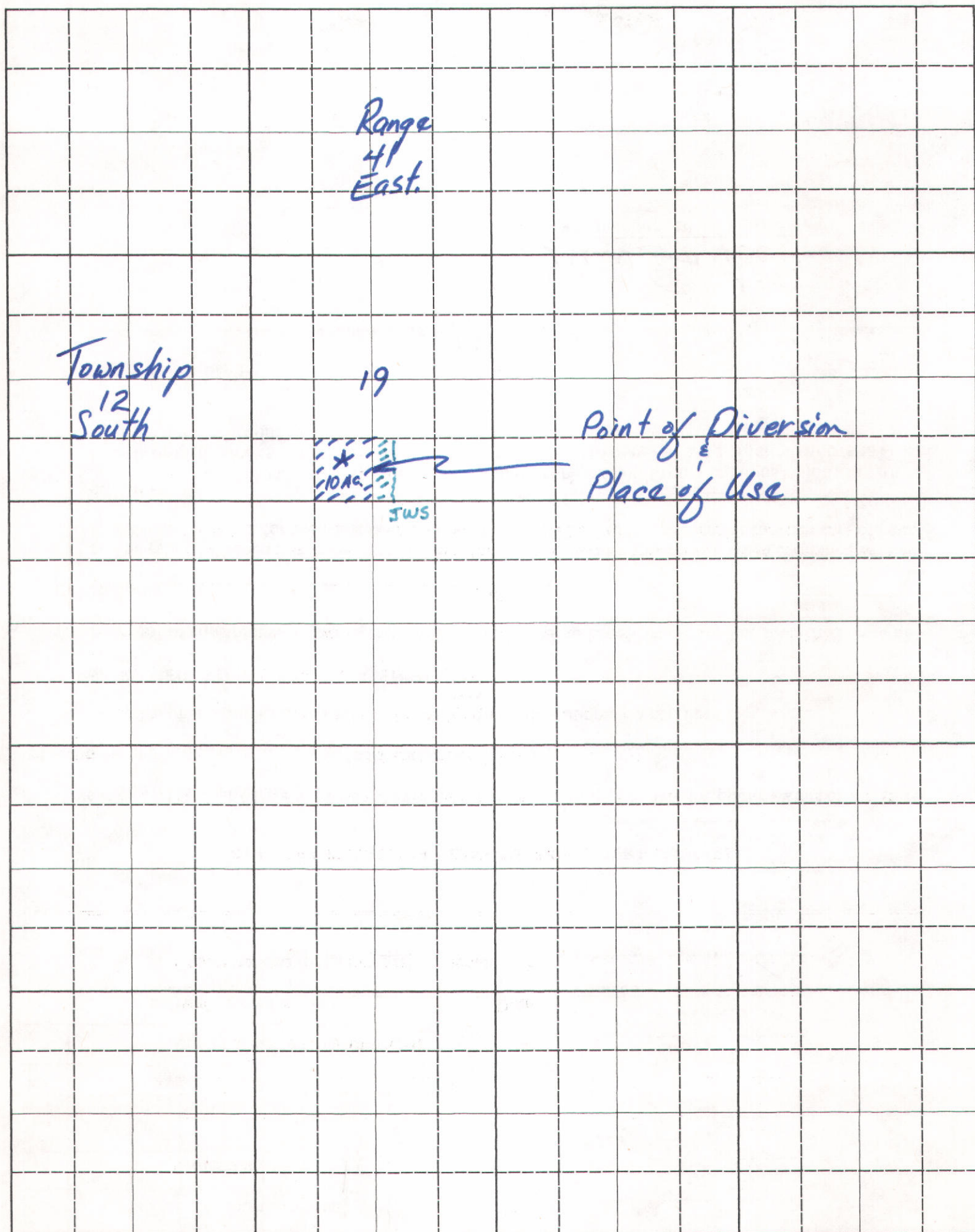


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

x Joseph W. Smith
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Joseph W. Smith Phone _____

Post office address 5058 S. 2200 W. Salt Lake City, Utah 84118

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

3. Location of point of diversion is SW 1/4 SE 1/4 JWS.
and SE 1/4 of SW 1/4 of Section 19 Township 12S

Range 41E B.M. Franklin County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .06 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .20 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. .26 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 when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8' inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW 1/4 & SE 1/4 JWS.
and SE 1/4 of SW 1/4 of Section 19 Township 12S

Range 41E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered Not Known at this time JWS.

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 2 homes.

(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated 10

c. Describe any other water rights used for the same purposes as described above. None

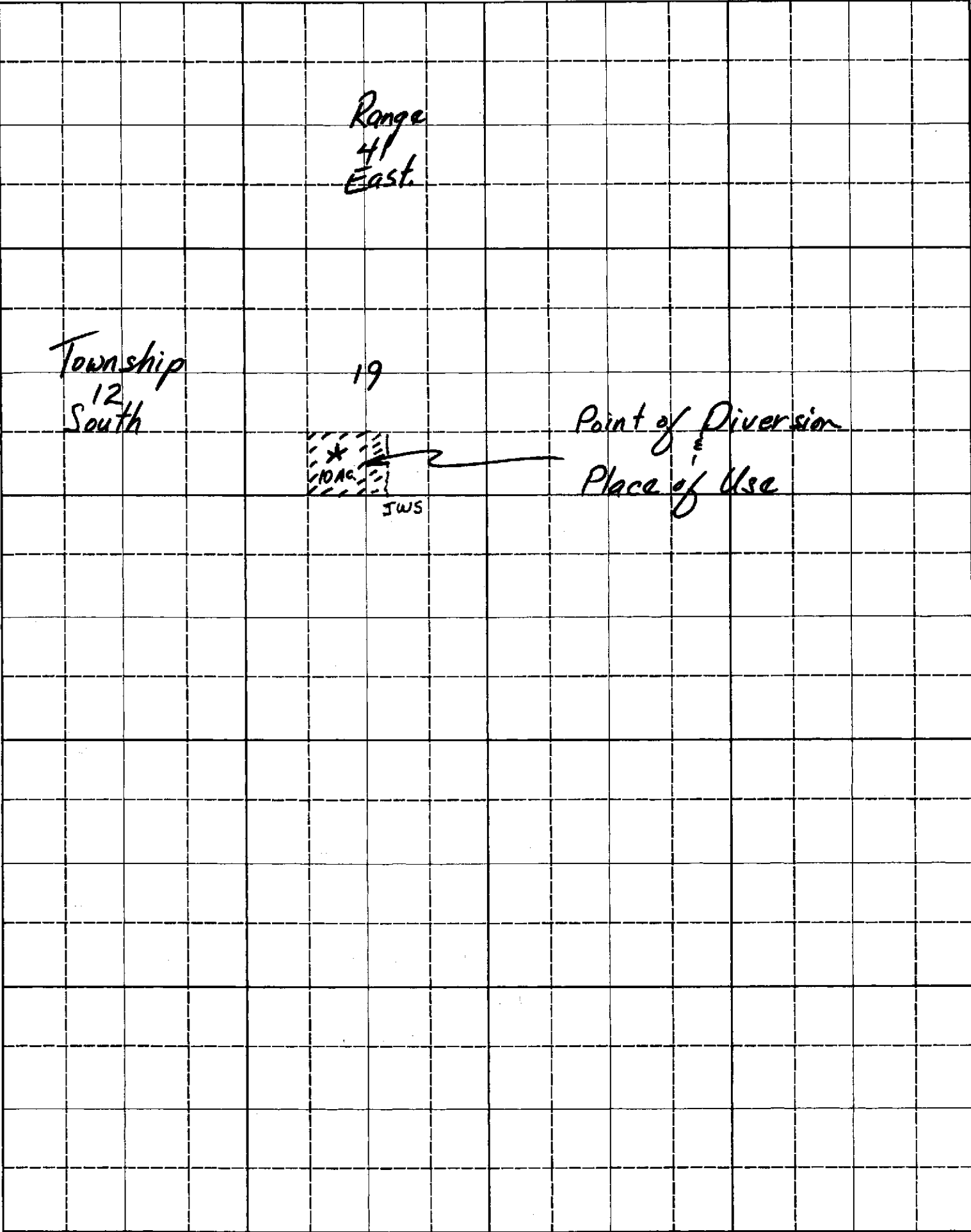
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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



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.

x Joseph W. Smith
(Applicant)

Proposed Priority 7/9/1982

Received by BP Date 7-9-82 Time 10:30am

Preliminary check by KCW Fee \$ 45.00

Receipted by BP Date 7-9-82 # 22379

Publication prepared by BP Date 7-15-82

Published in Preston Citizen

Publication dates 7-22 & 7-29-82

Publication approved KCW Date 8-9-82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC. RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 13-7365, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 10th day of September, 1982.

J. Glen Sayton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

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

July 22

, 1982, and ending

with the issue of July 29, 1982.

Fee \$ 22.50

Subscribed and sworn to before me this 31st day

of July, 1982

Ken O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

NOTICE OF APPLICATION FOR WATER RIGHT

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

13-7365

SMITH, JOSEPH W.
5058 S. 2200 W., SALT LAKE CITY,
UT 84118

Source: GROUNDWATER

Date Filed: 07/09/1982

Amount: 0.26 CFS

Diversion Point: SESW SWSE Sec 19
T 12S R 41E, FRANKLIN Co.

Use: IRRIGATION (0.20 CFS) from
04/01 to 11/01.

DOMESTIC: (0.06 CFS) from 01/01
to 12/31.

Place of Use: SESW SWSE Sec 19 T
12S R 41E FOR 10 ACRES

Diversion Means: WELL, PUMP &
SPRINKLER SYSTEM

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before AUGUST 9, 1982.

A. KENNETH DUNN
Director

Published 7/22 & 7/29/82.

Legal No. 1670 -36L- Published
July 22, 29, 1982.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 13 73 65
Name(s) of Permit Holder(s): Joseph W. Smith
Post Office Address: 5058 So 3200 W. SALT LAKE
City Utah 84118 Tel. No. 801-968-2189

☒ I hereby certify that construction of diversion works for the above referenced permit began on Nov. 17, 1982 . I understand that I must
(date)
continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

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

1 Dec 1982
Date

Joseph W. Smith
Signature of Permit Holder

Joseph W. Smith

5058 So. 2200 West

SALT LAKE City, Utah 84118



RECEIVED

DEC 10 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 21, 1987

STEVEN J. SMITH
6843 EAST WILLIAMS CREEK
THATCHER ID 83283

RE: Permit No. 13-7365

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

MICROFILMED

MAR 08 1988

RECEIVED

AUG 20 1987

STATE OF IDAHO

no incl.
Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by _____

Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 13-7365

Name(s) of Permit Holder: Steven J. Smith ✓

Post Office Address: 6843 East Williams Creek ✓

Telephone No. 427-6202

Source of Water: Well ✓

Extent of Use:

Domestic 1 (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .04 cts 18 gal/min acre-foot

Show the date water was first diverted and beneficially used under this permit: Nov. 1984

Measuring Device: Required? Yes No
Installed? Yes No

Fee enclosed \$ _____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes No
Installed? Yes No

Person to contact to accompany the Department representative during the field examination:

(Name)

(Telephone Number)

(Address)

The above information 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.

MICROFILMED

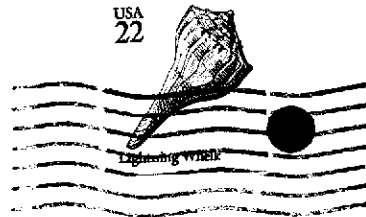
SEP 24 1987

Aug. 18, 1987
Date

Steven J. Smith (owner) ✓
Signature of Permit Holder (and title, if appropriate)

STEVEN J SMITH
6843 E WILLIAMS CR
THATCHER ID 83283

MICROFILMED
SEP 24 1987



Dept. of Water Resources
State house 450 W. State Street
Boise, Idaho 83720

138675
CERTIFIED MAIL
June 30, 1987

SMITH, JOSEPH W.
5058 S. 2200 W.
SALT LAKE CITY, UT 84118

PROOF DUE NOTICE

RE: Permit No. 13-7365

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 September 1, 1987. (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 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

SEP 24 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMITH, JOSEPH W.
5058 S. 2200 W.
SALT LAKE CITY, UT 84118

SEPTEMBER 28, 1982

RE: PERMIT NO. 13-7365

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS MUST BE STARTED WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED. THE PROJECT MUST THEN BE DILIGENTLY CONSTRUCTED UNTIL COMPLETED. TO MAINTAIN THE PERMIT IN A VALID STATUS YOU MUST COMPLETE AND RETURN THE ENCLOSED POSTCARD WHEN CONSTRUCTION IS COMMENCED, NO LATER THAN ONE YEAR FROM THE DATE OF APPROVAL OF THE PERMIT.

SINCERELY,

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

ENCLOSURE

RECEIVED

SEP 2 1982

Department of Water Resources

August 30, 1982

RE: Application for permit No. 13-7365
and letter dated August 25, 1982 asking for location
clarification of permit application.

Jim Johnson
Water Distribution Supervisor

Dear Mr. Johnson:

Thank you for your consideration of our application.

The approximate location of our well request is at least
600 feet from Williams creek and on a hill north of the draw
the creek is contained in. We will be at least 500 feet below
the level of the level of the source of the creek. The location
is also at least 500 feet up and away from the Bear River low
land and over 1600 feet from the river itself.

We plan to be between 750 feet and 850 feet north of the
south boundary of section 19 and between 1200 and 1250 feet
east of the west boundary of Section 19.

The old Williams house on the north east corner of Highway
34 and the Williams Creek road has had a hand dug well for
domestic use about 20 feet below the ground level of the house.
We understand the water is polluted.

We do not know where water levels are with good water
but wanted to go below that level. So, from the hill we plan to
dig on, we want to dig below 125 feet and perforate our casing
below that level at a level where good and sufficient water is
and where surface and seepage water can not reach.

Sincerely,

Joseph W. Smith

RECEIVED



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

August 26, 1982

RE: Application for Permit No. 13-7365

Joseph W. Smith
5058 S. 2200 W.
Salt Lake City, UT 84118

Dear Mr. Smith:

We are in receipt of your application for permit to appropriate 0.26 cfs of groundwater for domestic and irrigation purposes. Before the Department can approve your application it must be assured that the groundwater that you propose to use will not interfere with surface water flows of Williams Creek or the Bear River.

We therefore request that you provide us with additional information on your plans to locate and construct your well such as depth, non-perforated casing depth, distance from surface water streams, etc. Please provide this information within thirty (30) days.

If you have any questions, please let us know.

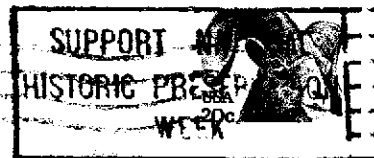
Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", is written over a horizontal line.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

Joseph W. Smith
5058 South 2200 West
Salt Lake City, Utah 84118



Mr. Jim Johnson
State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho

83720





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

August 26, 1982

RE: Application for Permit No. 13-7365

Joseph W. Smith
5058 S. 2200 W.
Salt Lake City, UT 84118

Dear Mr. Smith:

We are in receipt of your application for permit to appropriate 0.26 cfs of groundwater for domestic and irrigation purposes. Before the Department can approve your application it must be assured that the groundwater that you propose to use will not interfere with surface water flows of Williams Creek or the Bear River.

We therefore request that you provide us with additional information on your plans to locate and construct your well such as depth, non-perforated casing depth, distance from surface water streams, etc. Please provide this information within thirty (30) days.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:lw

DATE 8-25-82

FROM Jim

TO File

SUBJECT Well log review AND MAP REVIEW

I checked for well logs in the vicinity of the P/D $\pm$ P/4 per Glen's memo of 8-25-82. AND DID NOT FIND ANY WELLS THAT WERE WITHIN 2 miles. ~~■~~

The map review showed that Williams Cr. (trib. to Bear R.) ran close to the

SIGNATURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson APPLICATION NUMBER: 13 7365

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____

- ☒ Yes ☐ No In form for advertising.
☐ Yes ☒ No Final date for protests: Aug 9, 1982
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8-8-82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
7-9-82 Date of priority recommended.
Special conditions of approval or cover letter. _____

Code 26

By: Ernst Carlson Date: 8-20-82

STATE OFFICE REVIEW:

SLW/L12 26

- ☐ See attached sheet for more information.
By: Rogers Date: 8/25/82

ok to approve
No special conditions required
Jan. 9-3-82

RECEIVED

AUG 24 1982

Department of Water Resources

Recommend review by
hydrology to determine
if well construct
conditions are necessary.

~~on if~~ Enix

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 15, 1982

The Preston Citizen
P. O. Box 472
Preston, Idaho 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before AUGUST 9, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

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

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before AUGUST 9, 1982.

R. KENNETH DUNN

Director

Published 7/22 & 7/29/82.

13-2365

SMITH, JOSEPH W.

5058 S. 2200 W., SALT LAKE CITY, UT 84118

Source: GROUNDWATER

Date Filed: 07/09/1982

Amount: 0.26 CFS

Diversion Point: SESW SWSE Sec 19 T 12S R 41E, FRANKLIN Co.

Use: IRRIGATION	(0.20 CFS)	from 04/01 to 11/01
DOMESTIC	(0.06 CFS)	from 01/01 to 12/31

Place of Use: SESW SWSE Sec 19 T 12S R 41E FOR 10 ACRES

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM

June 29, 1982

Joseph W. Smith
5058 S. 2200 W.
Salt Lake City, UT 84118

Dear Mr. Smith:

Enclosed is an application for a permit to drill a well on your property in Thatcher, Idaho. Although I obtained the information during a telephone call with your wife, please carefully review the application to ensure that I have accurately described the project. If changes are necessary simply enter the correct data and initial the change.

When you are satisfied the application is in proper form, sign it where indicated and return it to this office. Included with the application should be a check for \$45.00 payable to the Department of Water Resources. This is the statutory filing and is used to cover advertising and processing costs.

As always feel free to contact me should you have any questions.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:bp

Enclosure