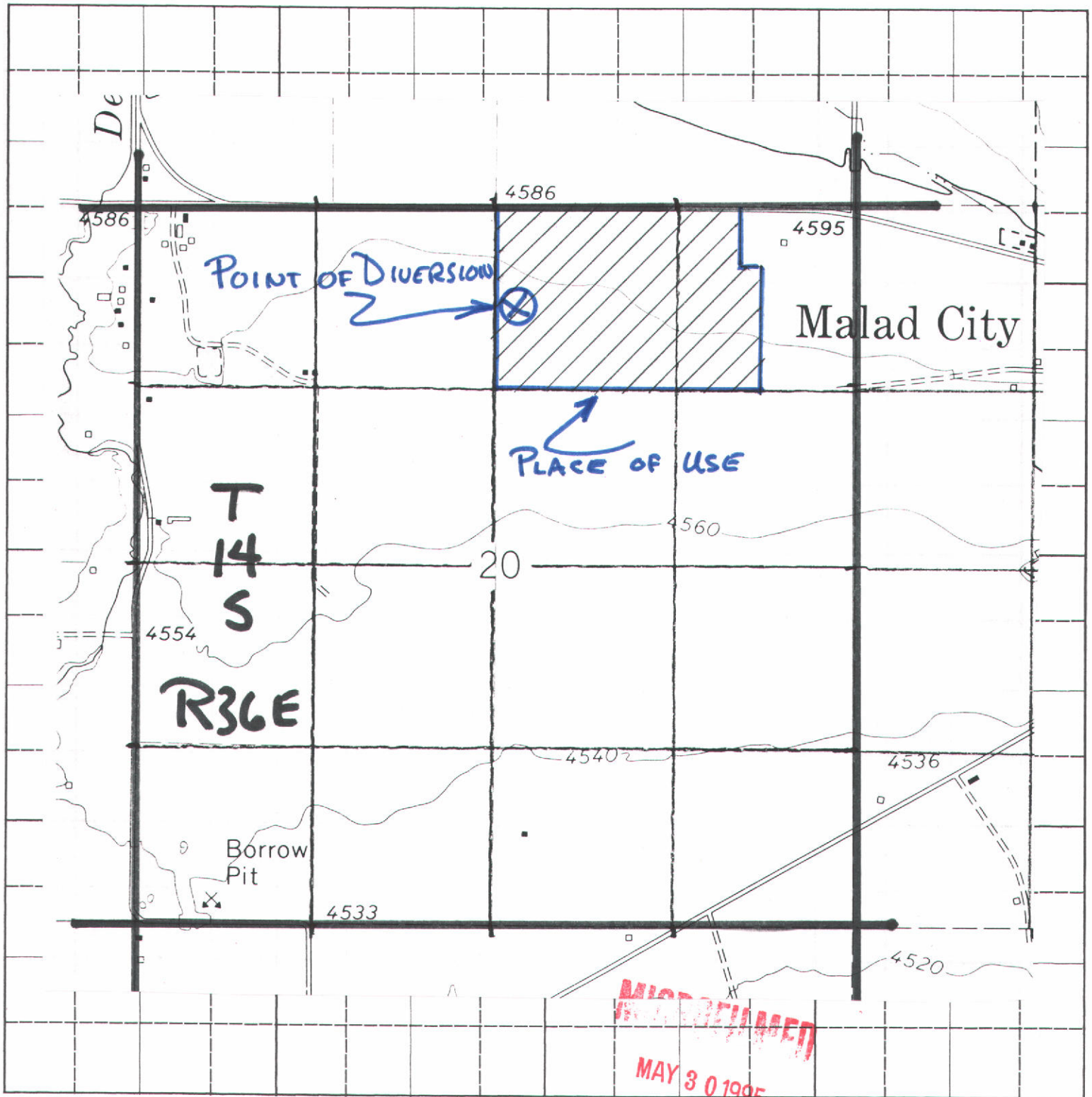


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.


(Applicant)

RECEIVED

JUL - 5 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 15-7150 Telephone No. 208-766-2600

2. Name of Permit Holder(s): D. Ty Smith

3. Mailing Address: 220 Bannock ST
City Malad State ID Zip 83245

4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: Lavell Hooser Drilling Permit Number: 15-97-E0017-000
American Well Drilling

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): 7.16 55 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 1.14 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No _____

Has the measuring device been installed?

Yes _____ or No _____

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: D. Ty Smith Telephone Number: 208 766-2600

Address: 1550 W 1000 N Malad ID 83252
Formerly 145 ST John Rd

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 4/13/01
(include your title, if on behalf of company or organization)

MICROFILMED

AUG 6 8 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 11 1997

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

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

Permit No. 15-07150

Name(s) of Permit Holder: D. Ty & Cindy L Smith

Mailing Address: 145 W ST John Rd Malad ID 83252

Date Proof is Due: _____ Telephone No. 208 766-2600

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Pivot/mainline installed, electricity to property
phase converter installed.

Costing \$ ~40,000

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

I have been working on the above

Permit holder(s) request an extension to 6, 19 2001.

FEE: \$50.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

APR 22 1997

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 2001.

Signed this 15th day of April, 19 97

J. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 15-07150

Proposed Priority: March 23, 1995

Maximum Diversion Rate:

1.16 CFS

This is to certify, that **D TY SMITH**

CINDY L SMITH

145 W ST JOHN RD

MALAD ID 83252

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	1.16 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 20, Township 14S, Range 36E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	36E	20	NENE 19.0	NWNE 39.0		58.0

Total number of acres irrigated: 58.0

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1997**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

MAY 30 1995

State of Idaho
Department of Water Resources

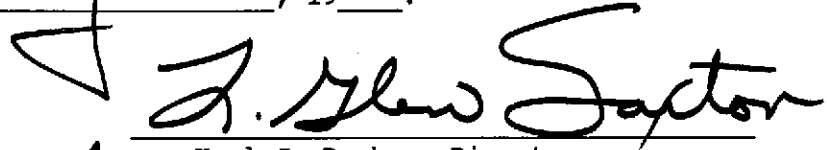
Permit To Appropriate Water

NO. 15-07150

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

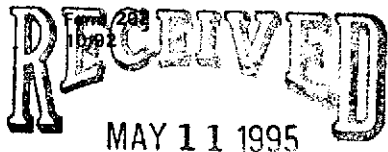
Witness the signature of the Director, affixed at Boise, this

23 day of May, 1995.


for Karl J. Dreher, Director

RECEIVED

MAY 30 1995



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 15-7150

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant D. Ty or Cindy L. Smith Phone 766-2600
Post office address 145 W St. John Rd, Malad, Id 83252

2. Source of water supply GROUNDWATER which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____
Sec. 20 Township 14S Range 36E B.M. ONEIDA County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.16 for IRRIGATION purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.16 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well pump mainline to laterals with sprinklers

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 14 inches; proposed depth of well is 250 feet.

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? NO; Drilling firm _____

Well was drilled for (well owner) _____

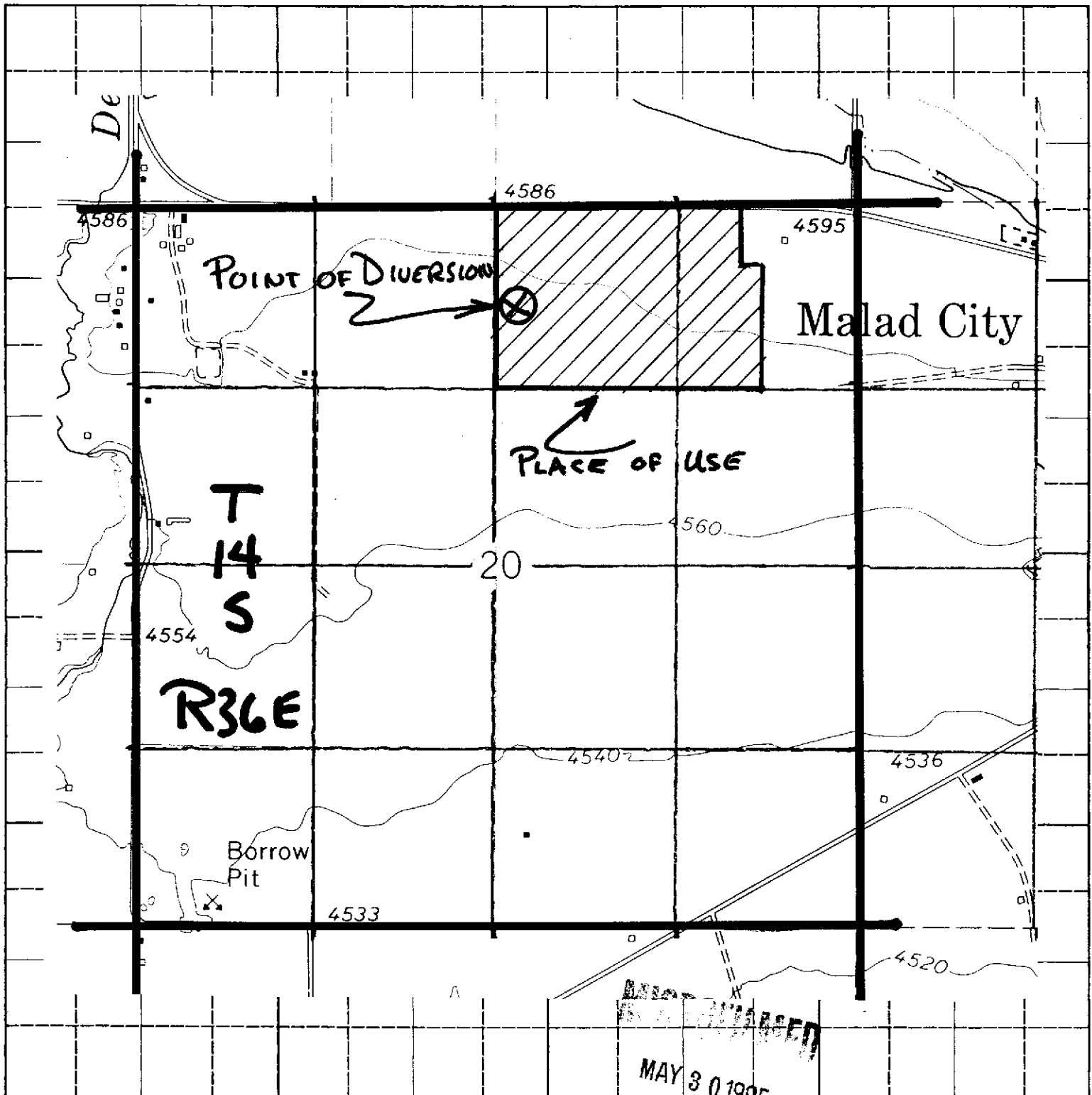
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
2 years (minimum 1 year).

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MAY 30 1995

4861 0 3 1744

13. 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.


(Applicant)

MAY 3 0 1995

0000000000

e. Other:

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

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Publication approved _____ Date _____

Publication prepared by KL Date 4-6-95 Published in Idaho Engineering

Fee \$ 120.00 Received by KCU # E020801 Date 3/23/1995

Received by KCU Date 3/23/95 Time 10:45 hrs Preliminary check by HUT



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

D TY SMITH
CINDY L SMITH
220 BANNOCK ST
MALAD ID 83245

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 15-07150

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please contact the **Eastern Regional Office** of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

AUG 08 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 15-7150

Reviewed By: dgibson

Date: July 6, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:	15-97-E0017-00 0	
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	C054680		Well driller's report filed?	X	
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		X

Priority Calculation

Date proof received	07/05/2001	186 ✓
Date proof due	- 06/01/2001	153 ✓
Lapse notice sent	- 06/05/2001	33
No. of days late	= 34	33
Holiday allowance	+	
Priority date	+ 03/23/1995	81
New priority date	= 04/26/1995	114 4/24/95

Deficiencies of Actions Items

Acknowledge proof and reinstate lapsed permit.

Forward to John Carlson
for review of drilling permit fees, etc.

June 5, 2001

D TY SMITH
CINDY L SMITH
145 W ST JOHN RD
MALAD, ID 83252

LAPSE NOTICE

RE: PERMIT NO. 15-7150

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated March 31, 2001. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 6/5/01
a ~~copy~~ original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED

AUG 8 2001

March 31, 2001

D TY SMITH
CINDY L SMITH
145 W ST JOHN RD
MALAD, ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-7150

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

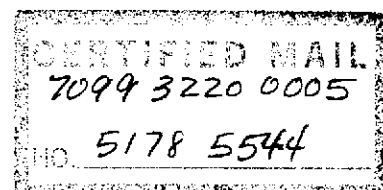
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson , Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
AUG 08 2001



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 15-07150 Reviewed by [Signature] Date 4-15-97

BASIC INFORMATION

YES ⁴⁻¹¹⁻⁹⁷ Date stamp received
YES Extension received timely
YES Fee received and receipted
YES Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

YES Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

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

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN *Recommend extend to June 1, 2001, on basis of due diligence.*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X _____

Change Proof Due Date 6-1-2001

Change Priority Date X _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 15, 1997

D. Ty Smith
Cindy L. Smith
145 W. St. John Rd.
Malad, ID 83252

RE: Permit No. 15-07150

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit. The time within which to submit proof of beneficial use is extended to **June 1, 2001**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

Please contact me at (208)327-7953 if you have any questions regarding this matter

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

MICROFILMED

APR 22 1997

March 31, 1997

D TY SMITH
CINDY L SMITH
145 W ST JOHN RD
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07150

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1997.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

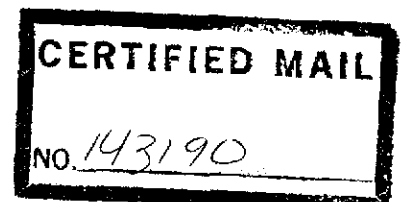
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECORDED
APR 22 1997





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 23, 1995

D TY SMITH
CINDY L SMITH
145 W ST JOHN RD
MALAD ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07150

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

MAY 30 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 15-7150 Name: Smith Date: 5/18/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: E020801 Priority: 3/23/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Prehearing agreement) or W19(See Order)
SYSTEM COMPLETED:
 ~~Yes~~/proof filed - NA
 1 year/~~no~~ proof - ~~P16~~
 +1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
 + 0.2 cfs - 01M
 - 0.2 cfs - No MD
 + 5 a. (POU cmp) - 01M, 803(if GW use SW 1st)
Drilling Permit:
 Existing well - NA (pre 7/1/87)
 Included w/permit - Permit No. _____, P99
 No WD permit? - 046-46B-P23 (post 7/1/87)
 irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):
 Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
 + 0.2 cfs - 01J-P08 or 01M
 - 0.2 cfs - 01H-P01 or No MD
 + 5 a. irr. - 01M (POU cmp)
 In-WD + 0.2 cfs - 01M or No MD (in-stream)
 - 0.2 cfs - No MD
 + 5 a. irr. - 01M (POU cmp)
RIVER BASINS (*Surface water):
 Snake R (01) - 11A-P04, NA
 (02/03) - 007-P07 (w/remark WB9), NA
 Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
 Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA
USE:
 Domestic (surface) - 021(Boise R ↑ L Peak); 27A(Payette R); NA
 Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
 Irr - 5 acres - 057 (0.03 cfs/A)
 + 5 acres - 03A (0.02 cfs/A)
 Mining - 054 (req) & 06A/010/09E-P10
 Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
 +25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
 Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
 Boise Front LoGeo - 058 (-85° GW temp only)
 In-stream dev. - P52 (stream channel alteration)
 Irr Dist/Canal Co. - 023 (Twin Falls area)
 Swan Falls Flag - B <SEE CONDITION CODE CHART>
 Trust - 051-052-053-P74 (Consumptive Uses), NA
 Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: _____
STANDARD REMARKS: _____
BENEFICIAL USE DUE: - 6-1-1997
COMMENTS: _____

RECEIVED
MAY 11 1995

Form No. 202a

4/87 Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Dist. for staffing 3-23-95
Submitted for advertising 3-23-95

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 3-23-95 APPLICATION NO. 15-7150

D. Ty or Cindy L. Smith

REQUIRED INFORMATION

☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)

☒ Address

☒ Source (See USGS Quad for names of water sources)

☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)

☒ County

☒ Quantity (flow and/or volume)

☒ Period of Use

☒ Nature of proposed use (Include description of use.)

☒ Description of diverting works

☒ Time required for beneficial use of water

☒ Place of use or acres irrigated

☒ Map

☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)

☒ Fee

☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

☐ Overlapping place of use (Describe source & relationship to present application on the back.)

☐ Overlapping point of diversion

☐ Yes ☐ No Field check required

☐ Field check by _____

☐ Yes ☒ No Field report attached

☐ Yes ☒ No Critical groundwater area

☐ Yes ☒ No Groundwater management area

☐ Yes ☒ No Send dam safety information

☐ Yes ☒ No Send power requirement letter

☐ Yes ☒ No Send fish farm requirement letter

☐ Yes ☒ No Power residency affidavit

☐ Yes ☒ No Power efficiency form

☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)

☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

SEND COPIES TO _____ Idaho Dept. of Health & Welfare _____ U.S. BLM
None _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho Dept. of Lands _____ Water District
 _____ Adjudication Bureau Unit _____ Other _____

☒ Yes ☐ No Affidavit of publication received

☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes	☐ No	Publication dates & paper, recorded on application
☐ Yes	☒ No	Protests received
		Final date for protest <u>4-24-95</u>
☐ Yes	☐ No	Protests, dates, resolution of protest, recorded on application
☐ Yes	☒ No	Recommendations, attached
☐ Yes	☒ No	Measuring device required
☒ Yes	☐ No	Access port required
☐ Yes	☒ No	Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes	☒ No	Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 3-23-1995

By HJJ Date 5-9-1995

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other_____

Project impacts/implications report

COMMENTS

[illegible]

N^o 2869

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Oneida

Donna Salnesen

being duly sworn

deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and the vicinity of Malad; that the advertisement, a copy of which attached hereto, was published in said newspaper once a week / 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of publication of said advertisement.

Such notice was published in the issue beginning with

April 6, 19 95, and ending

with the issue of April 13, 19 95

Donna Salnesen

Subscribed and sworn to before me this 1 day

of May, 19 95.

Susan Swittman

Notary Public, Residing at Malad, Idaho

My Commission Expires 2-9-19-2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07149

SCHOENENBERGER, NEIL

695 W 1100 N

NORTH SALT LAKE CITY, UT 84954

Source: GROUNDWATER

Diversion Pt: SWSW Sec 12 T

16S R 36E in ONEIDA

County.

SWNE Sec 14 T 16S R

36E in ONEIDA County.

Use: IRRIGATION (3.000 CFS)

Total Diversion (3.000 CFS)

Date Filed: 3/13/1995

In: ONEIDA County

T16S R36E S14 NWNE SWNE

NENW NWNW SWNW

SENE NESW NWSW

NWSE

S15 SENE

191.0 ACRES TOTAL

15-07150

SMITH, D TY

SMITH, CINDY L

145 W ST JOHN RD

MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWNE Sec 20 T

14S R 36E in ONEIDA

County.

Use: IRRIGATION (1.160 CFS)

Total Diversion: (1.160 CFS)

Date Filed: 3/23/1995

In: ONEIDA County

T14S R36E S20 NENE NWNE

58.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before APRIL 24, 1995.

R. KEITH HIGGINSON, Director

Published: 4/6/1995 & 4/13/1995

L. 2069 T 2

RECEIVED
MAY 11 1995

DEPARTMENT OF WATER RESOURCES

MAY 30 1995

15-07150

SMITH, D TY
SMITH, CINDY L
145 W ST JOHN RD
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWNE Sec 20 T 14S R 36E in ONEIDA County.

Use: IRRIGATION (1.160 CFS)
Total Diversion: (1.160 CFS)

Date Filed: 3/23/1995

In: ONEIDA County
T14S R36E S20 NENE NWNE

58.0 ACRES TOTAL

MICROFILMED
MAY 30 1995

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before APRIL 24, 1995.

R. KEITH HIGGINSON, Director

Published: 4/ 6/1995 & 4/13/1995

RECEIVED

MAY 30 1995

March 28, 1995

D TY OR CINDY L SMITH
145 W ST JOHN RD
MALAD ID 83252

RE: Application for Permit No. 15-07150

Dear Mr. & Mrs. Smith:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho Enterprise on April 6 & 13, 1995. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

Harold W. Jones _{rb}
Harold W. Jones
Water Right Supervisor

HWJ/rb

MAY 8 0 1995