

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 13th day of April, 1983 and the last on the 20th day of April, 1983.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this 21st day of April, 1983

Sharon D. Blackburn

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

Applications for water rights are filed by two

NOTICE OF APPLICATION FOR WATER RIGHT

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

92-7126

Name: Guenther Cedar Products, Inc.

Address: Rt. 4 Box 54, St. Maries, Idaho 83861

Date Filed: April 4, 1983

Source: Groundwater

Point of Diversion: NESE Sec 36 T 46N R 02W

In: NESE Sec 36 T 46N R 02W

Use: Commercial (0.15 cfs); Domestic (0.02 cfs)

92-7127

Name: Jo-Evelyn Smart

Address: P.O. Box 63, Santa, Idaho 83866

Date Filed: March 30, 1983

Source: Saint Maries River tributary to St. Joe River

Point of Diversion: NWSW Sec 15 T 44N R 01W

In: NWSW Sec 15 T 44N R 01W for 1 acre

Use: Irrigation (0.02 cfs)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814 on or before May 2, 1983.

KEND DUNN, Dir.

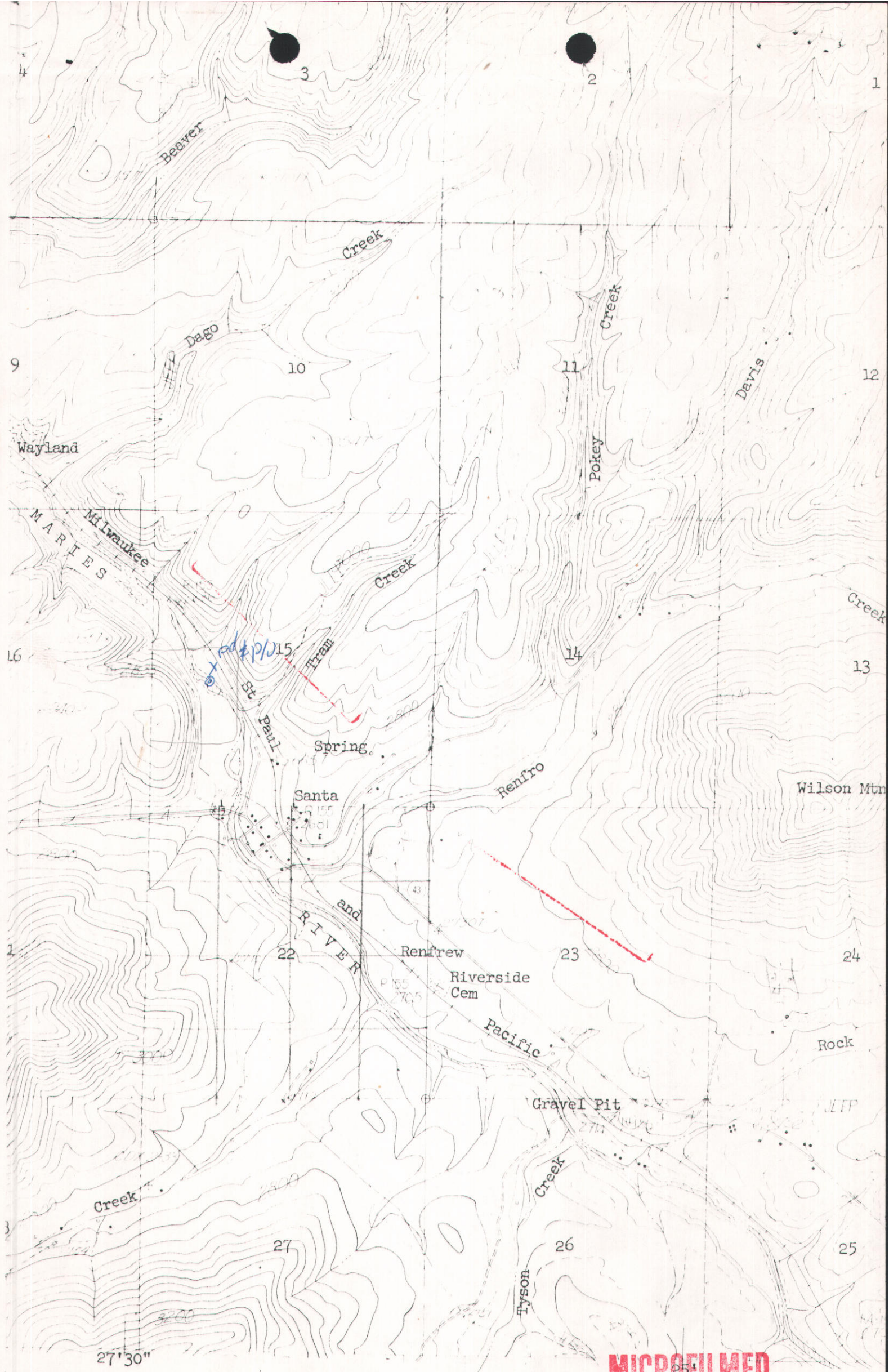
No. 7082 — April 13-20.

RECEIVED
APR 25 1983

Department of Water Resources
Northern District Office

OK

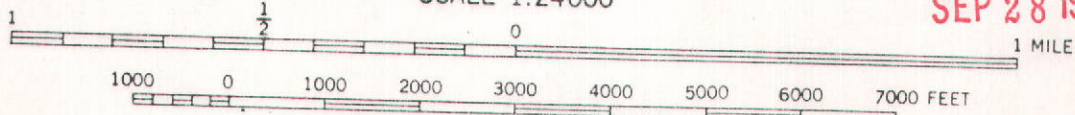
MICROFILMED



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SEP 28 1981

SCALE 1:24000



CONTOUR INTERVAL 40 FEET

PROXIMATE MEAN
CLINATION 1961

DASHED LINES REPRESENT 50 FOOT CONTOURS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-7127

Priority: March 30, 1983 Amount: .02 CFS 3.0 AFA

This is to certify, that JO EVELYN SMART
P.O. BOX 146

FERNWOOD, ID 83830 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated March 30, 1983, and
has submitted proof to the Department of Water Resources on June 17, 1983, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .02 cfs of water from;

ST. MARIES RIVER tributary to ST. JOE RIVER

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	.02 cfs	3.0 afa	
<u>LOCATION OF POINT OF DIVERSION(S):</u>		NWSW , Sec. 15, Township 44N, Range 1W Benewah County		
<u>PLACE OF USE:</u> Irrigation				
<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
44N 1W 15	NWSW 1			1
Total number of acres irrigated:				1

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.

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 11th day
of SEPTEMBER, 1987.

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SEP 28 1987

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Jo Evelyn Smart Phone 208-245-2704
Post office address P.O. Box 63, SANTA, Id. 83866
2. Source of water supply St Maries River which is a tributary of St Joe River
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 44N
Range 1W B.M. Benevise County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 0.02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump and pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 44N
Range 1W B.M.

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

(3) List number of each kind of livestock to be watered _____

(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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[illegible]

Total number of acres to be irrigated

None

App

_____ *ddh*

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

applicant to make this filing

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.

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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.

Jo-Ellyn Smart
(Applicant)

MICROFILMED

Received by MB Date 3/30/83 Time 3:15
Preliminary check by MB Fee \$ 30.00
Received by MB Date 3/30/83 (27464)
Publication prepared by MB Date 4/7/83
Published in Idaho Water Resources Journal
Publication dates 4/30 & 13/83
Publication approved MB Date 4/26/83
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by MB

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. 92-7127, 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 June 1, 19 84.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: _____

Witness my hand this 16th day of May, 1983.

D. Allen Saylor
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

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Sharon D. Blackburn
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

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Name: Jo Evelyn Smart

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KEN DUNN, Dir.

No. 7082 — April 13-20.

RECEIVED
APR 25 1983

Department of Water Resources
Northern District Office

OK

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September 15, 1987

JO EVELYN SMART
P.O. BOX 146
FERNWOOD, ID 83830

RE: Permit No. 92-7127

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

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SEP 28 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

4
92-7127

Permit No.

1. Measurement Calculations

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

Exam Est cap as 0.02 cfs

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{1 \times 3 = 3 AF} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

RECORDED
SEP 28 1987

RECOMMENDED AMOUNTS

3.	Permit No.	92-7127	3-30-83	0.02	3-30-83	6-17-83	0.02
	Priority			Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: Jo-Evelyn Smart

Address: P.O. Box 146 - Fernwood, Id. 83830

5. Source: St. Mary's River tributary to St. Joe River

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

Period of Use
From To

Rate of Diversion
Q (cfs)

Annual Volume
V (a1a)

irrigation

SI-1/ SI-E

S1-11

0.02

3.0

7. Point(s) of Dive

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			NW SW	SW	15	44 N	1 W	Beneva

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks:

10. 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: _____

11. Examiner's Signature

Checked in Regional Office by

Approved in State Office by

Date _____

Date _____

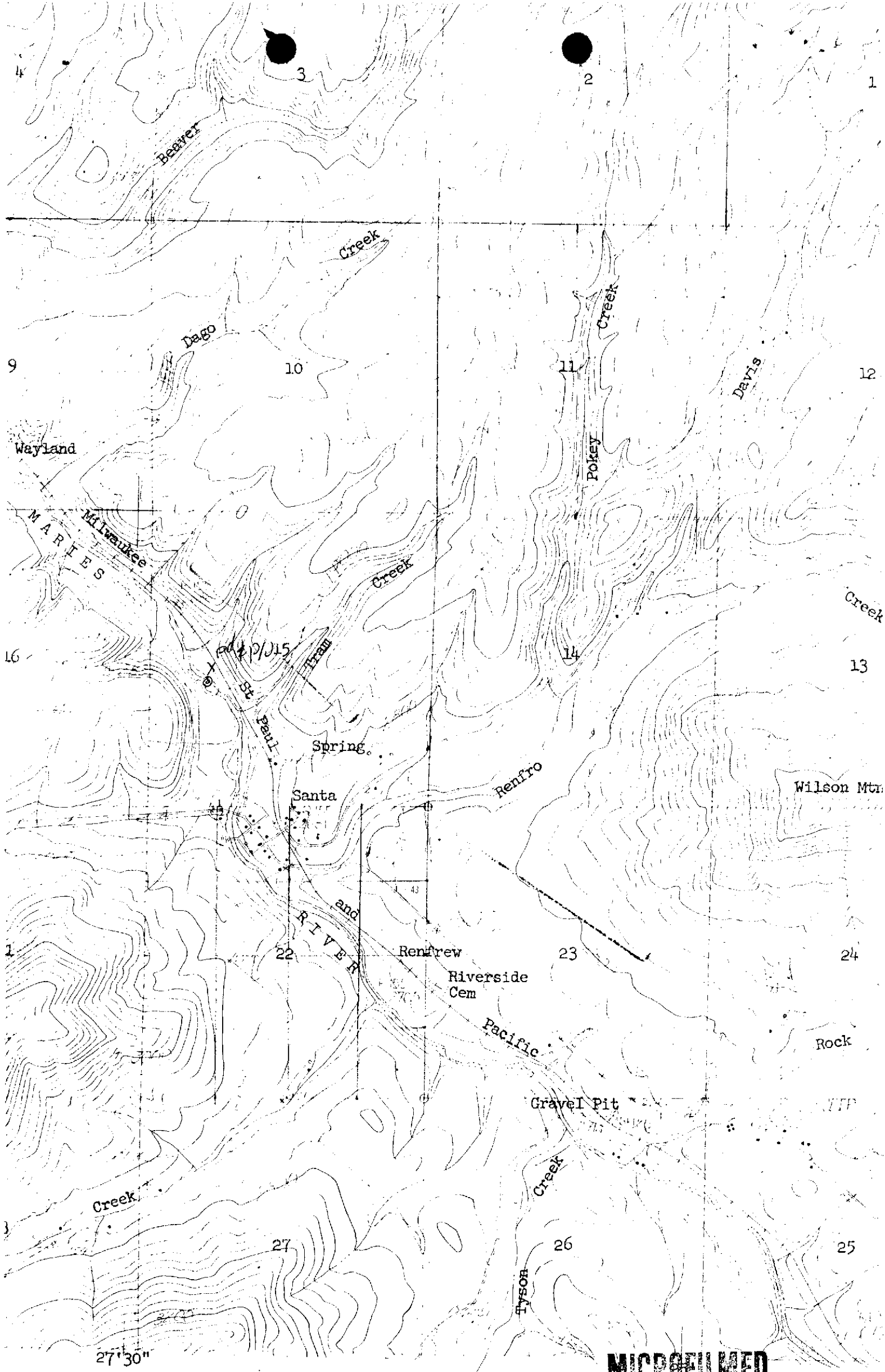
Date _____

Don Houston

RECEIVED

SEP 28 1981

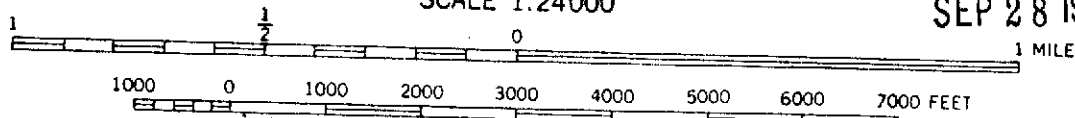
SEP 24 1983



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SEP 28 1981

SCALE 1:24000



CONTOUR INTERVAL 40 FEET

APPROXIMATE MEAN
ELEVATION 1051

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

SEPTEMBER 6, 1983

JO-EVELYN SMART
BOX 146
FERNWOOD ID 83830

RE: Permit No. 92-7127

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 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

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. 92-7127.

Name(s) of Permit Holder: Jo-Evelyn Smart

Post Office Address: P.O. Box 146

Fernwood Id. 83830 Tel. No. 208-245-2704

Source of Water: St. Joe River & Well

Extent of Use: ☒ Domestic 1 (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 15 (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.

6/11/83
Date

Jo-Evelyn Smart
Signature of Permit Holder

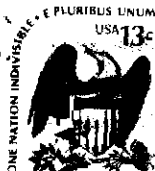
Jo-Elyn Smart

P.O. Box 146

Fernwood, Id. 83830



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMART, JO-EVELYN
P.O. BOX 63
SANTA, ID 83866

MAY 25, 1983

RE: PERMIT NO. 92-7127

DEAR PERMIT HOLDER:

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

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

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

ENCLOSURE

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: J

APPLICATION NUMBER: 72-7127

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

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

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 5/2/83 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4/25/83 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
✓ 3/30/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: ASA Date: 5/4/83

STATE OFFICE REVIEW:

SW/WB

- ☐ See attached sheet for more information.
By: Adm

Date: 5/12/83

RECEIVED
MAY 09 1983

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX

92-2122-

SMART, JO-EVELYN

P.O. BOX 63, SANTA, ID 83866

Source: SAINT MARIES RIVER trib. to SAINT JOE RIVER

Date Filed: 03/30/1983

Diversion Pt: NSW Sec 15 T 44N R 01W

Use: IRRIGATION (0.02 CFS)

In: NSW Sec 15 T 44N R 01W FOR 1 ACRES

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