

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
JUN 12 2026
DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed, and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the changes which are proposed (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and a confirmation that the information provided is accurate (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov).

If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Orville and Jennie Marie Smith Family Limited PartnershipMailing Address C/O Lewene Clark 3897 W 3700 N Moore, ID 83255Email* lclark@atcnet.net Phone 208-339-2702

Name of Representative (if any) _____

Mailing Address _____

Email* _____ Phone _____

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents (such as the Power of Attorney) confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the business entity currently registered with the state of Idaho?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if this application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

90593

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature of use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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	

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be included on transfer applications. Identify the changes proposed in this application:

- | | |
|--|---|
| ☒ Change point(s) of diversion | ☐ Change place of use |
| ☒ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

Changing back to historical pumping site . Place of use remains the same.

Water right has always been pumped from this well for over 60 years.

well in different location was not viable .
~~we transferred.~~

90593

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume (in acre-feet) for storage uses or the rate (in cubic feet per second) for all other uses.

All or Part		Right Number	Amount (cfs/af)	Nature of Use	Period of Use		Source
☒	☐	34-2477A	3.41	Irrigation	04/01	to 11/01	Ground Water
☒	☐	34-12363A	2.89	Irrigation	04/01	to 10/31	Ground Water
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 3.41 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
	06N	24E	2			NW	SE	Custer	Ground Water	WMIS # 327
	06N	24E	2			NW	SE	Custer	Ground Water	WMIS # 192
	06N	24E	2			SW	NE	Custer	Ground Water	Injection
	07N	24E	33			SW	NE	Custer	Ground Water	Re-Diversion

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☒ N/A. This application does not propose to change a place of use.

Proposed Place of Use

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	

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to be used to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the Department to evaluate the effects of the proposed change. The Department may deny an application if the

applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied.

In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

None.

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

34-13653, 34-13654, 34-14776, 34-2477B, 34-12363B

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 34. ☐ No.

4. Are the proposed points of diversion equipped with Department-approved measuring devices? ☒ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes to change the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion in a time-series format, evaluating impacts at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA Model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

Place of use is not changing.

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

N/A

3. If this application proposes to change the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

- | Yes | No | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | currently leased to the Water Supply Bank? |
| | | If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). |
| | | Label the Form as <u>Attachment 4C-7</u> . |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right? |
| ☐ | ☒ | subject to an agreement not to divert (CREP)? |
| ☐ | ☒ | currently enrolled in a federal set-aside program (CRP)? |

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

40 HP well. Open discharge to the river. Exchanges into Darlington Pipeline.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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.

Lewen m Clark
Signature of Applicant or Representative*

Lewen m Clark personal Rep
Print Name and Title, if applicable

6-9-2026
Date

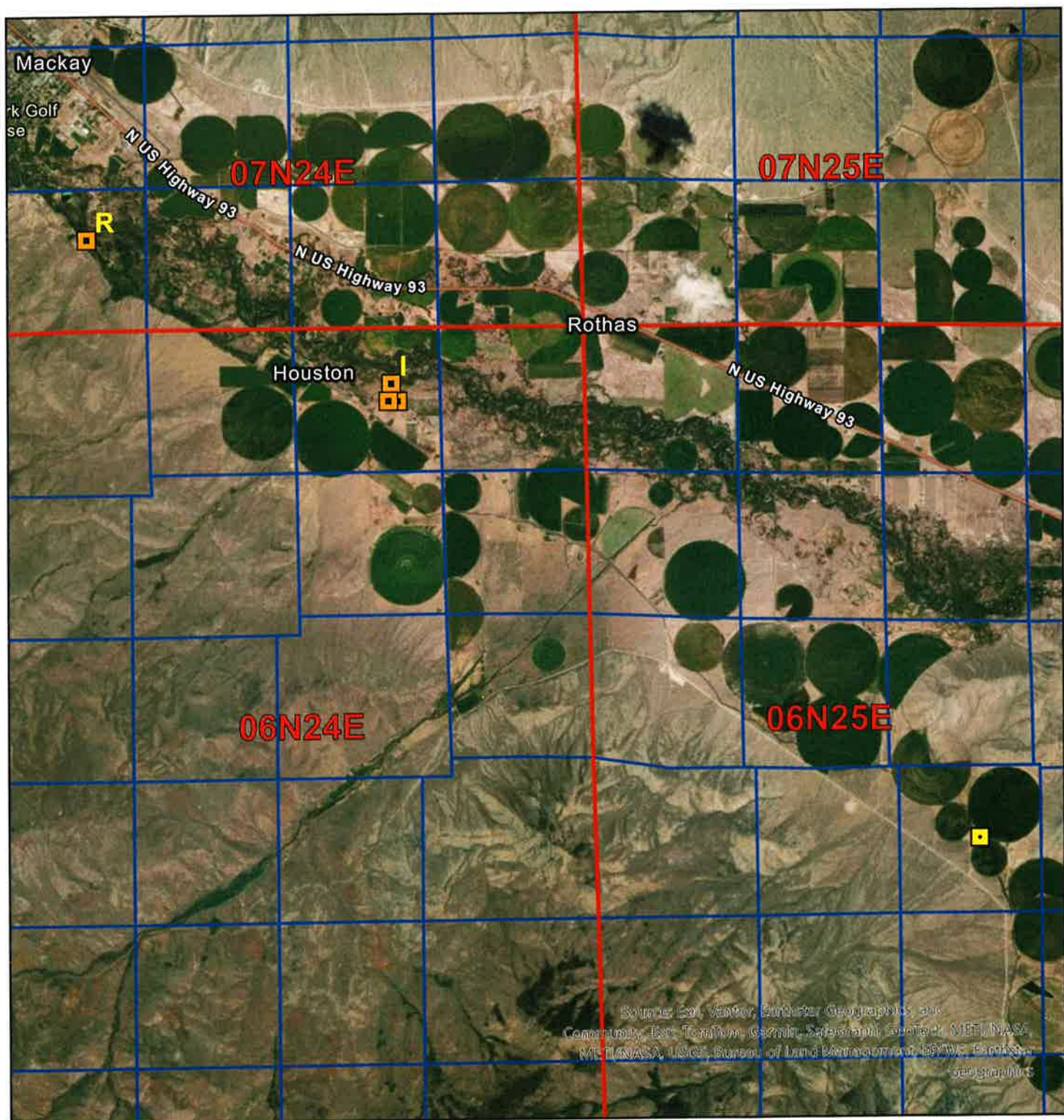
Connie E. Hainline
Signature of Applicant or Representative*

Connie E Hainline
Print Name and Title, if applicable

6-9-2026
Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

Fee: \$740.00 Receipt: E051711 Date: 6/12/26 By: CTH



Legend

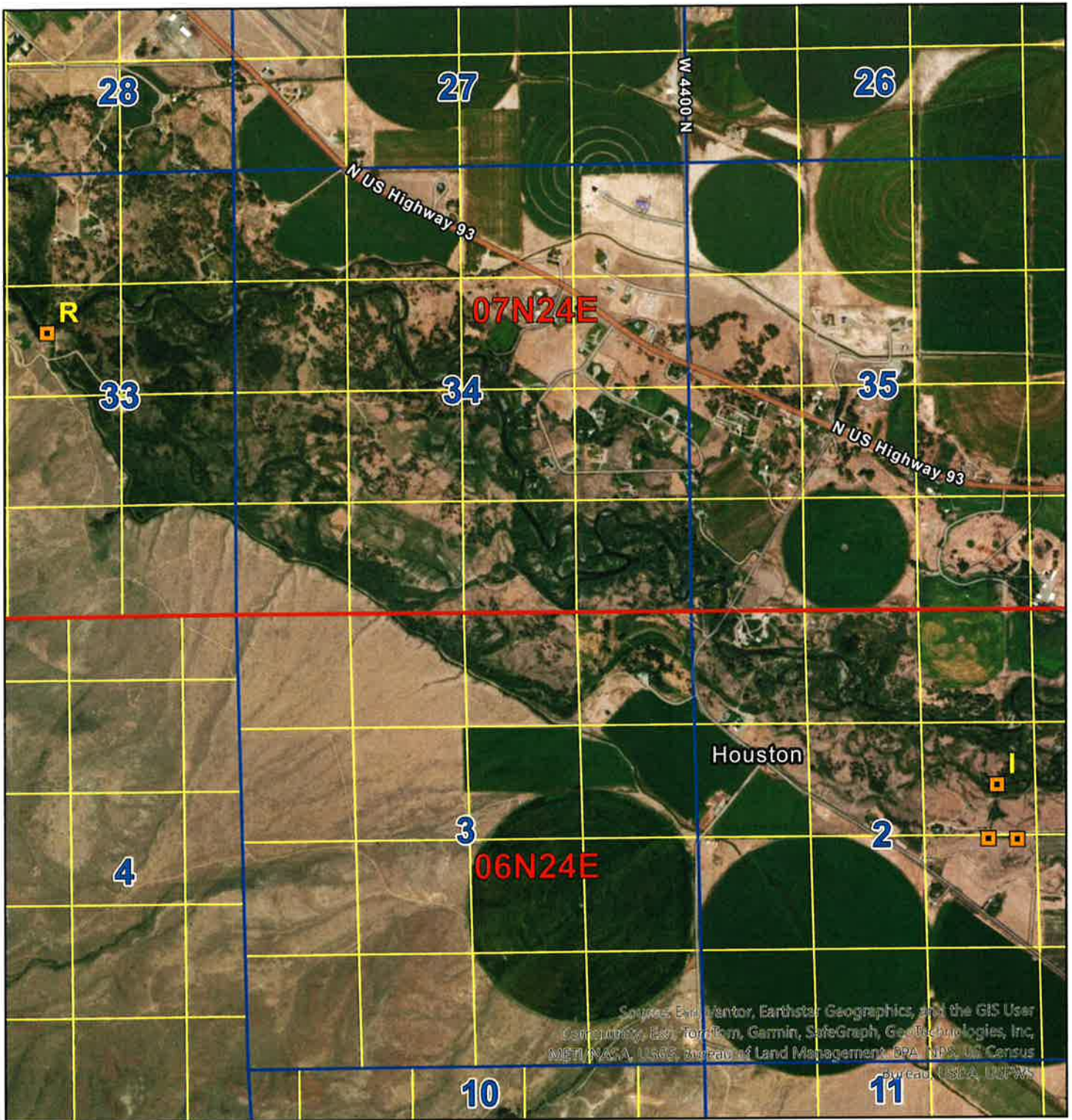
- Current Point of Diversion
- Proposed Point of Diversion
- Township/Range
- Sections

0 3,500 7,000 14,000 US Feet

N



90593



Legend

- Proposed Point of Diversion
- ▭ Township/Range
- ▭ Sections
- ▭ QQ

0 1,000 2,000 4,000 US Feet

N



Big Lost River Irrigation District

101 S. Main Street, P.O. Box 205, Mackay ID 83251 (208) 588-2231 www.blrid.com

To Whom It Concerns,

The Big Lost River Irrigation District operates the canals in the Big Lost River valley below the Mackay Dam which includes the Darlington Canal in Custer county Idaho, and the farm belonging to Orville and Jennie Marie Smith FLP and operated by their family Bo and Lewene and Hadley Clark.

The Irrigation district allows its patrons to use the canal system to transport decree, storage and well water to its place of use from the point of diversion. The Clarks' have well water rights numbered 34-2477A and 34-12363A which they pump into the Big Lost River in exchange for water diverted into the Darlington canal at its head. This has been an approved practice from BLRID since the wells were drilled in 1966. A transport agreement is not required as the irrigated ground is within the Irrigation Districts' boundaries.

Please contact me with any further questions regarding the arrangement.

Rich Harry
General Manager
BLRID
Rich@blrid.com
208-588-2231
PO Box 205 Mackay, ID 83251

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/23/2026

Water Right 34-2477A

Owner Type

Current Owner

Original Owner

Original Owner

Name

ORVILLE AND JENNIE MARIE SMITH FAMILY
LIMITED PARTNERSHIP

JENNIE M SMITH
ORVILLE E SMITH

Priority Date: 6/13/1966

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

4/01

To

11/01

Diversion Rate

3.410 CFS

Volume

Total Diversion

3.410 CFS

Source and Point(s) of Diversion:

GROUND WATER

SWNE

Sec. 21, Twp 06N, Rge 25E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER County

T06N R25E S21 L1	NENE	34.0
T06N R25E S21 L2	NWNE	34.0
T06N R25E S21	SWNE	35.0
T06N R25E S21	SENE	33.0
T06N R25E S21	SENW	35.0
T06N R25E S21	NESE	14.0
T06N R25E S21	NWSE	34.0
T06N R25E S21	SESE	39.0
T06N R25E S22	NWSW	11.0
T06N R25E S22	SWSW	37.0
T06N R25E S27	NWNW	38.0
T06N R25E S27	SWNW	13.0
T06N R25E S28	NENE	33.0
T06N R25E S28	SENE	10.0
T06N R25E S33	NENE	13.5
T06N R25E S34	NENW	32.0
T06N R25E S34	NWNW	20.5
	Right Acre Limit	177.00
	POU Total Acres	466.00

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/23/2026

Conditions of Approval:

1. X27 This right is limited to the irrigation of 177.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-2477A and 34-12363A when combined shall not exceed a total diversion rate of 3.41 cfs, a total annual maximum diversion volume of 1,454.2 af at the field headgate, and the irrigation of 466.0 acres.
3. X35 Rights 34-198A, 34-317A, 34-331, 34-2477A, and 34-12363A when combined shall not exceed a total diversion rate of 11.70 cfs and the irrigation of 466 acres.
4. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. 214 Prior to the diversion and use of water under Transfer approval 85901, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. K01 Right No. 34-12363A is an enlargement of this right pursuant to Idaho Code § 42-1426.
8. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
3.410	1,454.2		34-12363A ,34-2477A
11.700		466.0	34-198A ,34-317A ,34-331 ,34-12363A ,34-2477A

7/23/2026

90593

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/23/2026

Conditions of Approval:

1. K09 This right is for an enlargement of 289 acres within the place of use described for this right.
2. X35 Rights 34-2477A and 34-12363A when combined shall not exceed a total diversion rate of 3.41 cfs, a total annual maximum diversion volume of 1,454.2 af at the field headgate, and the irrigation of 466 acres.
3. X35 Rights 34-198A, 34-317A, 34-331, 34-2477A, and 34-12363A when combined shall not exceed a total diversion rate of 11.70 cfs and the irrigation of 466 acres.
4. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. 214 Prior to the diversion and use of water under Transfer approval 85901, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. K02 This right is based upon an enlargement of Right No. 34-2477A pursuant to Idaho Code § 42-1426.
8. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Idaho Code § 42-1426. As between water rights decreed as enlargements pursuant to Idaho Code § 42-1426, the earlier priority right is the superior right.
9. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
3.410	1,454.2		34-12363A, 34-2477A
11.700		466.0	34-198A, 34-317A, 34-331, 34-12363A, 34-2477A

SubCase:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/23/2026

SubCaseNumber: 34-12363A
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Beneficial Use
Date Filed: 2/26/1993
Objection Status: Active

Water Supply Bank:

N/A



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

July 29, 2026

ORVILLE AND JENNIE MARIE SMITH FAMILY LIMITED PARTNERSHIP
C/O LEWENE CLARK
3897 W 3700 N
MOORE, ID 83255-8738

RE: Transfer No. 90593
Water Right No(s). 34-12363A, 34-2477A

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 CHALLIS MESSENGER, ARCO ADVERTISER on 8/6/2026 and 8/13/2026. 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



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

July 29, 2026

RULLA H SMITH
LLOYD L SMITH
4335 W HOUSTON RD
MACKAY, ID 83251

GREG J MITCHELL
4306 W HOUSTON RD
MACKAY, ID 83251

ASHLEY LENA
PEHRSON
CHANCE R PEHRSON
PO BOX 117
MACKAY, ID 83251

RE: Application for Transfer 90593

Hello,

The Idaho Department of Water Resources (IDWR) has identified you as an interested party regarding the above referenced water right application filed by Orville and Jennie Marie Smith Family Limited Partnership. You can find a complete copy of the application at: <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>.

Public notice of this application will be published in the Arco Advertiser and Challis Messenger on 8/8/26 and 8/13/2026. IDWR can finish reviewing an unprotested application as soon as the protest period has passed. If you desire to formally protest the approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. You must also send a copy of the protest to the applicant.

Please contact this office if you have any questions regarding the application or would like to request an emailed copy of the applicaiton.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, July 29, 2026 11:45 AM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Challis Messenger
Attachments: 90593 Challis Messenger, Arco Advertiser.docx

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226-0405

RE: Transfer No. 90593
Water Right No(s). 34-12363A, 34-2477A

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 8/24/2026. 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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, July 29, 2026 11:45 AM
To: 'arcoadv@aol.com'
Subject: Legal Notice for Arco Advertiser
Attachments: 90593 Challis Messenger, Arco Advertiser.docx

LEGAL NOTICE DEPARTMENT
ARCO ADVERTISER
PO BOX C
ARCO, ID 83213

RE: Transfer No. 90593
Water Right No(s). 34-12363A, 34-2477A

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 8/24/2026. 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. 90593**

ORVILLE AND JENNIE MARIE SMITH FAMILY LIMITED PARTNERSHIP, C/O LEWENE CLARK, 3897 W 3700 N, MOORE, ID 83255-8738 has filed Application No. 90593 for changes to the following water rights within CUSTER County(s): Right No(s). 34-12363A, 34-2477A; 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 point of diversion and add points of diversion. Proposed points of diversion are two exchange wells in NWSE Sec 2 T06N R24E for 3.41 cfs from Ground Water. The water is injected into Big Lost River at SWNE Sec 2 T06N R24E and is rediverted as an exchange into the Darlington Ditch at SWNE Sec 33 T07N R24E.

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 8/24/2026. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 8/6/2026 and 8/13/2026