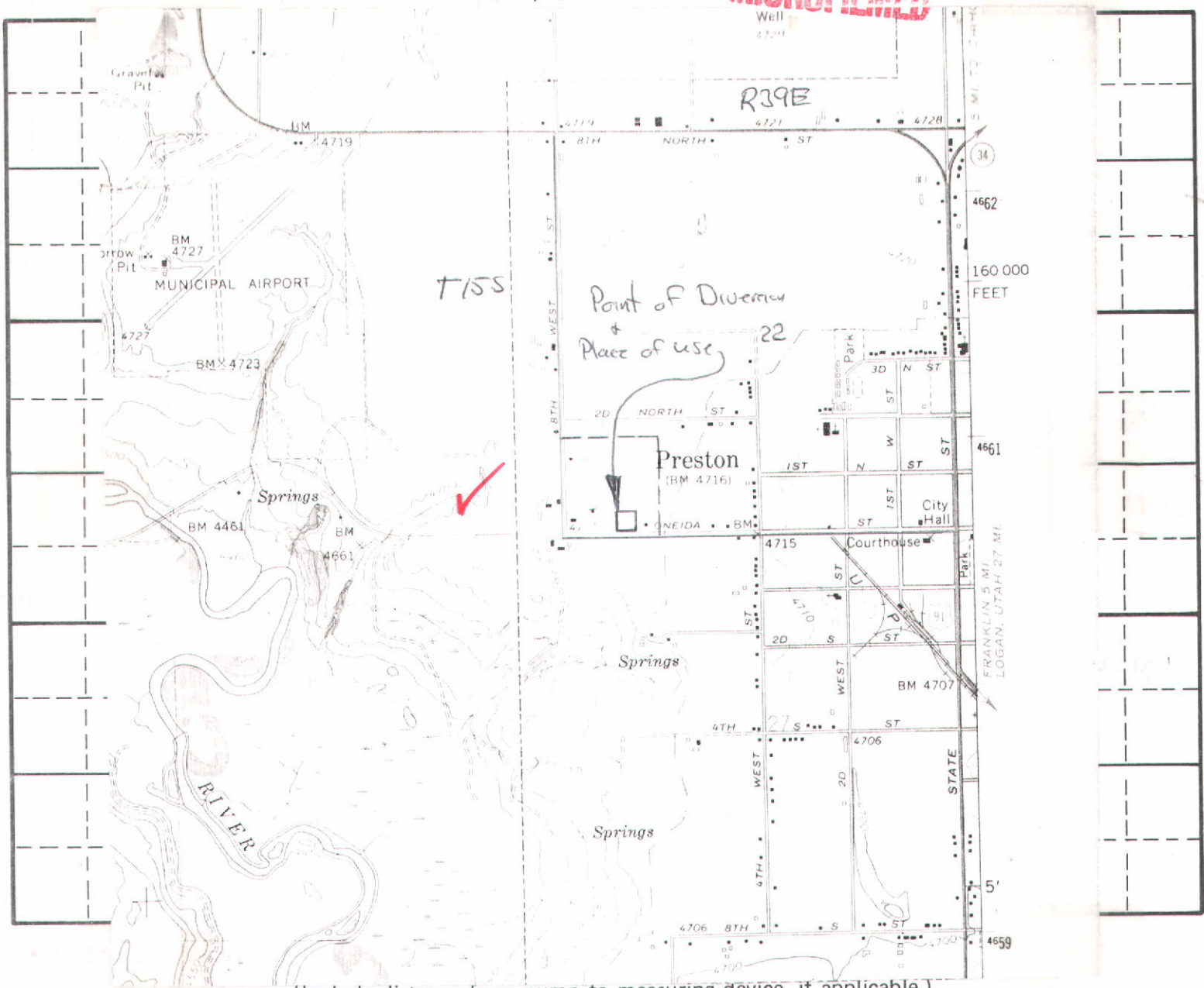
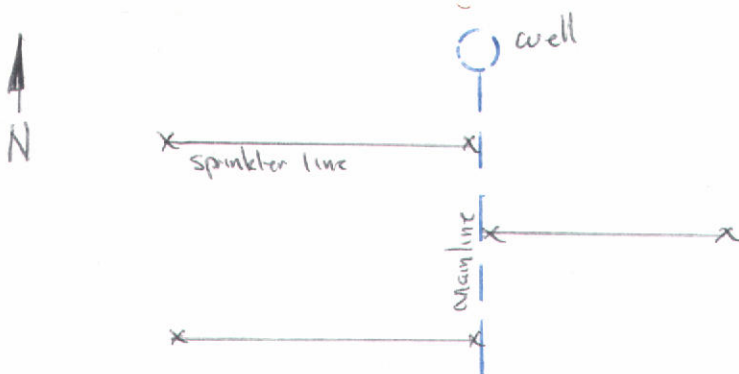




(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SW 1/4 SW 1/4 Sect. 22 T155 R39E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
155	39E	22											3						3 ✓

Recommended Amendments:

- ☒ Change P.D. as reflected above
☒ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

Examiner's Signature

John C. Wilson

Date

1-23-84

Checked by

Keith C. Wilson

Date

14 Nov 84

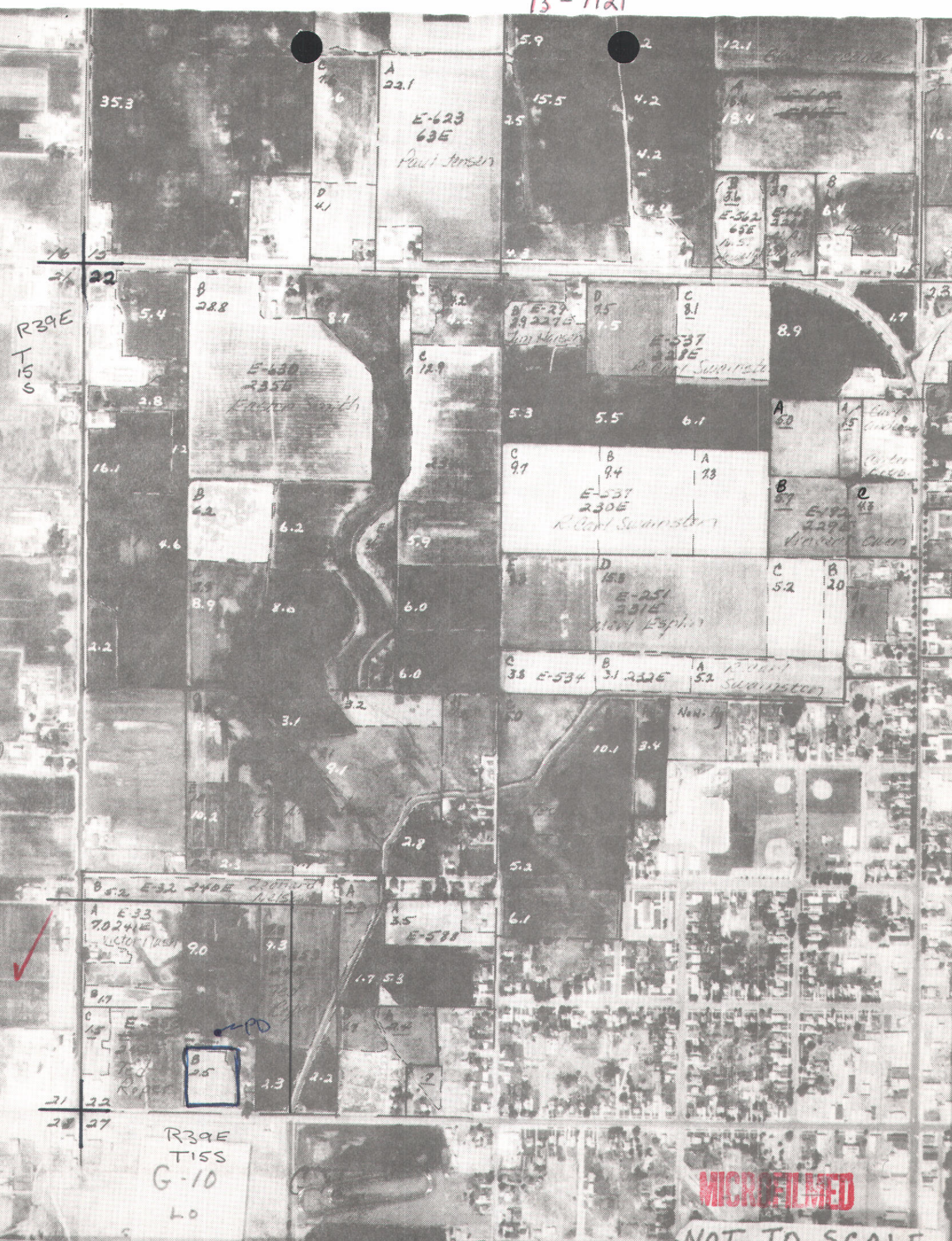
Approved by

K. Walker

Date

4-14-86

13-7121



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 13-7121 Priority September 30, 1975 Amount 0.09 cfs

THIS IS TO CERTIFY, that Luke G. Smith
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 13-7121 issued pursuant to Application for Permit dated September 30, 1975,
and has submitted proof to the Department of Water Resources on September 15, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.18 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.09</u> cfs and	<u>10.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.09 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
10.5 acre feet per year, said waters to be diverted within the SW1SW1 Section 22,
Twp 15S, Rge 39E in the County of Franklin

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	39E	22											3						3

Total number of acres irrigated 3

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of

April, 19 86

Acting for the Director



RECEIVED

APR 23 1986

Ident. No. 13-7121

STATE OF IDAHO

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)

APPROVED

Comes now Luke G. Smith Phone _____
of (address) Box 442 Preston, ID 83263, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 13-7121, and requests that the permit be changed as follows:

1a. Point of diversion: SW 1/4 SW 1/4, Section 22, Township 15S, Range 39E,
B.M., County of Franklin. Other points of diversion: _____

1b. Source: groundwater tributary to -----

2a. Period and nature of use:

Amount 0.09 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 0.09 cfs or 10.5 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	39E	22											3						3

Total number of acres to be irrigated = 3

4. Date of priority: September 30, 1975

MICROFILMED

MICROFILMED

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boston, this 21 day of April, 1986
Julio X. Smith (Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by SW Fee = \$20.00
Received by SW Date 4-23-86 # 37409

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby Approve the above Application for Amendment for Permit No. 13-7121.

Witness my hand this 29TH day of April, 1986.

Norm Cheney Acting for the Director

Identification No. 13 7121

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Luke G. Smith Phone: _____
post office address Box 442, Preston, Idaho 83263
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 15S
Range 39E B.M. Franklin County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.10 for Irrigation purpose from Apr. 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.10 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, sprinkler system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 6 inches; proposed depth of well is 422 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 11,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

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

[illegible]

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.

Lucretia Smith
(Applicant)

Proposed Priority 9-30-1975

Received by me Date 9-30-75 Time 12:00 pm

Preliminary check by me Fee \$ 10.00

Received by me Date 9-30-75 # 15436

Publication prepared by me Date 10-1-1975

Published in The Oregonian (Astoria)

Publication dates Oct. 9 + 16, 1975

Publication approved me Date 11-04-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by me

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. 13-7121, 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 November 1, 19 80.

c. Other: _____

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

Witness my hand this 5 day of November 19 75.

Director

AFFIDAVIT OF PUBLICATION

No. 10
RECEIVED
NOV 4 1975

STATE OF IDAHO, }
County of Franklin } ss.

Department of
Eas
Sources

Wayne D. Bell

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 *two* 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

October 9, 19*75*, and ending

with the issue of *October 16*, 19*75*

Wayne D. Bell

Fee \$ *11.84*

Subscribed and sworn to before me this *3* day

of *November*, 19*75*

Robert D. Liddell

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Luke G. Smith, Preston, Idaho, has on 9-30-75 submitted Application No. 13-7121 for a permit to appropriate 0.10 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 15S, R. 39E, B.M., Franklin County; to be used from Apr. 1 to Oct. 31 for the irrigation of 5 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 15S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before October 28, 1975.

R. KEITH HIGGINSON
Director

Published in The Preston Citizen, Preston, Idaho on October 9 and October 16, 1975.

Legal No. 10 — Pub. Oct. 9, 16, 1975.

March 19, 1986

RE: Permit No. 13-7121

Luke G. Smith
Box 442
Preston, ID 83263

Dear Mr. Smith:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 37609 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

RECEIVED
MAR 22 1986



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

April 16, 1986

RE: Permit No. 13-7121

Luke G. Smith

Box 442

Preston, ID 83263

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains all of the information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON

Water Rights Supervisor

JJ:sc

Enclosure

APR 16 1986
BOISE, IDAHO

REVISED

NOV 26 1984

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department of Water Resources

13-7121

Permit No. _____

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

☐ Appointment letter mailed:

☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 7-19-82

Accompanied by Luke Smith

Total Q measured

0.18cfs

If source is surface water, estimate total flow of source

Methods of measurement Pitot gauge

Meets Permit requirements?

Measurement calculations: $V = 3 \text{ acres} \times 2.5 \text{ acfs}$ $= 10.5 \text{ acfs}$ $V = 0.06 \text{ cfs} \times 1.9835 \times 213 \text{ days}$ $= 25.3$	Line #1 - 20 psi, 3/16 N, 6 birds = $4.69 \text{ spm} \times 66 = 28.14 \text{ spm}$ Line #2 - 20 psi, 3/16 N, 6 birds = $4.69 \text{ spm} \times 65 = 28.14 \text{ spm}$ Line #3 - 18 psi, 3/16 N, 6 birds = $4.45 \times 65 = 26.70 \text{ spm}$ $Q = A \sqrt{2gh}$	$3 \text{ acres} \times 0.02 \text{ ft} \times 0.06 \text{ cfs}$ 82.98 spm or 0.18 cfs
---	--	---

$$v = 0.09 \times 1.9835 \times 214 = 38.2 \text{ AF}$$

[illegible]

System Description well/pump-motor (submerged) to mainline and 3 handlines

**Code with map on reverse side. Disregard code if only one.*

214 days

RECOMMENDED AMOUNTS

USE

Irrigation

Irrigation requirement = 3.5 AFA/Acre

Q (cfs)

V (afa)

FROM

TO

~~0.206~~
0.09

10.5 ✓

4-1

~~SECRET~~
$$\text{allow. } 0.3 \times 3 \text{ ac} = 0.09 \text{ cfs}$$

Total

0.09 cfs

10.5 AF

Remarks PD & POA need to be amended. ~~No overlapping rights~~

REFERENCES

Examiner's Signature

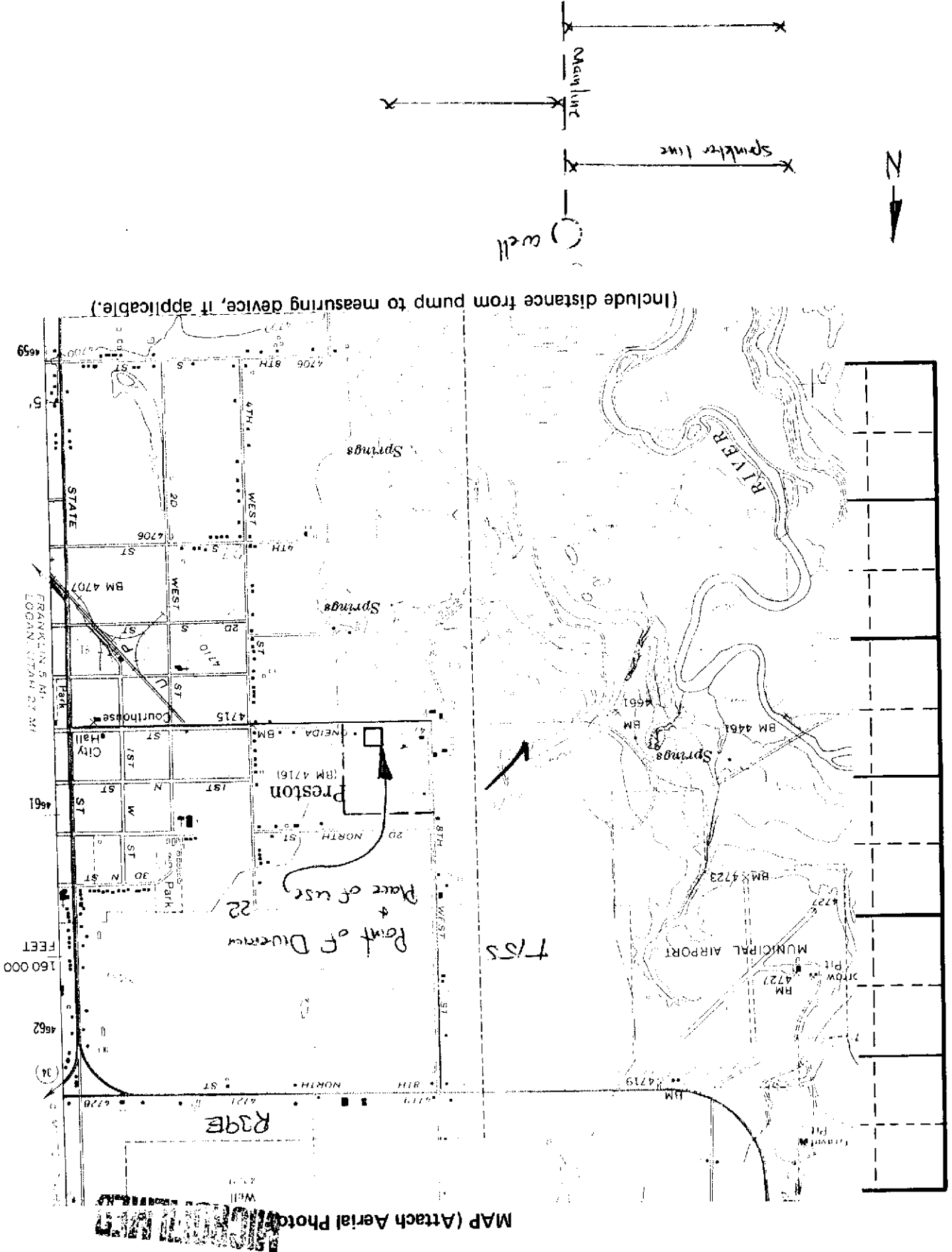
Date _____

78-10471
78-10471

☒ Change P.D. as reflected above

Place(s) of Use

Sw1/4 SW1/4 Sec. 22 T15S R39E



R39E
TISS
G-10
LO

MICROFILMED
NOT TO SCALE

TEST NO. 13-7121

(Name) Smith

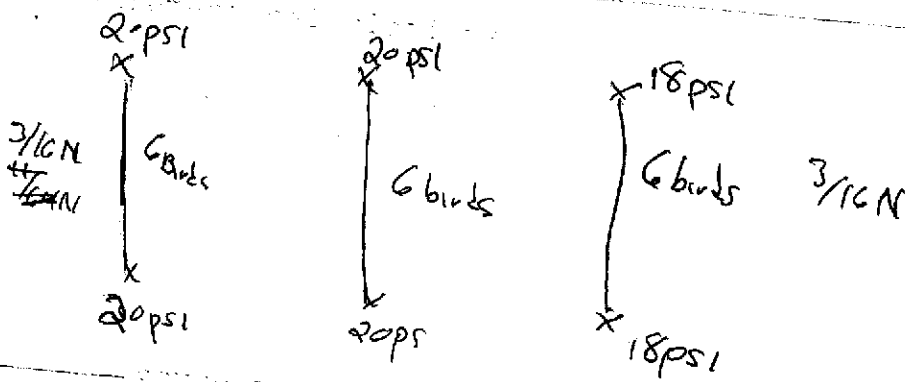
EXAMINATION: DATE: 7-19-82 Accompanied by: Mr. Smith

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
	15			

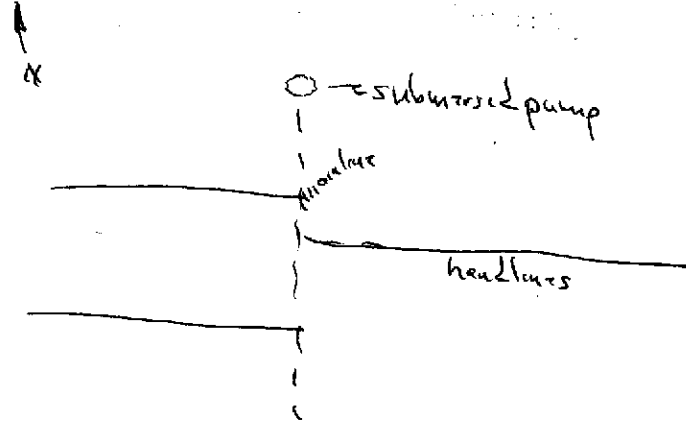
Measuring Device Type: Pitot gauge

Meter # Annubar # Size #

Remarks:



EXPLANATION OF DIAGRAM



MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

October 22, 1980

RE: Permit No. 13-7121

Luke A. Smith
Box 442
Preston, Idaho 83263

Dear Mr. Smith

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

GERALD F. RAMSEY
Water Basin Leader

cc: IDWR - State Office

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 13-7121

Name(s) of Permit Holder: Luke A Smith

Post Office Address: Box 442

Breton Idaho 83263 Tel. No. _____

Source of Water: _____

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 10 (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

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

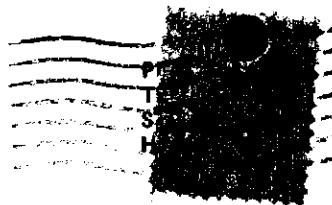
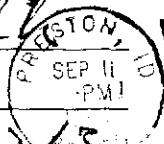
1-5-80

Date

Luke A Smith

Signature of Permit Holder

Luke S Smith
Box 442
Preston Idaho 83263



Department of Water Resources

SEP 15 1980

RECEIVED



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

SMITH, LUKE G.
P.O. BOX 442
PRESTON, ID 83263

108421

AUGUST 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 13-7121 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

RECEIVED

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORTState law requires that this report be filed with the Director, Department of Water Administration within 30
days after the completion or abandonment of the well.

SEP 21 1975

1. WELL OWNER

Name Grant SmithAddress Preston IdahoOwner's Permit No. 13-7121

7. WATER LEVEL

Department of Water Resources
Eastern District OfficeStatic water level 195 feet below land surfaceFlowing? ☐ Yes ☐ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☐ Cable ☒ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 8 3/4 inches Total depth 422 feetCasing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>1 1/4</u> inches	<u>6 5/8</u> inches	<u>+ 1</u> feet	<u>422</u> feet

Was a packer or seal used? ☐ Yes ☒ NoPerforated? ☒ Yes ☐ NoHow perforated? ☒ Factory ☐ Knife ☐ TorchSize of perforation 1/8 inches by 3 inches

Number	From	To
<u>320</u> perforations	<u>382</u> feet	<u>422</u> feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

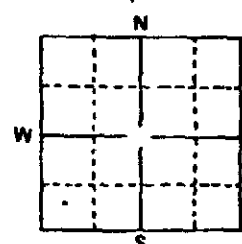
Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 2' Material used in seal ☐ Cement grout☒ Pudding clay ☐ Well cuttingsSealing procedure used ☐ Sherry pit ☐ Temporary surface casing☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County FranklinS/W 1/4 S/W 1/4 Sec. 22 T. 15 S. R. 39 E.

10.

Work started Sept. 3, 1975 finished Sept. 15, 1975

11. DRILLERS CERTIFICATION

Firm Name Ivan Berts Firm No. 51Address Grace, Idaho Box 86 83241 Date _____Signed by (Firm Official) Ivan Bertsand
(Operator) Ivan Berts

November 7, 1975

Re: Permit No. 13-7121

Luke G. Smith
Box 442
Preston, ID 83263

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Permit No. 13-7121. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

13-7121

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Smith

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

LH 9-30-75

(1) " "

In form to receipt yes

(2) " "

Send Copies to:

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

(3) " "

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

(4) " "

In form for advertising yes

(5) " "

Platted on Map No. "

(6) " "

Located within Water District No. NA

(7) " "

Critical groundwater area: yes " no ☒

(8) " "

Groundwater levels:

" Declining, ☒ Stable, " Increasing

(comment) Ref Obs Well ISS 37E 23666

(9) " "

Other rights on the same place of use NO

(10) " "

Comments: No other G.W. rights on plat.

(11) me 11-4-75

Affidavit of Publication received(date) 11-04-1975

(12) Jaf 10/28/75

Final date for protests October 28, 1975
Protests received: yes " no ☒

(13) " 11/4/75

All requested information received from agencies or applicant: yes ☒ no "

(14) " "

Action recommended:

☒ Approve

RECEIVED
NOV " Deny

9/30/75 Proposed Priority

Department of Water Resources

" Reason for Reduction "

NO Measuring device required

" See attached sheet for other conditions of approval

" No special conditions for approval

(15) District Eastern

By Lynne Johnson Date 11/4/75

copy
AL

October 28, 1975

RE: Application for Permit No. 13-7121 SMITH

Claim to a Water Right No. 13-4030 CARTER

Application for Exchange 13-4030 CARTER

The PRESTON CITIZEN
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on October 9 and October 16, 1975.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:CW

October 1, 1975

RE: Application for Permit No. 13-7121

Luke G. Smith
Box 442
Preston, Idaho 83263

Dear Mr. Smith:

Attached herewith is Departmental receipt No. 15436 in the amount of \$10.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:ME

Attachment

September 30, 1975

RE: Application for Permit No. 13-7121

The Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:ME

Legal Notice (1)

Bill submitted 11-04-1975 by lme
called 11-03-75

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that

Luke G. Smith, Preston, Idaho, has on 9-30-75 submitted Application No. 13-7121 for a permit to appropriate 0.10 cubic feet per second of water from a ground-water source by means of well and pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 15S, R. 39E, B.M., Franklin County; to be used from Apr. 1 to Oct. 31 for the irrigation of 5 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 15S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before October 28, 1975.

R. KEITH HIGGINSON
Director

Published in The Preston Citizen, Preston, Idaho on October 9 and October 16, 1975.

Legal No. 10 — Pub. Oct. 9, 16, 1975.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Luke G. Smith,
Preston, Idaho

has on 9-30-75 submitted Application No. 13-7121
for a permit to appropriate 0.10 cubic feet per second ~~2000 feet per annum~~
of water from a ground-water source
by means of well and pump
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 15S, R. 39E, B.M., Franklin County;

to be used from April 1 to Oct 31
for the irrigation of 5 acres

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 15S, R. 39E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
October 28, 1975.

R. KEITH HIGGINSON

Director

Published in the The Preston Citizen, Preston, Idaho
on October 9 and October 16, 1975.

*aw-A.
aw-A.
aw-A.*

September 26, 1975

Mr. Luke G. Smith
Box 442
Preston, Idaho 83263

Dear Mr. Smith:

Please find enclosed your application for permit, your Check No. 97-76 in the amount of \$25.00, and a fresh copy we have completed from the information you provided.

We are returning your application because the Idaho Code allows a maximum diversion rate of 0.02 c.f.s. per acre unless the applicant can provide adequate justification that a larger amount is required. It seems quite unlikely with the sprinkler irrigation system that you would need or could justify ten times the statutory diversion rate.

Please review the typed copy that we have submitted for correctness, and if it meets with your approval, sign and return it to this office with the statutory filing fee of \$10.00

Please note on the application you submitted, you show five acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22 on the plat on Item 8b, but your map indicates the point of diversion to be in the SW $\frac{1}{4}$ SW $\frac{1}{4}$. On the copy we have prepared, we assumed the information in Item 8b to be correct.

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

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:cw

Attachment: Ck. No. 97-76

Enclosures