

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 94-7023 Priority March 21, 1972 Amount 0.02 cfs

THIS IS TO CERTIFY, that the CITY OF SMELTERVILLE
of Smelterville, Idaho, has complied with the terms and conditions of Permit
No. 94-7023 issued pursuant to Application for Permit dated March 21, 1972,
and has submitted proof to the Department of Water Resources on May 24, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.02 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u> at <u>0.02</u> cfs and <u>3.0</u> acre feet		
_____	from _____ to _____ at _____ cfs and _____		
_____	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35,
Twp. 49 N, Rge. 2 E, B.M. in the County of Shoshone

Description and location of place of use: (City Park)

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 $\frac{1}{4}$	
49 N	2 E	35										X							1.013

Total number of acres irrigated 1.013

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 16 day of
August, 19 76.

Director

Identification No. 94-7023

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

LICENSE ISSUED FOR 0.02 SEC. FT

APPLICATION FOR PERMIT

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

1. Name of applicant CITY OF SMELTERVILLE
post office address P.O. BOX 208 SMELTERVILLE, IDAHO 83868
2. Source of water supply UNDERGROUND which is a tributary of N.A.
3. a. Location of point of diversion is SW $\frac{1}{4}$ of South West $\frac{1}{4}$ of Section 35 Township 49 North
Range 2 East B.M. SHOSHONE County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into N.A. 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 0.02 cfs for IRRIGATION purpose from MAR 15 to NOV. 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. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. N. A.

- b. Height of storage dam N. A. feet, active reservoir capacity N. A. acre feet; total reservoir
capacity N. A. acre feet, materials used in storage dam: N. A.
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 6 inches; proposed depth of well is 100 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 \$2,000.00
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: _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
49N	2E	35											✓						1.013

Total number of acres to be irrigated 1.013

c. Describe any other water rights used for the same purposes none

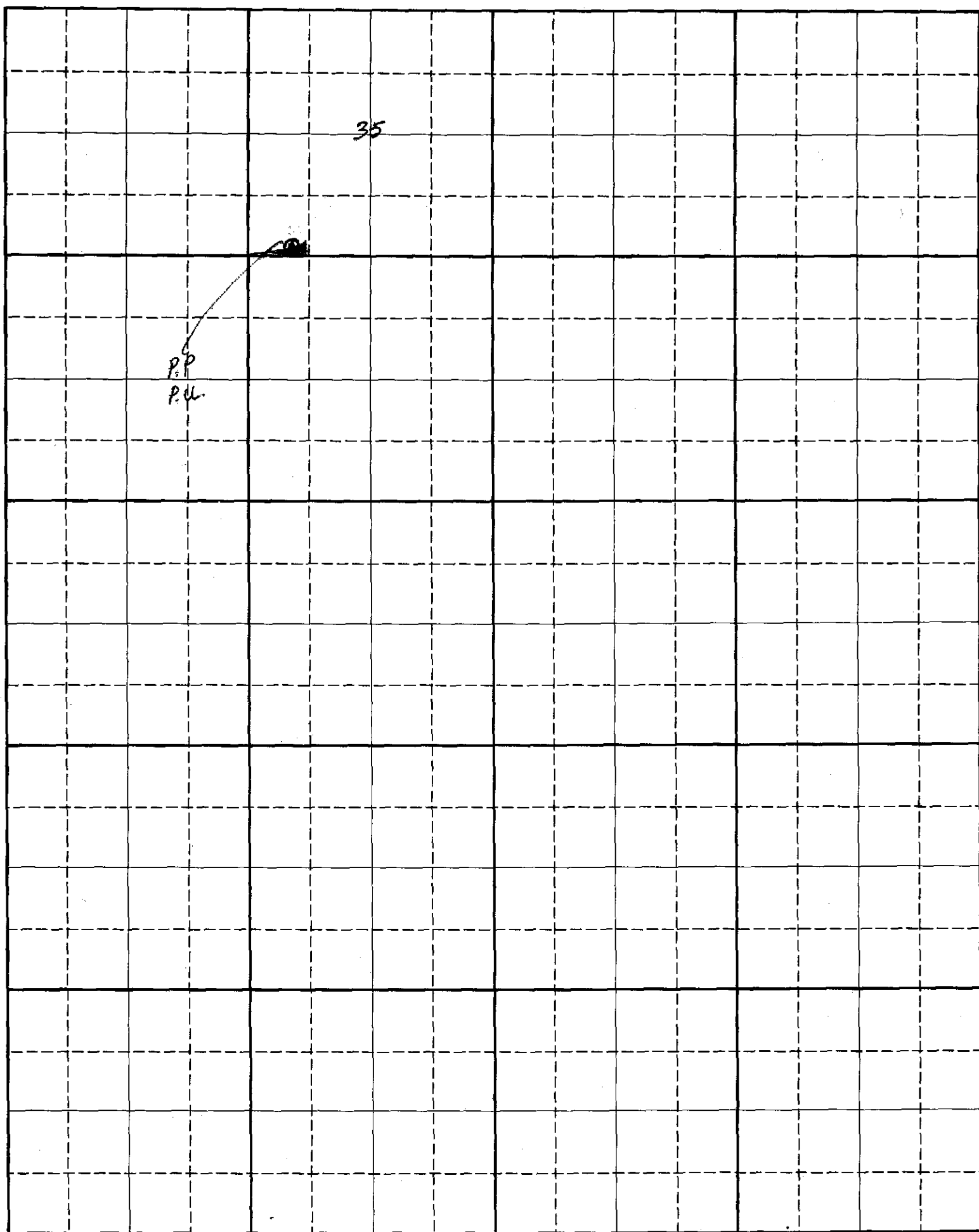
9. a. Who owns the property at the point of diversion CITY OF SMELTERTVILLE

b. Who owns the land to be irrigated or place of use CITY OF SMELTERTVILLE

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 Water to be used to water lawn for City park- less than one acre.
City may find other presently unknown use for water.

11. Map of proposed project: Sec. 35, T. 49 N., R 2E., B. M.



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.

Ernest Ely
(Applicant) Mayor, Smelterville, Idaho

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3-21-72 10:30 *aj*
3-16-72 10:30 *aj*
Received by *aj* Date *12-27-71* Time *8:00A*
Preliminary check by *aj* Fee \$ *10*
Receipted by *aj* Date *3-21-72*
Publication prepared by *cr* Date *3-24-72*
Published in *Kellogg Evening News*
Publication dates *3-30 & 4-6-72*
Publication approved *cl* Date *4-19-72*
Priority reduced to *3/21/72* Reason *acceptable application*

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by *D DDF*

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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. 94-7023, 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, 19 73.
- c. Other: _____

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

Witness my hand this 17 day of May 19 72.

R. Keith Higgins
Director State Reclamation Engineer

THIS INSTRUMENT, Made the 18th day of May, 1966,
between AMERICAN SMELTING AND REFINING COMPANY, a New Jersey corporation,
Grantor, and the Village of Smelterville, a municipal corporation of the
County of Shoshone, State of Idaho, Grantee,

W I T N E S S E T H :

That Grantor, for and in consideration of the sum of One Dollar
(\$1.00), lawful money of the United States of America, receipt of which
is hereby acknowledged, and other considerations has sold, conveyed, and
quitclaimed, and by these presents does sell, convey and quitclaim unto
the Grantee as and for a public park, to be held under Chapter 10, Title
50, of the Idaho Code, which provides that the rights of the municipality
in and to the estate herein conveyed shall be inviolable except by vote
of the people, the following described real property, situated in the
County of Shoshone, State of Idaho, to-wit:

Lot 15:

From the southwest corner of section 35, Township 49 North,
Range 2 East, B.M., which is a 2-inch pipe with a brass cap,
go North $88^{\circ}40'50''$ East a distance of 784.59 feet to corner
No. 1, a steel pin, and the place of beginning and a point on
the south right-of-way line of an old State Highway;

Thence North $71^{\circ}42'$ East along said right-of-way line
a distance of 465.04 feet to corner No. 2;

Thence South $18^{\circ}21'50''$ East along said right-of-way line
a distance of 12.96 feet to corner No. 3;

Thence North $71^{\circ}38'10''$ East along said right-of-way line
a distance of 74.38 feet to corner No. 4;

Thence South $0^{\circ}34'30''$ West along the west right-of-way
line of "A" Street of Smelterville a distance of 161.70
feet to corner No. 5;

Thence North $89^{\circ}25'40''$ West along the north right-of-way
line of First Avenue of Smelterville, which north right-
of-way line is parallel to and 25 feet north of the south
line of said section 35, a distance of 514.59 feet to
corner No. 1, the place of beginning,

94.70'

containing 1.013 acres, more or less, (as shown on the attached
map,) all lying in the southwest quarter (SW 1/4) of section 35,
Township 49 North, Range 2 East, B.M., Shoshone County, Idaho,

with the appurtenances.

ALL RIGHTS DEEDED TO
SHOSHONE CO
12843 (W.O. Doc No 121)

24



S 11° 55' 45" E

S 63° 48' 27" E

S 82° 19' 30" E

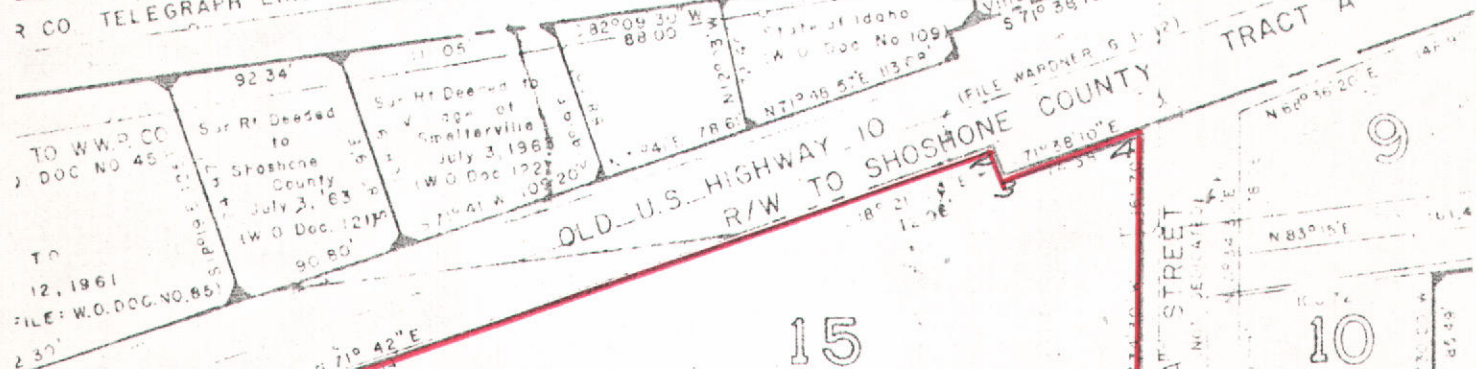
BUNKER HILL CO. 18" WOOD STAVE FIF
S 82° 19' 30" E

BUNKER HILL CO. POWER LINE 18" WOOD STAVE FIF
S 19° 30' W 548.68'

PACIFIC RR. CO. (Lessee) - N 82° 30' E

R CO TELEGRAPH LINE

N 82° 09' 30" E (Preston)
N 82° 19' 30" E (ASAP)



15

9

10

S 88° 40' 50" E
704.59' to SW COR SEC. 35, T 9 N, R 2 E, B 1

S 49° 14' 40" W 514.59'

S. 89° 29' 40" E (Preston)

FIRST

AVENUE

2647.5'

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

MAY 25 1973

1. Name of permit holder City of Smelterville
Post office address P. O. Box 208, Smelterville, Idaho 83868 Department of Water Administration
Person to contact Arthur Zisto Phone Northern District Office

2. Source of water supply: Groundwater ☒ Surface water ☐ (name spring, stream, etc.)
Tributary to

3. Water will be used for the following purposes:

Amount .02 c.f.s. for irrigation
 AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
 AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
 AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion .02 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:

Township 49N N/S, Range 2E E/W, B.M., Section 35, Subdivision SW 1/4 SW 1/4, Shoshone County
Township N/S, Range E/W, B.M., Section , Subdivision 1/4 1/4, County
Township N/S, Range E/W, B.M., Section , Subdivision 1/4 1/4, County

Other Points of Diversions:

Description of diverting works: 6" pipe, 5 horse one phase motor - well depth 95'. Water goes into pipes and is sprinkled by sprinkler heads. Automatic timer.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
49N	2E	35											X						1.013

TOTAL ACREAGE 1.013

RECEIVED

AUG 9 1976

Department of Water Resources

Permit No. 94-7023
Examination for b/u

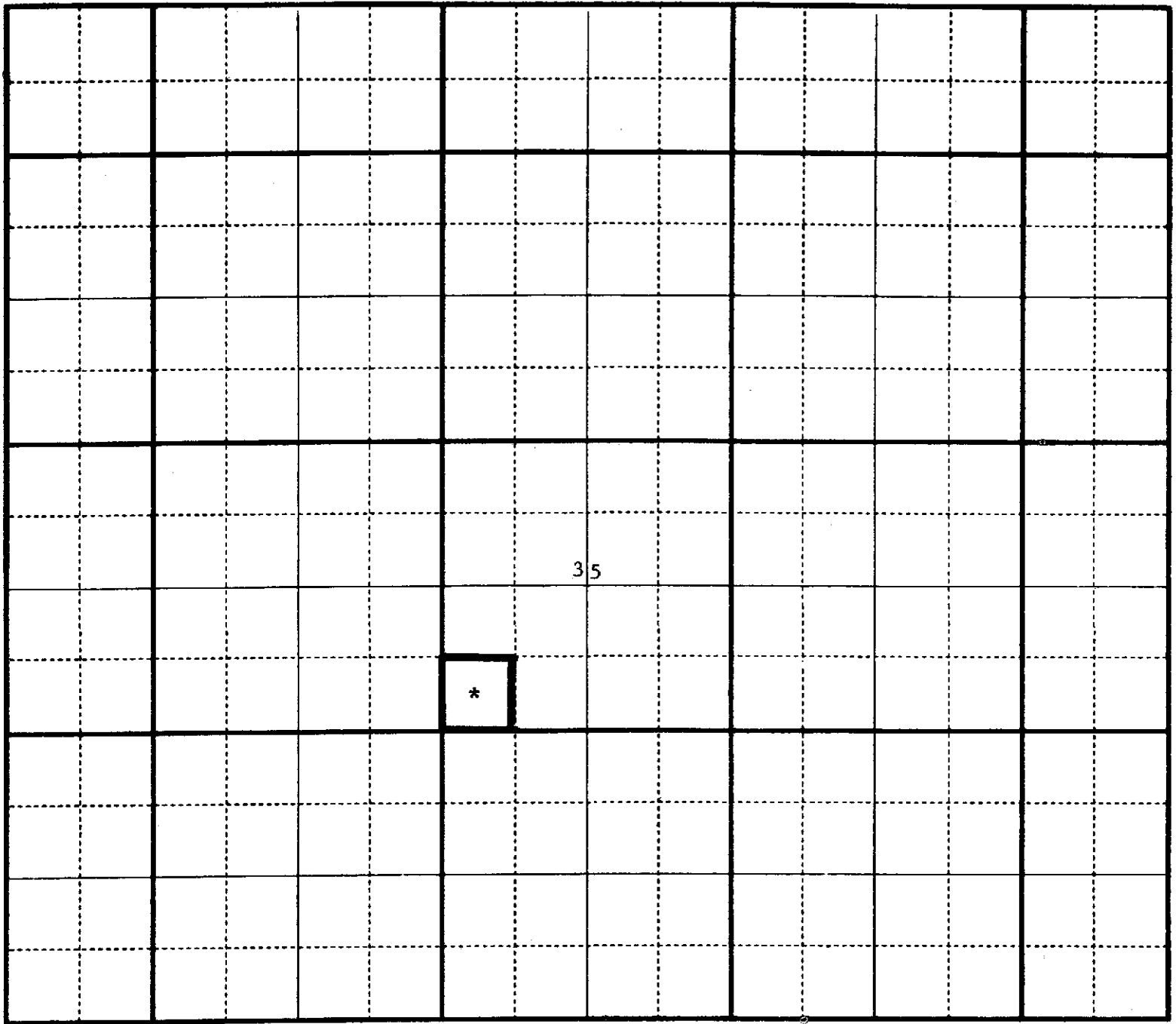
T
49
N

Diagram of System

DATE OF EXAM 7-23-76

ACREAGE
Found one
Recommended one

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 0.02 c.f.s. V = .6 AF/Ann. from Mar 15 to Nov 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 X

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 0.02 cfs Method of measurement calc

Total Q recommended 0.02 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 0.6 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

one Acre @ 0.02 cfs & 0.6 AF/Ann

SYSTEM DESCRIPTION:

5 hp submersible pump, ser # 7107233, well with pump and
pipe line to spr beds

REMARKS:

Examiner's Signature Tom K Date 7-30-76

Checked by Bob Haynes Date 8-3-76

Approved by _____ Date _____

Identification No. _____

Permit No. 94-7023

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder City of Smelterville
b) Post Office Address P.O. Box 208--Smelterville, Idaho 83868
2. Permit Number 94-7023
3. Date of Priority that you are prepared to establish May 17, 1972
4. a) Source from which water was appropriated Underground
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 35
Township 49 North, Range 2 East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 0.02 for Irrigation purposes from March 15 to November 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 _____ 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: Larry Gilman of Bell service Co.
He used large container with time- results 64 G.P.H.
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) six inch pipe, five horse one phase motor- well depth ninety five feet. Water goes into pipes and is sprinkled by sprinkler heads. Automatic timer.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed December 13, 1971
Aqua Drilling and Development, Inc.
Rt. 1 - Orofino, Idaho 83544

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Exam typist 5/24/73 by pe

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: 1.013 acres park grass

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
49 N	2 E	35											**						1.013

Total number of acres irrigated 1.013

10. Remarks: _____

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

5-22-73
(Date)

Mayor Everett Ely
(Signature)

State of IDAHO)
County of SHOSHONE) ss.

On this 22nd day of May, 1973, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Harold Thomas
Notary Public residing at Snellsville, Idaho

My commission expires August 15, 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that City of Smelterville, P.O. Box 208,

Smelterville, Idaho

has on March 21, 1972 submitted Application No. 94-7023

for a permit to appropriate 0.02 cubic feet per second ~~acre feet per annum~~

of water from a ground water source

~~any waters of~~

within the SW¹/₄SW¹/₄, Sec. 35, T. 49N, R. 2E, B.M., Shoshone County

to be used from March 15 to Nov. 15

for the irrigation of 1.013 acres

within the SW¹/₄SW¹/₄, Sec. 35, T. 49N, R. 2E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before April 17, 1972.

R. KEITH HIGGINSON

Director

Published in the Kellogg Evening News, Kellogg, Idaho

on March 30 and April 6, 1972.

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