

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
NOV 20 2007
WATER RESOURCES
WESTERN REGION
Ident. No.
65-23245

1. Name of Applicant James W. Smith and/or Mary B. Smith Phone 342-1010
Mailing address 11606 Cartwright Road, Boise, ID 83702
2. Source of water supply ground water which is a tributary of N/A
3. Location of point of diversion is Township 11N Range 1E Sec. 35, in the NW $\frac{1}{4}$,
NW $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., Gem County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 0.92 cfs for irrigation purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 cfs for stockwater purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.98 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source electric pump 20-30 Hp.
discharged into ditch or gated pipe
 - b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 10 inches; proposed depth of well is 200 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? No; Drilling firm N/A;
Well was drilled for (well owner) N/A; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW.
 - b. Stockwatering; list number and kind of livestock. 200 head (beef cattle and a few horses)
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully.

9. Description of place of use:

- 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. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	1E	35														20	21		41
11N	1E	35														S	S		
10N	1E	2		5															5
10N	1E	2		S															

Total number of acres to be irrigated 46

10. Describe any other water rights used for the same purposes as described above. 65-02974 and 65-02925 Squaw Creek Irr. District (Place of use: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 11N., R.1E., B.M.)

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

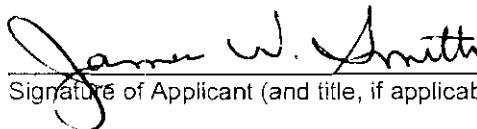
b. Who owns the land to be irrigated or place of use? Applicant

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

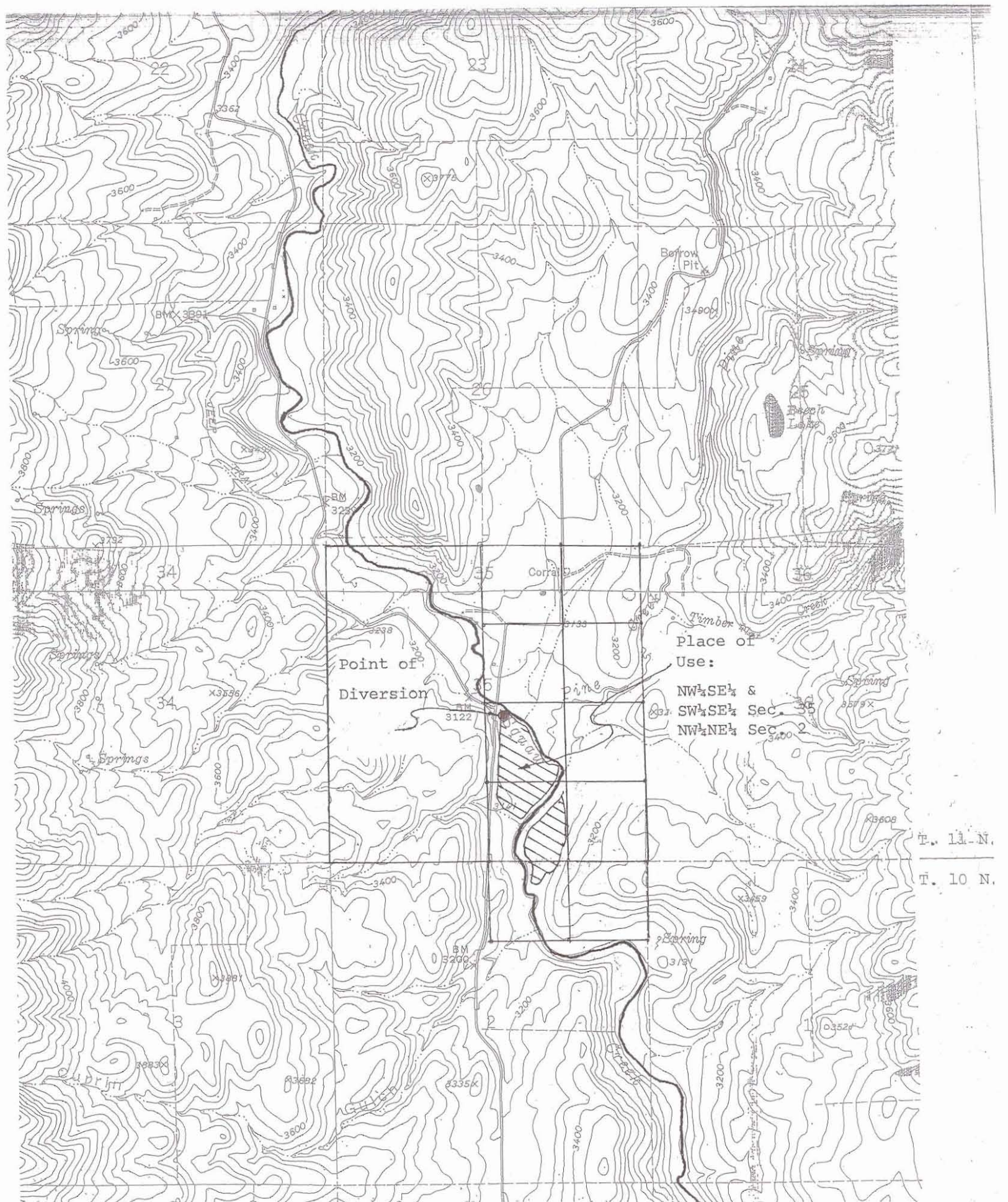
12. Remarks:

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 $\frac{1}{2}$ "x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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


Signature of Applicant (and title, if applicable)

Received by DB Date 11-20-07 Time 4:15 PM Preliminary check by RZ
 Fee \$ 250- Receipted by DB # W035995 Date 11-20-07
 Publication prepared by DB Date 2/27/08 Published in MESSENGER INDEX
 Publication approved DATE: Date MARCH 5 & 12, 2008



T. 13 N.

T. 10 N.

R. 1 E.

203--WARRANTY DEED

Printed for sale by Syma-York Company, Boise, Idaho

(Optional)

Recorded	☐	Platted	☐	Key Punched	☐	To Treasurer	☐
Microfilmed	☐	Deed Card	☐	Master File	☐		☐
Indexed	☐	Compared	☐	Abstracted	☐		

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

BERNARD W. HOFFMAN, a/k/a B. W. HOFFMAN, a single man

GRANTOR(S)
State of Idahoof Ola County of Gem
hereby CONVEYS, GRANTS and WARRANTS TO

JAMES W. SMITH and MARY B. SMITH, husband and wife,

GRANTEE(S)

whose current address is 1024 Park Hill Dr., Boise, Id.

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION Dollars (\$10.00)

the following described tract(s) of land in Gem

County, State of Idaho;

Property as more particularly described on attached Exhibit "A"

Said Deed is being Re-recorded in order to correct a portion of the legal description.

Location of above described property _____

House No. _____

Street _____

Received Time Sep. 24. 10:05AM

LEGAL DESCRIPTION

Parcel I:

The Southwest quarter of the Northwest quarter of Section 1, and Government Lot 1 and the East half of Government Lot 2 and the South half of the Northeast quarter of Section 2, All in Township 10 North, Range 1 East of the Boise Meridian; AND

The North half of the Southwest quarter, the Southwest quarter of the Southwest quarter, and the West half of the Southeast quarter, All in Section 26, Township 11 North, Range 1 East of the Boise Meridian; EXCEPTING THEREFROM that portion of the West half of the Southwest corner, lying Westerly of Squaw Creek; AND

The Northwest quarter of the Northeast quarter, the North half of the Northwest quarter, ALSO the South half of the Northeast quarter AND the Southeast quarter, EXCEPTING THEREFROM the Southwest quarter of the Southwest quarter of the Southeast quarter, AND ALSO ~~EXCEPTING that portion lying West of the County Road, All in~~ ← DELETE
Section 35, Township 11 North, Range 1 East, Boise Meridian;

And

Lots 3 and 4 in Section 1, and Lot 1 in Section 2, both in Township 10 North, Range 1 East of the Boise Meridian; AND

the East half of the Southeast quarter of Section 35, Township 11 North, Range 1 East of the Boise Meridian; the West half of the Northwest quarter of Section 26, Township 11 North, Range 1 East, of the Boise Meridian, Gem County, Idaho.

EXCEPT ditch and road rights-of-way.

Parcel II:

An Easement for ingress and egress to maintain and operate irrigation diversion works located in Squaw Creek and to mover heavy equipment, over that portion of the West half of the Southwest quarter, Section 26, Township 11 North, Range 1 East, Boise Meridian, Gem County, Idaho, lying Westerly of the centerline of Squaw Creek, AND

The Southwest quarter of the Southwest quarter of the Southeast quarter of Section 35, Township 11 North, Range 1 East, Boise Meridian, Gem County, Idaho, as reserved in Warranty Deed executed by B.W. Hoffman, a single man and Bill Staten and Billie Y. Staten, husband and wife, recorded January 12, 1981, as Instrument No. 135042, Official Records.

Together with all E. L. M. rights.

Together with all water, water rights ditches and ditch rights appurtenant thereto and in anywise belonging.

GRANTOR RESERVES a life estate for the use of the home, garage, well house and metal shed for and during the life of the Grantor. Grantor to maintain and keep home and Buildings in same state of repair as of this date. Grantor to keep insurance on buildings for their current value. Grantee to pay taxes. Should Grantor vacate premises for a period of 6 months or more, the life estate will become null and void. Said right is not transferable, that is, only the Grantor has the right to such life estate.

QWP 10-19-92
MBB 10-19-92
BWB 10/19/92

(RE-RECORDED)

174413

Cem County (IDAH) ss.
RECORDER CLERK OF
First American Title Co.
Time 2:10 PM
Date December 9, 1992
Instr. No. 174413
Recorded as Deed
T. and B. Kolodziej, Clerk
L. Kolodziej, Recorder
By Judy Bohem
Deputy
Fee \$ 12.00

EXHIBIT "A"

Page 2 of 2

WITNESS the hand of said Grantors this

day of October A.D. 1992.

Bernard W. Hoffman
Bernard W. Hoffman

(NOTARY SEAL)

State of Idaho
County of Gem

ss. On the 19th day of October A.D. 1992

personally appeared before me BERNARD W. HOFFMAN, a/k/a B. W.
HOFFMAN, a single manthe signer(s) of the within instrument, who duly acknowledged to me that he
executed the same.Deborah J. Smith
(NOTARY PUBLIC)

Residing at: Emmett

My Commission expires: 7/11/94

MAIL DEED TO:

Mr. & Mrs. James W. Smith

1024 Park Hill Dr.

Boise, Id.

MAIL TAX NOTICE TO:

Name Mr. & Mrs. James W. Smith

Address 1024 Park Hill Dr.

City & State Boise, Id. Zip

173980

No.

WARRANTY DEED

-TO-

Dated _____, 19__

STATE OF IDAHO

County of Gem ss.

I hereby certify that this instrument was

filed for record at request of

First American Title Co.

at 40 minutes past 3

o'clock P. M., this 27th day

of October, A.D. 1992

in my office, and duly recorded in Book _____ as a
Deed under Instr. #173980.

Thelma R. Kolodziej

Ex-Officio Recorder.

By Judy Begham Deputy

Fees \$12.00

Received Time Sep.24. 10:05AM