

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD F SMITH PO BOX 8 REXBURG, ID 83440-0008 2083907000
Original Owner	ELDON W SMITH PO BOX 8 REXBURG, ID 83440

Priority Date: 07/05/1973

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	11/01	4.94 CFS	1953 AFA
Total Diversion			4.94 CFS	1953 AFA

Location of Point(s) of Diversion:

GROUND WATER	SWSESW	Sec. 28	Township 06N	Range 40E	MADISON County
GROUND WATER	SWNESW	Sec. 33	Township 06N	Range 40E	MADISON County
GROUND WATER	SENESW	Sec. 33	Township 06N	Range 40E	MADISON County

IRRIGATION Use:

Acre Limit: 558

Place(s) of use:

Place of Use Legal Description: IRRIGATION MADISON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	40E	28		NESW	40		NWSW	40		SWSW	40		SESW	40
				NESE	25		NWSE	40		SWSE	35		SESE	31
				SWSE	37		SESE	37						
				NWNE	40		SWNE	39						
				NESW	31									
				NWSE	40									
		33		NENE	23		NWNE	40		SWNE	37		SENE	37
				NENW	40		NWNW	40		SWNW	37		SENE	40
				NESW	33		NWSW	39		SWSW	39		SESE	37
				NESE	40		NWSE	40		SWSE	38		SESE	39

Total Acres: 1114

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. F06 The following rights are diverted through points of diversion described above: 22-2184, 22-2230, 22-7075, 22-7507, 22-11147, 22-11149.
4. E56 The rights listed below are limited to the irrigation of a combined total of 1114 acres in a single irrigation season. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-11147, 22-11149.
5. K06 This right is limited to the irrigation of 558 acres within the place of use described above in a single irrigation season.
6. E61 The rights listed below are limited to a total combined diversion rate of 10.17 cfs and to a total combined annual diversion volume of 3899 AF. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-11147, 22-11149.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
8. E52 The rights listed below are limited to a total combined diversion rate of 10.85 cfs. Combined Right Nos.: 22-2184, 22-2230, 22-7075, 22-7507, 22-11147, 22-11149.
9. S47 The use of water for irrigation under this right may begin as early as April 1 provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates:

Licensed Date:

Decreed Date: 10/27/2009

Permit Proof Due Date: 8/1/1978

Permit Proof Made Date: 1/1/1900

Figure 3. Data Entry of Scenario 1 – Transfer to Well 9

ENHANCED GROUND-WATER RIGHTS TRANSFER
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF WATER

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: 22-7075

YEAR: 1973

SEASON: SUMMER

TRANSFER NAME: Smith to Well 9

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	59	61	62	62
COLUMN	181	184	183	184

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1973	0.00	5.60	5.60	5.60	5.60	5.60	5.60
WIN 1973	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SPR 1974	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SUM 1974	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SPR 2024	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SUM 2024	0.00	5.60	5.60	5.60	5.60	5.60	5.60
WIN 2024	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SPR 2025	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2025	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2025	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2026	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2026	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2026	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2027	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2027	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2027	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2028	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2028	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2028	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2029	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2029	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2029	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2030	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2030	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2030	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2031	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2031	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2031	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2032	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2032	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2032	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2033	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2121	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2121	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2121	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2122	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2122	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2122	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2123	16.90	0.00	5.60	0.00	5.60	0.00	5.60

Figure 4. Net Transfer Graphs of Scenario 1 – Transfer to Well 9

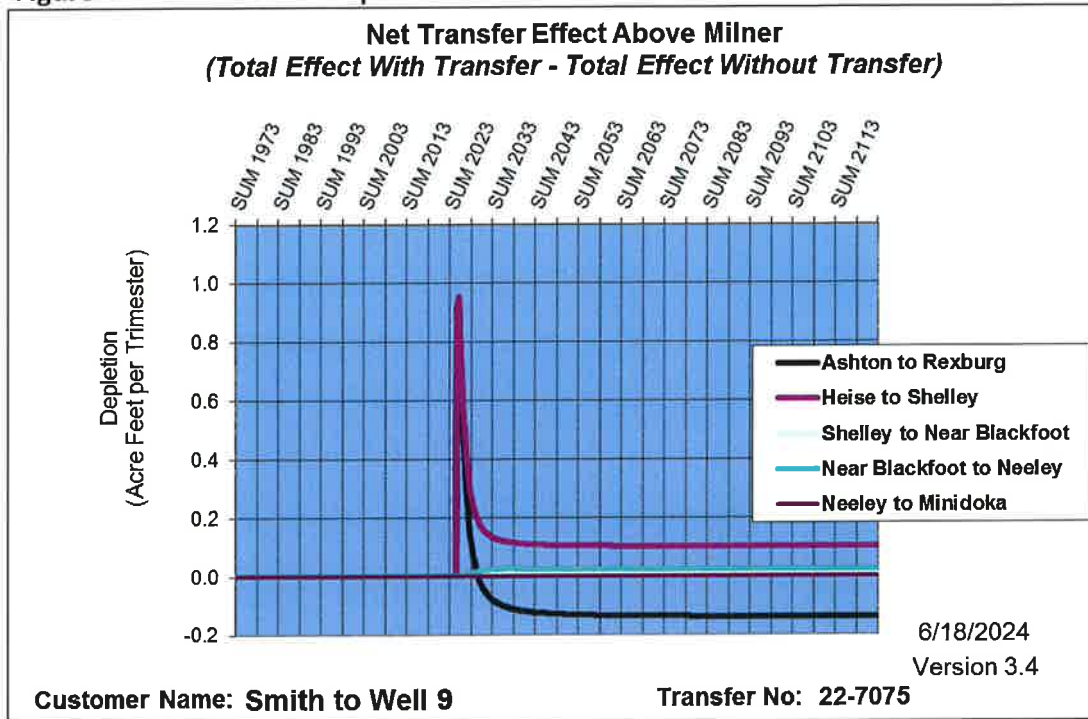


Figure 5. Calculated Effects of Scenario 1 – Transfer to Well 9

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Nr Bickft Neeley	Neeley to Minidoka	Dev. Wbl. Buhl	Buhl to Kspr	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft
SUM 1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1974	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1974	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.9	0.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.9	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.8	0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.6	0.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.5	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.4	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.3	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.3	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.2	0.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.2	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.1	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2031	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2031	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2031	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2032	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2032	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2032	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2033	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2033	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2033	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2034	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2121	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2121	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2121	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2122	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2122	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2122	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2123	-0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: **SPR 2025**

Match:	156	Match:	456										
	AtR	HiS	StNB	NBIN	NIM	DWIB	BITS	TS	TSIM	M	MIB	Total	
Preexisting Effects @ SS (Last Time Step):	8.67	7.09	0.31	0.68	0.01	0.01	0.01	0.00	0.00	0.00	0.00	16.80	Total Effect
Steady State - Value of Dep. @ Last Time Step:	8.59	7.24	0.32	0.71	0.01	0.01	0.01	0.00	0.00	0.00	0.00	16.90	Total Effect
Is @ Transient State (Max Value Timestep):	8.67	7.09	0.31	0.68	0.01	0.01	0.01	0.00	0.00	0.00	0.00	16.80	Total Effect
Transient State - Max. Value of Dep. After Transfer:	9.59	8.04	0.32	0.71	0.01	0.01	0.01	0.00	0.00	0.00	0.00	18.70	Total Effect
Steady State Change:	-0.09	0.14	0.01	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.92	0.95	0.01	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

Scenario 2 – Transfer all pumping to the North Wells

North Well and Well 8 are the farthest north wells. See Figure 6. These wells are within the same model grid cell, and either well works equally for this simulation. The modeling results indicate that the net effects do not exceed 2.0 af/trimester. Excerpts from the ESPAM 2.1 simulation are included as Figures 7-9.

Figure 6. Scenario 2 Modeling Locations

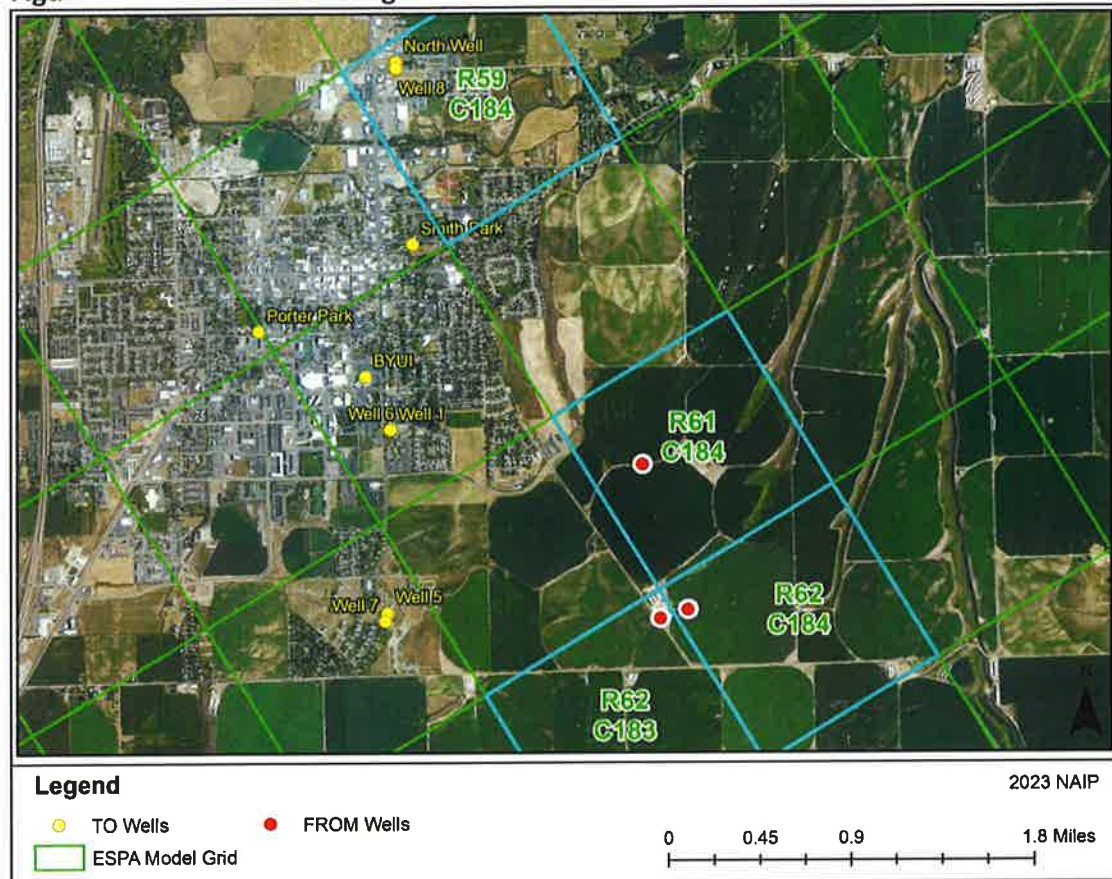


Figure 7. Data Entry of Scenario 2 – Transfer to North Wells

ENHANCED GROUND-WATER RIGHTS TRANSFER
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: 22-7075

YEAR: 1973

SEASON: SUMMER

TRANSFER NAME: Smith to North Wells

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	59	61	62	62
COLUMN	184	184	183	184

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SUM 1973	0.00	5.60	5.60	5.60	5.60	5.60	5.60
WIN 1973	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SPR 1974	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SUM 1974	0.00	5.60	5.60	5.60	5.60	5.60	5.60
WIN 1974	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SPR 2024	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SUM 2024	0.00	5.60	5.60	5.60	5.60	5.60	5.60
WIN 2024	0.00	5.60	5.60	5.60	5.60	5.60	5.60
SPR 2025	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2025	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2025	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2026	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2026	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2026	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2027	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2027	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2027	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2028	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2028	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2028	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2029	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2029	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2029	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2030	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2030	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2030	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2031	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2031	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2031	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2120	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2121	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2121	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2121	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2122	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SUM 2122	16.90	0.00	5.60	0.00	5.60	0.00	5.60
WIN 2122	16.90	0.00	5.60	0.00	5.60	0.00	5.60
SPR 2123	16.90	0.00	5.60	0.00	5.60	0.00	5.60

Figure 8. Net Transfer Graphs of Scenario 2 – Transfer to North Wells

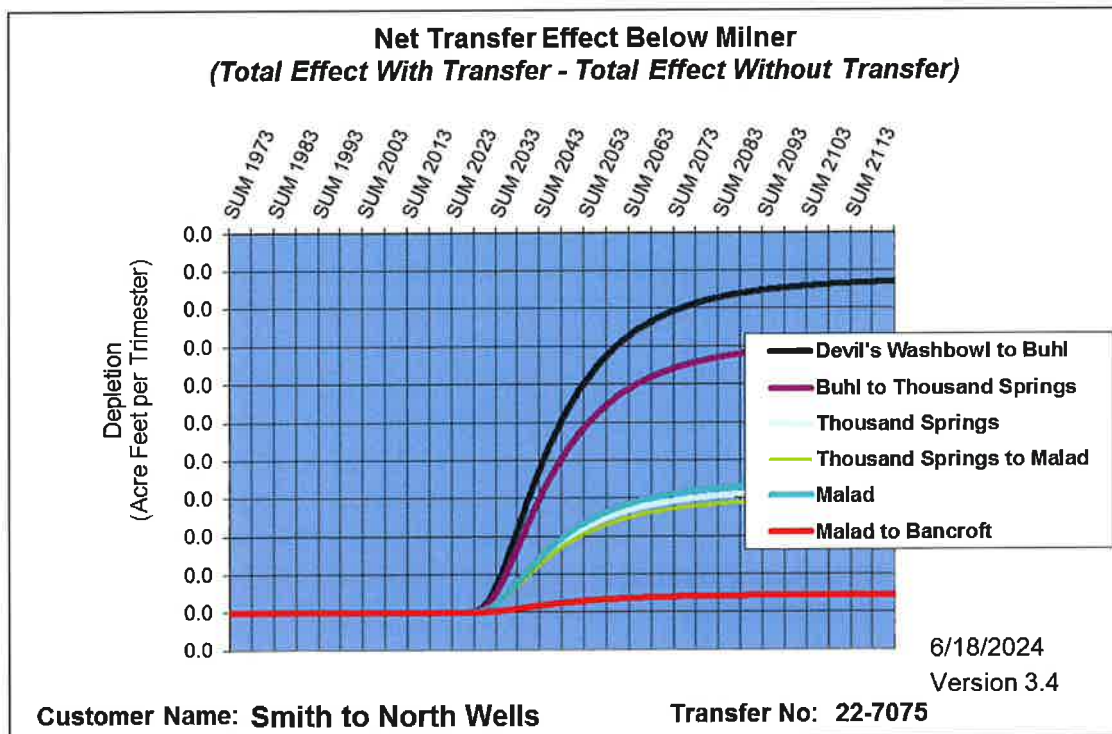
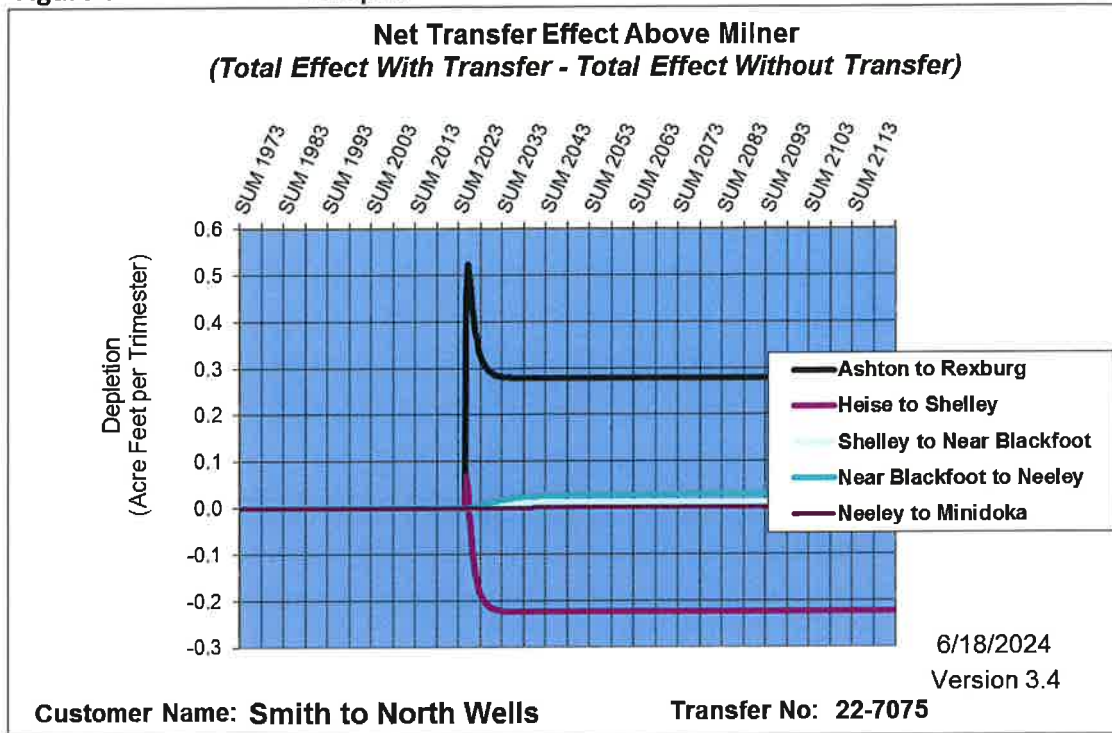
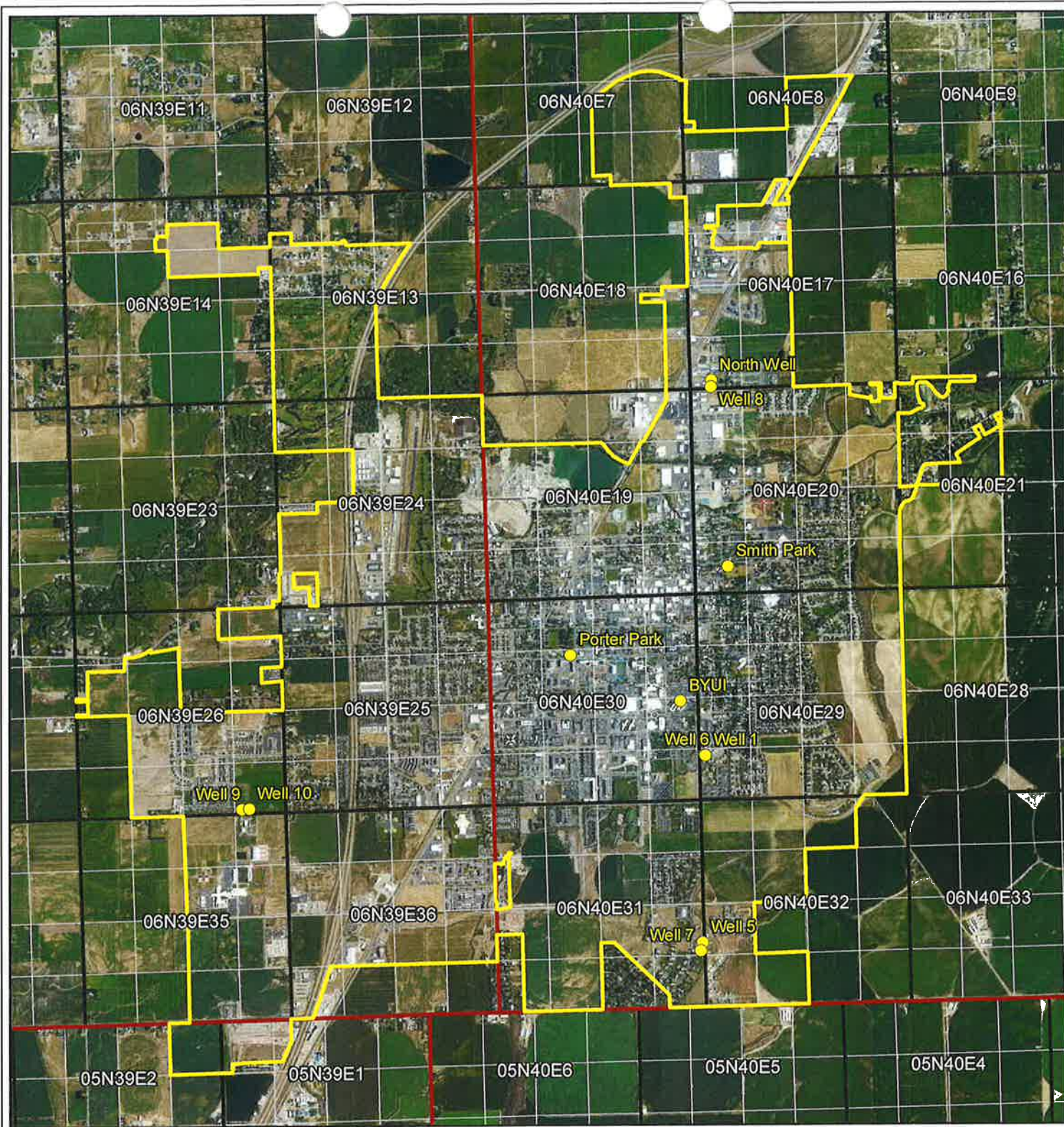


Figure 9. Calculated Effects of Scenario 2 – Transfer to North Wells

	Net Transfer Effect (AF/four months)										
	Ashton to	Heise to	Shelley to	Nr Bickft	Neeley to	Dev. Wbl.	Buhl to	Kspr	Kspr to	Malad	Malad to
	Rexburg	Shelley	Nr Bickft	Neeley	Minidoka	Buhl	Kspr		Malad		Bancroft
SUM 1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1973	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1974	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1974	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1974	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1975	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2024	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2025	0.4	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2025	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2025	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2026	0.5	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.4	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.4	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.4	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.4	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2031	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2031	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2031	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2032	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2032	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2032	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2033	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2121	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2121	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2122	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2122	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2122	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2123	0.3	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: **SPR 2025**

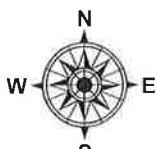
Match:	156	Match:	456										
	AIR	HIS	StNB	NBtN	NtM	DWtB	BlTS	TS	TSStM	M	MtB	Total	
Preexisting Effects @ SS (Last Time Step):	8.67	7.09	0.31	0.68	0.01	0.01	0.01	0.00	0.00	0.00	0.00	16.80	Total Effect
Steady State - Value of Dep. @ Last Time Step:	8.95	6.87	0.32	0.71	0.01	0.01	0.01	0.00	0.00	0.00	0.00	16.90	Total Effect
Is @ Transient State (Max Value Time Step):	8.67	7.09	0.31	0.68	0.01	0.01	0.01	0.00	0.00	0.00	0.00	16.80	Total Effect
Transient State - Max, Value of Dep. After Transfer:	9.17	7.15	0.32	0.71	0.01	0.01	0.01	0.00	0.00	0.00	0.00	17.40	Total Effect
Steady State Change:	0.28	-0.22	0.01	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
Transient State Change:	0.50	0.06	0.01	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00		



Basemap: 2023 NAIP

Legend

- Proposed POD
- Municipal Boundary
- Twp & Rng
- Section
- QQ



Attachment #7a. Proposed Locations

Richard F. Smith

RMEA #15-0014
by: KM
Date: 7/3/2024

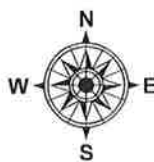




Basemap: 2023 NAIP

Legend

- WRPOD 22-7075
- WRPOU 22-7075 et al
- Transfer Acres
- Twp & Rng
- Section
- QQ



Attachment #7b. Existing Locations

Richard F. Smith

RMEA #15-0014

by: KM

Date: 6/18/2024



Conversion of Nature of Use

Richard F. Smith – Application for Transfer 22-7075

Applicant proposes to convert 28 acres of an Irrigation right to Municipal use. Historical crop rotation on the acres proposed to be transferred are potatoes and wheat.

According to ET-IDWR¹, and using the Rexburg Ricks College (NWS-USC00107644) station for Spring Grain – Irrigated, the historical net irrigation requirement is 553 mm/year, or 1.81 ft/year.

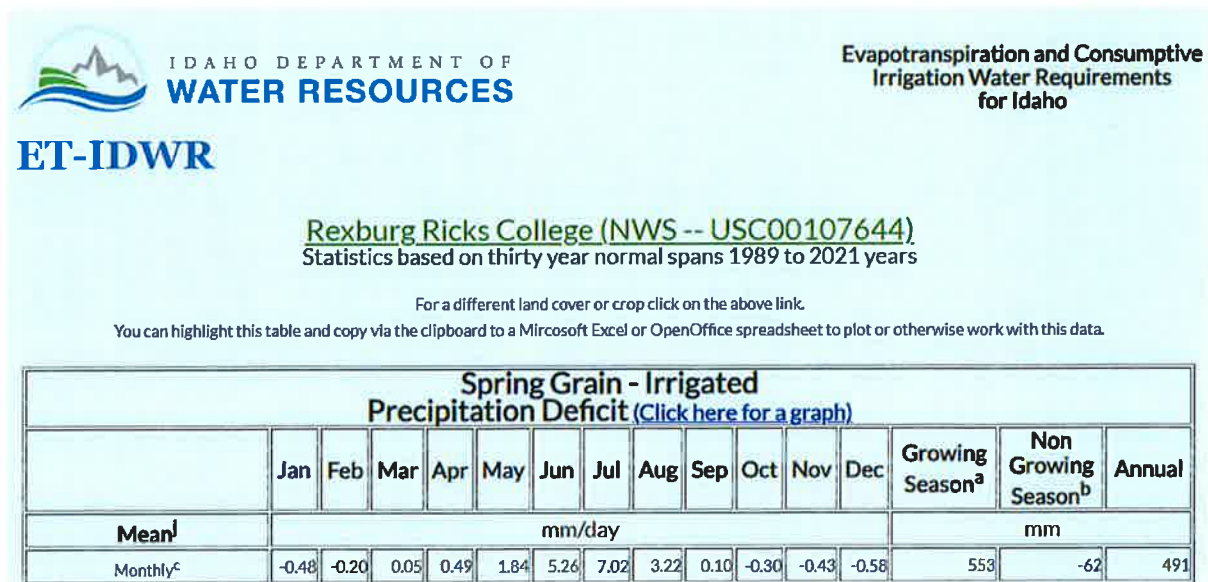
$$1.81 \text{ ft/yr} \times 28 \text{ acres} = 50.7 \text{ afa}$$

Rounding creates some slight discrepancies. Without rounding, the net irrigation requirement would be as follows:

$$1.81430 \text{ ft/yr} \times 28 \text{ acres} = 50.8 \text{ afa}$$

It is proposed that the resulting converted municipal water right reflect the historical consumptive use volume of 50.8 afa.

Figure 1. Excerpts of ET-IDWR



¹ <https://et-idwr.idaho.gov/>

APPLICATION FOR TRANSFER OF WATER RIGHT ATTACHMENT WSB: TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
22-7075	12/31/2025	0.30	121	34.6	Attached? ☒ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☒ No

☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.

☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).

Additional Information:

19 acres of 22-7075 that are leased to the WSB are proposed to be transferred. Use of this portion of the transferred water rights will remain unused at the proposed locations until this right is released from the WSB. A location cannot be identified on a map, since the POU is the entire municipal system. However, the quantity still in the bank will not be diverted. Ownership will not be updated at this time.

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.



Attachment #10

(208) 359-3020

35 North 1st East

Rexburg, ID 83440

Rexburg.org | Engage.Rexburg.org

July 3, 2024

Idaho Department of Water Resources
900 N Skyline Dr A
Idaho Falls, ID 83402

RE: Transfer of Water Right 22-7075 (Alpine Heights Division 1)

To whom it may concern:

The City of Rexburg authorizes the transfer of 28 acres of water right 22-7075 from Richard F. Smith to the City of Rexburg and authorizes this portion of the water right be converted to municipal use and diverted through the City's municipal water system.

Please let us know if you have any additional questions.

Respectfully,

Mayor Jerry Merrill



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 23, 2024

RICHARD F SMITH
PO BOX 8
REXBURG, ID 83440-0008

RE: Transfer No. 89182
Water Right No(s). 22-7075

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the REXBURG STANDARD JOURNAL on 11/1/2024 and 11/8/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

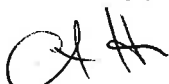
If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant


CC:

ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS, ID 83402-3552

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 23, 2024 2:35 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Standard Journal
Attachments: 89182 Standard Journal.docx

LEGAL NOTICE DEPARTMENT
REXBURG STANDARD JOURNAL
PO BOX 10
REXBURG, ID 83440

RE: Transfer No. 89182
Water Right No(s). 22-7075

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 11/18/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO.**

RICHARD F SMITH, PO BOX 8, REXBURG, ID 83440-0008 has filed Application No. 89182 for changes to the following water rights within MADISON County(s): Right No(s). 22-7075; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change nature of use, place of use, period of use and points of diversion, and add points of diversion. Proposed use is Municipal within the service area of the City of Rexburg from 1/1 to 12/31. Proposed points of diversion are 2 in SESE Sec 26 T06N R39E; 2 in SWSW Sec 17, SWSW Sec 20, 2 in SWSW Sec 29, SENW and NESE Sec 30, and 2 in NESE Sec 31, T06N R40E for 0.25 cfs from Ground Water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 11/18/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 11/1/2024 and 11/8/2024

Fritz, Cooper

From: Kristin Moore <kristin.rmea@gmail.com>
Sent: Tuesday, October 8, 2024 1:12 PM
To: Fritz, Cooper
Subject: Re: Richard Smith transfer
Attachments: EDGE HOLDINGS_RASMUSSEN_DEEDS.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Cooper,

Richard went and pulled some deeds, but he missed the Stears deed.

Attached are the deeds for the Edge Holdings LLC property. I don't believe that the water rights were ever really on this property, but that differences in aerals and parcel layers over the years made it appear that the rights indeed overlapped the Edge Holdings property. The deeds do not explicitly state anything about water rights. However, the deed from Richard Smith to Alan Rasmussen is dated 2002 (sorry it's a terrible copy). Then Rasmussen to Edge Holdings is dated 2006. But the partial decree for the water rights was issued in 2009, after Edge Holdings owned the property. The partial decree was issued to Richard Smith. Does this not mean he is the water right owner? It may require some legal interpretation, and I'm not qualified to make that decision. But I wanted to bring this up for your consideration.

Kristin Moore

Water Rights Analyst
482 Constitution Way, Ste 303, Idaho Falls, ID 83402
E-Mail: kristin.rmea@gmail.com
VOICE: 208-524-2353 ||| FAX: 208-524-1795



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On Fri, Oct 4, 2024 at 4:49 PM Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov> wrote:

Greetings Kristin,

Has there been any movement on this front? I ask because I'm hoping to be able to fit work on this into my schedule next Wednesday.

Thanks!

From: Kristin Moore <kristin.rmea@gmail.com>
Sent: Tuesday, August 27, 2024 11:54 AM
To: Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov>
Subject: Re: Richard Smith transfer

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Sounds really interesting Cooper! Hope your presentations go well.

Kristin Moore

Water Rights Analyst

482 Constitution Way, Ste 303, Idaho Falls, ID 83402

E-Mail: kristin.rmea@gmail.com

VOICE: 208-524-2353 ||| FAX: 208-524-1795



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On Tue, Aug 27, 2024 at 11:51 AM Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov> wrote:

Hi Kristin,

Great, Richard's timeline nicely coincides with mine! I have been quiet on the allocations front because I have multiple dedicated recharge project proposals to present to the IWRB on 9/5. 😊 That also means that I can carve out time on the 6th to [hopefully] get Richard's transfer into advertising.

From: Kristin Moore <kristin.rmea@gmail.com>
Sent: Tuesday, August 27, 2024 11:25 AM
To: Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov>
Subject: Richard Smith transfer

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Cooper,

We haven't forgotten about the deeds you are needing. Richard didn't get to the courthouse to grab them before he ended up tied to a tractor. He's hoping to be done with grain this weekend and hopefully have time next week.

Also, I just spoke with Mary Condon and we are going to revise the water supply bank lease contract to remove from the lease the portion that we are transferring. She said she will likely have those processed before too long.

Hope things are well! Haven't talked to you in a while.

Kristin Moore

Water Rights Analyst

482 Constitution Way, Ste 303, Idaho Falls, ID 83402

E-Mail: kristin.rmea@gmail.com

VOICE: 208-524-2353 ||| FAX: 208-524-1795



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