

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

Luana Van Hook, bkpr for Pete Thompson being
Publisher first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Notice of Application
James M. Smith
a

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated September 25, 80, and ending with the issue dated October 2, 80, 1980.

Subscribed and sworn to before me this 17th day of October, 1980.

Jody M. Owsley
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 28 1991

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: James M. Smith
Current Address: 700 Curtain Lane, Sonoma, Ca 95476
2. Accompanied by: Les Levig
Address: Star Rt 1 Bonners Ferry ID
Relationship to Permit Holder: Designated Contact
3. Source: Unnamed Stream tributary to Kootenai River

Permit No. 98-07355

Phone No. 267-5254

EXAM. DATE: 8/2/90

Phone No. 267-2136

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
☐ Copies Attached
2. Other water rights with same point of diversion: None
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached

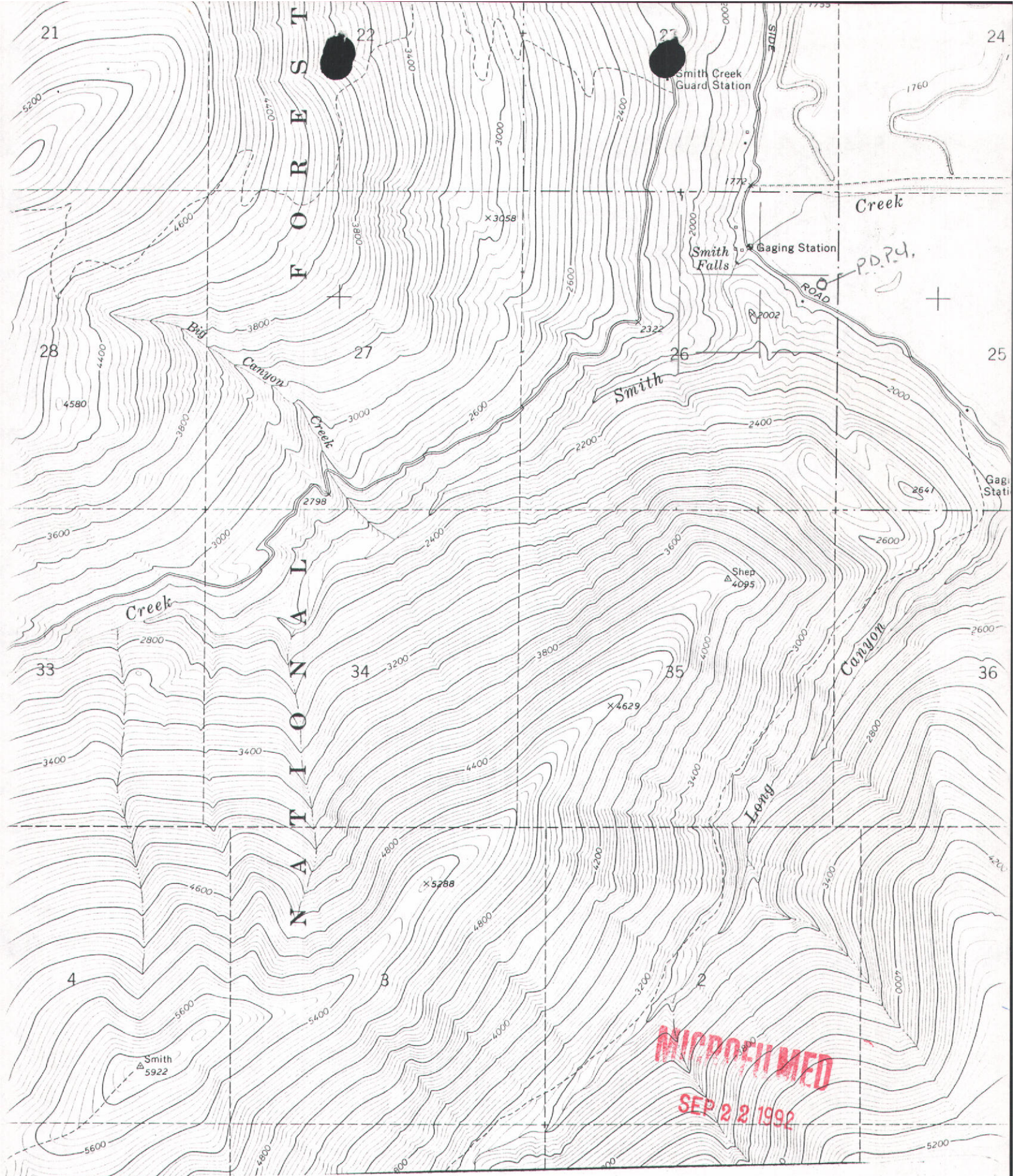


Scale: 1" = NTS

MICROFILMED

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

SEP 22 1992



TWP 65 N, RGE 2W SEC 26 E² NE
EXAM DATE / / MAP # A. 6 PERMIT # 98-1355

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07355

Priority: August 21, 1980

Maximum Storage Volume:

4.0 AF

This is to certify, that JAMES M SMITH
700 CURTIN LANE
SONOMA CA 954760000

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 21, 1980; and
has submitted Proof of Beneficial Use on November 17, 1982. An examination indicates
that the works have a storage capacity of 4.000 af of water from:

UNNAMED STREAM

tributary to KOOTENAI 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>
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 26, Township 65N, Range 02W
BOUNDARY County

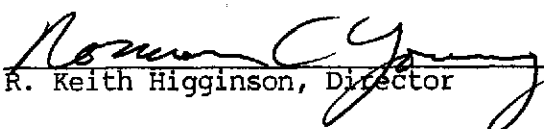
PLACE OF USE: WILDLIFE STORAGE
TWN RGE SEC

65N 02W 26 SENE

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 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 13TH
day of MARCH, 1992.

Acting for  R. Keith Higginson, Director

MICROFILMED

SEP 22 1992

State of Idaho
Department of Water Resources

RECEIVED
MAR 4 1992

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 98-07355

Department of Water Resources

Date of Priority: August 21, 1980

Maximum Storage Volume: 4.0 AF

Comes now

JAMES M SMITH

700 CURTIN LANE
SONOMA CA 954760000

APPROVED

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 98-07355, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

tributary to KOOTENAI RIVER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

WILDLIFE STORAGE

01/01 to 12/31

4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 26, Township 65N, Range 02W
BOUNDARY County

PLACE OF USE: WILDLIFE STORAGE
TWN RGE SEC

65N 02W 26

SENE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Sonoma Co., this 27 day of Feb, 1992.

James M Smith
(Signature)

MICROFILMED

SEP 22 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 98-07355

FOR DEPARTMENT USE ONLY

#C023414

Preliminary check by SL Fee = ☒ \$20.00 Received by JF Date 3-4-92

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 98-07355 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 13TH day of MARCH, 1992

Norm C Young
Acting for R. Keith Higginson, Director

SEP 22 1992

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 James M. Smith Phone 267-5254
707 996-9366

Post office address Star Rt. 1 Porthill, Idaho 83853

2. Source of water supply Unnamed Stream which is a tributary of Kootenai River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 65N

Range 2W B.M. Boundary County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.40 for Irrigation purposes from 5/1 to 10/1 (both dates inclusive)
(cfs or acre-feet per annum) Storage for

Amount 5.0AF for Irrigation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) Irrigation

Amount 5.0AF for from Storage purposes from 5/1 to 10/1 (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:

a. 0.40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Pond

b. Height of storage dam 5 feet, active reservoir capacity 5 acre-feet; total reservoir capacity 5 acre-feet, materials used in storage dam: Earth fill

Period of year when water will be diverted to storage 1/1 to 12/31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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 - maximum 5 years).

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: _____ horsepower 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: _____

APPROVED

[illegible]

20

None

Age Group	Percentage
18-24	10%
25-34	20%
35-44	25%
45-54	20%
55-64	15%
65-74	10%
75-84	5%
85+	5%

Who owns the property at the point of diversion

James and Gloria Smith

Who owns the land to be irrigated or place of use

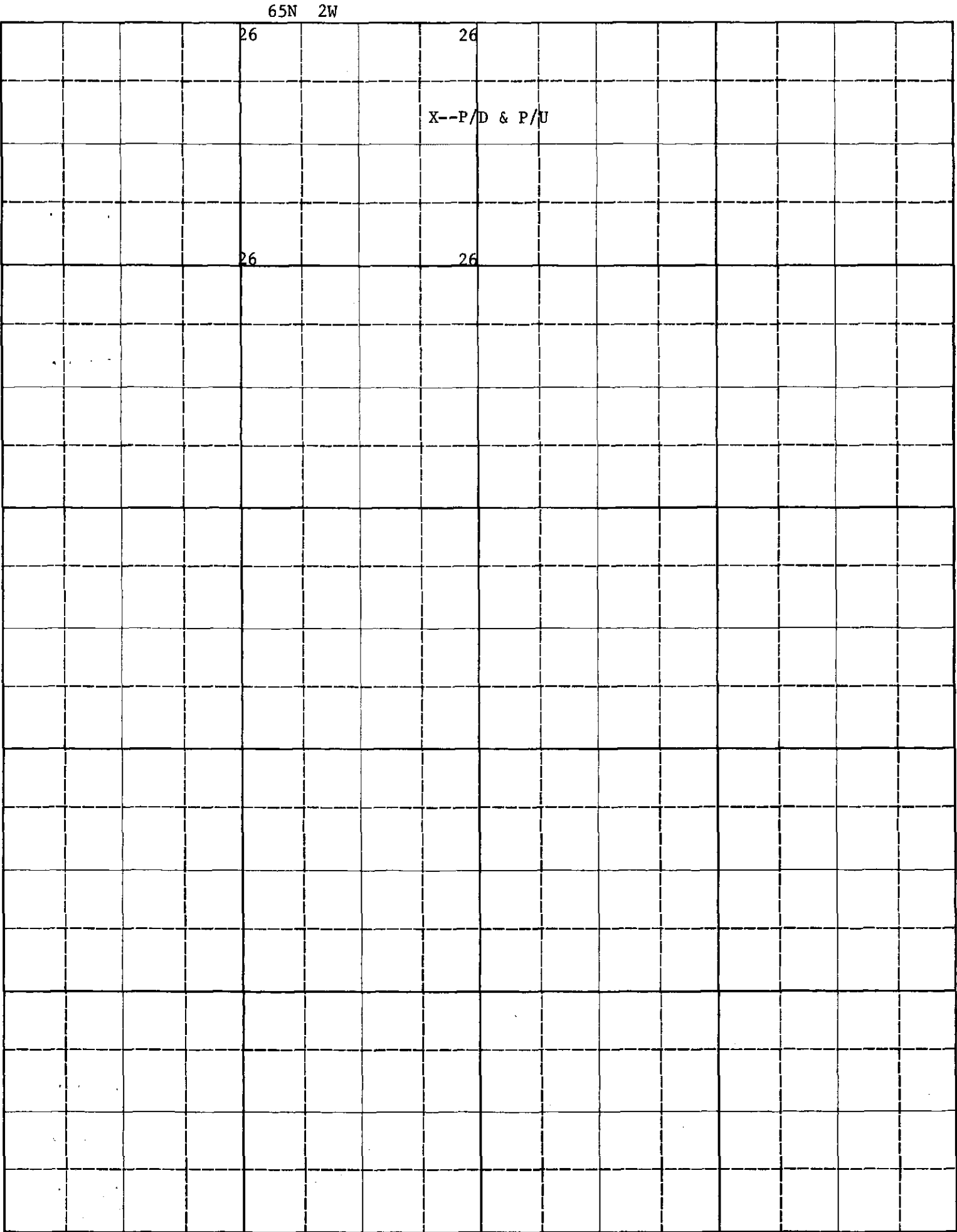
_____ omes

If the property is owned by a person other than the applicant, describe the arrangement enabling the

Applicant to make this filing

marks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

James M. Smith
(Applicant)

Proposed Priority 8/21/80
Received by pms Date 8/21/80 Time 11:45 am (from original)

Preliminary check by JK Fee \$ 45.00

Received by Date 9/18/80 (13400)

Publication prepared by Date 9/18/80

Published in Date 9/18/80

Publication dates 9/25 & 10/2/80

Publication approved Date 10/21/80

Protests filed by: none

Copies of protests forwarded by

Hearing held by Date,

Recommended for approval denial by

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. 98-7355, 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 be-

fore December 1, 1982.

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. Other:

Witness my hand this 4th day of November, 1980.

A. Allen Saylor

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

98-7355

SMITH, JAMES M.
STAR RT. 1, PORTHILL, ID 83853

Source: UNNAMED STREAM TRIBUTARY TO KOOTENAI RIVER

Date Filed: 08-21-1980

Amount: 0.40 CFS 5.0 AC-FT

Diversion Point: SENE Sec 26 T 65N R 02W, BOUNDARY Co. Diverison

Use: IRRIGATION (0.40 CFS) from 05-01 to 10-01

IRRIGATION STORAGE (5.0 AC-FT) from 01-01 to 12-31

IRRIGATION FROM STORAGE (5.0 AC-FT) from 05-01 to 10-01

Place of Use: SENE Sec 26 T 65N R 02W FOR 20 ACRES

Diversion Means: POND

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id. 83814 on or before OCTOBER 14, 1980.

C. STEPHEN ALLRED
Director

First publication September 25, 1980

Final publication October 2, 1980-idwr

AFFIDAVIT OF PUBLICATION

OF IDAHO } ss.
Boundary }

Van Hook, bkpr for Pete Thompson

being sworn upon his oath, deposes and says that he is the publisher (or foreman) lisher

Bonnors Ferry Herald, a newspaper of general circulation, published weekly at Ferry, Boundary County, State of Idaho; that the said Bonnors Ferry Herald has inuously and uninterruptedly published in said Boundary County during a period of 78 weeks prior to the first publication of the hereto attached notice; that

Notice of Application

James M. Smith

Publication, a printed copy of which is attached hereto was published in said r and not in a supplement thereof for 2 consecutive issues, com- with the issue dated September 25, 1980, and ending with the 1st issue dated October 2, 1980.

Subscribed and sworn to before me this 17th day of October, 1980

Jody M. Quisley
Notary Public in and for the County of Boundary, State of Idaho, residing at Bonnors Ferry, Idaho.

NOTICE OF APPL
Notice is hereby giv
has been submitted
of the State of

ITEM JAMES
AN EX. 1. PORTH
and UNNAMED ST
IVER

File Filed: 00-21-1980

Index: 0.00 CFS 5.0

Point: SENE

Division

REGISTRATION (0.0

STORAGE

REGISTRATION FROM S

10-01

Place of Use: SENE Sec

Diversion Means: PQN

If issued, the permit

rights. Protests against

led with the Director

August 1955 Gov't

late OCTOBER 14, 19

C. S

Dir

First publication Septe

First publication Octob

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

ss.

OCT 21 1980

Luana Van Hook, bkpr for Pete Thompson being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)
Publisher Department of the publisher
Northern District Office

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at
Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has
been continuously and uninterruptedly published in said Boundary County during a period
of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Notice of Application

James M. Smith

a

Notice for Publication, a printed copy of which is attached hereto was published in said
newspaper and not in a supplement thereof for 2 consecutive issues, com-
mencing with the issue dated September 25, 1980, and ending with the
issue dated September 2, 1980

Subscribed and sworn to before me this 17th day of October, 1980

Jody M. Owensley
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

FILED

OK
10/21/80

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

Luana Van Hook, Clerk for Pete Thompson being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)
Publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at
Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has
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Notice for Publication, a printed copy of which is attached hereto was published in said
newspaper and not in a supplement thereof for 2 consecutive issues, com-
mencing with the issue dated September 25, 1980, and ending with the
issue dated September 2, 1980.

Luana Van Hook
Subscribed and sworn to before me this 17th day of October, 1980.

Jody M. Owsley
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

March 17, 1992

JAMES M SMITH
700 CURTIN LANE
SONOMA CA 95476

RE: WATER RIGHT NO. 98-07355

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

RECEIVED
SEP 22 1992

February 24, 1992

JAMES M SMITH
700 CURTIN LANE
SONOMA CA 954760000

RE: WATER RIGHT NO. 98-07355

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

RECEIVED
SEP 22 1992

LICENSE REVIEW CHECKLIST
 Permit No. 98-7355

Date 1/2/92

Name Address change? OK

Priority date Advance? NO
 Memo to advance —
 Order to reinstate needed? —

Total cfs Fee sufficient for rate recommended? N/A
 Limited by capacity? —

Total volume Limited by flow? —
 Rate/ac N/A afa (irrigation)
 Calculations from examiner appropriate? —

Capacity Actual measurement checked ✓
 Theoretical checked —

Source Clarification of originally intended source is
 the only change allowed - if any other change in
 source has occurred, a notice of intent to void
 is needed OK

P/D Verify with map ✓ Amendment req'd? NO
 Remark needed for more than one per $\frac{1}{4}$ —
 Is overlap analysis a consideration in final
 recommendations? N/A

Uses Period of use for each use compatible with
 appropriate maps, data entry standards, etc.
Change(s) in nature of use - amendment req'd ✓

P/U Verify with map ✓ Amendment req'd? NO
 Is overlap analysis a consideration in final
 recommendations? N/A

Remarks More than one p/d in $\frac{1}{4}$ —
 Non-irrig uses —
 Special overlap condition —
 Other —

Conditions -

Measuring device —
 W.Master control —
 Overlap —
 Water quality —
 Other —

Dates/Misc. -

Water Dist —
 App Rec'd —
 Proof Rec'd —
 Exam Made —

Comments/Memos needed:

License

10-day —
 30-day —

Paragraphs

Paragraphs — — — — — — — —
 Paragraphs P39 40 41 P42 P47 48 P60 51

Special correspondence req'd? NO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 28 1991

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 98-07355

1. Owner: James M. Smith

Phone No. 267-5254

Current Address: 700 Curtain Lane, Sonoma, Ca 95476

2. Accompanied by: Les Levig

EXAM. DATE: 8/2/90

Address: Star Rt 1 Bonners Ferry ID

Phone No. 267-2136

Relationship to Permit Holder: Designated Contact

3. Source: Unnamed Stream tributary to Kootenai River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None

☐ Copies Attached

2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more)

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

excavated pond providing about 5 af of on-stream storage. The pond was intended to store water for irrigation, but acreage is so well sub-irrigated that diverting water from the pond is not necessary - The pond does provide water for hab: fat

☐ See Remarks on page 4 for continuation

Well or Division Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
None					

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

[illegible]

Do not use this space

SEP 22 1992

OPEN HOUSE

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:

storage only

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:

1.2 surface Acres

4 feet Average depth

4.8 Acre-feet

No fees were paid ∴ 4.0 afa is max allowable

RECEIVED

SEP 22 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

This pond stores water & may provide sub-irrigation for some trees. However, there is no system to carry water from storage. The pond does provide good habitat for waterfowl, which provides enjoyment to owners, therefore I am recommending the nature of use be changed. There is no other development of irrigation system from this pond or from stream as permitted.

SINCE WATER IS NOT BEING REMOVED FROM STORAGE NO CONSUMED
THERE IS NO EXPLANATION - TDK

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Wildlife Storage	From 1-1 To 12-31	Storage Only	4.0 AFA

Totals:

N/A 4.0 AFA

2. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☒ Other
- ☐ None

Change in use

J. AUTHENTICATION

Field Examiner's Name

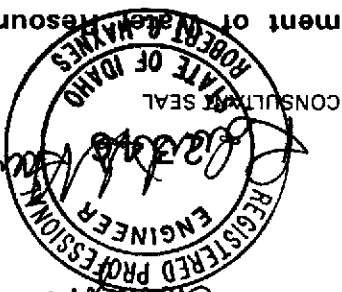
Signature

Certification Date

Field Report Preparation Date

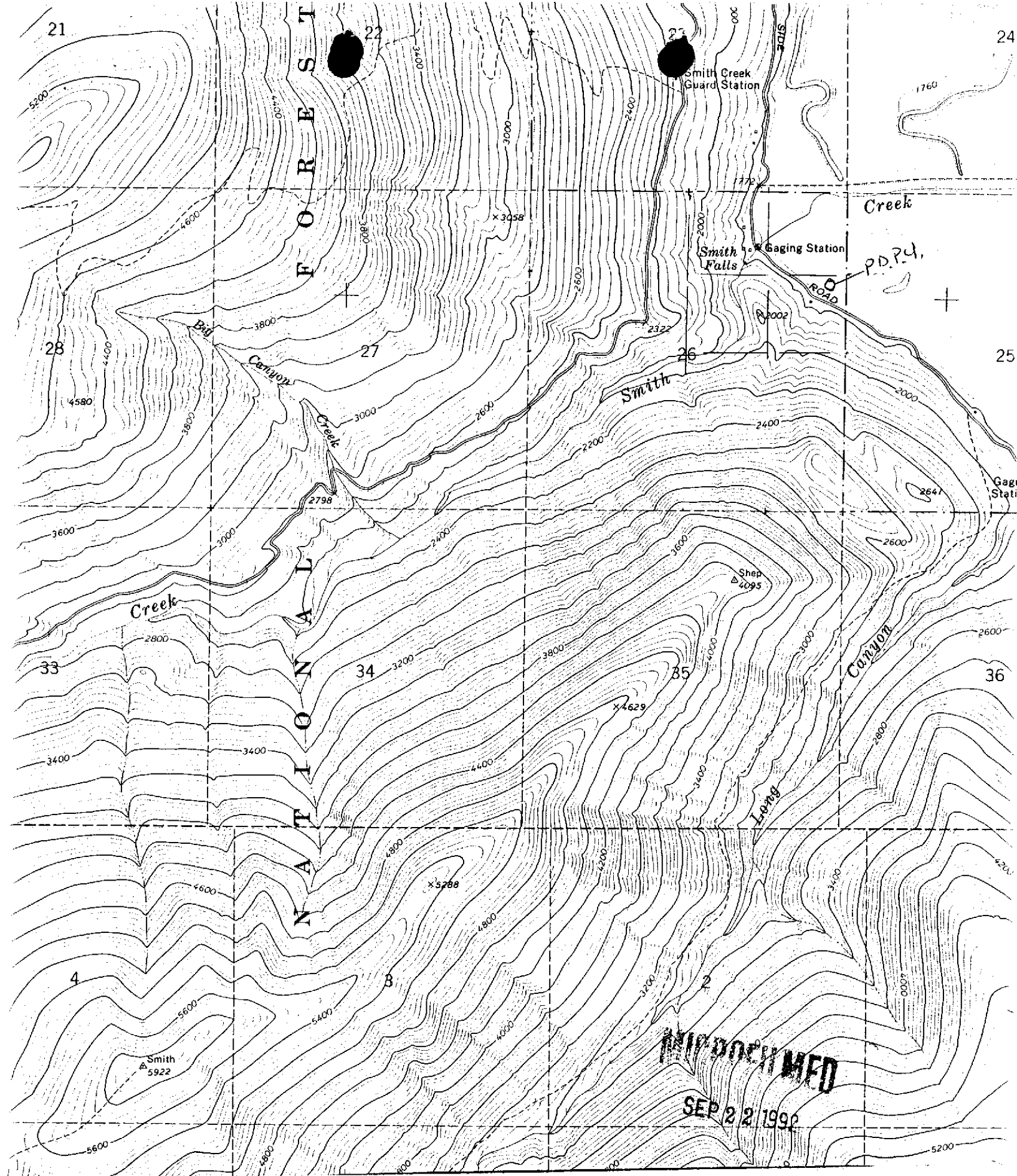
Theresa J. Bright
4/16/90
5/8/90

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



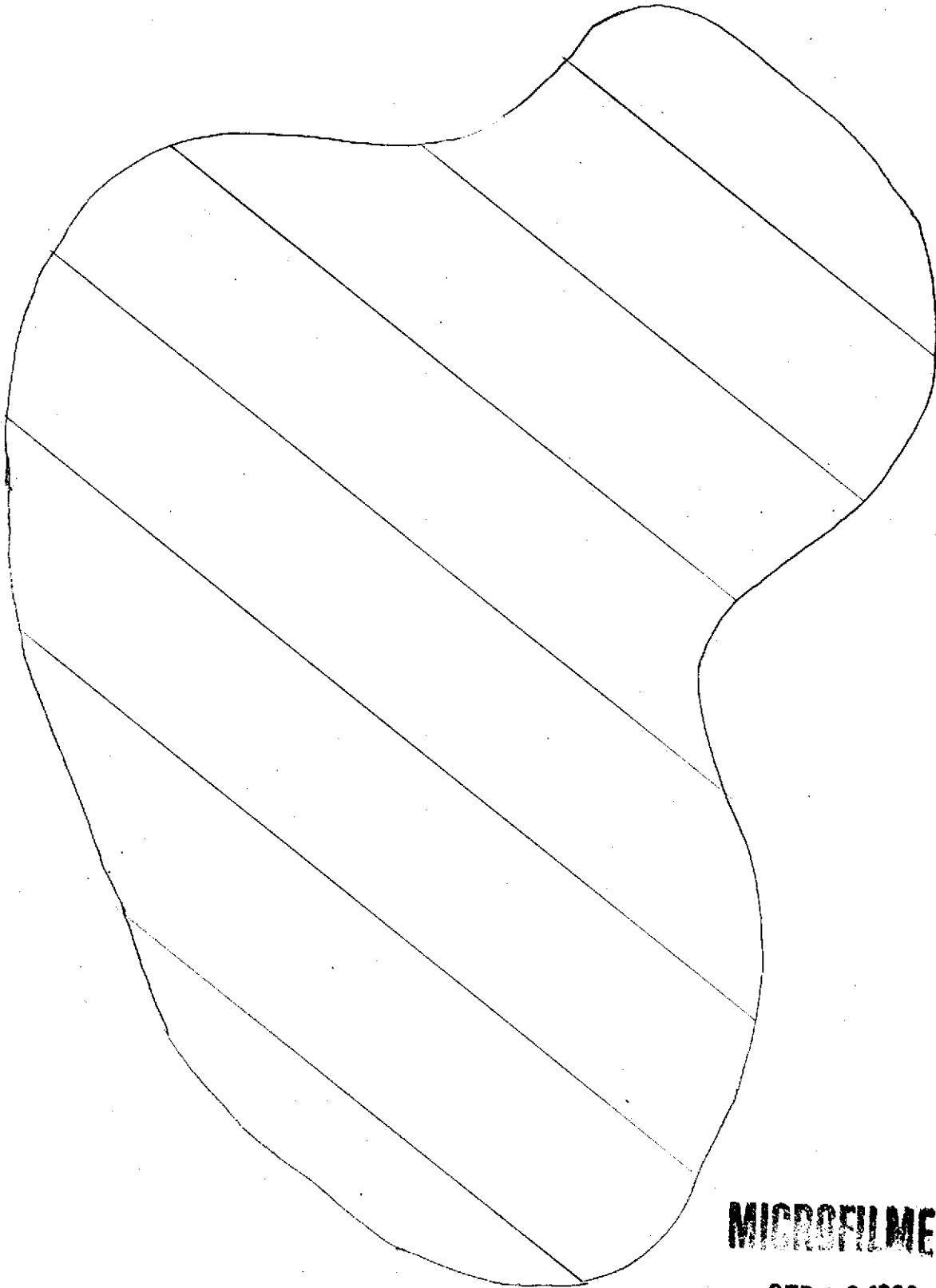
REPRODUCTION

SEP 22 1992



TWP 65 N, RGE 2W SEC 26 E² NE
EXAM DATE 1 / 1 / 1 MAP # A-6 PERMIT # 98-1355

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



N
↑

MICROFILMED

SEP 22 1992

Scale 1" = 40'

Surface Acres = 528000 sq ft = 1.21 Acre.

Average depth = 4 feet = 4.8 Acre feet.

4/86

RECEIVED

APR 1 1987

Department of Water Resources
Northern District Office

RECEIVED

APR 23 1987

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received -0-Date 4/1/87Receipt # -0-Receipt by [Signature]Sent to S.O. 4/2/871. Permit No. 9B 7355

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: James M Smith3. Post Office Address: 200 CURTIN LANE SONOMA CATelephone No. 907-996 93664. Source of Water: UNNAMED STREAM

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 15 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 0.04 cfs 4 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

AUG 1980

8. Person to contact to accompany the department representative during the field examination:

LCS LEVIG

(Name)

STAR RT1 BONNERS FERRY IDAHO 208 267 2136

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

5-6-86
DateJames M Smith
Signature of Permit Holder (and title, if appropriate)

SEP 22 1992

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

4/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

RECEIVED

MAY 13 1986

no incl. HS

Department of Water Resources

1. Permit No. 98-7355

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: James M Smith

3. Post Office Address: 700 CURTIN LANE SONOMA CA

Telephone No. 707 996 9366

4. Source of Water: UNNAMED Stream

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 15 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.04 cfs 4 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

Aug 1980

8. Person to contact to accompany the department representative during the field examination:

Les Levig

(Name)

Star Rt 1 Bonners Ferry Idaho 208 267 2136

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner. I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

SEP 22 1992

5-6-86
Date

James M Smith owner
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

March 3, 1983

James M. Smith
700 Curtin Lane
Sonoma, CA 95476

RE: 98-7355

Dear Mr. Smith:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

MICROFILMED

SEP 22 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

98-7355
SMITH, JAMES M.
700 CURTIN LANE
SONOMA, CA 95476

138233

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners, results from the recently enacted HB 671 and is being developed at this time. listing

SEP 22 1992

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECORDED

SEP 22 1992

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 98 7355.

Name(s) of Permit Holder: James M Smith

Post Office Address: 700 CURTIN Lane

Sonoma CA 95476 Tel. No. 707-9969346

Source of Water:

Extent of Use:

☐ Domestic	(number of households)
☐ Stockwater	(number and type of stock)
☒ Irrigation <u>15</u>	(acres)
☐ Other	

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

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

11-16-82
Date

James M Smith
Signature of Permit Holder

James H. Smith
700 Quaker Lane
Somerset, MA 01547



ALWAYS
ZIP CODE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138782

SMITH, JAMES M.
STAR RT. 1
PORTHILL, ID 83853

SEPTEMBER 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 98-7355 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMITH, JAMES M.
STAR RT. 1
PORTHILL, ID 83853

NOVEMBER 20, 1980

RE: PERMIT NO. 98-7355

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 "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

FROM Robyn

DATE 11/3

TO Jim

SUBJECT 98-7355

Please check storage conditions - What would be the determination between acreages that are too small for an 18A condition? (10 acres to 50 acres)?

(No condition on this one until your determination)

Robyn

NO CONDITION REQUIRED ON THIS ONE

MICROFILMED

Jim 11/3/80

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 98-7355

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.
☐ 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.

Field check by: _____

Date: _____

Comments: _____

*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.
Final date for protests: 10/14/80 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/21/80 ✓
☒ 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? _____
8/21/80 ✓ Date of priority recommended.
Special conditions of approval or cover letter. _____

By: RJA Date: 10/24/80

STATE OFFICE REVIEW:

return receipt w/cover letter

SL w/o cond

- ☐ See attached sheet for more information.

By: Rbyn Date: 11/3/80

98-2355-

SMITH, JAMES M.

STAR RT. 1, PORTHILL, ID 83853

Source: UNNAMED STREAM tributary to KOOTENAI RIVER

Date Filed: 08/21/1980

Amount: 0.40 CFS 5.0 AC-FT

Diversion Point: SENE Sec 26 T 65N R 02W, BOUNDARY Co.

Use: IRRIGATION	(0.40 CFS)	from 05/01 to 10/01
IRRIGATION STORAGE	(5.0 AC-FT)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(5.0 AC-FT)	from 05/01 to 10/01

Place of Use: SENE Sec 26 T 65N R 02W FOR 20 ACRES

Diversion Means: POND.

MICROFILMED

August 27, 1980

Mr. James M. Smith
Star Route 1
Porthill, Idaho 83853

Dear Mr. Smith:

We are returning your Application for Permit and your Check No. 11-24 in the amount of \$45.00.

The maximum amount of water allowed by law for 20 acres is 0.04 cfs (which is approximately 18 gallons per minute). Also, since you have a pond and are damming the water, we have added the other two uses.

Therefore, to clarify the situation, we have taken the liberty of preparing another Application for Permit for you, appropriating the maximum amount of water allowed by law.

Please check over this new application against the original to insure that no errors have been made. If everything is in order, please sign and return with the \$45.00 check for filing fee.

If you have any questions, please contact me at this office.

Sincerely,

ROBERT B. HAYNES, P.E.
Regional Supervisor

pms

Enc. - Application (2)
Check

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James M Smith Phone 267-5254
707-994-9346
 Post office address St Rt 1 Port Hill Idaho
 2. Source of water supply unnamed stream which is a tributary of Kootenai
 3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 65 North
 Range 2^W B.M. Less the west 60 ft County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 50 ACRE^{CF} for IRRIGATION purposes from MAY 1 to OCT 1 (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:

a. $\frac{1}{2}$ CFT cubic feet per second and/or b. 2168000 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

POND

b. Height of storage dam 5 feet, active reservoir capacity 5 acre-feet; total reservoir capacity 5 acre-feet, materials used in storage dam: Earth Fill

Period of year when water will be diverted to storage JAN 1 to DEC 31 inclusive.
 (Month/Day) (Month/Day)

c. Proposed well diameter is NONE inches; proposed depth of well is NONE feet.

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 — maximum 5 years).

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: _____ horsepower 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: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated 20

c. Describe any other water rights used for the same purposes as described above.

No No

9. a. Who owns the property at the point of diversion James & Gloria Smith

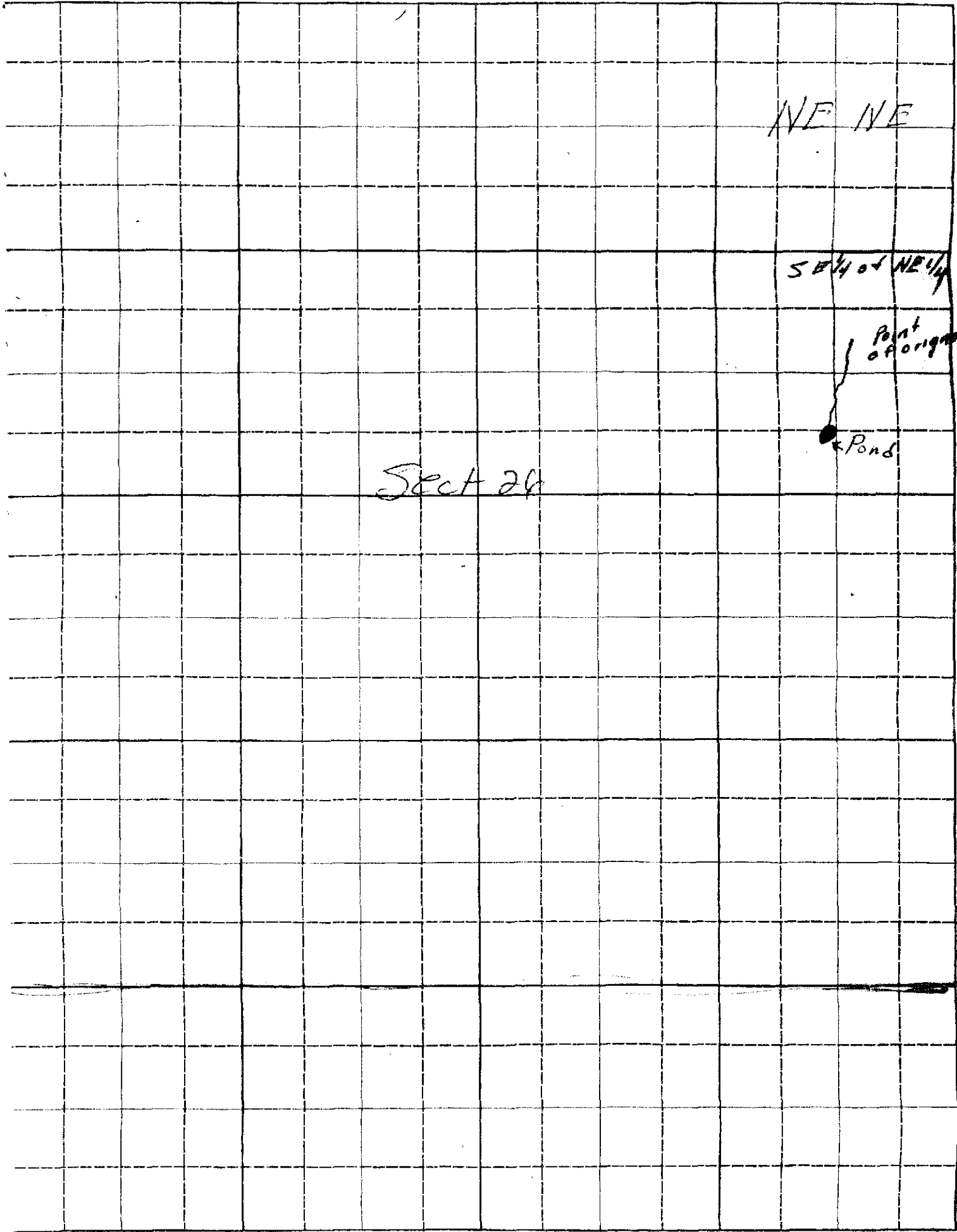
b. Who owns the land to be irrigated or place of use Same

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

11. Map of proposed project

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

James M. Smith
(Applicant)

Received by Date 8/21/80 Time 11:45 AM
Preliminary check by Fee \$
Receipted by Date
Publication prepared by Date
Published in
Publication dates
Publication approved Date
Protests filed by:

Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by

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. , and said application is hereby .

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 , 19 .
 - 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. Other:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James M. Smith Phone 267-5254
707 996-9366

Post office address Star Rt. 1 Porthill, Idaho 83853

2. Source of water supply Unnamed Stream which is a tributary of Kootenai River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 65N

Range 2W B.M. Boundary County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Irrigation purposes from 5/1 to 10/1 (both dates inclusive)
(cfs or acre-feet per annum) Storage for

Amount 5.0AF for Irrigation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) Irrigation

Amount 5.0AF for from Storage purposes from 5/1 to 10/1 (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:

a. 0.04 cubic feet per second and/or b. 5.0 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Pond

b. Height of storage dam 5 feet, active reservoir capacity 5 acre-feet; total reservoir capacity 5 acre-feet, materials used in storage dam: Earth fill.

Period of year when water will be diverted to storage 1/1 to 12/31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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 — maximum 5 years).

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: _____ horsepower 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: _____

UNRECORDED

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

[illegible]

Total number of acres to be irrigated 20

c. Describe any other water rights used for the same purposes as described above.

None

9. a. Who owns the property at the point of diversion James and Gloria Smith

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

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 _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

[illegible]

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.

(Applicant)

Received by pms Date 8/21/80 Time 11:45 am (from original)

Preliminary check by _____ Fee \$ _____

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. Other: _____

Witness my hand this _____ day of _____, 19 ____.

Director