



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Bear Lake

ss.

Loren W. Thompson
being duly sworn,

deposes and says:

That he is the *publisher* of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; 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 and 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

May 5, 19*77*, and ending
with the issue of *May 12*, 19*77*

Fees, *12.28*

Subscribed and sworn to before me this *7* day
of *June*, 19*77*

Nanda L. Thompson
Notary Public, Residing at Montpelier, Idaho

My Commission Expires *March 13*, 19*79*

RECEIVED

JUN 10 1977

Department of Water Resources
Eastern District Office

LEGAL NOTICES

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that K. D. Smith, Salt Lake City, Utah has on 4-22-77 submitted Application No. 11-7115 for a permit to appropriate 0.20 cubic feet per second of water from a ground-water source by means of well and pump within the NW¼SE¼, Sec 27, T. 16S, R. 43E, B.M., Bear Lake County; to be used from Jan. 1 to Dec. 31 for domestic purposes for 30 families within the NW¼SE¼, Sec 27, T. 16S, R. 43E, 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 May 23, 1977.

C. STEPHEN ALLRED
Director

Published in The News Examiner, Montpelier, Idaho on May 5 and May 12, 1977.
M5-12



STATE OF IDAHO

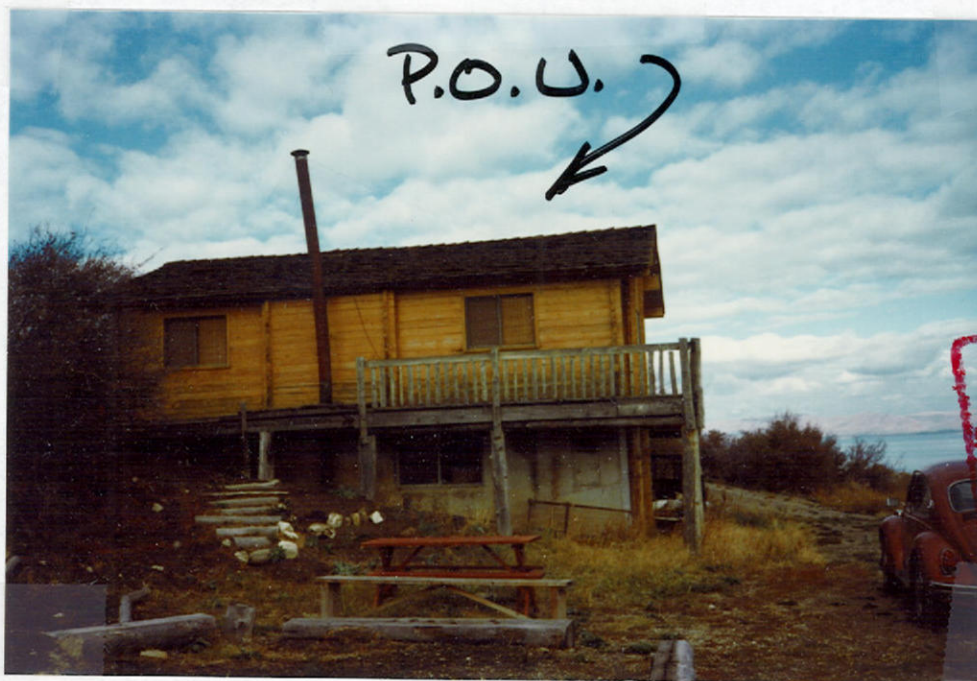
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

11-7115

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



MAR 02 1990
MICROFILMED

16S
43E

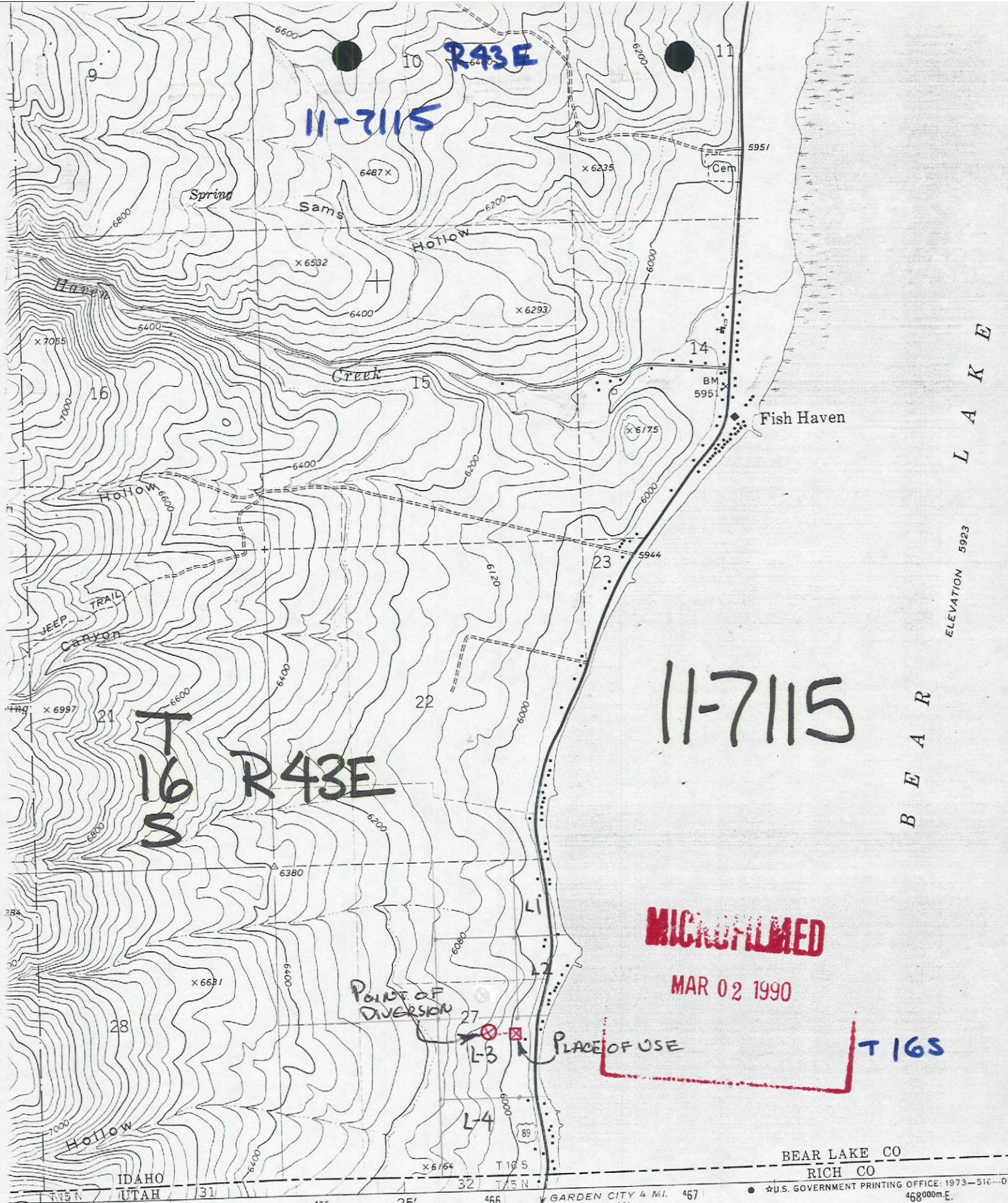
25

BEAR
LAKE

NOT FILMED

MAR 02 1990

21 1157c



IDAHO
UTAH
3767 IV NW
SCALE 1:24 000
0 3000 4000 5000 6000 7000 FEET
0 1 KILOMETER

MICROFILMED
MAR 02 1990

BEAR LAKE CO
RICH CO
GARDEN CITY 4 MI. 467
LOGAN 44 MI.

ROAD CLASSIFICATION
Primary highway, hard surface
Secondary highway, hard surface
Light-duty road, hard improved surface
Unimproved road

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 11-07115

Priority: April 5, 1977

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume:¹ 1.2 AF

This is to certify, that K. D. SMITH
4001 SATURN AVE.

SALT LAKE CITY, UT 84117 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 5, 1977; and has submitted Proof of Beneficial Use on July 29, 1986. An examination indicates that the works have a diversion capacity of .230 cfs of water from a **GROUNDWATER** 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	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 3(NWSE), Sec. 27, Township 16S, Range 43E
BEAR LAKE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

16S 43E 27 LOT 3(NWSE)

CONDITIONS/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. Domestic use is for 1 home.

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 13TH day of FEBRUARY, 1990.

MICROFILMED

MAR 02 1990

Acting for R. Keith Higginson, Director

RECEIVED MAR 8 1982

Form 204
3/81

For Office Use Only	
Fee Received	<i>lw</i>
Date	<i>5-5-82</i>
Receipt #	<i>#22245</i>

MAY 5 1982

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

MAY 10 1982

Department of Water Resources

Kay D. Smith

4001 Saturn Ave., Salt Lake City

(Name)

(Address)

State of Utah, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 117115

That under the terms and conditions of said permit, work thereunder was required to be completed on or before August 1, 19 82.

That he has heretofore performed the following work described under said permit: Contracted with

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

Forsgren-Perkins Engineering to locate well, develop well into a
water system and provide other assistance as required to get the
permit accepted by the State of Idaho

Costing \$ 500.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

The exact location of the well is going to depend on the outcome of
the Bear Lake West, Inc., bankruptcy which is currently in court. If

Bear Lake West liquidates, the well will have a different location than
if they are successful in reorganization. Rather than putting the well
in the wrong location and have to design around it, I am requesting a
time extension.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to August 1, 19 86.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Kay D. Smith

(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to August 1, 1986.

Signed this 19th day of May, 19 82.

A. Glen Saxton

Chief, Operations Bureau

MICROFILMED

Identification No. _____

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 K. D. Smith Phone: 801-277-9347
post office address 4001 Saturn Avenue, Salt Lake City, Utah 84117
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 16S
Range 43E B.M. Bear Lake 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 0.20 for Domestic purpose from Jan. 1 to Dec. 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. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well and pump

- 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 8 inches; proposed depth of well is 150 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 \$ 1500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 16S
Range 43E 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 30.
(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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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 Smith Brothers, a partnership
 b. Who owns the land to be irrigated or place of use Smith Brothers, a partnership
 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 The contemplated development will initially contain a single cabin with 4-5 bedrooms, containing approximately 2,000 sq. feet. Later (estimated at 5-10 years) the development will be expanded to contain as many as 30 additional cabins housing 4-5 people per cabin.

In order to save well drilling costs we are requesting a well which will handle the final development of 30 cabins even though the initial development will be for a single cabin.

There will be no waste water returned to the streams.

The well driller has not been selected but will probably be a local driller from Bear Lake County, Idaho or Logan, Utah.

Proposed Priority 4/ 5/77

Received by CW Date 4-22-77 Time 11:00 A
Preliminary check by LF Fee \$ 10.00
Receipted by CW Date 4-22-77 # 6558
Publication prepared by CW Date 4-29-77
Published in News Examiner
Publication dates May 5 + 12 - 1977
Publication approved me Date June 13, 1977
Priority reduced to _____ Reason _____

Protests filed by: Utah Power & Light

Copies of protests forwarded by CW
Hearing held by _____ Date _____
Recommended for approval denial by DC jo

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

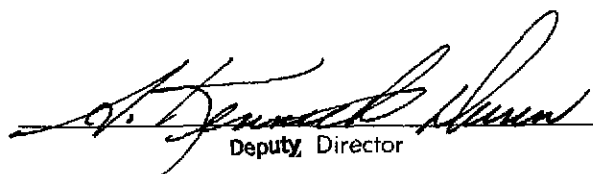
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 11-7115, and said application is hereby APPROVED.

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 August 1, 19 82.
- c. Other: _____

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

Witness my hand this 10 day of August, 19 77.


Deputy Director

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 10 1977

Department of Water Resources
Eastern District Office

STATE OF IDAHO,
County of Bear Lake

ss.

Loren W. Thompson
being duly sworn,

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May 5, 19*77*, and ending

with the issue of *May 12*, 19*77*

Fees, *12.28*

Subscribed and sworn to before me this *7* day

of *June*, 19*77*

Nanda L. Thompson

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *March 13*, 19*79*

LEGAL NOTICES

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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 May 23, 1977.

C. STEPHEN ALLRED

Director

Published in The News Examiner, Montpelier, Idaho on May 5 and May 12, 1977.

M5-12

February 14, 1990

K. D. SMITH
4001 SATURN AVE.
SALT LAKE CITY, UT 84117

RE: PERMIT NO. 11-07115

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 02 1990

January 18, 1990

K. D. SMITH
4001 SATURN AVE.
SALT LAKE CITY, UT 84117

RE: PERMIT NO. 11-07115

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 02 1990

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT			LT	#SOURCE	#NAME
				1\4	1\4	1\4			
1107115	16S	43E	27	NW	SE			GROUNDWATER	SMITH, K. D.

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MAR 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

11-7115
Permit No.

EQ 11/86

RECEIVED

DEC 14 1987

A. Prior to Conducting the Exam, the File Contains:

- ☐ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval of Department of Water Resources
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index HWS 3-25-87 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☒ Other: Check permit 11-7116 (Lapsed)

Check of P/U index HWS 3-25-87 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☒ Other: Check Permit 11-7116 - Lapsed

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 14-Oct-1987 EW (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent EW 11-24-87 (Initial and date)

Exam Reviewed by Manager of Regional Office SM 12-1-87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 11-7115

1. Owner: K.D. SMITH Phone No. 801-277-9347

Current Address: 4001 SATURN AVE., SALT LAKE CITY, UT. 84117

2. Accompanied by: A.S. Powell EXAM. DATE: 14-OCT-1987

Address: PARIS, ID. 83261 Phone No. 945-2246

Relationship to Permit Holder: BROTHER IN-LAW

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE 11-7116 Lapsed

☐ Copies Attached

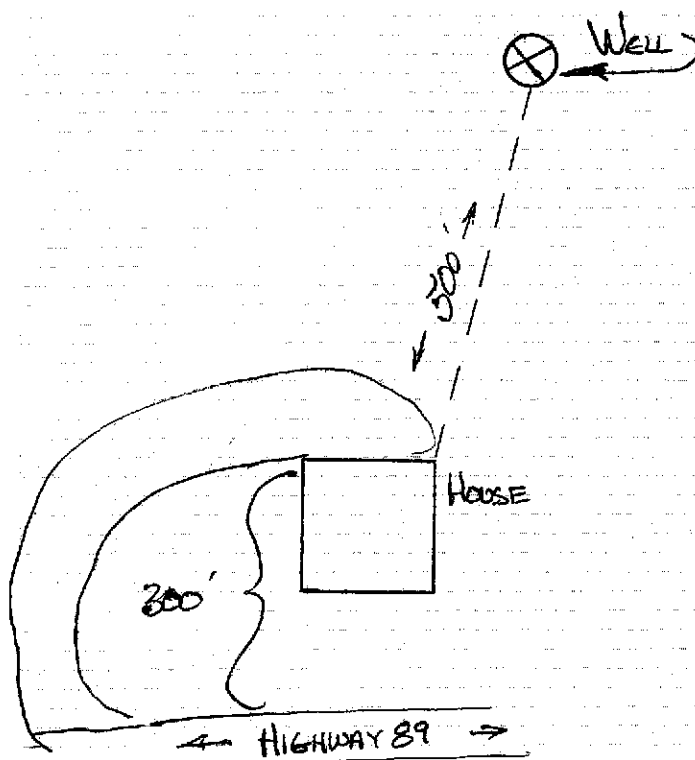
2. Other water rights with same point of diversion: NONE 11-7116 Lapsed

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = 1/2 Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THIS WELL IS DESIGNED TO SUPPLY WATER TO ~30 HOMES IN A SUBDIVISION. AT THE TIME OF THIS EXAM THE SUBDIVISION HAD NOT BEEN PLATED NOR WERE ANY WATER LINES DEVELOPED TO PROPOSED LOTS. THE WELL AT THIS TIME IS HOOKED INTO A SINGLE HOUSE OWNED BY THE APPLICANT. THE HOME IS USED AS A ~~WINTER~~ VACATION HOUSE BY THE APPLICANTS FAMILY.

RECOMMEND LICENSING AS SINGLE FAMILY DOMESTIC USE. I CONTACTED OWNER AND SUGGESTED HE REFILE APP. WHEN HE

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	N/A	5.0	N/A	N/A	

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	3		NW	SE	27	16S	43E	BEAR LAKE	USGS/ON SITE

6. **Place(s) of Use:**

Indicate Method of Determination

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	
16S	43E	27														D			
																L3			

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MAR 02 1990

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

THEORETICAL: $H =$ (ASSUMED FROM NEARBY NEIGHBORING WELLS) STATIC @ 50'
 $P_s = 45$
 $HP = 5.0$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

THEOR. $Q = \frac{(HP)(8.814)(E)}{H + P_s(2.308)} = \frac{(5.0)(8.814)(.80)}{50' + 45(2.308)} = 0.23 \text{ cfs}$

2. Alternate Method for Checking Purposes:

Q limited to 0.04 cfs for single family domestic.

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Allow 1.2 afa for single family domestic (includes yard watering).

NOT RECORDED

MAR 02 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

PLANS ON GOING AHEAD W/ THE DEVELOPMENT.

AT THE TIME I DID EXAM THE HOME WAS LOCKED AND MR. POWELL DID NOT HAVE A KEY. I WAS NOT ABLE TO GET PUMP SERIAL No. 3 ETC...

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic (unit)	4/1	12/31	0.04cfs	1.2 AFA
Totals:			0.04cfs	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

J. AUTHENTICATION

Field Examiner's Name ERIC SVERNER
Signature Eric Sverner
Certification Date 1-Dec-1987
Field Report Preparation Date 24-Nov-1987

Steve McClure

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JDM 8/10/89

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MAR 02 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

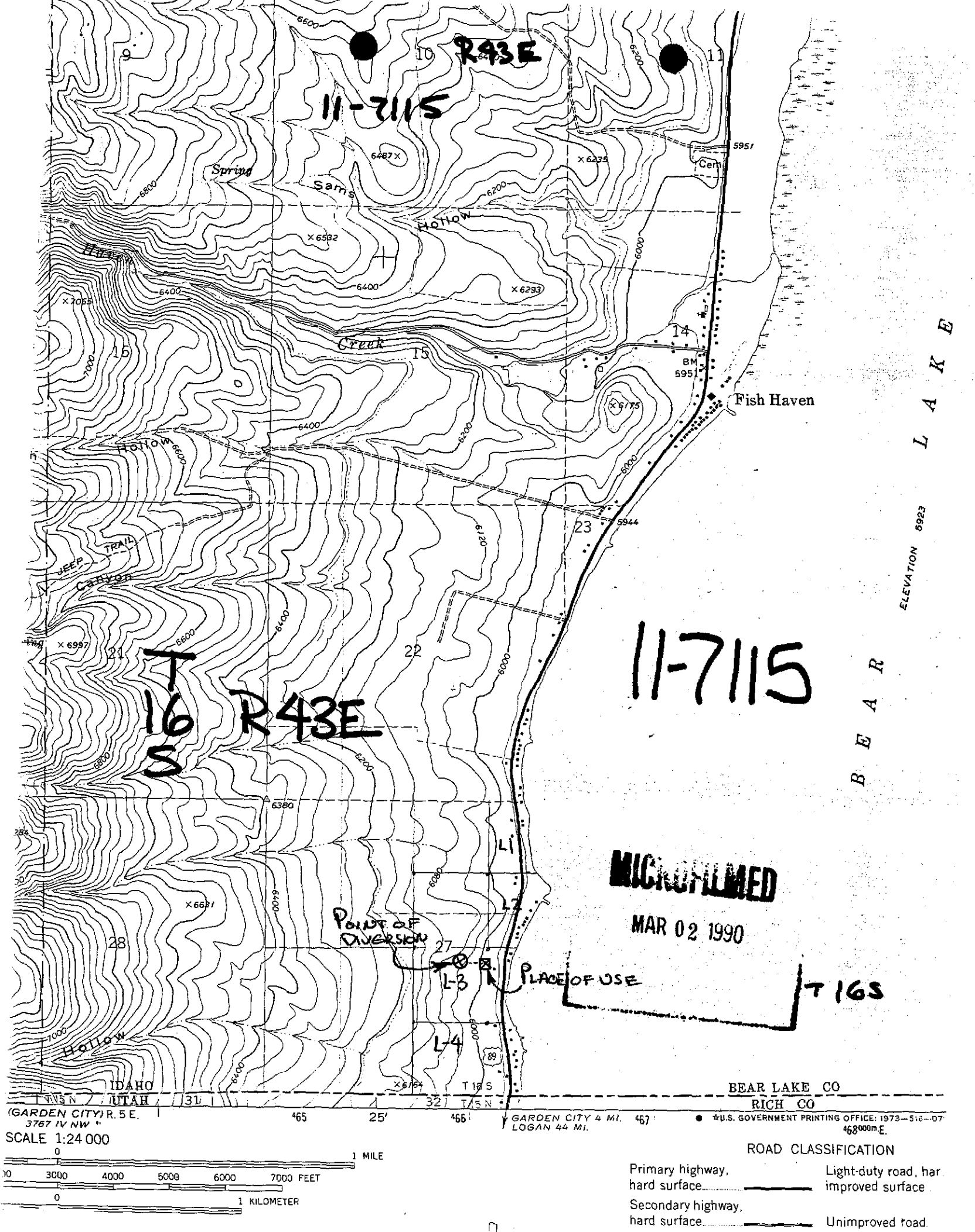
A. Kenneth Dunn
Director

11-7115

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



MICROFILMED
MAR 02 1990



- T H E U F I D H H U
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

NOVEMBER 3, 1985

K.D. SMITH
4001 SATURN AVENUE
SALT LAKE CITY UT 84124

RE: Permit No. 11-7115

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 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 11-7115
Name(s) of Permit Holder(s): Kay D. Smith
Post Office Address: 4001 Saturn Av.
Salt Lake City, Utah 84117 Tel. No. 801-277-9347

☐ I hereby certify that construction of diversion works on the above referenced permit began on _____ I understand that I must 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:
Surveying for the well has been complete.
Present litigation prevents development of the project.

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

7/13/82
Date

Kay D. Smith
Signature of Permit Holder

L.D. Smith

4001 Saturn Ave.

Salt Lake City, Ut. ~~84117~~ 84117

MICROFILMED

MAR 02 1990



RECEIVED

JUL 16 1982

**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

THE BARRYMORES



Performing Arts USA 20c

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
MAY 31, 1986

SMITH, K. D.
4001 SATURN AVE.
SALT LAKE CITY, UT 84117

138669

PROOF DUE NOTICE

RE: PERMIT NO. 11-7115

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 AUGUST 1, 1986. (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. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

RECEIVED

JUL 29 1986

For Office Use Only
Fee Received 50.00
Date 7-29-86
Receipt # 38864
Receipt by JD
Reviewed by JD
Sent to region 18-14-86

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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. 11-7115

Name(s) of Permit Holder: K.D. Smith

Post Office Address: 4001 Saturn Av., Salt Lake City, Utah 84124

Telephone No. 801-277-9347

Source of Water: Deep Well

Extent of Use:

Domestic 30 (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.20 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 7/12/86

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ 50.00
(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:

K.D. Smith 801-277-9347
(Name) (Telephone Number)

4001 Saturn Av., Salt Lake City Ut. 84124
(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.

7/26/86
Date

K.D. Smith Partner -- Smith Family
Signature of Permit Holder (and title, if appropriate)

MICROFILMED

9/78

IDENT. NO.

IDENT. NO. 11-7115

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

Initials	Date	Item
		Original form entered
		Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
DW	2/20/79	KT
JS	11-15-83	Verified

June 8, 1982

Mr. Kay D. Smith
4001 Saturn Avenue
Salt Lake City, UT 84117

Dear Mr. Smith:

Re: Permit No. 11-7115

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to August 1, 1986.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosure

RECORDED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

May 6, 1982

RE: Extension #'s 11-7115 & 11-7116

Kay D. Smith
4001 Saturn Ave.
Salt Lake City, Utah 84117

Dear Mr. Smith:

Attached herewith is Departmental receipt numbers, #22244 and 22245 both in the amount of \$15.00 for the above referenced applications.

Very truly yours,

BARBARA L. POWERS
Secretary

Attachments

STATE OF IDAHO
Department of Water Resources

Nº 22244

22245

Boise, Idaho, May 6, 1982

RECEIVED FROM Kay D. Smith of Salt Lake City, Ut. \$ 15.00
Fifteen Dollars and 00/100's DOLLARS

Ut. 15.00
DOLLARS

FOR		
Extension	\$ 15	00
	\$	
	\$	
	\$	
TOTAL	\$	

Barbara L. Powers

Powers

MICROFILMED

UTAH POWER & LIGHT COMPANY

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

LEGAL OFFICERS
SIDNEY G. BAUCOM
SENIOR VICE PRESIDENT
AND
GENERAL COUNSEL

July 7, 1977

RECEIVED

JUL 8 1977

Department of Water Resources
Eastern District Office

ROBERT GORDON
350-3214
THOMAS W. FORSGREN
350-3213
VERL R. TOPHAM
350-3650
SAM F. CHAMBERLAIN
350-3825
ROSEMARY RICHARDSON
350-3786
MARY STIRK
LEGAL ASSISTANT
350-3217

Mr. Ronald D. Carlson
Supervisor
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Mr. Carlson:

Enclosed please find Withdrawals of Protest concerning ground water applications previously filed with your Department. With regard to applications for other than ground water, I agree with your language in your June 16, 1977 letter in which you state, "If water is available, the statutes require the Department to issue a permit. If it is not available, then the permit must be denied or approved with conditions to protect prior existing water rights." I don't think there is any question but that the Bear River is fully appropriated and that there is no water which could be the subject of a new permit. As support for this conclusion, I would refer you to the Watermaster's Report on Flow and Diversion for Idaho District II. If you wish us to supply you with this report, we will be pleased to do so. In light of the above, we would respectfully submit that applications for surface water in the subject area be denied.

Thank you for your cooperation in this matter.

Very truly yours,

Thomas W. Forsgren
THOMAS W. FORSGREN

TWF:mb

ENCLOSURE

RECEIVED

JUL 8 1977

Department of Water Resources
Eastern District Office

IN THE OFFICE OF THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE APPLICATION)
OF K. D. SMITH TO DIVERT 0.20)
C.F.S. OF WATER FROM A GROUND-)
WATER SOURCE BY MEANS OF WELL)
AND PUMP LOCATED IN BEAR LAKE)
COUNTY, IDAHO.)

APPLICATION NO. 11-7115)

WITHDRAWAL OF PROTEST
OF
UTAH POWER & LIGHT COMPANY

COMES NOW the Protestant, Utah Power & Light Company,
and hereby withdraws its protest filed in the above matter with
the understanding that the permit issued by the Department of
Water Resources will be issued subject to prior rights.

DATED this 7th day of July, 1977.

SIDNEY G. BAUCOM
THOMAS W. FORSGREN

By

Thomas W. Forsgren
Attorneys for Protestant
Utah Power & Light Company
1407 West North Temple
Salt Lake City, Utah 84116

MICROFILMED

August 11, 1977

Re: Permit Nos. 11-7115 and 11-7116

K. D. Smith
4001 Saturn Avenue
Salt Lake City, UT 84117

Dear Mr. Smith:

Enclosed are copies of your approved Applications for Permit Nos. 11-7115 and 11-7116.
We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosures

MEMORANDUM

TO: Bob Fleenor
FROM: Ron Carlson *RDC*
RE: Protested Ground-Water Applications by Utah Power & Light
DATE: June 30, 1977

I am sending these applications to appropriate ground water to Boise with the recommendation that they be approved. I believe we have ample evidence in the file indicating that Utah Power & Light has no desire to pursue protests they have filed against ground water applications.

I feel badly that these applications have been delayed by the protests, since some of the applicants were seeking to complete their development in hopes of producing a crop during the 1977 season.

Enclosures: Applications No.	11-7115	13-7164	13-7175
	11-7116	13-7167	29-7387
	13-7155	13-7169	
	13-7161	13-7171	
	13-7163	13-7172	





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

June 16, 1977

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

C. Stephen Allred
Director

Mr. Thomas W. Forsgren, Attorney
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84110

Dear Mr. Forsgren:

I have reviewed your proposals of June 8, 1977, and find proposal "A" to be quite acceptable. The Department will, and does, issue all permits for both surface and ground water subject to all prior water rights.

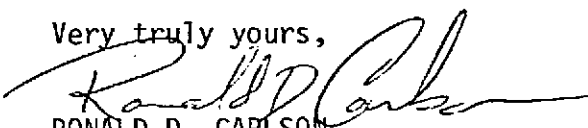
I have enclosed a Stipulation for your review which would take care of any present protests against ground water applications or future objections unless Utah Power and Light has a specific reason for protesting a given application.

Your second proposal is not acceptable because water either is available or is not available for a given application. If water is available, the statutes require the Department to issue a permit. If it is not available, then the permit must be denied or approved with conditions to protect prior existing water rights.

I believe a preferable approach would be for Utah Power and Light to prepare a letter expressing their concern and any data that they have available concerning the water supply, and rather than protesting the applications simply request that both the Department and the applicant consider this information in any further action they might take.

Unless Utah Power and Light can decide upon a plan of action that will be acceptable to both the Department of Water Resources and themselves in the very near future, it will be necessary for us to proceed scheduling conferences and/or hearings to dispose of the protests we now have in our files. We are tentatively planning to send out hearing notices and schedule conferences and/or hearings in the matter of these protests during the last week in June. It is, therefore, imperative that I hear from you prior to that time if we are to resolve these protests without going to required hearings.

Very truly yours,


RONALD D. CARLSON
Supervisor, Eastern Region

RDC:EW

Enclosure

RECEIVED
JUN 20 1977
ID 100

STIPULATION

Utah Power and Light is becoming increasingly concerned over the growing number of applications for permit within the drainage area of the Bear River. Unfortunately, the data available do not show a direct connection between ground water and surface water sources and, therefore, it is difficult to demonstrate damage at this time. Therefore, Utah Power and Light will withdraw any and all protests submitted against ground water applications with the understanding that the Department imposes as a condition of approval, a statement clearly showing that the permit is subject to all prior water rights.

Signed at _____ this _____ day of _____, 1977.

THOMAS W. FORSGREN, Attorney
Utah Power and Light Company

UTAH POWER & LIGHT COMPANY

P. O. BOX 899

SALT LAKE CITY, UTAH 84110

LEGAL OFFICES
SIDNEY G. BAUCOM
SENIOR VICE PRESIDENT
AND
GENERAL COUNSEL

June 8, 1977

RECEIVED

JUN 9 1977

Department of Water Resources
Eastern District Office

ROBERT GORDON
350-3214

THOMAS W. FORSGREN
350-3213

VERL R. TOPHAM
350-3650

SAM F. CHAMBERLAIN
350-3825

ROSEMARY RICHARDSON
350-3796

MARY STIRK
LEGAL ASSISTANT
350-3217

Mr. Ronald D. Carlson, Supervisor
Eastern Region
State of Idaho Department of
Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: Applications filed with Idaho Department
of Water Resources effecting Utah Power &
Light Company Water Rights

Dear Mr. Carlson:

I am taking this opportunity to submit for your
Department's consideration the following procedures concern-
ing applications filed with the Idaho Department of Water
Resources which effect Utah Power & Light Company water rights:

A. Applications to Appropriate Ground Water. Utah
Power & Light Company will not protest these applications and
the State Engineer, if issuing a permit, will do so subject to
all prior rights.

B. Applications to Appropriate Surface Water. Utah
Power & Light Company will protest these applications but will
withdraw the protest in the event the applicant agrees to compen-
sate the Power Company for its losses incurred by virtue of the
applicant's acquisition of the water.

Mr. Ronald D. Carlson

June 8, 1977

Page Two

If the above procedure is acceptable or if you wish to treat the subject applications in some other manner, please so notify me.

Thank you for your cooperation.

Very truly yours,

THOMAS W. FORSGREN

TWF : mb

RECEIVED
MAY 12 1977

Department of Water Resources
Eastern District Office

IN THE OFFICE OF THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE APPLICATION :
OF K. D. SMITH TO DIVERT 0.20 :
C.F.S. OF WATER FROM A GROUND- : PROTEST OF
WATER SOURCE BY MEANS OF WELL : UTAH POWER & LIGHT COMPANY
AND PUMP LOCATED IN BEAR LAKE :
COUNTY, UTAH. :

APPLICATION NO. 11-7115
:

COMES NOW the protestant UTAH POWER & LIGHT COMPANY (Utah Power) and protests the Application of K. D. Smith.

1. Utah Power holds Water Rights decreed in the matter of Utah Power & Light Company vs. The Last Chance Canal Company, Limited, et al, In Equity No. 203, July 14, 1920, and Utah Power & Light Company vs. Richmond Irrigation Company, et al, February 21, 1922, as well as other rights in the Bear River.

2. The Bear River below Stewart Dam is fully appropriated.

3. K. D. Smith filed an Application with the Office of the Idaho Department of Water Resources numbered 11-7115 seeking to appropriate 0.20 cubic feet per second of water at points of diversion specified in said Application.

4. The granting of the Application of K. D. Smith for the appropriation of 0.20 cubic feet per second of water would adversely affect the aforementioned water rights of Utah Power & Light Company.

WHEREFORE, protestant prays that the Application of K. D. Smith be denied inasmuch as there is no unappropriated water in the proposed source and the proposed use will impair existing rights.

DATED this 11th day of May, 1977.

SIDNEY G. BAUCOM
THOMAS W. FORSGREN

BY

Thomas W. Forsgren
Attorneys for Protestants
Utah Power & Light Company
1407 West North Temple
Salt Lake City, Utah 84116



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

June 1, 1977

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

C. Stephen Allred
Director

Mr. K. D. Smith
4001 Saturn Avenue
Salt Lake City, Utah 84117

Dear Mr. Smith:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 11-7115. You should be aware that the following are the principal items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 41-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

June 1, 1977

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

C. Stephen Allred
Director

RE: Applications for Permits No. 11-7113, 11-7114, 11-7115, 11-7116, 11-7117,
13-7176, 13-7168, 13-7169, 13-7170,
Mr. Thomas W. Forsgren, Attorney 13-7171, 13-7172, 13-7174, 13-7175,
Utah Power & Light Company 13-7176, 13-7177, 13-7178, 21-7110
P.O. Box 899
Salt Lake City, Utah 84110

Dear Mr. Forsgren:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

- (1) Will the proposed use reduce the quantity of water under existing water rights?
- (2) Is the proposed water supply insufficient for the purposes intended?
- (3) Is the application made in good faith or for delay or speculative purposes?
- (4) Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC: CW

cc: IDWR - State Office

UTAH POWER & LIGHT COMPANY

P. O. BOX 899
SALT LAKE CITY, UTAH 84110

LEGAL OFFICES
SIDNEY G. BAUCOM
SENIOR VICE PRESIDENT
AND
GENERAL COUNSEL

May 11, 1977

RECEIVED
MAY 12 1977

Department of Water Resources
Idaho District Office

ROBERT GORDON
350-3214

THOMAS W. FORSGREN
350-3213

VERL R. TOPHAM
350-3650

SAM F. CHAMBERLAIN
350-3625

ROSEMARY RICHARDSON
350-3796

MARY STIRK
LEGAL ASSISTANT
350-3217

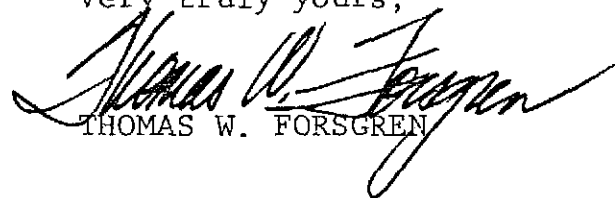
Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Dear Sir:

Enclosed for filing please find Protests of
Utah Power & Light Company concerning Application Nos.
11-7115, 11-7113, 13-7170, 13-7172, 13-7171, 11-7116,
11-7117, 11-7112, 11-7114, 29-7387, 13-7167, 13-7169,
and 13-7168.

Thank you.

Very truly yours,


THOMAS W. FORSGREN

TWF:mb

Enc.

4001 Saturn Ave.
Salt Lake City, Ut. 84117
May 18, 1977

Henry L. Moran, P. E.
State of Idaho
Dept. of Health & Welfare
Division of Environment
636 Pershing
Pocatello, Idaho 83201

RECEIVED

MAY 24 1977

Department of Water Resources
Eastern District Office

Dear Mr. Moran:

Thank you for your letter of May 10th concerning my well applications #11-7115 and #11-7116 in Bear Lake County.

My intentions on the wells are to drill a single well at the present time and to appropriate water for culinary water service for a single cabin for one family. My reasons for applying for service for 30 families per well was to eliminate the costs of multiple drillings. Therefore, although the well applied for will service 30 families it will not be used in the near future. If during the next 5 years we elect to service 30 families we will provide you with the required plans and specifications on the water system.

Also I would appreciate knowing the definition of a public water system. May I hear from you on this subject? Thank you.

Very truly yours,

K D Smith

Mr. K. D. Smith

✓
cc: State of Idaho
Dept. of Water Resources
Idaho Falls, Idaho



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

RECEIVED
MAY 12 1977

DIVISION OF ENVIRONMENT
636 Pershing
Pocatello, Idaho
83201

Department of Water Resources
Eastern District Office

10 May 1977

C
O
P
Y

K. D. Smith
4001 Saturn Avenue
Salt Lake City, Utah 84117

Re: Applications #11-7115 and
#11-7116 (Bear Lake County)

Dear Mr. Smith:

We have been apprised of your applications to appropriate public waters of the State of Idaho to provide culinary water service for sixty families (individual connections), thirty per each application.

Such a purveyance of water under the circumstances you propose defines a public water system. Title 39-118 of the Idaho Code requires that plans and specifications for water systems must be reviewed and approved by our Department prior to construction. Further, such a system must conform with the Idaho Drinking Water Standards (1964). A copy of these standards are enclosed for your information.

If you have any questions concerning our requirements, please do not hesitate to contact us.

Yours very truly,

Henry L. Moran, P.E.
Rgnl. Environmental Supervisor

HLM/md
enc.

CC: Ron Carlson ✓

April 29, 1977

RE: Applications for Permit No. 11-7115 and 11-7116 SMITH

Mr. Art Tackett
Regional Director
Idaho State Planning & Community Affairs Agency
600 East Oak, Suite B
Pocatello, Idaho 83201

Dear Mr. Tackett:

We are enclosing a copy of two applications that may be of interest to your agency. Please review the applications and if you have any comments, submit them to our Department as soon as possible. The last date of protest is May 23, 1977, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures (2)

April 29, 1977

RE: Application for Permit No. 11-7115 and 11-7116 SMITH

Mr. Kirby Vickers
Public Health Engineer
Department of Health & Welfare
636 Pershing
Pocatello, Idaho 83201

Dear Mr. Vickers:

We are enclosing a copy of two applications that may be of interest to your agency. Please review the applications and if you have any comments, submit them to our Department as soon as possible. The last date of protest is May 23, 1977, and we are required to take final action shortly thereafter.

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures (2)

April 29, 1977

RE: Application for Permit No. 11-7115 and 11-7116

K. D. Smith
4001 Saturn Avenue
Salt Lake City, Utah 84117

Dear Mr. Smith:

Attached herewith is departmental receipt No. 6558 in the amount of \$20.00 for the above referenced applications.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

April 29, 1977

RE: Claim to a Water Right No. 11-4061 PETERSON
Application for Permit No. 11-7115 SMITH
11-7116 SMITH
11-7117 DAINES

News Examiner
P.O. Box 278
Montpelier, Idaho 83254

Gentlemen:

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

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

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

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CH

Enc: Legal Notice (4)

Bill submitted _____ by _____

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that K. D. Smith,
Salt Lake City, Utah

has on 4-22-77 submitted Application No. 11-7115
for a permit to appropriate 0.20 cubic feet per second ~~XXXXXX~~ acre feet per annum
of water from a ground-water source
by means of well and pump
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 16S, R. 43E, B.M., Bear Lake County;

to be used from Jan. 1 to Dec. 31 for
~~for~~ domestic purposes for 30 families
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 16S, R. 43E, 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 May 23, 1977.

C. STEPHEN ALLRED
~~XXXXXXXXXXXXXXXXXXXX~~
R. KEITH HIGGINSON

Director

Published in the News Examiner, Montpelier, Idaho
on May 5 and May 12, 1977

MICROFILMED
Dated 6-07-77
ew

Mc-
Cw-L



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

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

R. Keith Higginson
Director

April 7, 1977

Mr. K. D. Smith
4001 Saturn Avenue
Salt Lake City, Utah 84417

Dear Mr. Smith:

I regret that I must once again return your two applications for permit. I am unable to make the map position of the two wells as shown on the application maps agree with the legal description given. Part of this difficulty may arise from the fact that Section 27 is bordered by both the Utah border and shoreline of Bear Lake. Please indicate the position of the two wells on the attached copy taken from a USGS map. This will enable me to redraw the application maps so that the maps and descriptions agree.

Also, Item 8a(4), should indicate the number of families to be serviced from each well.

If you have any further questions, please contact this office.

Very truly yours,

LOREN O. HOLMES
Assistant Regional Supervisor

LOH:CW

Enclosure

Attachment: Check No. 97-154 (\$20.00)

RECEIVED

Dear Mr. Holmes,
Enclosed please find the two re-worked applications & the check for \$20.00. We hope we have corrected it appropriately. K D Smith

March 29, 1977

Mr. K. D. Smith
4001 Saturn Avenue
Salt Lake City, Utah 84417

Dear Mr. Smith:

Your original application did not indicate that 60 single dwellings were to be connected on your system, so I assumed that only one cabin would be served from each well.

In filing applications for larger domestic systems such as this, the amount of water is normally arrived at by allowing 50 gallons per day for each person and assuming that the total amount would be pumped in a two-hour period. Table 3 on Page 37 of the enclosed Water Users Handbook gives the method of calculation and requirements for various uses.

If you have any further questions, please feel free to contact me.

Very truly yours,

LOREN O. HOLMES
Assistant Regional Supervisor

LOH:cw

Enclosures

RECEIVED

MAR 28 1977

Department of Water Resources
Eastern District Office

4001 Saturn Ave.
Salt Lake City, Utah 84117
March 23, 1977

Mr. Loren Holmes
Asst. Regional Supervisor
State of Idaho
Dept. of Water Resources
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

Dear Mr. Holmes:

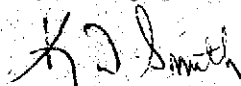
Thank you for your letter of March 18, 1977 concerning my application for a well water permit.

You stated in your letter that the fee submitted was excessive for the amount of water filed on and that the normal allowed for a single home development is 0.04 cfs.

Our plans are initially for a single large lodge cabin development. However there are 60 members of the family and we eventually plan on developing 60 single homes of this type. This was the reason for applying for 1.0 cfs of water at each well head. This would allow us to drill 2 single wells instead of multiple wells in the future. Would you please advise me on how to file for such a permit.

Thank you.

Very truly yours,



Mr. K. D. Smith



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

March 18, 1977

Mr. K. D. Smith
4001 Saturn Avenue
Salt Lake City, Utah 84117

Dear Mr. Smith:

We are returning your application for permit and check No. 92-154 in the amount of \$40.00 for the following reasons:

1. The fee submitted was excessive for the amount of water filed on.
2. The amount of water filed on was excessive for the purpose intended.

The amount of water normally allowed for a single home development is 0.04 c.f.s. (18 gpm). This is normally the capacity of the type of system installed for home use.

Since your application states that two systems are to be developed, a separate application should be filed for each system. This allows the systems to be developed and brought to license independently.

For your convenience, we have prepared two applications from the information provided. If the applications meet with your approval, please sign and return them to this office with a \$10.00 filing fee for each application.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Karen Holmes", is written over a typed name.

KAREN HOLMES
Assistant Regional Supervisor

CH: CW

Attachment

Enclosure

RECEIVED

MAR 16 1977

Department of Water Resources

4001 Saturn Ave.
Salt Lake City, Utah 84117
March 8, 1977

Mr. Donald W. McEldowney
Appropriation Supervisor
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. McEldowney:

Please find enclosed an application for 2 water permits for development of a proposed cabin near Fish Haven, Idaho, in Bear Lake County.

I am enclosing \$40.00 for the 2 wells. This cost was per a 1971 Fee Schedule. In the event your fees have gone up please inform me of the extra costs I owe you.

Thank you and I shall appreciate hearing from you.

Very truly yours,

K. D. Smith

Mr. K. D. Smith

KDS/jn

Enclosure

RECEIVED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 11-7115

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

(1) LAH 4-22-77

In form to receipt YES

(2) " "

Send Copies to:

☒ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management
☒ Att Tackett
☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(4) " "

In form for advertising YES

(5) " "

Platted on Map No. DD-97

(6) " "

Located within Water District No. 11A

(7) " "

Critical groundwater area: yes no ☒

(8) " "

Groundwater levels:

Declining, Stable, Increasing

(comment) NO Health Obs Wells

(9) " "

Other rights on the same place of use

(10) " "

Comments: Permit 11-7017 - 27 cfs. Plot indicator
Site of section 27.

(11) CW 6-10-77

Affidavit of Publication received (date) June 10-77

(12) CW 5-12-77

Final date for protests May 23, 1977

Protests received: yes no ☒

(13) RDC 6/29/77

All requested information received from agencies or applicant: yes no ☐

(14) " "

Action recommended:

☒ Approve Deny

4/22/77 Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District E

By RDC

Date 6/29/77

RECEIVED

Copy Sent