

35-7807



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7807 Priority June 22, 1978 Amount 0.70 cfs

THIS IS TO CERTIFY, that David Lynn Smith &/or Gerald Smith &/or
Arlin Smith &/or Kenneth D. Smith

of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7807 issued pursuant to Application for Permit dated June 22, 1978,
and has submitted proof to the Department of Water Resources on June 19, 1979,
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 1.33 cfs of water from a groundwater 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>	<u>from April 1 to November 1</u>	<u>at 0.70 cfs and</u>	<u>122.5 acre feet</u>
	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	<u>_____</u>
	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	<u>_____</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.70 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
122.5 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2,
Twp 2S, Rge 35E in the County of Bingham

Description and location of place of use:

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 $\frac{1}{4}$	
2S	35E	2																35	35

Total number of acres irrigated 35

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of

July, 19 83.

[Signature]
Director

Identification No. _____
Application No. 35 7807

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT APPROVED

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

1. Name of applicant David Lynn Smith &/or Gerald Smith Phone: 785-2949
&/or Arlin Smith &/or Kenneth D. Smith
post office address Rt. #1, Box 128-A, Blackfoot, Idaho 83221
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 2S
Range 35E B.M. Bingham County; additional points of diversion if any: _____

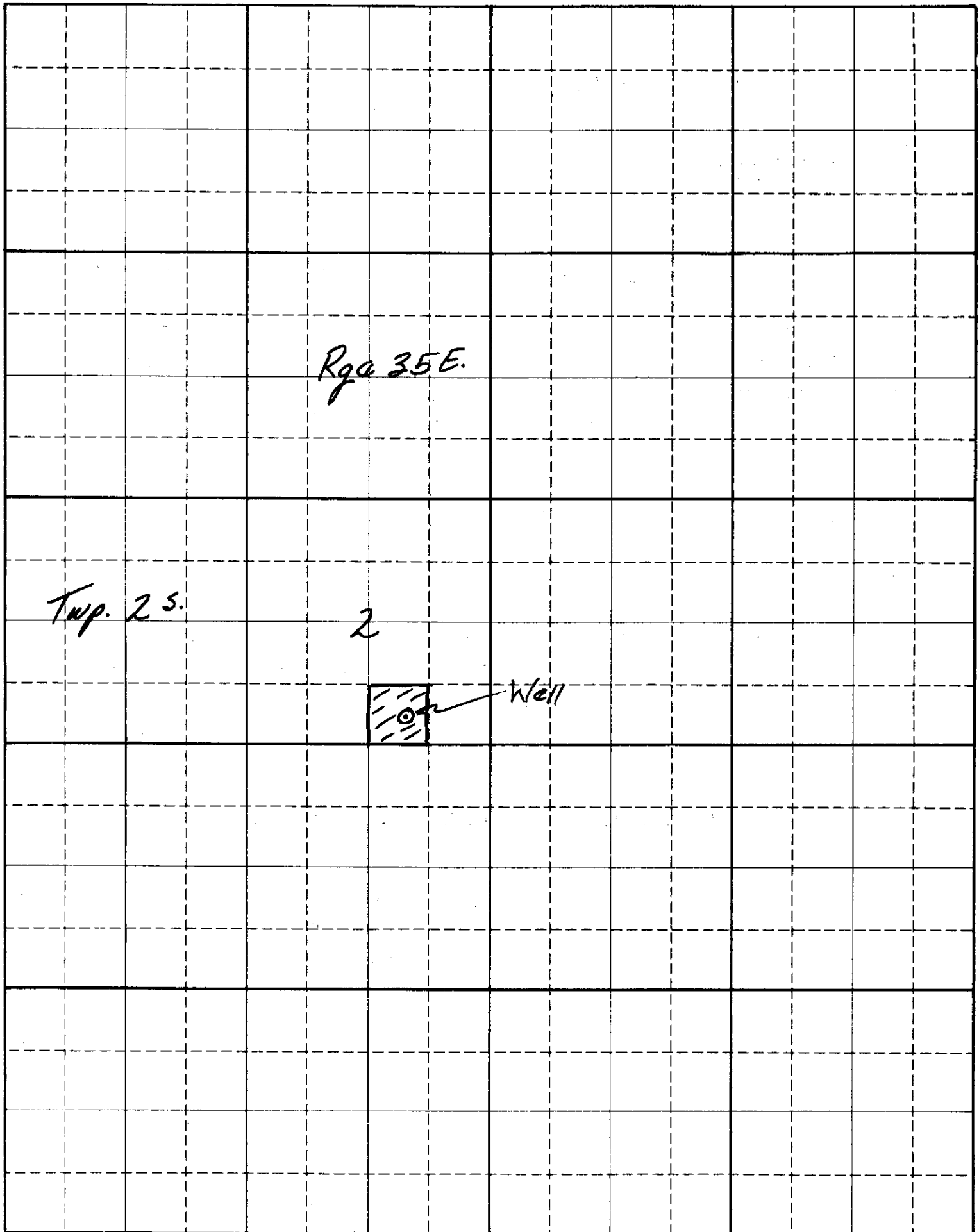
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.80 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(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. 0.80 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 12 inches; proposed depth of well is 120 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ existing.
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: _____

UNRECORDED

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.

David H. Smith
(Applicant)

Received by BT Date 6-22-78 Time 2:55 pm
Preliminary check by MM Fee \$55.00

Received by BP Date 6-22-78 # 11426

Publication prepared by LM Date 6-23-78

Published in *Platzmarkt* June

Publication dates ~~1992-1993~~ 1992

Publication approved (M) Date 7-10-98

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MLC

OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

have examined Application for Permit to appropriate the public

and said application is hereby APPROVED.

Application is subject to the following limitations and conditions:

PRIOR WATER RIGHTS.

tion of works and application of water to beneficial use shall

1, 1983.

[illegible]

_____ is for the following reasons:

day of July 1978.

7402

9. 10

Chief, Operations Bureau

RECEIVED

JUL 11 1978

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

David Mark Brown

I, _____ do
solemnly

swear that I am the Publisher of
The Blackfoot News which is a daily newspaper of
general circulation published each day except Sunday
at Blackfoot, Bingham County, Idaho, said newspaper
having been so published at Blackfoot, aforesaid for
more than one year past; that said newspaper
heretofore complied with all the provisions of Chapter
154 of the Sessions Laws of Idaho of 1933, approved
March 11, 1933, and duly designated, pursuant to law,
a particular day of the week as the day on which legal
notices required by law or by the order of any Court
of competent jurisdiction within the State of Idaho
shall be published to-wit: Thursday of
each week; that the notice attached hereto and which
is a part of this affidavit and part of the proof of

of publication was published in said issue or said
newspaper 2 consecutive weeks

the first publication having been made on the
29th day of June, 19 78

and the last publication having been made on the
6th day of July, 19 78;

that said notice was published in the regular and en-
tire issue of every number of the paper as aforesaid
during the period and time of publication, and that
notice was published in the newspaper and not in a
supplement.

David Mark Brown

Subscribed and sworn to before me this 7th

day of July, 19 78.

Patricia H. Johnson

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

Oct. 20, 1980

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
David Lynn Smith &-or Gerald
Smith &-or Arlin Smith &-or
Kenneth D. Smith, Blackfoot,
Idaho, have on 6-22-78, sub-
mitted Application No. 35-7807
for a permit to appropriate 0.80
cubic feet per second of water
from a ground-water source by
means of well and pump within

the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 2S, R.
35E, B.M., Bingham County; to
be used from Apr. 1 to Nov. 1 for
the irrigation of 40 acres within
the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 2S, R.
35E, 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
Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or
before July 17, 1978.

C. STEPHEN ALLRED
Director

(5664)

Pub.: 6-29; 7-6

8/32

WATER RIGHT NUMBER 35-7807

OWNER LAST NAME - SMITH FIRST NAME - DAVID LYNN ORIG OWNER -
OWNER LAST NAME - SMITH FIRST NAME - GERALD ORIG OWNER -
OWNER LAST NAME - SMITH FIRST NAME - KENNETH D. ORIG OWNER -
OWNER LAST NAME - SMITH FIRST NAME - ARLIN ORIG OWNER -
ADDRESS LINE 1 - RT. 1 BOX 128A ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - BLACKFOOT STATE - ID ZIP CODE - 83221
SOURCE - GROUNDWATER TRIBUTARY OF -
STAGE - LICENSE STATUS - PRIORITY - 06-22-1978 COUNTY - RINGHAM TOTAL DIV. RATE - .7000 -CFS
TOTAL DIV. VOLUME - 122.50 AFA TRFR/AMEND - WATER DIST. - DUE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWSE 02 02S 35E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - .7000 CFS USE DIV. VOLUME - 122.50 AFA
USE - IRRIGATION PLACE OF USE - TWN 02S RNG 35E SEC 02 TRACT SWSE LOT AC 35 TOTAL ACRES 35
DEGREE NAME - DATE -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 07-01-1983 PERMIT/DENIED - 07-28-1978 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - WELL, PUMP & SPRINKLERS.

WRD417

3/79

IDENT. NO. 35-7867

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

July 26, 1983

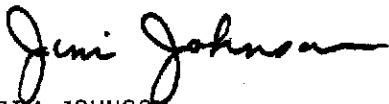
RE: Permit No. 35-7807

David Lynn Smith &/or Gerald Smith &/or
Arlin Smith &/or Kenneth D. Smith
Rt. 1 Box 128-A
blackfoot, Id 83221

Dear Sirs

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



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
(208) 334-4440

June 24, 1983

David Lynn Smith &/or Gerald Smith &/or
Arlin Smith &/or Kenneth D. Smith
Rt. 1 Box 128-A
Blackfoot, ID 83221

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. **35-7807**, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: **0.70 cfs** Source: **groundwater**

The maximum quantity diverted shall not exceed **122.5** acre feet per year.

Point(s) of diversion: **SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, Twp 2S, Rge 35E**

Beneficial use: **Irrigation of 35 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, Twp 2S, Rge 35E**

Priority date established: **June 22, 1978**

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

8-1-79

473-5253

R 7
S 7

7-10-79

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder SMITH, David & the Jones & Smith & Kenneth D.
Post office address St #1, Box 128A - Blackfoot, Id. Phone 785-2049
Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount 0.80 c.f.s. for irrigation
_____ AF/Annum _____ (nature of use)

Period of Use: from 4/1 to 11/1
(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: _____

Permit No. 35-7809
Examination for _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.80 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 25 N/S, Range 3SE E/W, B.M., Section 2, Subdivision SW $\frac{1}{4}$ SE $\frac{1}{4}$ Bingham
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County

Other Points of Diversions: _____

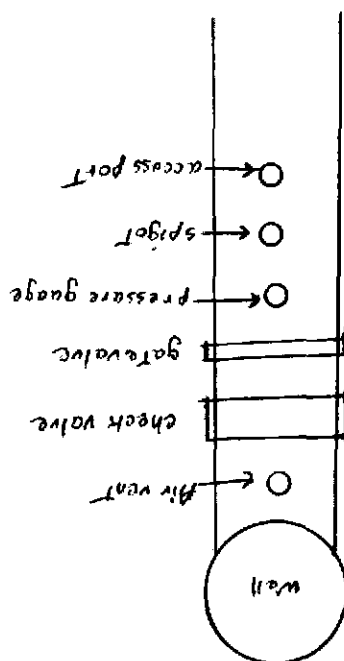
Description of diverting works: _____

Measuring device required: yes ☐ no ☐

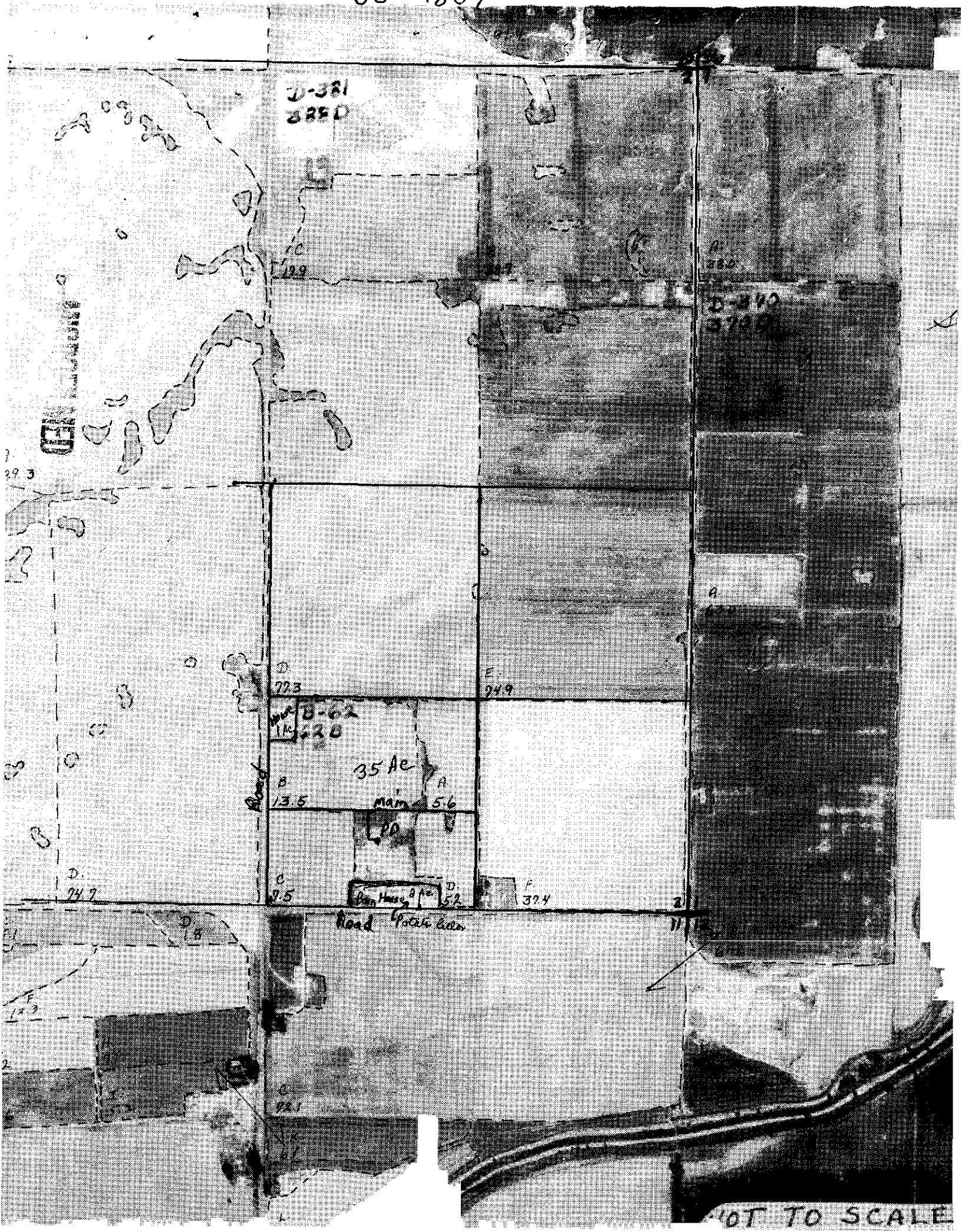
6. Lands to be irrigated or place of use.

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 $\frac{1}{4}$	
<u>25</u>	<u>3SE</u>	<u>2</u>															<u>40</u>		<u>40</u>

TOTAL ACREAGE 40

A hand-drawn map on a grid. The grid has solid lines every 4 units and dashed lines every 1 unit. A road is drawn vertically, labeled "Road" and "95th". A small building is labeled "House". The road is located at the intersection of the 4th and 5th vertical lines from the left. The building is located at the intersection of the 4th and 5th vertical lines from the left and the 4th and 5th horizontal lines from the bottom. The road is labeled "Road" and "95th". The building is labeled "House".

35-7807



NOT TO SCALE

DATE OF EXAM July 16, 80

ACREAGE
Found 35 Ac ✓
Recommended 35 Ac ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .7 ✓ c.f.s. V = 122.5 AF/Ann. from April 1 to Nov. 1
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 X

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

Exchange? yes _____ no X

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

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

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

Total Q measured 1.33 cfs Method of measurement Pressure gauge at pump discharge

Total Q recommended .7 cfs Meter No. _____ Type _____ Condition std

Total V recommended 122.5 AF/Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$\frac{11}{164} \times \frac{53 \text{ psi}}{32 \text{ in.}} \times \frac{48 \text{ psi}}{11/64} \times 50.5 \text{ psi} \times 6.22 \text{ gpm} \times 32 = 199 \text{ gpm} = .44 \text{ cfs}$
 $\frac{50 \text{ psi}}{11/64} \times \frac{32 \text{ in.}}{11/64} \times \frac{50 \text{ psi}}{11/64} \times 51 \text{ psi} \times 6.25 \text{ gpm} \times 32 = 200 \text{ gpm} = .45 \text{ cfs}$
 $\frac{51 \text{ psi}}{11/64} \times \frac{32 \text{ in.}}{11/64} \times \frac{49 \text{ psi}}{11/64} \times 50 \text{ psi} \times 6.19 \text{ gpm} \times 32 = 198.1 \text{ gpm} = .44 \text{ cfs}$
 $597.1 \div 448.8 = 1.33$
 $35 \text{ Ac} \times 3.5 \text{ AF/Ac} = 122.5 \text{ AF/Ann.}$
 $.7 \text{ cfs} \times 1.9835 \text{ cfs AF/dy} \times 214 \text{ dy} = 297.1 \text{ AF/Ann.}$
 $\text{Allow. } .02 \text{ cfs/Ac} \times 35 \text{ Ac} \times .02 = .70 \text{ cfs}$

SYSTEM DESCRIPTION:

1/2" E In. 1/2" Induction motor 40 hp G M 324323 with a well line Pump # 15818
to 3 land lines. Acreage out for 2 years Barn + Potato Cullen.

REMARKS:

System shown by Arlin Smith.

Examiner's Signature John D. Carlson Date 1/5/82

Checked by W. Jones Date 2-23-82

Approved by John Date 5/11/83

No Overlapping rights Jim 6-24-83



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

July 24, 1979

RE: Permit No. 35-7807

David Lynn Smith &/or Gerald Smith &/or
Kenneth D. Smith &/or Arlin Smith
Rt. #1, Box 128-A
Blackfoot, Idaho 83221

Gentlemen:

We acknowledge receipt of the proof of beneficial use card submitted 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 examination, please contact our eastern regional office.

Very truly yours,

COLLEEN WRAY
Sr. Secretary

cc: IDWR - State Office

MICROFILMED

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. 35 7807.

Name(s) of Permit Holder: David Lynn Smith & or Gerald Smith
& or Arlin Smith & or Kenneth D. Smith

Post Office Address: Rt. #1 Box 128A
Blackfoot Idaho 83221

Source of Water: _____

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 40 (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 number permit has been developed.

5/19/75
 Date

David Lynn Smith
 Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

JUN 19 1979



Department of Water Resources
Eastern District Office

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

August 2, 1978

Re: Permit No. 35-7807

David Lynn Smith &/or Gerald Smith
&/or Arlin Smith &/or Kenneth D. Smith
Route #1, Box 128-A
Blackfoot, ID 83221

Gentlemen:

Your approved copy of Application for Permit No. 35-7807 is enclosed and we direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit.

RECEIVED

However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

1. ☒ Name vs. Signature
2. ☒ Source
3. ☒ Point of Diversion
4. ☒ Amnt. & Period of Use
5. ☒ Descrip. of Diverting Wrks.
6. ☒ Time req. for Proof of B/U
7. ☐ Place of Use for other than irrig.
8. ☒ Place of Use for irrigation (add acres)
9. ☒ Property Owner at Pt. of Div. & Pl. of Use
10. ☒ Map
11. ☒ Fee & Rec't. No.

Copies Sent To:

☒ Idaho Health Department
☒ Idaho Fish & Game Dept.
☒ Bureau of Land Management

☒ U.S.F.S.
☒ Dept. of Lands
☒ Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area ☐ yes ☒ no

Other rights on same land

None platted

Withdrawals of all protests received ☐ yes ☐ no

Conditions:

ID Power Co. Letter - Snake R. ☐

ID Power Co. Letter - G.W. & Tribs. ☒

SNAKE RIVER CONDITION ☐

PAYETTE RIVER LETTER ☐

Priority Date 6/22/78

Water Quality #16 ☐

Water Quality #10 ☐

intrastate ☐ interstate ☐

☒ Meas. Dev. or Sc. Meas. no

Totalizing meter ☐

Supplemental ☐

Right-of-Way Cond. ☐

Watermaster Cond. ☐

Wtr. Dist No. ☐

Meas. Dev. Cond. for apps within a Water Dist. ☐

Jan Prover
Reviewer

7/26/78
Date

June 23, 1978

RE: APPLICATION FOR TRANSFER	35-2503	GNEITING
CLAIM TO WATER RIGHT	35-4070	CITY OF ABERDEEN
" " " "	35-4071	CITY OF ABERDEEN
APPLICATION FOR PERMIT	35-7806	ELLIS
" " WATER PERMIT	35-7807	SMITH
" " WATER PERMIT	35-7808	CITY OF ABERDEEN

Blackfoot News
P. O. Box 70
Blackfoot, ID 83221

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 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.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

Bill submitted 7-12-78 by led

RDC:bp

Enclosure: Legal Notices (6)

**NOTICE OF
APPLICATION FOR
WATER PERMIT**

Notice is hereby given that David Lynn Smith &-or Gerald Smith &-or Arlin Smith &-or Kenneth D. Smith, Blackfoot, Idaho, have on 6-22-78, submitted Application No. 35-7807 for a permit to appropriate 0.80 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 2S, R. 35E, B.M., Bingham County; to be used from Apr. 1 to Nov. 1 for the irrigation of 40 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 2S, R. 35E, 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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 17, 1978.

C. STEPHEN ALLRED
Director

(5664)

Pub.: 6-29; 7-6

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that David Lynn Smith &/or Gerald Smith &/or
Arlin Smith &/or Kenneth D. Smith, Blackfoot, Idaho

have /// 6-22-78 submitted Application No. 35-7807
has on _____
for a permit to appropriate 0.80 cubic feet per second ~~XXXXXX~~
a ground-water source ~~XXXXXX~~
of water from _____
by means of well and pump
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 2S, R. 35E, B.M., Bingham County;

Apr. 1 to Nov. 1
to be used from _____
the irrigation of 40 acres
for _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 2S, R. 35E, B.M.
within the _____

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 Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
July 17, 1978

C. STEPHEN ALLRED

Director

Blackfoot News, Blackfoot, Idaho

Published in the
June 29

July 6, 1978

on _____ and _____

*cut A
cut B
cut C*

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Smith

Application No. _____

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(1) JAG 6/22/78

In form to receipt yes

(2) " "

Send Copies to:

- Idaho State Health Department
- NA Idaho Fish and Game Department
- Bureau of Land Management

(3) " "

- NA Request Special Use Permit from U.S.F.S.
- NA Request Easement from B.L.M.
- Request Information from Applicant

(4) " "

In form for advertising yes

(5) " "

Platted on Map No. 25-35E

(6) " "

Located within Water District No. Basin 35

(7) " "

Critical groundwater area: yes no ☒

(8) " "

Groundwater levels: No near obs wells

Declining, ☒ Stable, Increasing

(comment) Bulletin #27

(9) " "

Other rights on the same place of use None

(10) " "

Comments: No known conflicting water rights

(11) PA 7-12-78

Affidavit of Publication received (date) July 12-1978

(12) " "

Final date for protests July 17-1978

Protests received: yes no

(13) ENC 7/17/78

NA

All requested information received from agencies or applicant: yes no

(14) ENC 7/17/78

Action recommended:

☒ Approve Deny

6/22/78 Proposed Priority

Reason for Reduction

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

RECEIVED

JUL 20 1978

Department of Water Resources

(15) District Eastern

By Ernest Carlson

Date 7/17/78