

CE RIGHTS DEEDS TO
SHOSHONE CO
1943 (P. 000 No. 121)

24

11055.45"E

27

582° 19' 30"

BUNKER HILL CO. 18" WOOD STAVE PIPE
62-2044 *

BUNKER HILL CO POWER LINE 548.68' 30" W

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

N 82° 09' 30" E (Preston)

NO 357'2" W 343

18 48
188 92
GENERAL
TRACT "A"

1000 1st St
Village of
5710 3810 W
FILE WARNER G 1-121
COUNTY

TRACT "A"

9234
TO W.W.P. CO
DOC NO 45
Sgt R. Deeds
to
Stoshene
County
July 3, 1961
W O Doc
90
TO
12, 1961
FILE: W.O.DOC.NO.851

Sub Rt Deened to
age of
Smellerville
July 3, 1963
W O Dec 122

OLD U.S. HIGHWAY 10
R/W TO SH

FILE WARNER
COUNTY

A STREET

46203620 E

9

15
1.013 Acres

588° 40' 50" W
784.59' to SW Cor Sec. 35, T49N, R2E, BN

FIRST

AVENUE

S. 89° 29' 40" E. (Preston)

2647.5¹

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

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

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

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

(both dates inclusive)

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

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

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
49 N	2 E	35										X							1.013

Total number of acres irrigated 1.013

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

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
August, 19 76.

Director

Identification No. 94-7023

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

LICENSE ISSUED FOR 0.02 SEC. FT

APPLICATION FOR PERMIT

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

1. Name of applicant CITY OF SMELTERVILLE
post office address P.O. BOX 208 SMELTERVILLE, IDAHO 83868
2. Source of water supply UNDERGROUND which is a tributary of N.A.
3. a. Location of point of diversion is SW $\frac{1}{4}$ of South West $\frac{1}{4}$ of Section 35 Township 49 North
Range 2 East B.M. SHOSHONE County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into N.A. at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 cfs for IRRIGATION purpose from MAR 15 to NOV. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. N. A.

b. Height of storage dam N. A. feet, active reservoir capacity N. A. acre feet; total reservoir capacity N. A. acre feet, materials used in storage dam: N. A.
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$2,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

94-7023

04 7023

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

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

Total number of acres to be irrigated 1.013

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

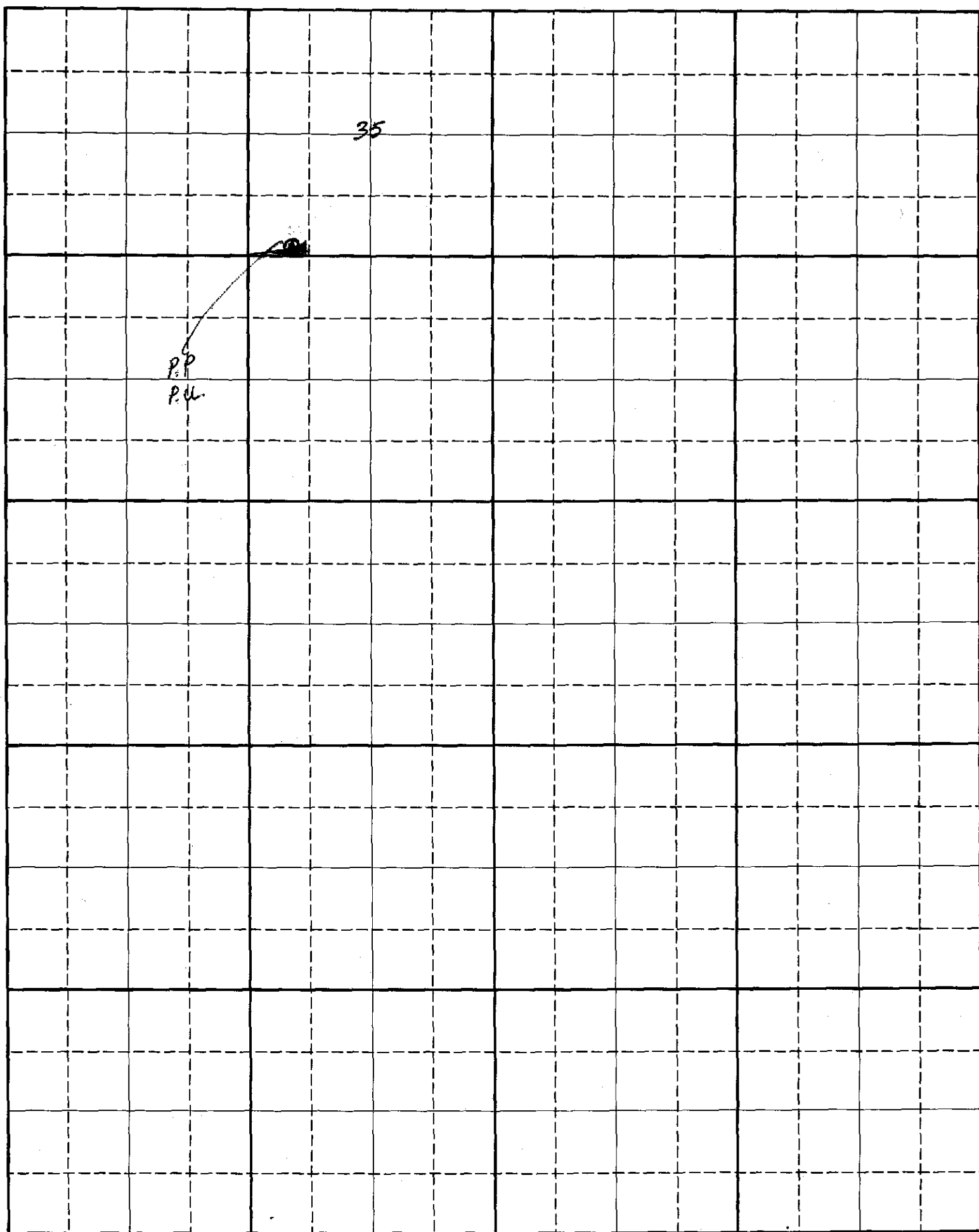
9. a. Who owns the property at the point of diversion CITY OF SMELTERTVILLE

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

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

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

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



Scale: 2 inches equal 1 mile

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

Ernest Ely
(Applicant) Mayor, Smelterville, Idaho

94 7023

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

Protests filed by: _____

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

94 7023

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 94-7023, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 73.
- c. Other: _____

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

Witness my hand this 17 day of May 19 72.

R. Keith Higgins
Director State Reclamation Engineer

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

W I T N E S S E T H :

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

Lot 15:

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

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

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

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

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

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

94.70'

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

with the appurtenances.

DEEDS BOOK 123 PAGE 52

CE RIGHTS DEED TO
SHOSHONE CO
1963 19 - Doc No 121

24

S 11° 55' 45" E

S 11° 55' 45" E

S 82° 19' 30" E

BUNKER HILL CO. 18" WOOD STAVE FIF
6 1/2" 100' 10"

BUNKER HILL CO. POWER LINE 11 1/2" WOOD STAVE FIF
9° 35' W 548.68'

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

N 82° 09' 30" E (Preston)

R CO TELEGRAPH LINE

N 63° 57' 2" W 34.9'

18.48' 196.92' GENERAL

TO W.W. CO
J DOC NO 45

92.34'
Sur R. Deeded to
Shoshone County
July 3, '63
W.O. Doc. 121P
90.80'

Sur R. Deeded to
Smallville
July 3, 1963
W.O. Doc 122
111.41' 109.20'

82° 09' 30" W
88.00'

W.O. Doc No 109
N 71° 48' 57" E 133.62'

18.48' 196.92'

TO
12, 1961
FILE: W.O. DOC. NO. 85

OLD U.S. HIGHWAY 10
R/W TO SHOSHONE COUNTY

TRACT "A"

15

1.013 Acres

9

10

S 88° 40' 50" E

784.54' to SW COR SEC. 35, T 49 N, R 2 E, BN

FIRST

AVENUE

S. 89° 29' 40" E (Preston)

2647.5'

PROOF OF PUBLICATION

STATE OF IDAHO

County of Shoshone, }

SS.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that City of Smelterville, P.O. Box 208, Smelterville, Idaho has on March 21, 1972 submitted Application No. 94-7023 for a permit to appropriate 0.02 cubic feet per second of water from a ground water source within the SW¹/₄SW¹/₄, Sec. 35, T. 49N, R. 2E, B.M., Shoshone County to be used from March 15 to Nov. 15 for the irrigation of 1.013 acres within the SW¹/₄SW¹/₄, Sec. 35, T. 49N, R. 2E, B.M.

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

R. KEITH HIGGINSON

Director

3-29-4-5-72

Wm. Penney, being first duly sworn deposes and says that he is publisher of KELLOGG EVENING NEWS a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of the notice hereinafter described, and that the

CITY OF SMELTERVILLE
WATER PERMIT APPLICATION

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in a supplement thereto, for a period of 2 consecutive weeks/days, the first publication thereof being in its issue dated MAR 29, 1972 and the last publication thereof being in the issue dated

APR 5, 1972

Wm Penney

Subscribed and sworn to before me this 13th

day of April, 1972

Wesley R. Baird

Notary Public

84 5000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Water Resource Area
Shoshone County

COMMENCEMENT OF WORKS

Permit No. 94-7023

Name(s) of Permit Holder(s): I.T.D., Div. of Hwys

Post Office Address: P.O. Box 7129, Boise, ID 83707

Tel. No. 334-3646

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____ (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:
A change in project priorities by the Idaho
Transportation Board

*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder
Engineering Mngr. **II**

PLACE
STAMP
HERE

MICROFILMED

DEC 27 1988



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

August 17, 1976

Re: Permit No. 94-7023

The City of Smelterville
P.O. Box 209
Smelterville, ID 83868

Gentlemen:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

RECEIVED

MAY 25 1973

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

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

3. Water will be used for the following purposes:

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

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

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

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

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

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

Other uses:

4. Total amount to be appropriated:

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

5. Location of Point(s) of Diversion:

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

Other Points of Diversions:

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

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

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

TOTAL ACREAGE 1.013

RECEIVED

AUG 9 1976

Department of Water Resources

Permit No. 94-7023
 Examination for b/u

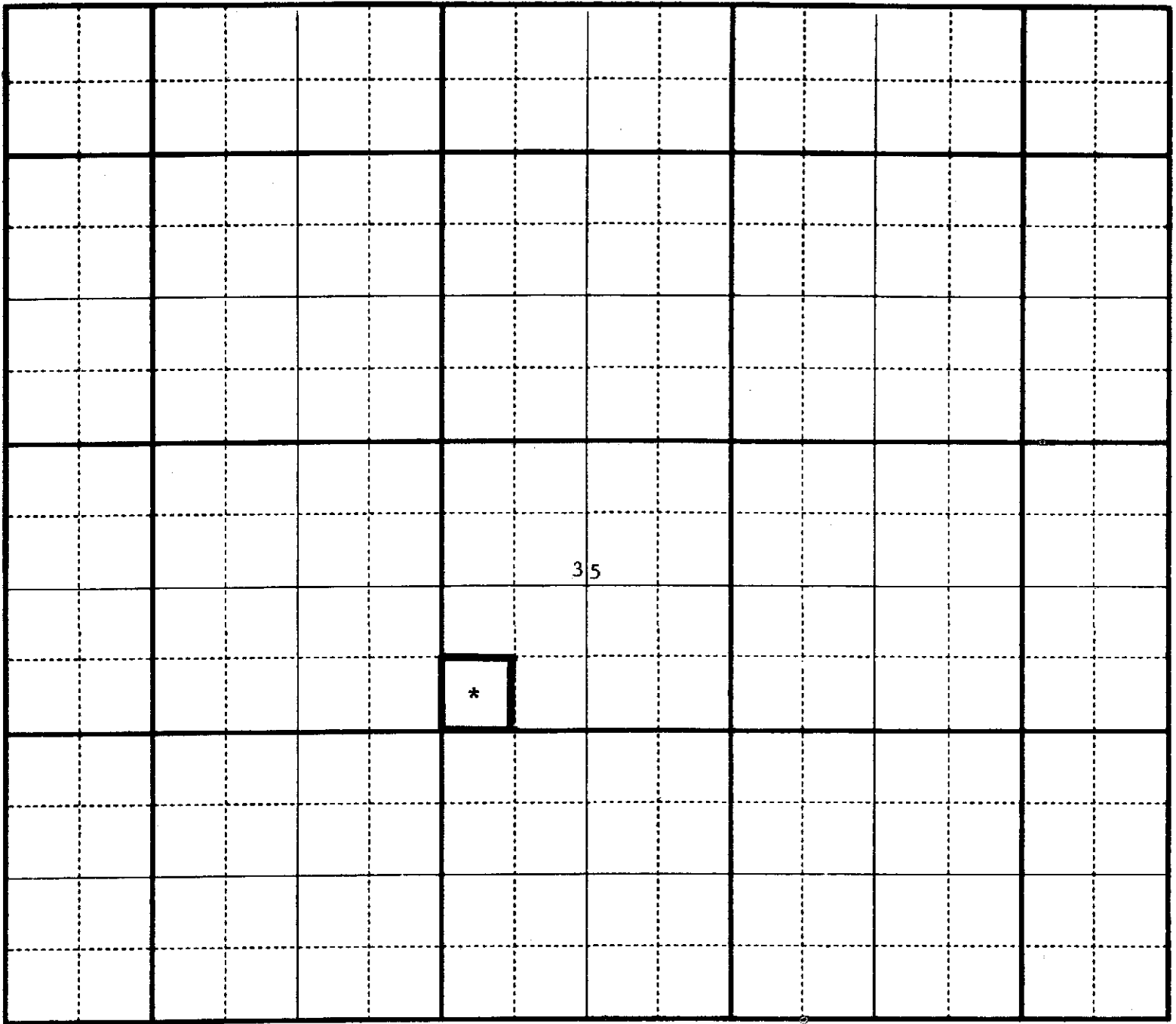
T
49
N

Diagram of System

DATE OF EXAM 7-23-76

ACREAGE
Found one
Recommended one

Irrigation Requirement 3.0 Ac Ft/Ac

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

Is water co-mingled? yes _____ no ^

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.02 cfs Method of measurement calc

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

Total V recommended 0.6 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

one Acre @ 0.02 cfs & 0.6 AF/Ann

SYSTEM DESCRIPTION:

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

REMARKS:

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

Checked by Bob Haynes Date 8-3-76

Approved by _____ Date _____

May 24, 1973

Re: Permit No. 94-7023

City of Smelterville
P. O. Box 208
Smelterville, Idaho 83868

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial 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 cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field exam, please contact our Northern District Office at 401 Front Ave., Room 209, Coeur d'Alene, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:jc

94 7023

Identification No. _____

Permit No. 94-7023

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder City of Smelterville
b) Post Office Address P.O. Box 208--Smelterville, Idaho 83868
2. Permit Number 94-7023
3. Date of Priority that you are prepared to establish May 17, 1972
4. a) Source from which water was appropriated Underground
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 35
Township 49 North, Range 2 East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 0.02 for Irrigation purposes from March 15 to November 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Larry Gilman of Bell service Co.
He used large container with time- results 64 G.P.H.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) six inch pipe, five horse one phase motor- well depth ninety five feet. Water goes into pipes and is sprinkled by sprinkler heads. Automatic timer.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed December 13, 1971
Aqua Drilling and Development, Inc.
Rt. 1 - Orofino, Idaho 83544

94 7023

Exam typist 5/24/73 by pe

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: 1.013 acres park grass

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

Total number of acres irrigated 1.013

10. Remarks: _____

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

5-22-73
(Date)

Mayor Everett Ely
(Signature)

State of IDAHO)
County of SHOSHONE) ss.

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

Harold Thomas
Notary Public residing at Snellsville, Idaho

My commission expires August 15, 1976

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

24439

①

City of Sault Ste. Marie

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

②

INSURED NO.

James M. Lay

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

4/2/73

③

94 7023

**U.S. POSTAL SERVICE
OFFICIAL BUSINESS**

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

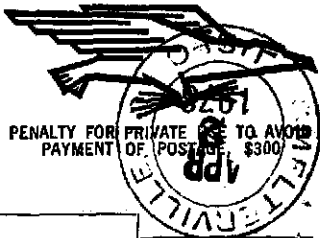


- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.



**RETURN
TO**

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300**



**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707**

March 30, 1973

CERTIFIED MAIL #24439

Re: Permit No. 94-7023

City of Smelterville
P.O. Box 208
Smelterville, Idaho 83868

Gentlemen:

One of the conditions of approval of your water Permit No. 94-7023 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1973. Enclosed is an affidavit form which must 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 affidavit 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

94 7023

May 25, 1972

Re: Permit No. 94-7023

**City of Smelterville
P.O. Box 208
Smelterville, Idaho 83868**

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 94-7023. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

**BDF:DR
Enc: Copy of permit**

bc: Northern District Office

94 7023

March 24, 1972

Re: Application for Permit No. 94-7023 - City of Smelterville

City of Smelterville
P.O. Box 208
Smelterville, Idaho 83868

Gentlemen:

We wish to clarify one point on your application for permit. Under Item 10 in the "Remarks" section, you have stated that the "City may find other presently unknown use for water." We wish to advise you that this application is restricted to irrigation only. If you find other uses for the water, we will require that you file a new application for those uses.

If you have any questions in regard to this matter, please contact us.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

94 7023

March 23, 1972

Re: Application No. 94-7023 - City of Smelterville

Kellogg Evening News
401 Main
Kellogg, Idaho 83837

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:CR

Enc: Legal Notice

Bill submitted 4-19-72. CR

94 7023

MAIN and MARKET ST

BOX 149 — 83837

PHONE 784-0201

The Kellogg Evening News

Only newspaper covering Kellogg-Wardner, Pine Creek and
southern Shoshone County. City and suburban
population over 15,000. Twice as large as
any similar area in Shoshone County.

KELLOGG, IDAHO

April 13 72

State of Idaho

Department of Water Administration

Statehouse - Annex 2

Boise, Idaho 83707

Re: Application No 94-7023 City of Smelterville

March 29 & April 5

Water Permit Application Notice

2 legal insertions \$9.62

I hereby certify the above account to be
correct, services and/or merchandise de-
rendered, and payment not received.

Jim Tenney
Signature of Claimant

94 7023

NOTICE OF APPLICATION FOR WATER PERMIT

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

Smelterville, Idaho

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

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

of water from a ground water source

~~any waters of~~

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

to be used from March 15 to Nov. 15

for the irrigation of 1.013 acres

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

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

R. KEITH HIGGINSON

Director

Published in the Kellogg Evening News, Kellogg, Idaho

on March 30 and April 6, 1972.

94 7023

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 21, 1972

City of Smelterville
Box 208
Smelterville, Idaho 83868

Gentlemen:

Attached herewith is your receipt No. 8204 in the amount of \$ 10.00
for your application for permit
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

94 7023

March 17, 1972

City of Smelterville
P. O. Box 208
Smelterville, Idaho 83868

ATTENTION: Angelo De Min

Dear Mr. De Min:

We are returning your application with check #92-215 in the amount of \$15.00. The proper filing fee in this case is \$10.00. Please return the application with the proper fee as soon as possible.

If you require further assistance in this matter, feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB/b1

Enclosures

84 7023

March 14, 1972

State of Idaho
Department of water administration
Statehouse-Annex 2
Boise, Idaho 83707

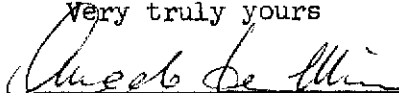
Attention: Fred Eisenbarth

Dear Fred:

I am returning the application for well permit submitted in behalf of the city of Smelterville with the corrections you requested.

I hope everything is right and the application can be approved.

Very truly yours


Angelo De Min
Acting city Engineer

94 7023

February 7, 1972

City of Smelterville
Post Office Box #208
Smelterville, Idaho 83868

ATTENTION: Angelo De Min

Dear Mr. De Min:

Pursuant to your letter request of February 5, 1972, please find enclosed a copy of our December 30, 1971 correspondence.

If we may be of any further assistance to you in this matter, please do not hesitate to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:CS

Enc: referenced copy

94 7023

EVERETT ELY
Mayor and Police Commissioner

GERALD MILOT
Councilman and Buildings Commissioner

ELMER DOSSETT
Councilman and Sewer Commissioner

LYLE PREUNINGER
Councilman and Parks Commissioner

EUGENE L. JOHNSON
Councilman and Streets Commissioner

City of Smelterville

P.O. Box 208

SMELTERVILLE, IDAHO 83868

FORREST McCOY
Clerk and Treasurer

RICHARD MAGNUSON
City Attorney

BENJAMIN F. BOLEY
Chief of Police

R. L. PERKINS
Police Court Judge

VAN C. NYMAN
Engineer

February 5, 1972

State of Idaho
Dept. of Water Administration
Statehouse- Annex 2
Boise, Idaho, 83707

Dear Sirs:

Sometimes in December the city of Smelterville filed a petition with you for a permit to use the water from a well drilled in the city park for irrigation purposes. Your answer on the matter, giving useful information to the city officials has been appreciated but your letter has been misplaced and I will like to ask you the favor to send me a copy.

Very truly yours


Angelo De Min

94 7023

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

December 30, 1971

City of Smelterville
P. O. Box 208
Smelterville, Idaho 83868

To the Honorable Everett Ely, Mayor

Dear Mayor Ely:

We are returning check number 92-215 in the amount of \$15.00 and application for permit that you have submitted in behalf of the City of Smelterville. We find in reviewing this application that there are several questions that need clarification before we can process it.

Item #3 should list the point of diversion as to the nearest 40-acre subdivision, section, township and range that it would lie within. In reviewing the map attached to your application, we would assume your point of diversion to be located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 49N, R. 2E, B.M.

Under item #4, you have listed .25 cubic feet per second for irrigational use from January 1 to December 31 of each year. Under normal conditions, the maximum quantity of water the Department could approve for irrigation would be one miners inch or .02 c.f.s. per irrigated acre. As you have further indicated in your application that you will irrigate only one acre, the maximum quantity of water we could approve would be .02 c.f.s. unless justification could be submitted requesting the additional quantity requested. In your justification, you should include the irrigation system plans including the number, type and size of your sprinkler heads and nozzles. Also list the length of operation per week. We also wish to advise you, the normal irrigation season for your area would be approximately March 15 to November 15 of each year. If you require a longer season than this, then it also should be justified.

Item #8b should also be completed indicating the legal description of your lands irrigated.

Enclosed please find our fee schedule for your convenience. Please return the application with the necessary corrections and we will begin its processing. If you should have any questions in reference to this application, please feel free to contact the Department.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE/bb
En: Application, check & fee schedule



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

94 7023