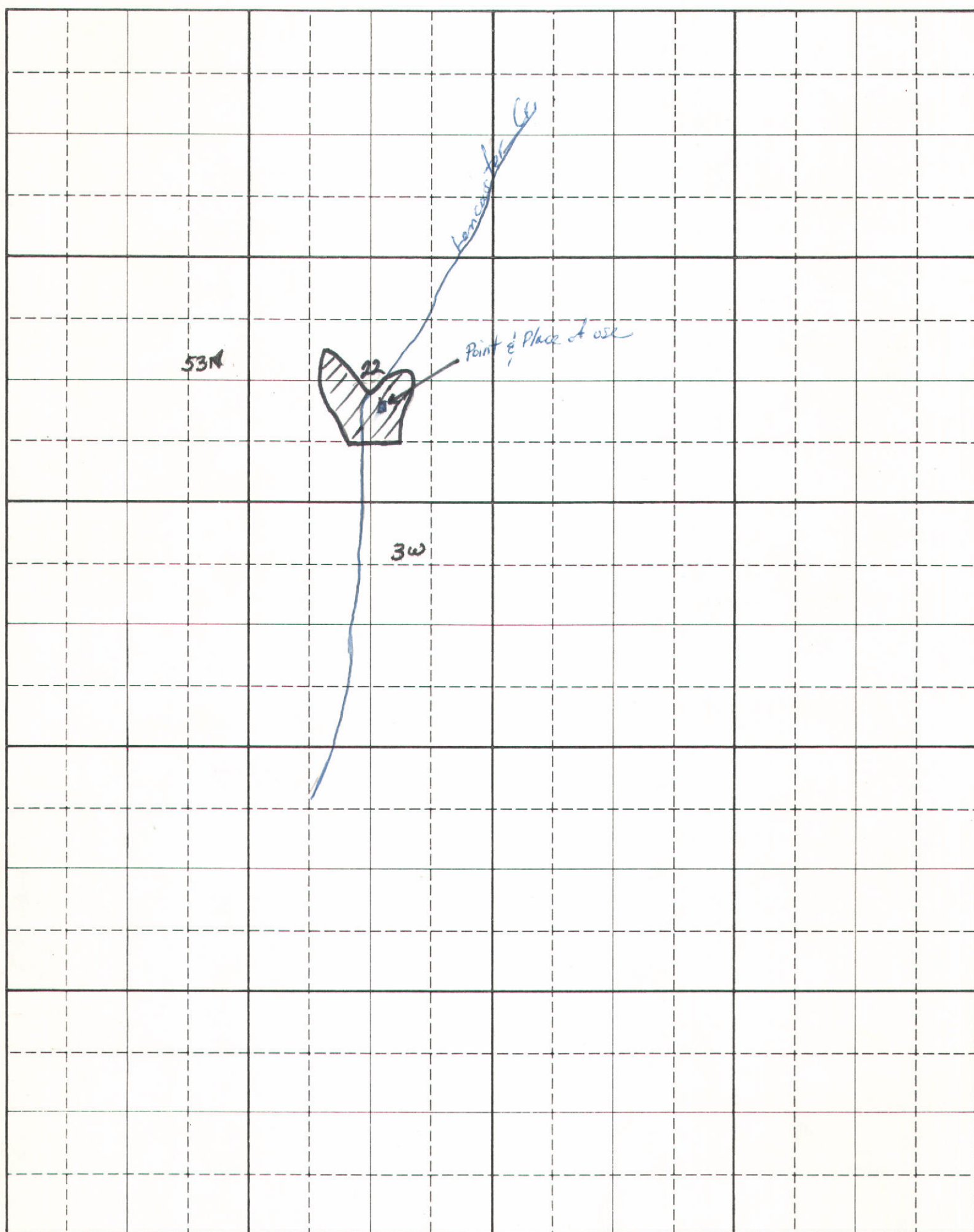


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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 Warren Smith
(Applicant)

AFFIDAVIT OF PUBLICATION

RECEIVED

NOV 27 1974

Department of Water Resources
Northern District
being first duly sworn

STATE OF IDAHO, } ss.
County of Kootenai,

Carol Nedge

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Warren Smith, Route 3, Box 36, Hayden Lake, Idaho has on Nov. 1, 1974 submitted Application No. [95-7500] for a permit to appropriate 0.6 cubic feet per second of water from Springs by means of pond, pump, and motor within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 52N, R. 3W, B.M., Kootenai County to be used from March 15 to Nov. 15 for the irrigation of 60 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 52N, R. 3W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before Dec. 2, 1974.

R. KEITH HIGGINSON
Director

Legal No. 492
Nov. 14, 21, 1974

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *Notice of Application*

of which the annexed is a printed copy, was published in the regular *Three* issue of said newspaper for *2* consecutive *Weeks*, commencing on the *14* day of *Nov*, 19*74*, and ending on the *21* day of *Nov*, 19*74*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Carol Nedge

Subscribed and sworn to before me this *26th* day of *November*, 19*74*.

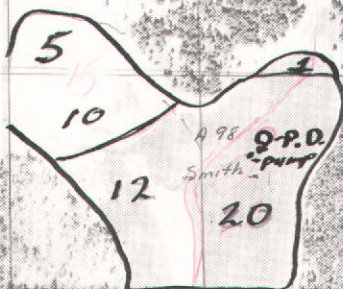
Roberta Stanley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MICROFILMED

LEADER

11.16



H6

48 AC

REPRODUCED

JUL 27 1988

FOR QUALITY

NOT TO SCALE

4" 30' @ 30' N.E. 1/4
3" 22' @ 40'
3" @ 20'
25-RD30W5
1/64

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-7500

Priority: November 1, 1974 Amount: .30 CFS 145.8 AFA

This is to certify, that WARREN SMITH
RT. 3 BOX 36

HAYDEN LAKE, ID 83835 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated November 1, 1974, and has submitted proof to the Department of Water Resources on October 5, 1979, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .30 cfs of water from;

SPRING

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	.30 cfs	145.8 afa

LOCATION OF POINT OF DIVERSION(S): NWSE , Sec. 22, Township 52N, Range 3W
Kootenai County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
52N	3W	22	SWNE 1	SENE 5	NESW 22	NWSE 20	48
Total number of acres irrigated:							48

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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 April 1988.

MICROFILMED

JUL 27 1988

R. Keith Higgins
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 95-7500
IN THE NAME OF WARREN SMITH

ORDER

WHEREAS, on November 1, 1974, Warren Smith applied to the Department of Water Resources for a permit to appropriate 0.60 cubic feet per second of water from springs to be diverted from within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, Twp. 52N, Rge. 3W, B.M., Kootenai County, to be used for irrigation purposes; and,

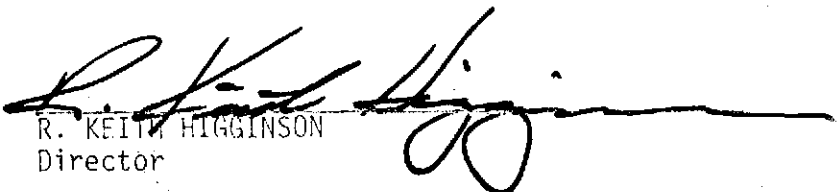
WHEREAS, on December 16, 1974, the Department approved said application and issued Permit No. 95-7500 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1979, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on January 28, 1976, the Department received a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 95-7500.

Dated this 18 day of February, 1976.


R. KEITH HIGGINSON
Director

Department of Water

RECEIVED

JAN 28 1976

Receipt #3904

Department of Water Resources
Northern District Office

Permit No. 95-7500

Comes now Warren Smith of (address) _____

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 95-7500 and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ SE ¼, Sec. 22, T. 52N, R. 3W, B.M. Other points of diversion NE ¼ SW ¼, Sec. 22, T. 52N, R. 3W, B.M. (These two points of diversion indicate two separate Springs)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

mo. - day

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

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

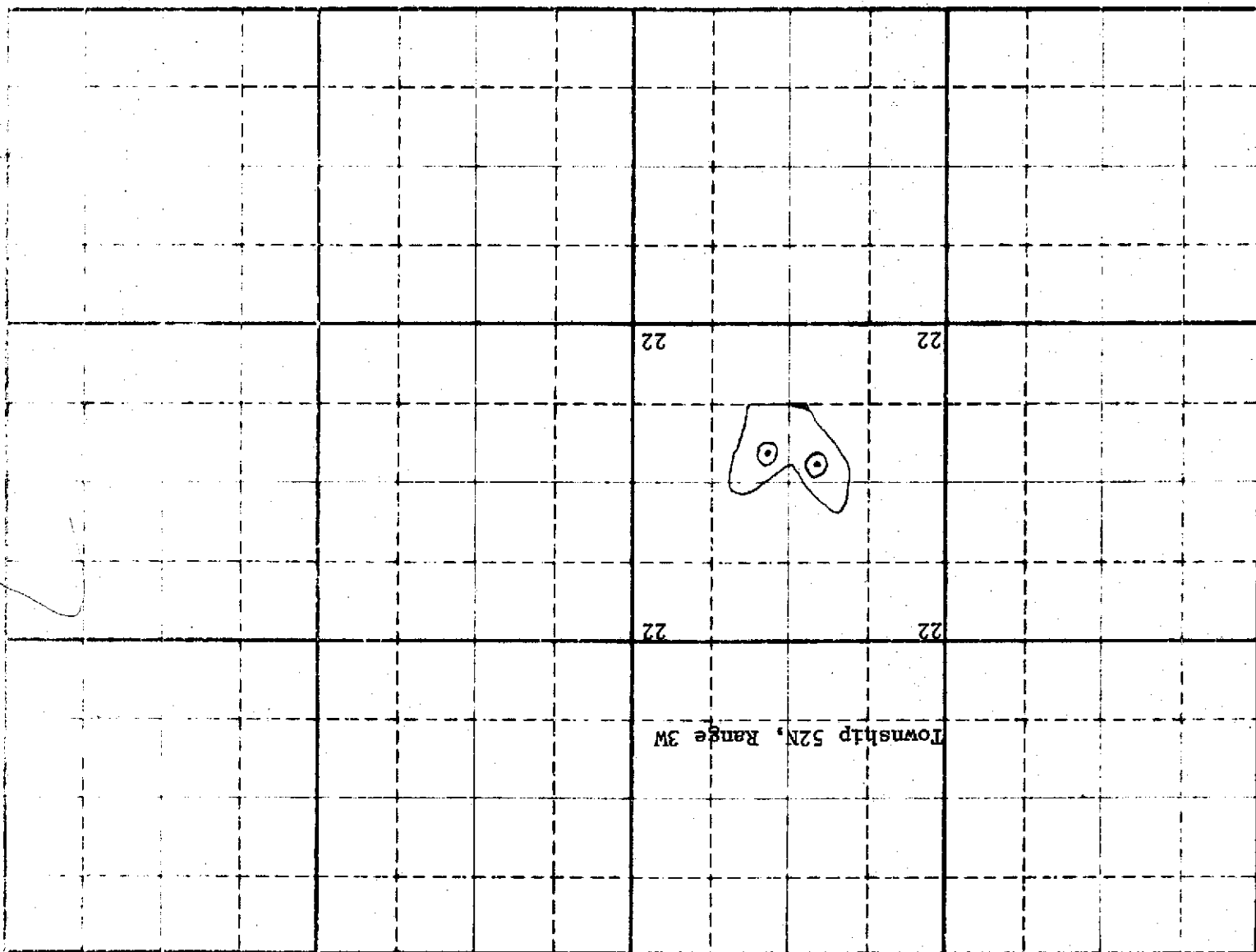
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) (cfs or acre-feet per annum)

3. Place of use or land to be irrigated:

[illegible]**Total number of acres to be irrigated**

SECRET

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk

Signed at *Hayden Lake, Idaho*, this *5TH* day of *February*, 19 *76*

Walter R. Smith
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

R. KEITH HIGGINSON

Director of the Department of Water Administration

hereby approve the above application for amendment on Permit No. 95-7500.

Witness my hand this *18* day of *February*, 19 *76*

Director

Identification No. 95-7500

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Warren Smith Phone: 772-3704
post office address Route 3, Box 36, Hayden Lake, Idaho
2. Source of water supply Springs which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22 Township 52N
Range 3W B.M. Kootenai 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 0.6 for Irrigation purpose from March 15 to Nov. 15 (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. 0.6 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. A dug pond, approx. 1.8 a.f. will be used to collect and store the water from the springs. Water will then be pumped by pump and motor.

b. Height of storage dam 4 feet, active reservoir capacity 1.8 acre feet; total reservoir capacity 1.8 acre feet, materials used in storage dam: earth
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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 \$ _____.
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: _____

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

TWP.	RANGE	SEC.	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4
	52N	3W	22							10	28					20		
																		60
			NE 1/4				NW 1/4				SW 1/4				SE 1/4			
TOTALS																		

Total number of acres to be irrigated 60
c. Describe any other water rights used for the same purposes as described above. None

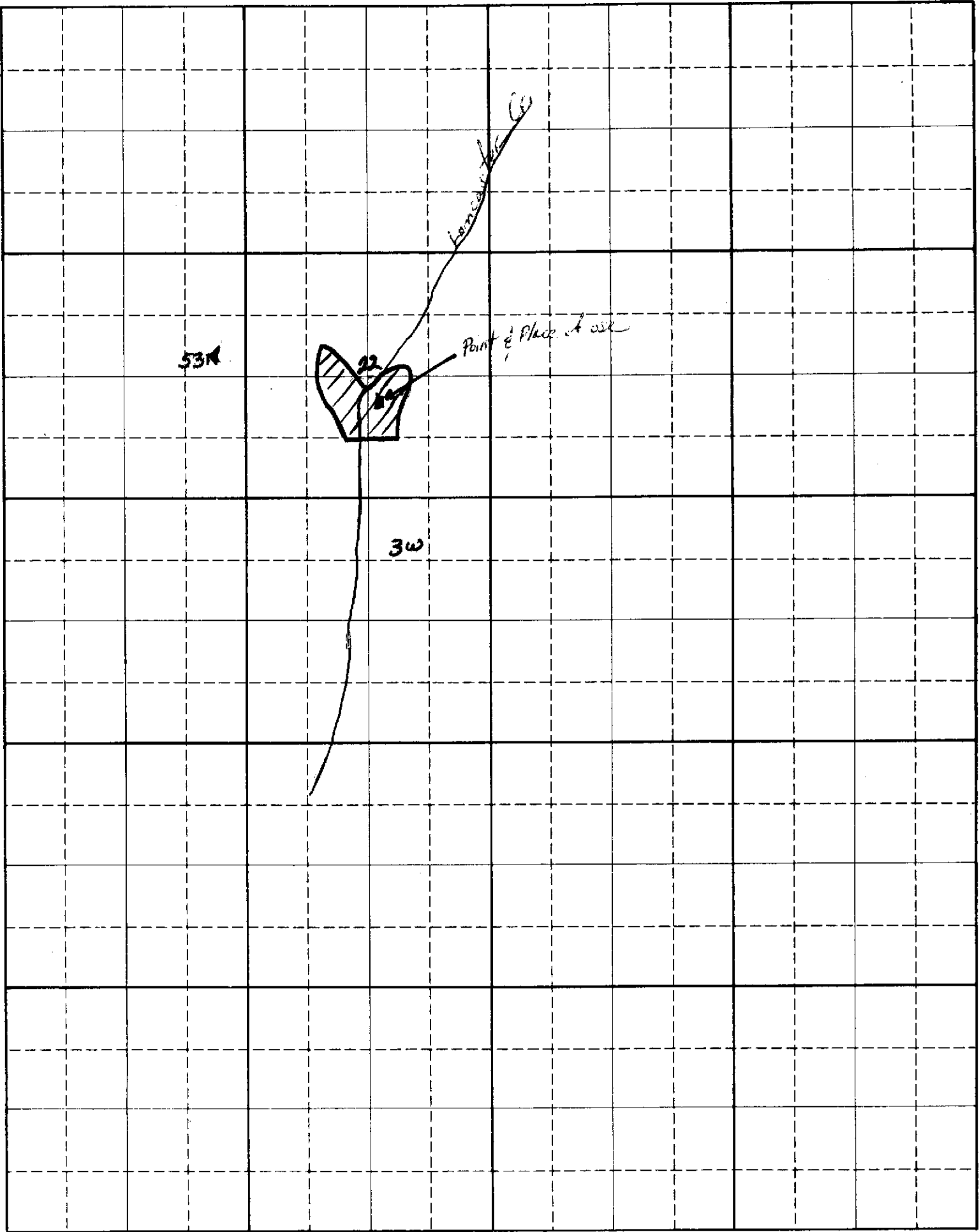
9. a. Who owns the property at the point of diversion Applicant

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 Warren Smith
(Applicant)

Received by 11/1/74 Date 11/1/74 Time 2:22 PM
Preliminary check by 11/1/74 Fee \$ 25.00
Received by 11/1/74 Date 11/1/74
Publication prepared by CP Date 11-8-74
Published in Coeur d'Alene Press
Publication dates 11-14 & 11-21-74
Publication approved CP Date 12-2-74
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by 11/30/74

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7500, and said application is hereby APPROVED.

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

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

Witness my hand this 14 day of December 19 74.

[Signature]
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Warren Smith, Route 3, Box 38, Hayden Lake, Idaho has on Nov. 1, 1974 submitted Application No. 95-7500 for a permit to appropriate 0.6 cubic feet per second of water from Springs by means of pond, pump, and motor within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 52N, R. 3W, B.M., Kootenai County to be used from March 15 to Nov. 15 for the irrigation of 60 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 52N, R. 3W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before Dec. 2, 1974.

R. KEITH HIGGINSON
Director

Legal No. 492
Nov. 14, 21, 1974

Coral Hodge being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice of Application

of which the annexed is a printed copy, was published in the regular Three issue of said newspaper for 2 consecutive Weeks commencing on the 14 day of Nov, 1974, and ending on the 21 day of Nov, 1974, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Coral Hodge

Subscribed and sworn to before me this 26th day of November, 1974.

Roberta Frank

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MICROFILMED

LEADER

11.16

April 13, 1988

WARREN SMITH
RT. 3 BOX 36
HAYDEN LAKE, ID 83835

RE: Permit No. 95-7500

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

JUL 27 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. **Measurement Calculations**

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{3.5 = 168.0} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{145.8} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

c) Volume Calculations for Other Uses:

2. **Overlap Review** *per VAX 2/26/88:*

a) Other water rights with same place of use: *95-7578, 95-0353* *see below* *spring*

b) Other water rights with same point of diversion: *95-7578*

c) Analysis: *95-7578 - also being licensed - Lancaster Ck. - different source, no overlap. Recommend R30 for P/U overlap.*

RECEIVED

JUL 27 1988

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
95-7500	11-1-1974	0.30cfs	11-1-1974	10-5-1979	0.30cfs

4. Permit Holder: Warren Smith

Address: Rt. 3, Box 36, Hayden Lake, ID 83835

5. Source: Spring tributary to _____

6. Beneficial Use	Period of Use	Rate of Diversion	Annual Volume

	From	To	Q (cts)	V (afa)
--	------	----	---------	---------

7-11-19. 3-15 11-15 0.30 g 145.8 ME.

[illegible]

Allowable Maximums: 0:30 (G) 173.8 HFA

7. Point(s) of Diversion: ✓ (10 ac. tract not reg'd in '81 when examined)

No.	Govt. Lot	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	Sec.	Twp.	Rge.	County
-----	-----------	---------------	---------------	---------------	------	------	------	--------

				NW SE	AA	SAN	EW	Kootenai
--	--	--	--	-------	----	-----	----	----------

[illegible][illegible][illegible]

	8.	Place(s) of Use

			NE 1/4	NW 1/4	SW 1/4	SE 1/4
--	--	--	--------	--------	--------	--------

Tw.	Rge.	Sec.	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	Totals
53N	3W	33													118
53N	3W	33	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	Totals

07		08		09		10		11		12		13		14		15		16		17		18		19		20		21		22		23		24		25		26		27		28		29		30		31		32		33		34		35		36		37		38		39		40		41		42		43		44		45		46		47		48		49		50		51		52		53		54		55		56		57		58		59		60		61		62		63		64		65		66		67		68		69		70		71		72		73		74		75		76		77		78		79		80		81		82		83		84		85		86		87		88		89		90		91		92		93		94		95		96		97		98		99		100		101		102		103		104		105		106		107		108		109		110		111		112		113		114		115		116		117		118		119		120		121		122		123		124		125		126		127		128		129		130		131		132		133		134		135		136		137		138		139		140		141		142		143		144		145		146		147		148		149		150		151		152		153		154		155		156		157		158		159		160		161		162		163		164		165		166		167		168		169		170		171		172		173		174		175		176		177		178		179		180		181		182		183		184		185		186		187		188		189		190		191		192		193		194		195		196		197		198		199		200		201		202		203		204		205		206		207		208		209		210		211		212		213		214		215		216		217		218		219		220		221		222		223		224		225		226		227		228		229		230		231		232		233		234		235		236		237		238		239		240		241		242		243		244		245		246		247		248		249		250		251		252		253		254		255		256		257		258		259		260		261		262		263		264		265		266		267		268		269		270		271		272		273		274		275		276		277		278		279		280		281		282		283		284		285		286		287		288		289		290		291		292		293		294		295		296		297		298		299		300		301		302		303		304		305
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[illegible][illegible][illegible][illegible]

SECRET

9. Recommended Conditions/Remarks: 430

10. Recommended Amendments

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

☐ Change Bill as reflected above ☐ Add Bill as reflected above ☐ Other

_____ ☐ **LAUDO** ☐ **ENCARGO DE PROPOSTA** ☐ **ENCARGO DE PROPOSTA** ☐ **ENCARGO DE PROPOSTA**

1. Examiner's Signature _____

Date _____

Checked in Regional Office by 12/11/15 Date 12/11/15

Approved in State Office by Ray Wallace Date 2/26/88

March 16, 1988

WARREN SMITH
RT. 3 BOX 36
HAYDEN LAKE, ID 83835

RE: Permit No. 95-7500

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

MINUTEMAN

JUL 27 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

95-7578

JUL 9 1981

95-7500

Permit No.
28-1

Department of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	6-26-81	JK	772-3704 ~ Not yet will call when he starts
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-6-81 Accompanied by App Total Q measured 0.30 cfs
If source is surface water, estimate total flow of source -
Methods of measurement Press/calc Meets Permit requirements? yes

Measurement calculations: 25 Rainbird #30WS with 1/4 Nozzle @ 40 Psi
Pump Eff
 $\frac{7.5 \text{ hp}(88) 70\%}{2.33(35) + 40 \text{ psi}} = 0.38 \text{ cfs}$
 $\frac{5.37(25)}{448.8} = 0.30 \text{ cfs}$
 $0.30(1.9835) 245 = 145.79 \text{ AFA}$
 $25(45) = 1125 \text{ AFA}$
 $3.5(48) = 168 \text{ AFA}$

MOD

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	7 1/2	GE	5NC213JN9	Cornell	18526		Access port	
			TCL		6 1/2			

System Description 1.8 AF Pond Fed by springs then pumped into 840' of
4" Mains & 240' of 3" laterals to 25 sp. heads.

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

RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE

Q (cfs)

V (afa)

FROM

TO

Irrigation0.30145.793-1511-15

Total

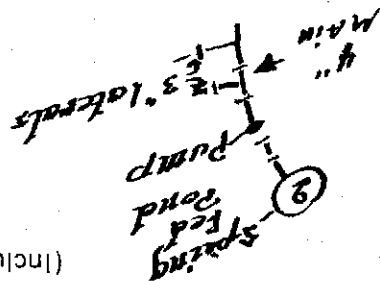
0.30145.79Remarks SCS = 1.8 AF StorageAccess Port installed in 4" line - Annubar in use elsewhere

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JUL 27 1981

SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: *NW 5E, 22, 52N, 3W*

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4			NW 1/4			SE 1/4			SW 1/4			TOTALS		
			NE%	NW%	SW%	NE%	NW%	SW%	NE%	NW%	SW%	NE%	NW%	SW%	SE%		
52N	3W	22														48	
																20	
																5	
																22	

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

JUL 27 1988

Examiner's Signature

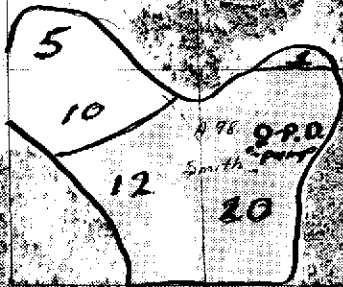
Checked by

Approved by

Date

Date

ite



AIR
Demande

H6

48 AC

22
27

22 23
27 26

NOT FILMED

JUL 27 1988

20
RDS
H61

FOR QUALITY

NOT TO SCALE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

95-7500 - exam in 95-7578 by mistake -
SMITH, WARREN
RT. 3 BOX 36
HAYDEN LAKE, ID 83835
letter should not have been sent

Mailing address:
Statehouse
Boise, Idaho 83720

138436

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

JUL 27 1988

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

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JUL 27 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

December 19, 1979

Mr. Warren Smith
Route 3 Box 36
Hayden Lake, ID 83835

RE: 95-7500

Dear MR. Smith:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,



TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

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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. 95-7500.

Name(s) of Permit Holder:

Warren R. Smith

Post Office Address:

Route 3 Box 36

Hayden Lake, Idaho 83835 Tel. No. 772-3704

Source of Water:

Spring and storage pond

Extent of Use:

- ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 60 (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.

October 1, 1979
Date

Warren R. Smith
Signature of Permit Holder

Warren R. Smith
Route 3, Box 36
Hayden Lake, Id. 83835



RECEIVED



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

September 30, 1979

Warren Smith
Route 3, Box 36
Hayden Lake, ID 83835

161461

Dear Mr. Smith:

One of the conditions of approval of your water Permit No. 95-7500 was that evidence of the extent of development must be submitted to this office on or before December 1, 1979. (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.

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
RITA FLECK
Sr. Secretary

Enc: 1

MICROFILMED

February 20, 1976

Re: Permit No. 95-7500

Warren Smith
Route 3, Box 36
Hayden Lake, Idaho 83835

Dear Mr. Smith:

Enclosed is an Order which removes the measuring device requirement on the above referenced permit. Also enclosed is a copy of the approved application for amendment for the permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosures



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

February 4, 1976

Statehouse

Boise, Idaho 83720

(208) 384-2215

FEB 20 1976

Department of Water Resources

Re: Permit No. 95-7500

Mr. Warren Smith
Route 3 - Box 36
Hayden Lake, Idaho 83835

Dear Mr. Smith:

This office has received your application for amendment in connection with the above referenced permit. We are herewith returning the application, however, as we will need your signature before it can be processed.

Please return the signed application as soon as possible in order that we might process it along with your request for removal of the measuring device requirement.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enclosure



*Signed application
Inclosed as
requested.*

Warren R. Smith

February 4, 1976

Re: Permit No. 95-7500

Mr. Warren Smith
Route 3 - Box 36
Hayden Lake, Idaho 83835

Dear Mr. Smith:

This office has received your application for amendment in connection with the above referenced permit. We are herewith returning the application, however, as we will need your signature before it can be processed.

Please return the signed application as soon as possible in order that we might process it along with your request for removal of the measuring device requirement.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enclosure

Route 3, Box 36
Hayden Lake, ID 83835
January 28, 1976

RECEIVED
JAN 28 1976

Department of Water Resources
Northern District Office

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
Statehouse
Boise, ID 83720

Dear Mr. Higginson:

I hereby request that the measuring device requirement on
Permit No. 95-7500 be removed for the following reason:

The 2 Springs involved will produce approxi-
mately 50 gallons per minute of water and this
small quantity does not justify either the cost
of installation or the need to be measured.

Thank you for your attention in this matter.

Very truly yours,

Warren R. Smith
WARREN SMITH

December 18, 1974

Re: Permit No. 95-7500

Mr. Warren Smith
Route 3, Box 36
Hayden Lake, Idaho 83835

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Permit No. 95-7500 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

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DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 95-7500

☒ 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) EP 11/1/74 In form to receipt
- (2) _____ Send Copies to:
_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management
- (3) _____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
- (4) EP 11/1/74 In form for advertising
- (5) _____ Platted on Map No. _____
- (6) _____ Located within Water District No. _____
- (7) _____ Critical groundwater area: yes _____ no _____
- (8) _____ Groundwater levels:
_____ Declining, _____ Stable, _____ Increasing
(comment) _____
- (9) _____ Other rights on the same place of use
- (10) _____ Comments: _____
- (11) CP 12/2 Affidavit of Publication received(date) Nov. 27, 1974
- (12) CP 11/8 Final date for protests DECEMBER 2, 1974
Protests received: yes _____ no ☒
- (13) EP 12/2/74 All requested information received from agencies or
applicant: yes ☒ no _____
- (14) EP 12/2/74 Action recommended:
☒ Approve _____ Deny _____
11/1/74 Proposed Priority
_____ Reason for Reduction _____
☒ Measuring device required
_____ See attached sheet for other conditions of
approval
_____ No special conditions for approval
- (15) District Northern By [Signature] Date 12/2/74

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814
(208) 667-6484

November 8, 1974

Re: Application No. 95-7500 - Warren Smith

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is 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 ample 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 our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enc: Legal Notice(s)

Bill Submitted 12-2-74 by CP

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NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Warren Smith,

Route 3, Box 36, Hayden Lake, Idaho

has on Nov. 1, 1974 submitted Application No. 95-7500

for a permit to appropriate 0.6 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from Springs

by means of pond, pump, and motor

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 52N, R. 3W, B.M., Kootenai County

to be used from March 15 to Nov. 15

for the irrigation of 60 acres

within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 52N, R. 3W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before Dec. 2, 1974.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho

on Nov. 14 and Nov. 21, 1974

RECORDED
INDEXED

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Warren Smith, Route 3, Box 36, Hayden Lake, Idaho has on Nov. 1, 1974 submitted Application No. 95-7500 for a permit to appropriate 0.6 cubic feet per second of water from Springs by means of pond, pump, and motor within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 52N, R. 3W, B.M., Kootenai County to be used from March 15 to Nov. 15 for the irrigation of 60 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 52N, R. 3W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before Dec. 2, 1974.

R. KEITH HIGGINSON
Director

Legal No. 492
Nov. 14, 21, 1974

o.k.
11-19-74
cf