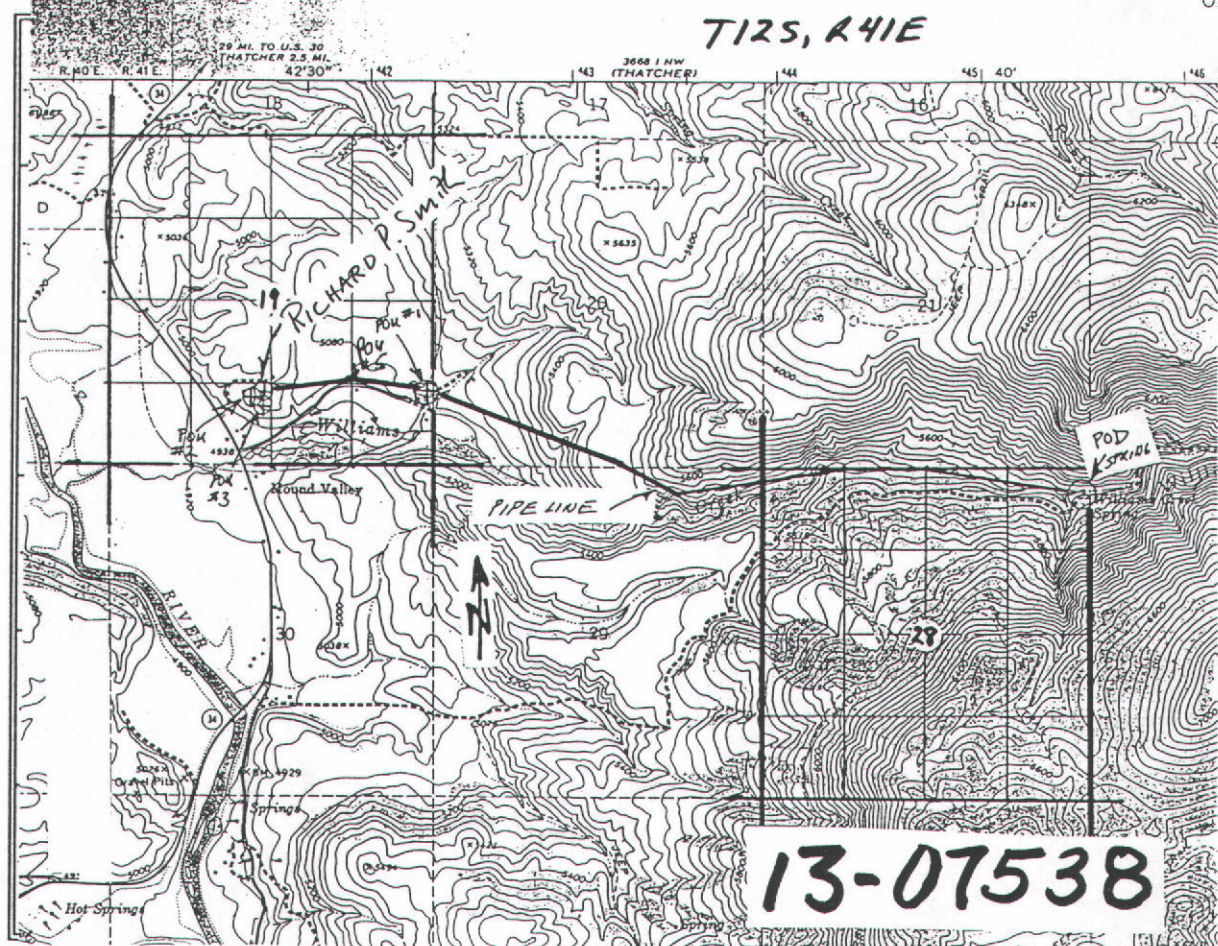


3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = \_\_\_\_\_

\_\_\_\_ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

\_\_\_\_ Aerial Photo Attached  
(required for irrigation of 10+ acres)

\_\_\_\_ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make   | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|--------|-----------|------------|------|-------------|
| PRESSURE              |      | U.S.G. | 0-100     |            |      |             |
|                       |      |        |           |            |      |             |

2. Measurements: 100 PSI AT HYDRANT.

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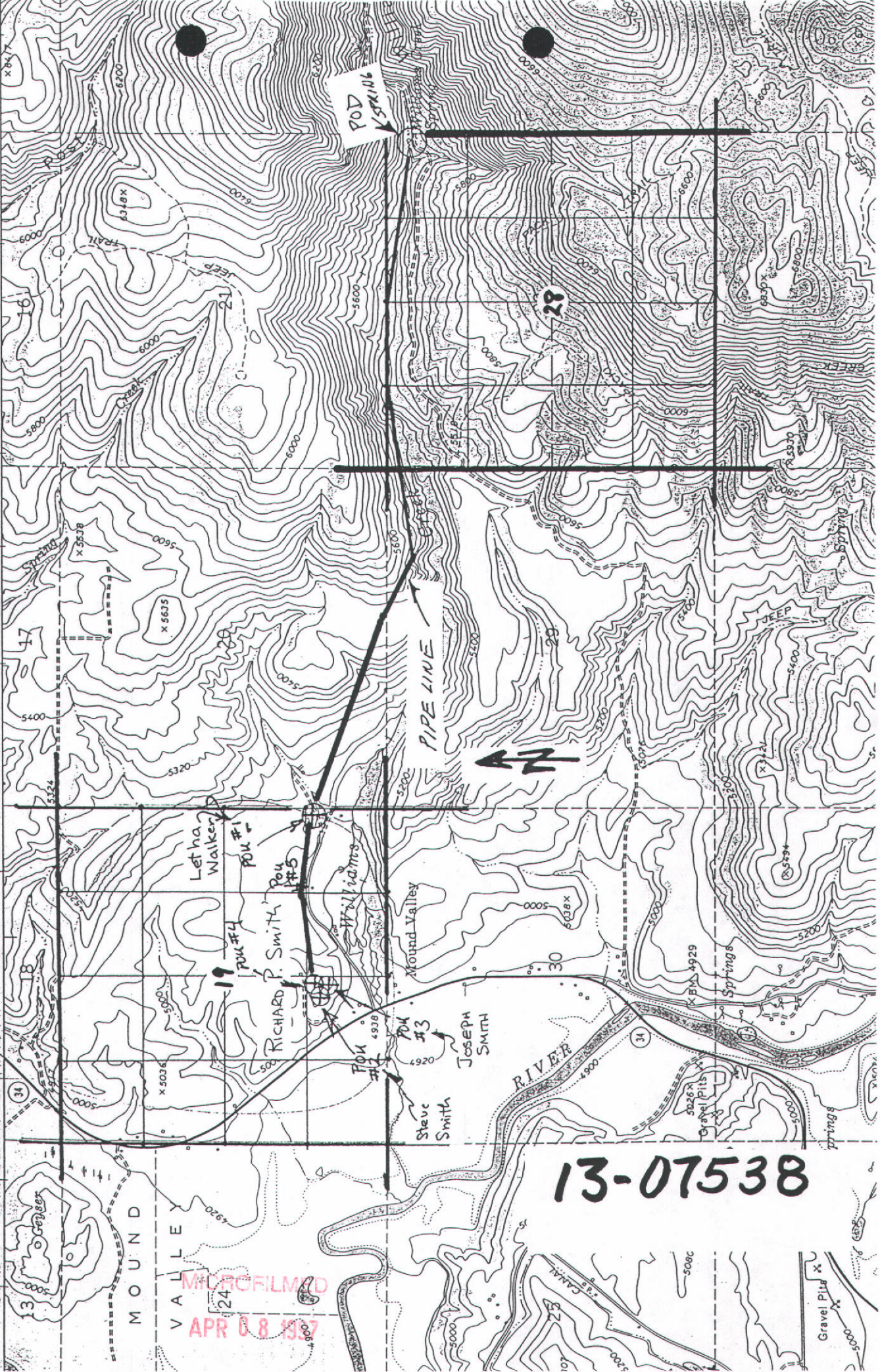
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T12S, R41E

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42'30"

R. 40 E. R. 41 E.



13-07538

MICROFILMED  
APR 08 1997

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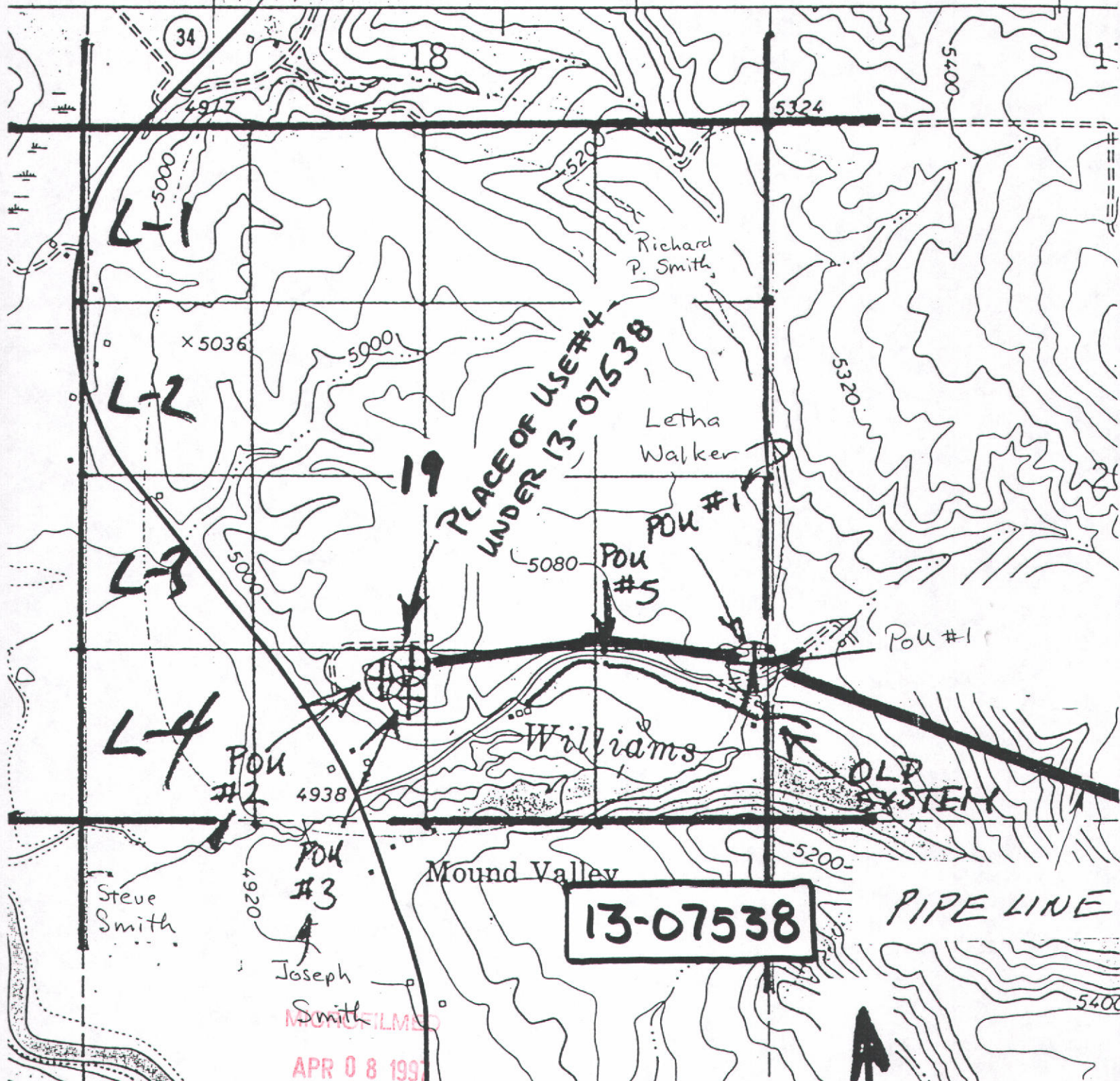
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29 MI. TO U.S. 30  
THATCHER 2.5 MI.  
42'30"

40 E. R. 41 E.

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State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 13-07538

Priority: December 8, 1995

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that RICHARD P SMITH

6883 E WILLIAMS CREEK

THATCHER ID 83283

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 8, 1995; and has submitted Proof of Beneficial Use on March 7, 1996. An examination indicates that the works have a diversion capacity of 0.240 cfs of water from:

WILLIAMS CREEK SPRING

tributary to WILLIAMS CREEK

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 0.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NENENE , Sec. 28, Township 12S, Range 41E  
FRANKLIN County

PLACE OF USE: DOMESTIC

TWN RGE SEC

12S 41E 19

SESW

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
6. Right 13-07468 is also diverted through the point(s) of diversion described above.
7. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

MICROFILMED

APR 8 1997

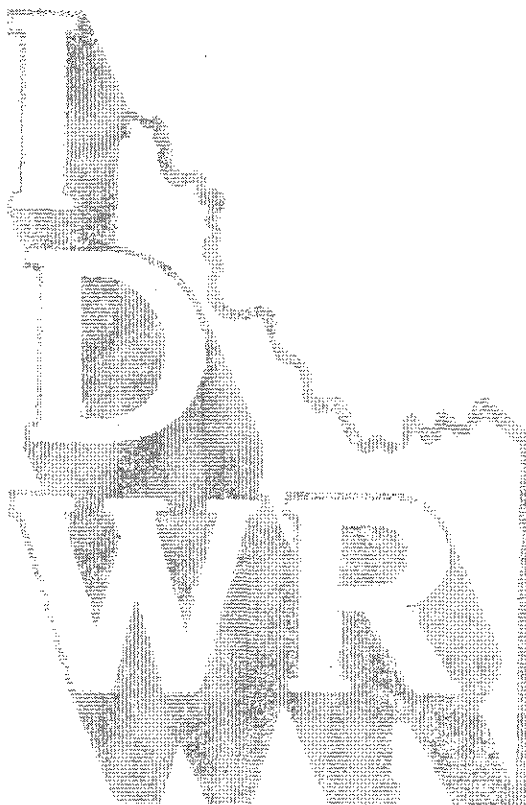
State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 13-07538

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 6<sup>TH</sup>  
day of MARCH, 1997.

  
KARL J. DREHER, Director



RECEIVED  
APR 08 1997

RECEIVED

MAR 07 1996

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 who has been appointed by the department.

1. Permit No. 13-07538 Telephone No. 427-6277

2. Name(s) of Permit Holder(s): RICHARD P. SMITH

3. Mailing Address: 6883 E. Williams Creek THATCHER ID 83283

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

a. Well Driller:      Drilling Permit Number:      -      -      -     

b. **OPTIONAL:**  
Pump Horsepower:      Pressure (psi):      Dynamic pumping level (ft):     

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

Domestic (No. of households): 1 Stockwater (No. and type of stock):     

Irrigation (No. of acres):      Other:     

6. Total rate of diversion and/or volume for which proof is submitted: .02 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 X  
Has the measuring device been installed? Yes      or No X

Flow Measurement Port: Is a flow measurement port required? Yes      or No X  
Has the measurement port been installed? Yes      or No X

8. Fee Enclosed: \$ 50.00 (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: RICHARD SMITH Telephone Number: 427-6277

Address: 6883 E. Williams Creek THATCHER ID 83283

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

Signature of permit holder: Richard P. Smith Date: 3/6/96  
(include your title, if on behalf of company or organization)

3 8 1996

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**  
NO. 13-07538

Proposed Priority: December 8, 1995

Maximum Diversion Rate:

0.02 CFS

This is to certify, that **RICHARD P SMITH**

6883 E WILLIAMS CREEK

THATCHER ID 83283

has applied for a permit to appropriate water from:

**WILLIAMS CREEK SPRING**

tributary of **WILLIAMS CREEK**

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

**BENEFICIAL USE**

**PERIOD OF USE**

**RATE OF DIVERSION**

DOMESTIC

01/01 to 12/31

0.02 CFS

**LOCATION OF POINT(S) OF DIVERSION:**

NENENE , Sec. 28, Township 12S, Range 41E  
FRANKLIN County

**PLACE OF USE:** DOMESTIC

**TWN RGE SEC**

12S 41E 19

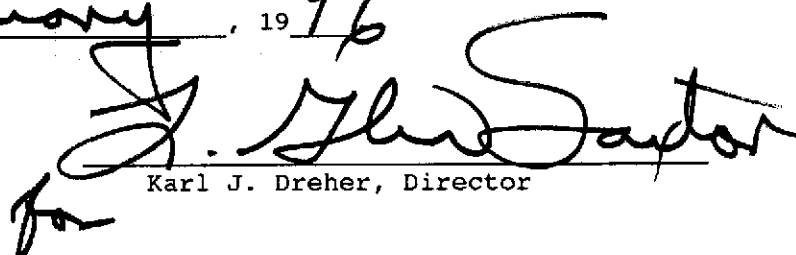
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**CONDITIONS OF APPROVAL AND REMARKS**

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1997**.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 11.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the signature of the Director, affixed at Boise, this

29<sup>th</sup> day of February, 1996

  
Karl J. Dreher, Director

  
MAR 26 1996

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Form 202  
10/92

DEC 07 1995

Department of Water Resources  
Eastern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

FEB 26 1996

RECEIVED

Ident. No. 13-7538

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant RICHARD P. SMITH Phone 427-6277

Post office address 6883 E. Williams Creek, Thatcher, ID. 83283

2. Source of water supply Williams Creek Spring which is a tributary of Williams Creek

3. Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot

Sec. 28 Township 12S Range 41E B.M. FRANKLIN County; additional

points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.02 for DOMESTIC purposes from JAN 1 to DEC. 31 (both dates inclusive)  
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.02 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing point of diversion that is  
already in place (My brother - STEVEN SMITH - Permit No. 13-07468) will be used.  
I will just need to connect onto his (Stevens) line at my domicile - see above address

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 \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

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

e. If well is already drilled, when? \_\_\_\_\_; 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

1 years (minimum 1 year).

P.A.U. #9 on Map

- [illegible]

Field Exam ~~6~~  
MAP from 15-07468

7125, R41E MAR 26 1996

MAR 26 1996

RECEIVED

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

Received by HWS Date 12-8-95 Time 1:24  
Fee \$ 50.00 Received by HWS # E021760 Date 12-8-95  
Publication prepared by CB Date 12-21-95 Published in Idaho Citizen  
Publication approved by CB Date 1-5-96



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

March 7, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RICHARD P SMITH  
6883 E WILLIAMS CREEK  
THATCHER ID 83283

RE: WATER RIGHT NO. 13-07538

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

### PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

### EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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APR 9 8 1997

### ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

### APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



Shelley W. Keen  
Water Rights Supervisor

SK:ph

Enclosure

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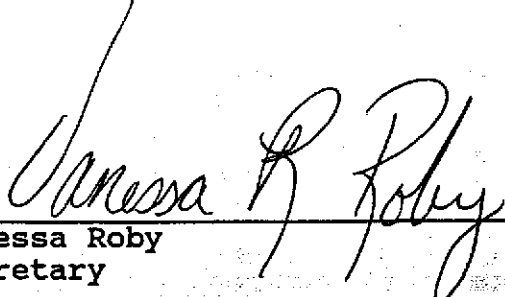
APR 8 1987

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of March, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 13-07538

RICHARD P SMITH  
6883 E WILLIAMS CREEK  
THATCHER ID 83283

  
\_\_\_\_\_  
Vanessa Roby  
Secretary

MICROFILMED

APR 14 1997

# LICENSE REVIEW CHECKLIST

PERMIT NO. 13-07538

DATE 2/24/97

REVIEWER: SHARLA

|              |                 |             |                                                                 |
|--------------|-----------------|-------------|-----------------------------------------------------------------|
| NAME         | Change <u>—</u> | OK <u>✓</u> | Address Change <u>NO</u>                                        |
| SOURCE       | <u>—</u>        | <u>✓</u>    | Is change clarification of originally intended source? <u>—</u> |
| POINT OF DIV | <u>—</u>        | <u>✓</u>    | If not, prepare Notice of Intent to Void <u>—</u>               |
| PLACE OF USE | <u>—</u>        | <u>✓</u>    | Amendment required <u>NO</u>                                    |

Does map agree with written description? ✓ yes — no

OVERLAPS

RATE OF DIV

Permitted Rate .02 cfs

Fee limit .20 cfs \$50<sup>00</sup>

Measured — cfs

Theoretical .24 cfs 4.19

Recommended Total Div Rate .02 cfs

ANNUAL VOLUME/  
NATURE OF USES —

Use ✓

Volume Calculation

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|------------|------------|----|
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| <u>—</u>   | <u>—</u>   | af |
| <u>—</u>   | <u>—</u>   | af |
| <u>—</u>   | <u>—</u>   | af |
| <u>—</u>   | <u>—</u>   | af |
| SUBTOTAL   | <u>—</u>   | af |

Flow rate .02 cfs X 365 days X 1.98 ~~af~~ = 14.5 af

Total volume recommended 1.2 af  
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

D/I home.  
W36 (13-07468)

CONDITIONS

ROA Watermaster Control WD# 11  
— GW Measurement/Measuring Device  
— Overlap  
— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA  
Adjustment Memo —

1st Amend Letter NA  
2nd Amend Letter NA

APR 11 1997

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

FEB 06 1997

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 13-07538

1. Owner: RICHARD P. SMITH

Phone No. (208) 427-6277

Current Address: 6883 E. WILLIAMS CK. RD., THATCHER, ID 83283

2. Accompanied by: STEVEN SMITH

EXAM DATE: 2/20/95

Address: 6843 E. WILLIAMS CK. RD., THATCHER, ID. 83283

Phone No. (208) 427-6202

Relationship to Permit Holder: Water User under System

3. Source: WILLIAMS CREEK SPRING tributary to WILLIAMS CREEK

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 13-00819, 13-00825, 13-00833A

13-00845, 13-00846A, 13-07365

2. Other water rights with the same point of diversion: 13-07468

**C. DIVERSION AND DELIVERY SYSTEM**

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

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County   | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|----------|---------------------------------|
|           |           | NE  | NE  | NE  | 28   | 12S  | 41E  | FRANKLIN | H.S.G.S. TOPO MAP               |
|           |           |     |     |     |      |      |      |          |                                 |
|           |           |     |     |     |      |      |      |          |                                 |
|           |           |     |     |     |      |      |      |          |                                 |

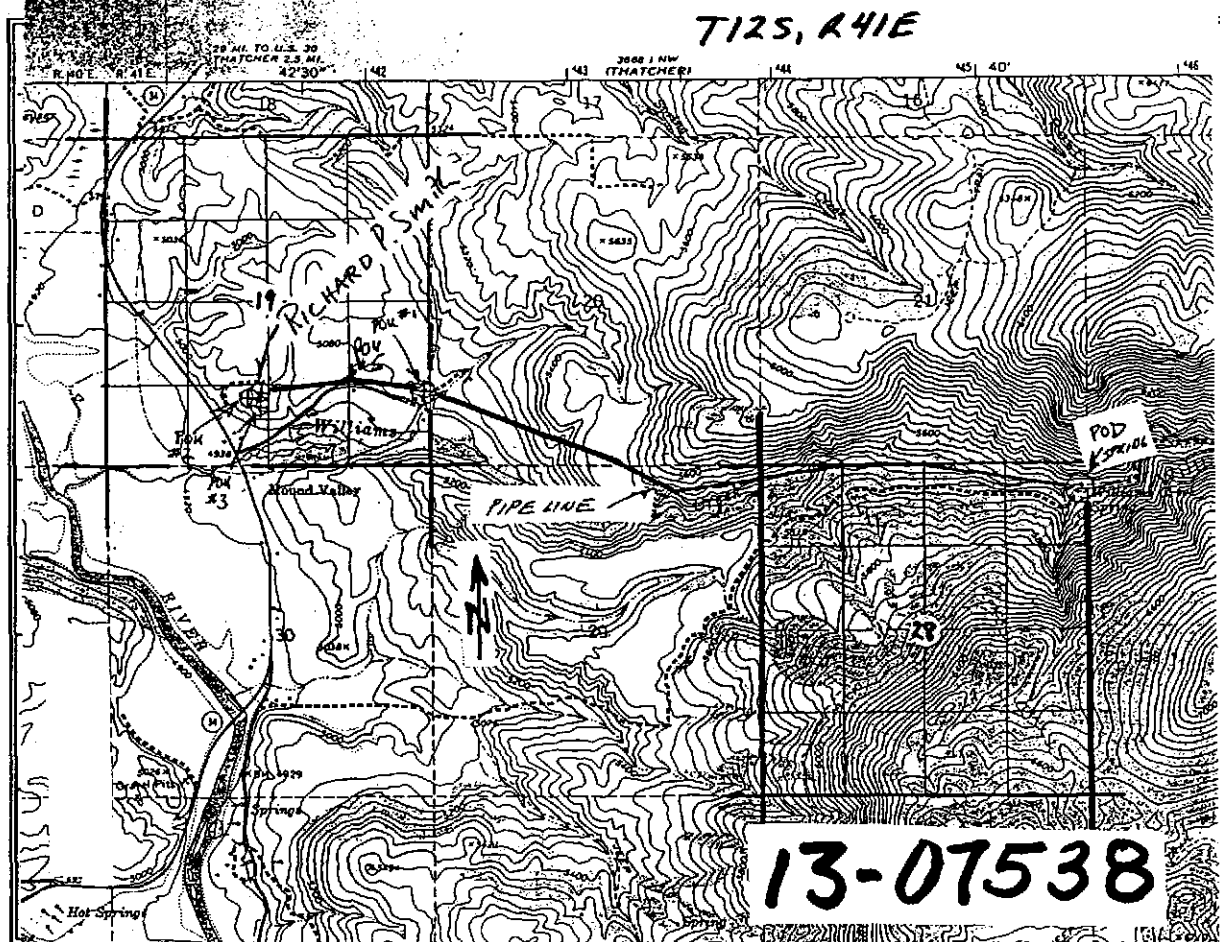
**2. Place(s) of Use:** Pou #4 on enclosed map

Indicate Method of Determination

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |     | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|-----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE  | NE | NW | SW | SE |        |
| 12S | 41E | 19  |    |    |    |    |    |    |    |    |    |    |    | 1/0 |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |

APR 06 1997

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = \_\_\_\_\_

\_\_\_\_ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

\_\_\_\_ Aerial Photo Attached (required for irrigation of 10+ acres)

\_\_\_\_ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make   | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|--------|-----------|------------|------|-------------|
| PRESSURE              |      | U.S.G. | 0-100     |            |      |             |
|                       |      |        |           |            |      |             |

2. Measurements: 100 PSI AT HYDRANT.

W. R. D. L. L. L.

APR 24 1957

E. NARRATIVE/REMARKS/COMMENTS

SEE ATTACHMENTS.

THERE IS AN OLD DOMESTIC SYSTEM THAT DELIVERS WATER TO HOMES ALONG ROAD (WILLIAMS CREEK). THE ONLY HOUSE ON THIS SYSTEM ATTACHED TO OLD SYSTEM IS POU #1.

ON 7/20/95 A BENEFICIAL USE FIELD EXAM WAS CONDUCTED WITH STEVEN SMITH FOR PERMIT # 13-07468. THE PERMIT TO APPROPRIATE WATER IS FOR DOMESTIC USE, FOR THREE HOMES. AT THE TIME OF INSPECTION THERE WERE SIX (6) POSSIBLE PLACES OF USE: 5 HOMES AND 1 HYDRANT HOOKUP.

WATER FOR THIS PERMIT IS DIVERTED AT WILLIAM CREEK SPRING WHICH IS APPROXIMATELY 2 1/2 MILES EAST OF THE PLACE OF USE. PIPING IS AS FOLLOWS: 20 FEET OF 8 INCH PIPE, 60 FEET OF 6 INCH PIPE, 9,000 FEET OF 4 INCH PIPE, AND 7,000 FEET OF 2 INCH PIPE. SYSTEM PRESSURE AS LOWEST PLACE OF USE WAS 100 PSI. THERE IS APPROXIMATELY 520 FEET OF DROP FROM POD TO POU.

TOTAL SYSTEM CALCULATIONS WILL BE LIMITED BY PERMIT.

PLACE OF USE indicated as P.O.U #4 on Map

REMOVED/REPLACED

APR 02 1997

## Hazen-Williams Equation for Closed Pipe Flow

Assumptions: Head Loss due to bends, couplings, & valves is negligible

$$Q_{cfs} = 1.318 C_h (\pi D^2/4) \times (D/4)^{0.63} \times (H/L)^{0.54}$$

Q = Discharge (cfs)

D = Pipe Diameter (ft) = 0.33 ft      .33

L = Pipe Length (ft) = 10560 ft      10560

H = Elevation Drop (ft) = 230 ft      230

C<sub>h</sub> = Values for Types of Pipe = 120      80

|     |                                  |     |                           |
|-----|----------------------------------|-----|---------------------------|
| 150 | -Plastic (PVC) > 6"              | 110 | -Riveted Steel            |
| 140 | -Very Smooth, PVC < 6"           | 100 | -Old Cast Iron            |
| 130 | -Cast Iron                       | 80  | -Badly Corroded Cast Iron |
| 120 | -Wood, Concrete,<br>Welded Steel |     |                           |

$$Q_{cfs} = 1.318 \left( \frac{C_h}{120} \right) \left[ \pi \left( \frac{D}{0.33} \right)^2 / 4 \right] \times \left( \frac{D}{0.33} / 4 \right)^{0.63} \times \left( \frac{H}{230} / \frac{L}{10560} \right)^{0.54}$$

158.275      6.20898      x 0.126635

$Q_{cfs} = \underline{4.19 \text{ cfs}}$  cfs

ASSUMPTIONS:

- (1) 4" dia pipe = D
- (2) 120 - Welded Steel = C<sub>h</sub>
- (3) 10560 ft = L
- (4) 100 psi x 2.308 = 230 ft

Q = 4.19 cfs

Note: at worst Q = 0.24 cfs which is sufficient for approximately 30 homes  
therefore system capacity exceeds necessary Q.

ASSUMPTIONS

- (1) D = 4" dia
- (2) C<sub>h</sub> = 80 Badly  
corroded Cast Iron
- (3) L = 10560'
- (4) H = 100 psi x 2.308 = 230 ft

Q<sub>cfs</sub> = 0.24 cfs

Permit # 13-07538

APR 8 8 1987

**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

$$Q = 0.02 \text{ cfs}$$

 $Q_{\text{LIMITED BY Permit to } 0.02 \text{ cfs}}$ **G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{\text{LR}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{\text{LR}} \text{ and } V_{\text{D.R.}} = \underline{\hspace{2cm}}$$

## 2. Volume Calculations for Other Uses:

PERMIT IS FOR 1 ACRE

$$V_{\text{Dom}} = 1 \times 1.2 = 1.2 \text{ AFA}$$

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use  | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-----------------|---------------|-------|------------------------------|--------------------------|
|                 | From          | To    |                              |                          |
| DOMESTIC (UNIT) | 1/1           | 12/31 | 0.02                         | 1.2                      |
|                 |               |       |                              |                          |
|                 |               |       |                              |                          |
|                 |               |       |                              |                          |
|                 |               |       |                              |                          |
| Totals:         |               |       | 0.02 cfs                     | 1.2 AFA                  |

## 2. Recommended Amendments

☐ Change P.D. as reflected above    ☐ Add P.D. as reflected above    ☒ None  
☐ Change P.U. as reflected above    ☐ Add P.U. as reflected above    ☐ Other

**I. AUTHENTICATION**Field Examiner's Name SIMPKINS Date 1/11/96Reviewer Keith C Wilson Date 1/7/1997

SEAL



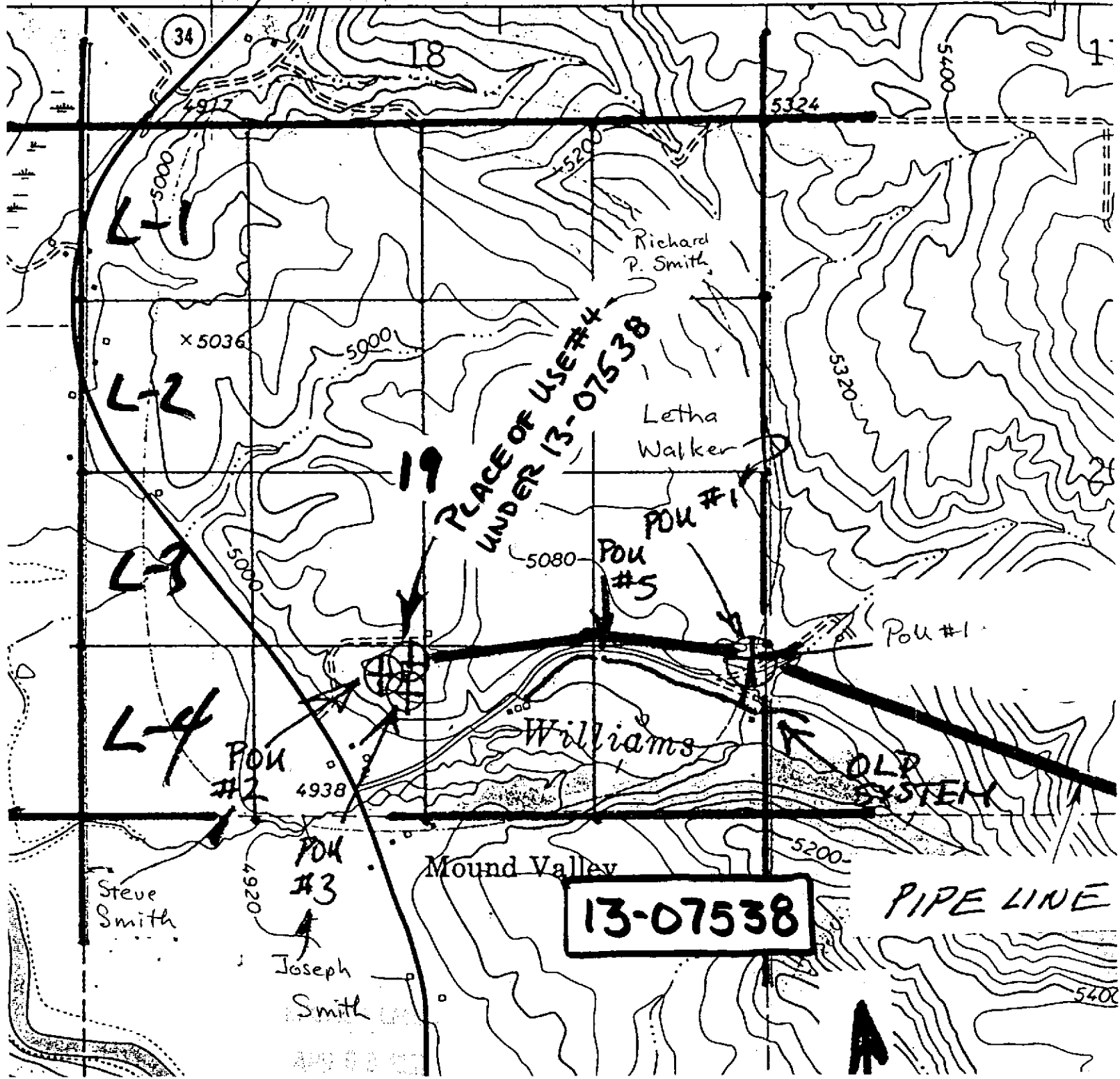
T  
12 R41E  
S

29 MI. TO U.S. 30  
THATCHER 2.5 MI.  
42'30"

40 E. R. 41 E.

442

443



**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 13-07538 Reviewed by [Signature] Date 3-13-96

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit?  
yes Address same as permit?  
yes Proof timely received? Correct Uses? yes  
*If not, complete calculation below.*

**SOURCE OF WATER**

☒ Surface water source  
☐ Ground water source  
☐ Drilling permit required?  
☐ Copy in the file? Drilling Permit No. \_\_\_\_\_  
☐ Amount paid for permit \_\_\_\_\_ Correct?  
☐ Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

yes Required?  
50- Amount Submitted  
yes Correct?  
no Required?  
/ Installed?  
/ Waiver requested?

**PRIORITY CALCULATION**

Date proof received \_\_\_\_\_  
Date proof due \_\_\_\_\_  
No. of days late \_\_\_\_\_  
Priority Date \_\_\_\_\_  
New Priority Date \_\_\_\_\_

**DEFICIENCIES OR ACTION ITEMS**

Proof acceptable

**DATA ENTRY**

New Address [Signature] Proof Made 3-7-96

March 13, 1996

RICHARD P SMITH  
6883 E WILLIAMS CREEK  
THATCHER ID 83283

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07538

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

c: IDWR - Region

RECEIVED  
MAR 26 1996

MAR 26 1996



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

February 29, 1996

RICHARD P SMITH  
6883 E WILLIAMS CREEK  
THATCHER ID 83283

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07538

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.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosures

MAR 8 1996

**APPLICATION FOR PERMIT  
STATE OFFICE REVIEW**  
by Cindy Zimmerman

No.: 13-7538 Name: Smith Date: 2/26/96 Ad OK? ✓  
Correct Fee? ✓ Receipt #: E021760 Priority: 12/8/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes \_\_\_\_\_ Mor \_\_\_\_\_ GWMA Trust/Non-trust  
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

## SYSTEM COMPLETED:

Yes/proof filed - NA  
1 year/no proof - P16  
+1 year - 26A-P17

## GROUNDWATER: &lt;✓ FLO-CH&gt;

+ 0.2 cfs - 01M  
=/- 0.2 cfs - No MD  
=/+ 5 a. - 01M, 065(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 &lt;✓ FLO-CH&gt; (Surface water that doesn't sink is regulated):

Water District(~~dem~~) - 005 (req) WD # 11 <SEE MAP & LISTING>  
+ 0.2 cfs - 01J(meas dev)-P08  
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD  
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)  
- 0.2 cfs - No MD  
=/+ 5 a. irr. - 01M

## RIVER BASINS (\*Surface water):

Snake R (01) - 11A-P04, NA  
(02/03-irr) - 007-P07 (w/remark WB9-↑ Weiser), NA  
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA  
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

## USE:

Domestic (surface) - 021(Boise R ↑ Star Bridge); 27A(Payette R); NA  
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)  
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)  
+ 5 a - 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(PERE); 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 - 3 <SEE 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) FS / Richard Smith / agreement

## OTHER CONDITIONS:

## STANDARD REMARKS:

- ① wai/l

## BENEFICIAL USE DUE:

- 3-1-1997

## COMMENTS:

Send Copy

Dist. for staffing 12-11-95  
Submitted for advertising 12-11-95

Form No. 202a  
4/87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY HWT DATE 12-11-95 APPLICATION NO. 13-2538  
Richard P. 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
  - ☐ Yes ☐ No 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 \_\_\_\_\_

**RECEIVED**  
FEB 26 1996  
Department of Water Resources

\_\_\_\_\_ Date Requested \_\_\_\_\_

PROCESSING ☒ Yes ☒ No In form for advertising  
☒ Yes ☒ No Statewide advertising  
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM  
☐ Idaho Dept. of Fish & Game ☒ U.S. Forest Service  
☐ Idaho Dept. of Lands ☐ Water District  
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ 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 1-8-96  
☒ 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 12-8-1995  
By HWS Date 2-22-96

STATE OFFICE REVIEW

See below for additional information  
By \_\_\_\_\_ Date \_\_\_\_\_

ADDITIONAL INFORMATION

**RECEIVED**  
FEB 26 1996  
Department of Water Resources

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]

875

N 4189

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Franklin } ss.

**J. WALTER ROSS**

deposes and says:

being duly sworn,

That he is the **CO-PUBLISHER** of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 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 first publication of said advertisement.

Such notice was published in the issue beginning with

12-20

, 1995, and ending

with the issue of 12-27

19 98

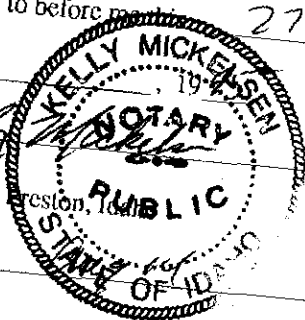
Fee \$ 50.63

Subscribed and sworn to before me this 27 day

of Dec

Notary Public, Residing at Preston, Idaho

My Commission Expires 2001



JAN 03 1996

Department of Water Resources  
Eastern District Office

## NOTICE OF APPLICATION FOR WATER RIGHT

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

13-07537

ELGAN, JESS B.

PO BOX 91

DAYTON, ID 83232

Source: FIVE MILE CREEK

Tributary: BEAR RIVER

Diversion Pt: NWNW Sec 21 T

15S R 38E in FRANKLIN County.

Use: STOCKWATER (0.020 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 12/4/1995

In: FRANKLIN County

T15S R38E S21 NENE NWNW S22

NWNW

13-07538

SMITH, RICHARD P

6883 E WILLIAMS CREEK

THATCHER, ID 83283

Source: WILLIAMS CREEK

SPRING

Tributary: WILLIAMS CREEK

Diversion Pt: NENENE Sec 28 T

12S R 41E in FRANKLIN County.

Use: DOMESTIC (0.020 CFS)

Total Diversion: (0.020 CFS)

Date Filed: 12/8/1995

In: FRANKLIN County T12SR41E

S19 SESW

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 JANUARY 8, 1996.

KARL J. DREHER, Director

Legal No. 4189 — Publish Dec. 20, 27, 1995.

JAN 8 6 1996

13-07538

SMITH, RICHARD P  
6883 E WILLIAMS CREEK  
THATCHER, ID 83283

Source: WILLIAMS CREEK SPRING

Tributary: WILLIAMS CREEK

Diversion Pt: NENENE Sec 28 T 12S R 41E in FRANKLIN County.

Use: DOMESTIC ( 0.020 CFS)

Total Diversion: ( 0.020 CFS)

Date Filed: 12/ 8/1995

In: FRANKLIN County  
T12S R41E S19

SESW

13-07538  
12/8/1995





**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

December 13, 1995

CARIBOU NATIONAL FOREST  
FEDERAL BUILDING STE 282  
250 S 4TH AVE  
POCATELLO ID 83201

RE: Application No. 13-07537 & 13-07538

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is January 8, 1996, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

*Harold W. Jones*  
Harold W. Jones  
Water Right Supervisor

HWJ/rb  
enc.

MAP 2 6 1595



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

December 13, 1995

RICHARD P SMITH  
6883 E WILLIAMS CREEK  
THATCHER ID 83283

RE: Notice of Application for Permit No. 13-07538

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the applications in the Preston Citizen on December 21 & 28, 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 applications 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

DEC 15 1995

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