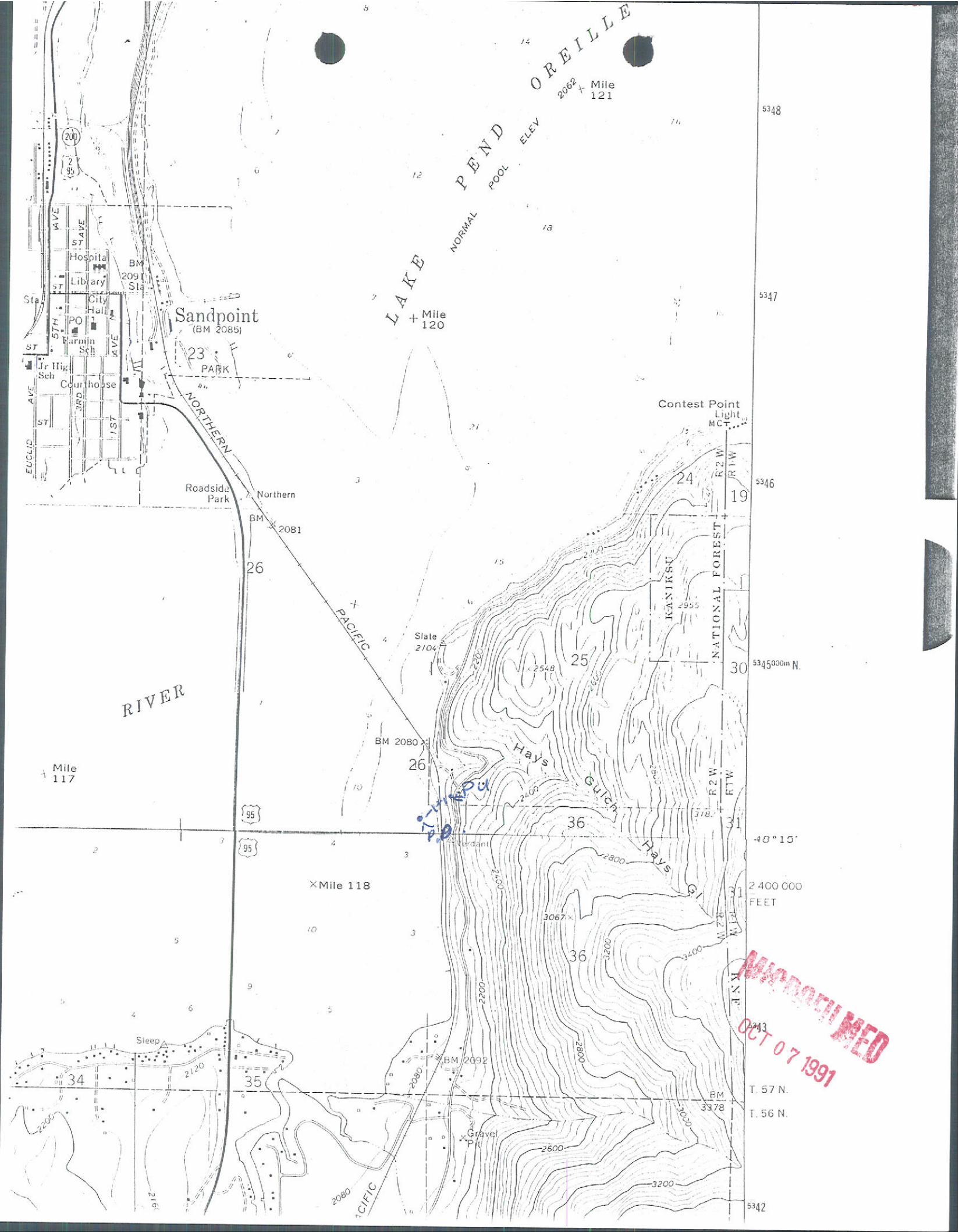




OREILLE
2062 + Mile
121

PEND
POOL ELEV

LAKE
+ Mile
120

Sandpoint
(BM 2085)

Contest Point
Light
MCT

RIVER

KANIKSU
NATIONAL FOREST

48°15'
2 400 000
FEET

MISSOURI MED
OCT 07 1991

T. 57 N.
T. 56 N.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08476

Priority: April 3, 1987

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:¹

1.2 AF

This is to certify, that STEPHEN F. SMITH
LISA E. SMITH

P.O. BOX C

SANDPOINT, ID 838640000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 28, 1987; and has submitted Proof of Beneficial Use on September 13, 1989. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

PEND OREILLE LAKE

tributary to PEND OREILLE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 36, Township 57N, Range 02W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

57N 02W 25

SWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

MICROFILMED

OCT 07 1991

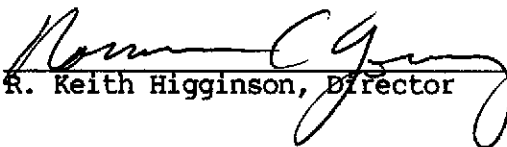
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08476

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28TH
day of AUGUST, 1991.

Acting for


R. Keith Higginson, Director

RECEIVED
OCT 07 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 96-8476 IN THE

NAME OF STEPHEN F. SMITH, LISA E. SMITH

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before April 1, 1989; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

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

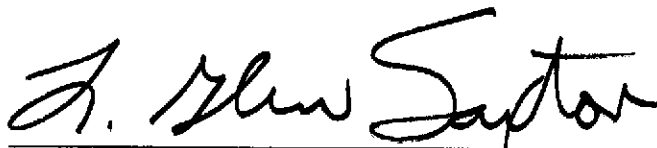
WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on September 13, 1989;

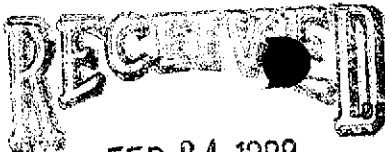
IT IS, THEREFORE, HEREBY ORDERED that Permit No. 96-8476 be REINSTATED and the priority advanced to April 3, 1987.

Dated this 23rd day of October, 1989.

MICROFILMED

NOV 24 1989


L. GLEN SAXTON, Chief
Water Allocation Bureau



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by
Date 2-25-88
Receipt # 48484

FEB 24 1988
REQUEST FOR EXTENSION OF TIME

Department of Water Resources
To provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 96-8476

Name(s) of Permit Holder: Stephen F. and Lisa E. Smith

Post Office Address: P.O. Box C, Sandpoint, Idaho 83864

Telephone No. 208/263-9852

Date Proof Is Due: April 1, 1988

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Architectural siting of house, pump station, waterline and water inlet;
placing of fill material; engineering of water system; negotiation of
construction easement with Burlington Northern Railroad; obtaining of
excavation estimate; prescheduling of excavation work. Costing \$ 2,000.00
in excess of

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Inclement weather conditions have prevented completion of the laying of the
waterline, installation of the pump, and blasting of the water tank site.

Permit holder(s) request an extension to April 1, 19 89.
(1 yr. minimum)

Stephen F. Smith
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 1989.

Signed this 15 day of March, 19 88.

A. Glen Saxton
Chief, Operations Bureau

RECEIVED

JUL 27 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant STEPHEN F. & LISA E. SMITH Phone (208) 263-3115
Post office address P.O. BOX C, SANDPOINT, ID. 83864
2. Source of water supply LAKE PEND OREILLE which is a tributary of PEND OREILLE RIVER
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 35 Township 57N Range 2W B.M. BONNER County; additional
points of diversion if any: NONE
4. Water will be used for the following purposes:
Amount .02 cfs for DOMESTIC purposes from 1/1 to 12/31 (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)
5. Total quantity to be appropriated is (a) .02 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. THREE-QUARTER (3/4)
HORSE POWER ELECTRIC PUMP; ONE AND ONE-QUARTER
(1 1/4) INCH WATER LINE.
 - b. Height of storage dam NONE feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is NONE inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

MICROFILMED

APR 14 1987

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. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. ONE (1)
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
57N	2W	25											D						

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE

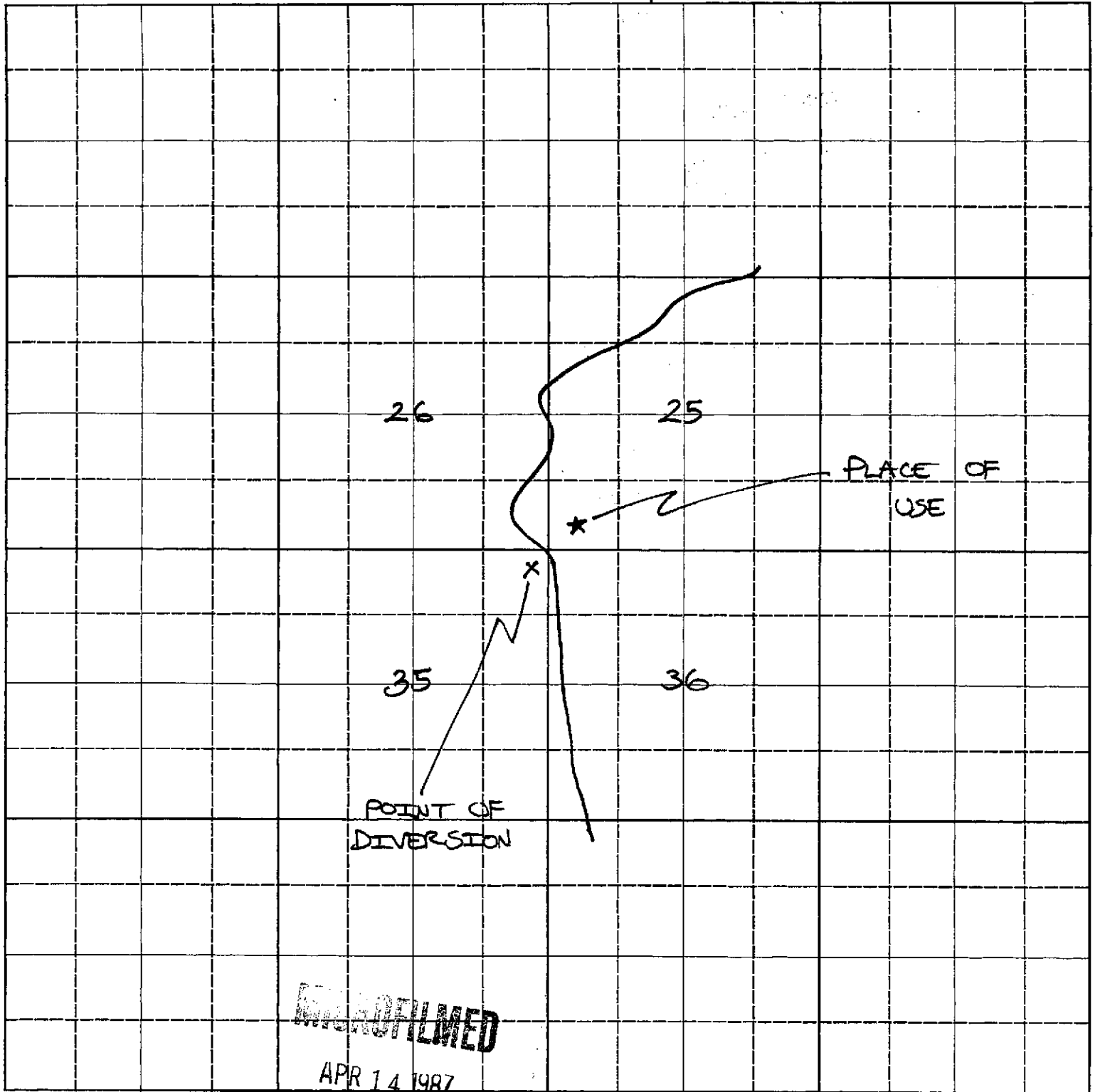
11. a. Who owns the property at the point of diversion? BURLINGTON NORTHERN RAILROAD
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. WATER PIPE LINE AND ELECTRICAL LINE PERMITS NUMBERS 97390 AND 97391.

12. Remarks: THIS APPLICATION IS SUBMITTED TO ESTABLISH A DOMESTIC WATER SUPPLY FOR A SINGLE FAMILY RESIDENCE.

MICROFILMED

APR 14 1987

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. TOWNSHIP 57 N., RANGE 2 W.



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.

Stephen F. Smith
(Applicant)
Lisa E. Smith

Received by RJR Date 2/5/87 Time 3:00 PM Proposed Priority 1/28/87
Date 1-28-87 Time 3:00 PM Preliminary check by RJR
Fee \$ 30.00 Received by pm # 38213 Date 2/6/87
Publication prepared by pm Date 2/12/87 Published in 2/19+26/87
Publication approved pm Date 3/10/87

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-8476, 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 April 1, 19 88.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 20th day of March, 1987.

J. Glen Saxton
Chief, Operations Bureau

MICROFILMED

APR 14 1987

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Kim Johnson being first duly sworn on oath
deposes and says that he/she is Bookkeeper
of the Sandpoint Daily Bee, a newspaper printed and
published at Sandpoint, in Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

Legal Notice

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive
weeks, commencing on 18 day of Feb, 1987
and ending on the 25 day of Feb, 1987
and that said notice was published in said newspaper.

Kim Johnson
Subscribed and sworn to before me this 26 day
of Feb, 1987.

Linda A Morrow

Notary Public for Idaho

Residing at Sandpoint, Idaho

MICROFILMED

APR 14 1987

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

96-8476

SMITH, STEPHEN F. &/or LISA E.
P.O. BOX C, SANDPOINT, ID 83864.
Source: PEND OREILLE LAKE
trib. to PEND OREILLE RIVER
Diversion Pt: NENENE Sec 35 T
57N R 02W

Use: DOMESTIC (0.020 CFS)

Date Filed: 01/28/1987

In: SWSW Sec 25 T 57N R 02W

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, 4055 Government
Way, Suite 9, Coeur d'Alene, Idaho
83814 on or before MARCH 9, 1987

KENDUNN, Dir.

#1241 Feb. 18, 25, 1987

OK
3/10/87

RECEIVED

MAR 6 1987

Department of Water Resources
Northern District Office

RECEIVED

MAR

1987

Department of Water Resources
Northern District Office

1271

August 29, 1991

STEPHEN F. SMITH
LISA E. SMITH
P.O. BOX C
SANDPOINT ID 838640000

RE: WATER RIGHT NO. 96-08476

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED
OCT 07 1991

LICENSE REVIEW CHECKLIST

Permit No. 96-8476

Name/Address change? ok ☒

Priority date Advance? yes no ☒

Memo to advance
Order to reinstate needed? yes no ☒

Total cfs Limited by fee N/A

Limited by capacity

Total volume Limited by flow

Chart checked for AF rate/ac N/A

Capacity Actual measurement checked

Theoretical checked .518.8X.7/10+2.31X25 = .0504

If greater than permit, check for other rts

Source Changed? yes no ☒

If so, is memo needed to clarify?

P/D Verify with map ☒ permit ☒ amendment needed

More than one per 1/4? Remember remark

Check p/d overlap N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map ☒ permit ☒
> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 1/4
Description of non-irrig uses ☒
Special overlap condition

Conditions -

Measuring device
W.Master control
Overlap
Water quality
Other

Dates/Misc. -

Water Dist
App Rec'd
Proof Rec'd

CHECK FOR ADJ. CLAIM Needed according to proof filed
Filed - needs amended
Add'l fee required
Not filed - ☒
Not needed ☒

Comments/Changes to Examiner's Recommendations:

License ☒ 10-day 30-day

Back of field report signed?
Reviewer SCurtis Date 8/14/91 Review time 5 min.

RECEIVED
OCT 07 1991

SENIOR AGENT REVIEW

Check List
for
Beneficial Use Field Report

Permit 96-08476

A. GENERAL INFORMATION

- ☒ 1. Name and address are most current available. (Check BU statement)
☒ 2. Exam Date
☒ 3. Source (Check Permit)

B. OVERLAP REVIEW

- ☒ 1. & 2. (Rule 5,1,4)

C. SYSTEM DESCRIPTION

- ☒ 1. Diversion System Diagram (Rule 5,1,3 / 5,1,4)
☒ 2. USGS (Rule 5,1,7 / 5,1,9) Aerial (Rule 5,1,17)
☒ Photo of pd and/or pu or explanation
☒ 3. Word Picture (Rule 5,1,3 / 5,1,4)
☒ 4. Diversion (Rule 5,1,3)
☒ 5. Compare with USGS Map/Land Survey Maps/Aerial Photos/Permit.
☒ Government Lot ?
☒ Method of determination
☒ 6. Compare USGS/Land Survey? Aerial Photos/Permit.
☒ Method of determination,
☒ Irrigation (Rule 5,1,8),

☒ **D. FLOW MEASUREMENTS** Check math (Rule 5,1,13 / 5,1,14)

☒ **E. FLOW CALCULATIONS** Check math (Rule 5,1,13 / 5,1,14)

☒ **F. OPTIONAL**

☒ **G. VOLUME CALCULATIONS**

- Three significant figures/not less than 0.10 (Rule 6,1,2)
Fish (Rule 5,1,11) number stock, homes, etc... (Rule 5,1,12)

☒ **H. REMARKS AND OVERLAP ANALYSES**

- ☒ All actual uses listed (Rule 5,1,2):
☒ All unused, permitted uses listed (Rule 5,1,2):
☒ Overlaps (Rule 5,1,4):
☒ Return flows (Rule 5,1,5):
☒ Conditions (Rule 5,1,6).

☒ **I. RECOMMENDATIONS**

- ☒ 1. Municipal (Rule 5,1,10): Compare with items E & G, permit, fee, capacity
(Rule 5,1,15): Measured flows for each use listed separately (Rule 5,1,14).
Period of year (Rule 5,1,13)
☒ 2. Compare permit to exam for amendments (Rule 5,1,16)

☒ **J. AUTHENTICATION**

Name, Signature, Certification Date, Exam Date.

☒ **WELL INSPECTION REPORT**

Check with permit and well log for discrepancies

Signature

J. O. King

Date 1-17-91

Photo Did Not develop

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Submersible pump in lake with 1/4 water line to 1,000 gallon holding tank and then gravity fed to home

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible		1/2			

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	NE	35	57N	2W	Bonner	Map
	1	NW	NW	NW	36	57N	2W	Bonner	Map

6. **Place(s) of Use:**

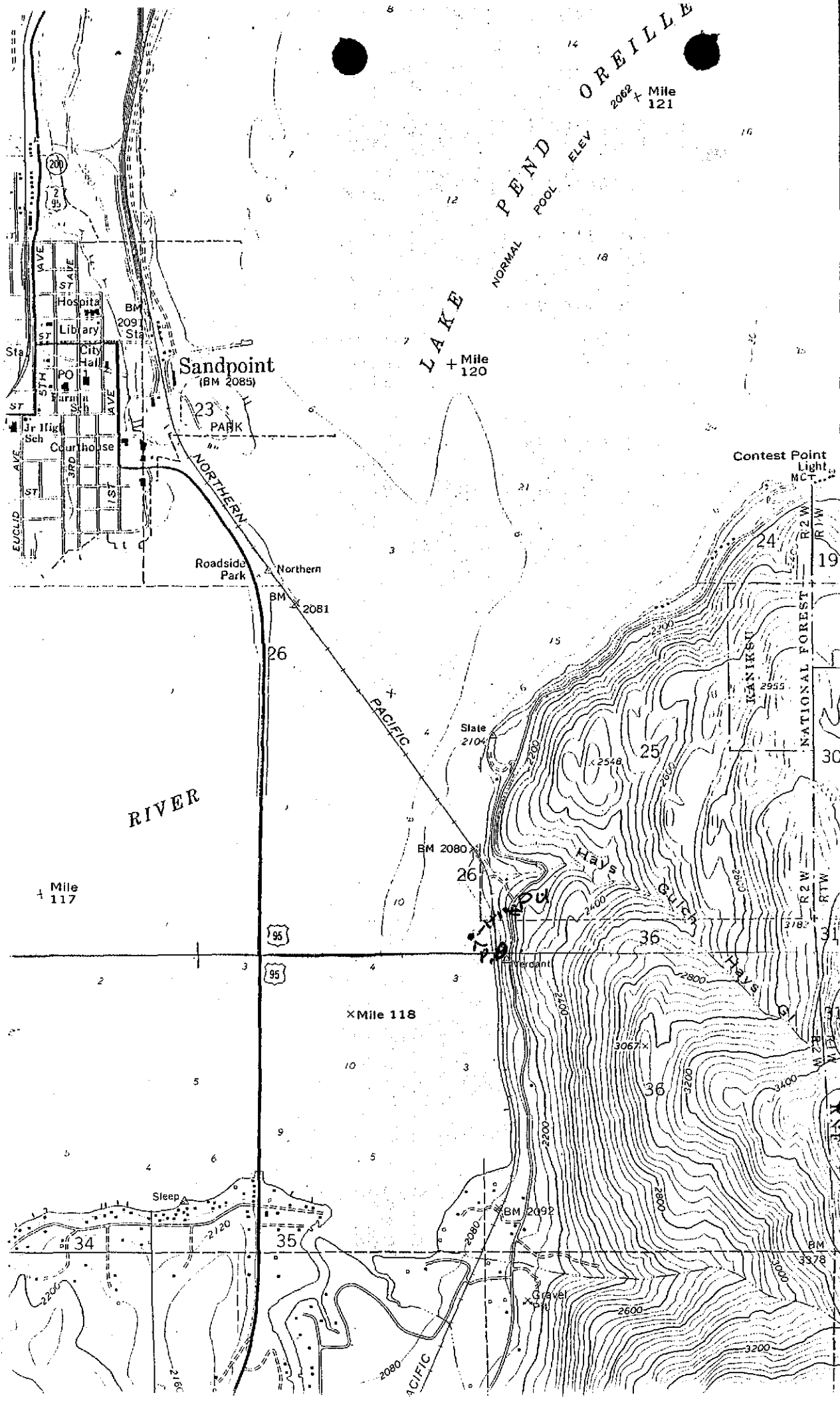
Indicate Method of Determination Map

Twp.	Rge.	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	
57N	2W	35										D							

UNRECORDED

OCT 07 1991

Do not use this space



5348

5347

5346

5345000m N.

48°15'

2 400 000
FEET

MINUTEMAN MED
OCT 07 1991

T. 57 N.

T. 56 N.

5342

Do not use this space

D. FLOW MEASUREMENTS

None

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

0.02 cfs as per permit

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

1 Home L&G 1.2 afa

OCT 07 199

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The P.D. is in the lake, and the line touches land in the NW/NCW NW of Sec 36. (There is no land in the NENE of sec 35.)

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-31	0.02 cfs	1.2 afa
Totals:			0.02 cfs	1.2 afa

2. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Theresa J. Bright

Signature

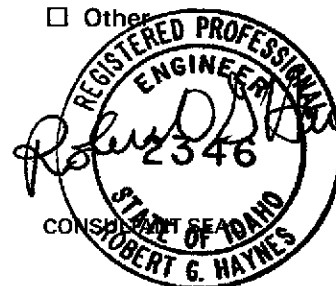
Theresa J. Bright

Certification Date

4/16/90

Field Report Preparation Date

10-1-1990



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED
OCT 07 1991

November 1, 1989

STEPHEN F. SMITH
LISA E. SMITH
P.O. BOX C
SANDPOINT, ID 838640000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08476

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

NOV 24 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 96-8476

Date: 10/18/89

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change If yes, prepare a data entry
☒ Proof received timely
☒ Reinstated

Source of Water:

- ☒ Surface water
☐ Groundwater
☒ 1. well log in file
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

proof reinstated

Priority Calculation:

Date proof received	<u>Sept 13, 1989</u>	<u>256</u>
Date proof due	<u>April 1, 1989</u>	<u>- 91</u>
No. of days late		<u>= 65</u>
Priority date	<u>Jan 28, 1989</u>	<u>+ 28</u>
NEW PRIORITY DATE	<u>April 3, 1989</u>	<u>= 93</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED
SEP 13 1989

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Reviewed by Ops. 10/18/89
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 96-8476

Name(s) of Permit Holder: STEPHEN F. & LISA E. SMITH

Post Office Address: P.O. Box C, SANDPOINT, ID
83864 Telephone No. 263-9852

Source of Water: LAKE PEND OREILLE

Extent of Use:

Domestic 1 (number of households) Stockwater _____ (number and type of stock)
Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .02 cfs N/A acre-feet

Show the date water was first diverted and beneficially used under this permit: ON OR ABOUT
SEPTEMBER 13, 1989

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ N/A*
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

* [I.C. §42-221 (K)(1)]

Person to contact to accompany the Department representative during the field examination:

STEVE SMITH OFFICE: 263-3115; HOME: 263-9852
(Name) (Telephone Number)

(SAME AS ABOVE.)
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

SEPT. 11, 1989
Date

Stephen F. Smith
Signature of Permit Holder (and title, if appropriate)

NOV 24 1989

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

July 13, 1989

Stephen F. & Lisa E. Smith
P. O. Box C
Sandpoint, ID 83864

Dear Mr. and Mrs. Smith:

Re: Permit No. 96-8476

LAPSE NOTICE

The Department is required to notify you that under the provisions of Section 42-218a of the Idaho Code, Permit No. 96-8476 lapsed since the department could not approve the request for extension of time you submitted.

The permit cannot be reinstated unless an adequate amount of work has been completed to allow you to submit proof of beneficial use of water. If you have diverted and used water from Lake Pend Oreille for domestic purposes you should complete and return the proof of beneficial use form to this office within sixty days of the date of this lapse notice. If it is not received by that time, the permit will be of no further force or effect.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosure

MICROFILMED

NOV 24 1989

CERTIFICATION OF MAILING

I hereby certify that on 7-14-89
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Rita Fleck

May 1, 1989

Stephen F. & Lisa E. Smith
P. O. Box C
Sandpoint, ID 83864

Dear Mr. and Mrs. Smith:

Re: Permit No. 96-8476

Enclosed is a copy of the request for extension of time which you submitted to the department in connection with the above referenced permit. Provisions of Sec. 42-204, Idaho Code, provide that the department can only grant one extension of time based on due diligence. Please note that the department has previously granted an extension of time in connection with this permit.

If you can complete the project within sixty days of the date the lapse notice is sent, then I would suggest that you file the proof of beneficial use form (enclosed). Upon receipt of the proof of beneficial use form, the department can reinstate the permit and advise the regional office to conduct a field inspection for licensing purposes.

If not, then it is necessary to file a new application for to develop a water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

Please feel free to contact any of our regional offices if you wish assistance in completion of the new application.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocations Bureau

Enc: Extension of Time
Proof of Beneficial Use form

RECORDED

MAY 24 1989

MAY 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by KUH
Date 3/31/89
Receipt # 0016128

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

EXPLANATION OF REQUEST

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 96-08476

Name(s) of Permit Holder: STEPHEN F. & LISA E. SMITH

Post Office Address: P.O. Box C, SANDPOINT, IDAHO 83864

Telephone No. (208) 263-9852

Date Proof Is Due: APRIL 1, 1989

Describe what work has been completed toward the development of this water right: INSTALLATION OF WATER
(This must be filled out! If no work has been completed, show "none".)

LINE AND POWER CONDUIT FROM THE HOUSE SITE TO THE RAILROAD
TRACKS (PLEASE SEE ATTACHED INVOICE); SCHEDULING OF THE FINAL
PHASE OF INSTALLATION, FROM THE RAILROAD TRACKS TO LAKE
PEND OREILLE (PLEASE SEE ATTACHED LETTER). Costing \$ 985.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

SEVERE WINTER WEATHER CONDITIONS PREVENTED COMPLETION OF THE
FINAL PHASE AS PLANNED IN JANUARY OF THIS YEAR. WITH FROST DEPTHS
STILL BEING REPORTED AT SEVERAL FEET, AN EXTENSION IS NECESSARY
(OVER, PLEASE) ...

Permit holder(s) request an extension to APRIL 1, 1990.
(1 yr. minimum)

Stephen F. Smith
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED. Under the provisions of Sec. 42-204, Idaho Code, the department cannot grant more than one extension of time request based on due diligence.

Signed this 17TH day of April, 19 89.

Director

... TO ALLOW COMPLETION OF THE PROJECT. CONSTRUCTION OF THE HOUSE IS PLANNED TO BEGIN ABOUT MAY 1, 1989, AFTER LOAD LIMITS HAVE BEEN REMOVED FROM COUNTY ROADS.

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 96-8470Reviewed by YDate 4-13-89

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

✓ Has adequate work been completed to demonstrate due diligence?
✓ Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

N/A Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN

Permit holder previously granted an ext based on due diligence - only one ext. can be granted based on due diligence
 Special conditions or remarks: *deny this request*

_____ Reinstatement	Date extension received _____	=	_____
	Proof due date _____	=	_____
	No. of days late _____	=	_____
	Priority date _____	=	+
	ADJUSTED PRIORITY DATE _____	=	_____

_____ Prepare coding sheet
 _____ Change rolodex card

COOKE, LAMANNA, SMITH & COGSWELL

Attorneys at Law
P.O. Box C
Sandpoint, Idaho 83864
(208) 263-3115

Thomas E. Cooke
Nick M. Lamanna
Steve Smith
Dar Cogswell

Karen M. Satterlee
Legal Assistant

RECEIVED
MAR 30 1989

Department of Water Resources

TO Rita Fleck
Secretary/Records Manager
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

DATE March 22, 1989
SUBJECT Permit No. 96-08476
Request for Extension of Time

Dear Ms. Fleck:

Thank you for your letter dated January 31, 1989.

Enclosed please find the following documents:

1. Request for Extension of Time, with attachments; and,
2. Check No. 2776 in the amount of \$15.00.

In the event that any other information would be helpful to the Department in its review of this request, please contact me.

Thank you.

Very truly yours,

COOKE, LAMANNA, SMITH & COGSWELL

Steve Smith

Steve Smith
Attorney at Law

SS:ps

enclosures

NOV 24 1989

DAVID BELLOMY

Excavation & Pipeline Specialists
P.O. Box 1592
Sandpoint, Idaho 83864
(208) 263-3211

SOLD TO Steve Smith SHIPPED TO LAKE LOT
STREET & NO. STREET & NO. Battle Bay Road
CITY CITY Sagle, Idaho

CUSTOMER'S ORDER	SALESMAN	TERMS	VIA	F.O.B.	DATE
					9-20-88
Water line and Power Conduit Installation					
300ft 1 1/4" class 200 poly Service Tubing @ .60/ft					180.00
300ft 1 1/4" class 160 " " " @ .40/ft					120.00
32 1/2 hrs Labor @ 18.00/hr					585.00
4 hrs (Dave) Supervision @ 25.00/hr					100.00
TOTAL due					\$ 985.00
# 2449					
10/13/88					
ACCOUNTS ARE DUE AND PAYABLE WITHIN 30 DAYS AFTER RECEIPT OF THIS STATEMENT. 1 1/2% PER MONTH (18% PER YEAR) WILL BE CHARGED ON PAST DUE ACCOUNTS. CUSTOMER AGREES TO PAY ALL COURT COSTS AND ATTORNEY'S FEES INCURRED BY DAVID BELLOMY, PIPELINE & EXCAVATION SPECIALISTS IF SUIT IS FILED, TO COLLECT ANY MONIES DUE ON THIS INVOICE.					
MICROFILMED NOV 12 1988					

Steve Smith
P.O. Box C
Sandpoint, Idaho 83864

October 10, 1988

David Bellomy
Excavating & Pipeline Specialists
P.O. Box 1592
Sandpoint, Idaho 83864

Dear Dave:

Thank you for your telephone call on September 19, 1988.

It was my understanding from our conversation that, because of a delay in a City of Sandpoint project, you had an extra laborer that you could put to work the next day on the water line we had discussed, and that, because of this, you could give a good price on that part of the excavation work.

It was also my understanding that your estimate for the excavation work would be time and materials, with a maximum figure of \$2,500.00 for digging and installing water and electrical lines from the house pad out to the end of the pipeline in the lake. That estimate included the cost of the pipe, which was to be the thick-wall pipe for the water line and a thin-wall pipe for the electrical line, except for the pipe that Dave Bangle will need to install from the railroad track out into the water.

It was also my understanding that, initially, you would have the pipe buried from the house pad to the top of the bank above the railroad tracks. After the water level goes down, you will give the B.N.R.R. and U.S. Sprint companies at least 48 hours advance notice before having a backhoe dig the line from the top of the bank above the railroad tracks, under the tracks and out into the water.

If these understandings are not complete or correct, please contact me. Thank you.

Sincerely,

Steve Smith
Steve Smith

MICROFILMED

NOV 24 1989

STEPHEN F. SMITH
LISA E. SMITH
P.O. BOX C
SANDPOINT, ID 838640000

January 31, 1989

138949

PROOF DUE NOTICE

RE: PERMIT NO. 96-08476

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED
NOV 24 1989

March 21, 1988

Stephen F. and Lisa E. Smith
P. O. Box C
Sandpoint, ID 83864

Dear Mr. and Mrs. Smith:

Re: Permit No. 96-8476

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to April 1, 1989.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Encl.

MICROFILMED

JUL 27 1988

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 96-8474

Reviewed by [Signature]

Date 3-14-1988

BASIC INFORMATION

- Y Date stamp received
Y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

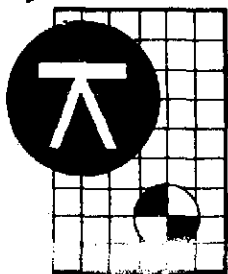
- N/A Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - Recommend approval based on due diligence

Special conditions or remarks:

N/A Reinstatement Date extension received _____ = _____
 Proof due date _____ = -
 No. of days late _____ = _____
 Priority date _____ = +
 ADJUSTED PRIORITY DATE _____ = _____

- Y Prepare coding sheet
Y Change rolodex cardf



STATEMENT

PAID 7/15/87

Tucker Engineering Consultants617 CHURCH STREET • SANDPOINT, IDAHO, 83864 • 263-8558
SURVEYING • STRUCTURES • WATER AND SEWER SYSTEMS

To: Mr. Steve Smith

Date: 7-8-87

Charges:

Description:

Water System Work

Survey Technician - 5.25 hrs. @ \$22.00
Transit Man - 4.75 hrs. @ \$20.00
Chainman - 5 hrs. @ \$18.00
Draftsman - 4.5 hrs. @ \$20.00
Principal Engineer - 2 hrs. @ \$40.00
12 miles @ \$0.50

\$115.50
95.00
90.00
90.00
80.00
6.00

BALANCE DUE

\$476.50

TERMS: NET 30 DAYS

1½% per month interest and carrying charges will be charged on accounts over 30 days old.

MICROFILMED

JUL 27 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

EXTENSION OF TIME

March 3, 1988

Stephen F. and Lisa E. Smith
P. O. Box C
Sandpoint, ID 83864

PERMIT NO. 96-8476

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 48484.

Roberta Garrett
Records Supervisor

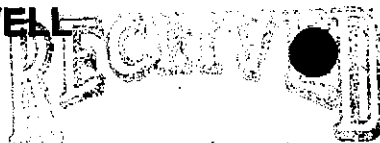
Enclosure

MAILED

JUL 27 1988

COOKE, LAMANNA, SMITH & COGSWELL

Attorneys at Law
P.O. Box C
Sandpoint, Idaho 83864
(208) 263-3115



FEB 24 1988

Thomas E. Cooke
Nick M. Lamanna
Steve Smith
Dar Cogswell

Karen M. Satterlee
Legal Assistant

Department of Water Resources

TO Rita Fleck
Secretary/Records Manager
State of Idaho
Department of Water Resources
State Office
1301 North Orchard Street
Boise, Idaho 83706-2237

DATE February 12, 1988
SUBJECT Stephen F. and Lisa E.
Smith, Permit No. 96-8476

Dear Ms. Fleck:

Enclosed please find the signed Request for Extension of Time, in regard to the above-noted matter. Enclosed also please find my check in the amount of \$15.00.

Thank you.

Very truly yours,

COOKE, LAMANNA, SMITH & COGSWELL

Steve Smith

Steve Smith
Attorney at Law
SS:ps
enclosures

MICROFILMED

JUL 27 1988

138302
CERTIFIED MAIL
January 31, 1988

SMITH, STEPHEN F. & LISA E.
P.O. BOX C
SANDPOINT, ID 83864

PROOF DUE NOTICE

RE: Permit No. 96-8476

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MAIL FILED

JUL 27 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
MARCH 24, 1987

SMITH, STEPHEN F. & LISA E.
P.O. BOX C
SANDPOINT, ID 83864

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-8476

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

MICROFILMED
APR 14 1987

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KE

APPLICATION NUMBER: 96-8476

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☒ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☐ No Platted by: _____ Map No. _____

☐ Yes ☐ No Other rights on same place of use. _____

☒ Yes ☐ No* In form for advertising.

☐ Yes ☒ No Final date for protests: 3/9/87

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 3/9/87

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No Measuring device required.

☐ Yes ☒ No Access port required.

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

☒ 1/23/87 Date of priority recommended.

Special conditions of approval or cover letter. _____

REPROFILMED

APR 14 1987

allow only 1 yr. for B/U development

By: AST Date: 3/10/87

STATE OFFICE REVIEW:

L/K 04

☐ See attached sheet for more information.

By: KW Date: 3/18/87

RECEIVED

MAR 12 1987

86-8476

SMITH, STEPHEN F. &/or LISA E.

P.O. BOX C, SANDPOINT, ID 83864

Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER

Diversion Pt: NENENE Sec 35 T 57N R 02W

Use: DOMESTIC (0.020 CF5)

Date Filed: 01/28/1987

In: SWSW Sec 25 T 57N R 02W

MICROFILMED

APR 14 1987

February 12, 1987

Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 96-8476

Gentlemen:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Department of Water Resources.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enclosure

MICROFILMED

APR 14 1987

C
O
P
Y

February 12, 1987

Mr. Stephen F. Smith
P.O. Box C
Sandpoint, Id. 83864

Re: 96-8476

Dear Mr. Smith:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned Identification No. 96-8476. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Sandpoint Bee. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to the final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your Receipt No. 38213 for the amount of \$30.00.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
Enc. - Receipt

RECEIVED

APR 14 1987

C
O
P
Y



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

January 29, 1987

Mr. Stephen Smith
P.O. Box C
Sandpoint, Id. 83864

Dear Mr. Smith:

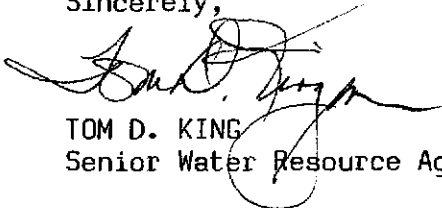
This office is in receipt of your Application for a Permit and Check No. 92-6 in the amount of \$30.00 and we are returning same to you because the application cannot be formally receipted until the following information is provided:

1. Item No. 9c does not agree with Item No. 13.
2. Please complete Item No. 11c.

Please note that your application has been initialed and dated as being received on January 28, 1987. If the requested information is provided within 30 days of the date of this letter, your date of priority will be maintained.

Instructions for completing an Application for Permit are included for your information. If you desire assistance, please feel free to contact this office.

Sincerely,



TOM D. KING
Senior Water Resource Agent

TDK/pms
Enc. - Application
Check
Instructions

MICROFILMED

APR 14 1987

2/3/87

Thank you for your review of this Application, as modified.

Steve Smith