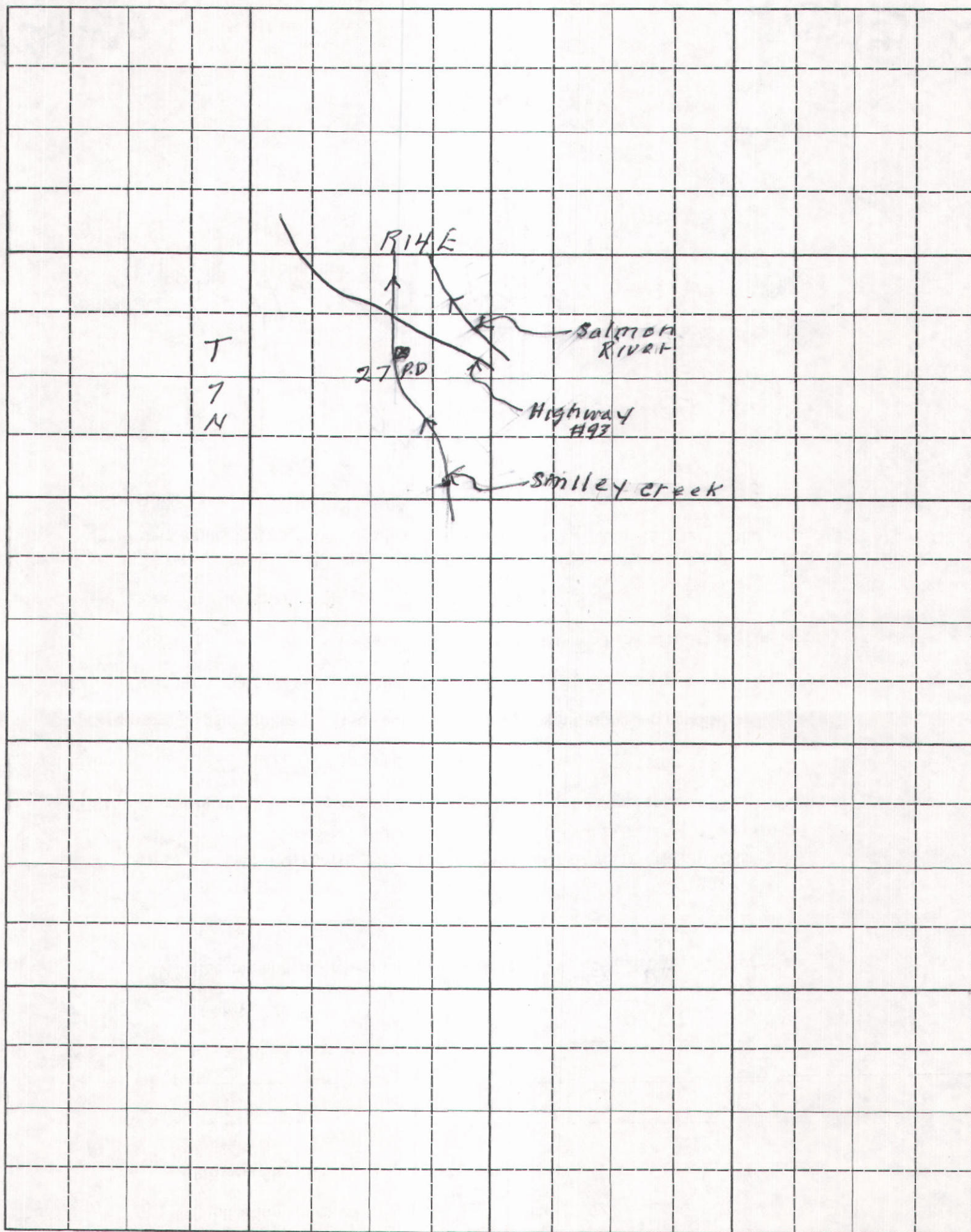


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
(Applicant)

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 14 day of August, 1980, and the date of the last publication was on the 21 day of August, 1980.

[Signature]

Subscribed and sworn to before me this 23rd day of August, 1980.
(SEAL)

[Signature]

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 13
Number of Lines in Notice 36
Number of Insertions 2
Lines tabular at _____ 4¢ / Pica
36 Lines straight at 14.04 3¢ / Pica
36 Subsequent lines at 9.36 2¢ / Pica
TOTAL COST 23.40

COPY OF NOTICE

(Paste Here)

Permit 71-7062
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER RIGHT

NOTICE IS HEREBY GIVEN, That the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

71-7062

Name: McKean, Kelly
Address: 3730 Catalpa Drive, Boise, Ida. 83703

Source: Smiley Creek tributary to Salmon River

Date Filed: 07/17/1980

Amount: 0.03 cfs

Diversion Point: SWNE Sec 27 T 07N R 14E, Blaine County

Use: Irrigation-(0.03 cfs) from 04/15 to 10/15

Place of Use: SWNE Sec 27 T 07N R 14E for 1 acre

Diversion Means: Pump and gravity system

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before September 2, 1980.

C. Stephen Allred
Director

Publish: Wood River Journal--August 14, 21, 1980.

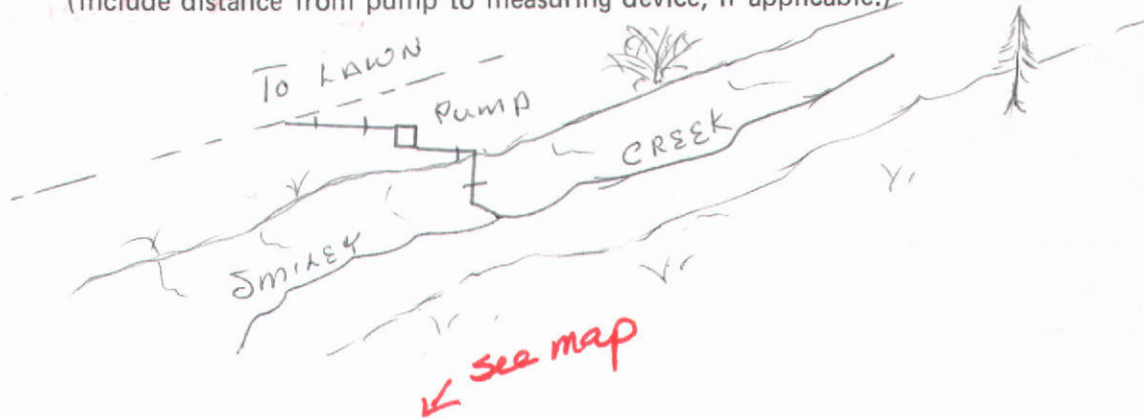
insertions 2¢ / Pica
RECEIVED

SEP 2 1980

No 122
Department of Water Resources
Southern District Office

Topographic map of the Smiley Creek area, showing contour lines, water bodies, and infrastructure. The map is overlaid on a grid with handwritten labels 'T 72' on the left and 'R 142' at the top. Key features include Smiley Creek, Beaver Creek, and Salmon Creek. A 'Smiley Creek Landing Strip' is marked with a red 'L'. A 'Smiley Creek Lodge' is marked with a red 'X'. A 'BOUNDARY' line is indicated by a red dashed line. Elevation points are marked with 'BM 7160' and '7174'. The map also shows 'NATIONAL FOREST' and 'Wtooth Cem'.

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



Point(s) of diversion: SW 1/4 NE 1/4 Sec, 27 T. 7N. R. 14E.

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None
☐ Other

Examiner's Signature

Checked by

Approved by _____

Date 8-20-1981

Date 8-24-81

Date

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 71-7062 Priority July 17, 1980 Amount .03 cfs

THIS IS TO CERTIFY, that Kelly Mckean
of Boise, ID, has complied with the terms and conditions of Permit
No. 71-7062 issued pursuant to Application for Permit dated July 17, 1980,
and has submitted proof to the Department of Water Resources on December 1, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .03 cfs of water from Smiley Creek,
tributary to Salmon River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 15</u> to <u>Oct 15</u> at <u>.03 cfs</u> and <u>1.5 acre feet</u>		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than .03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.5 acre feet per year, said waters to be diverted within the SWNE Section 27,
Twp 7N, Rge 14E in the County of Blaine

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	14E	27																	1

Total number of acres irrigated 1

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31ST day of
October, 19 81.

Acting for the Director Norman C Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 71-7062

RECEIVED
APPROVED

Department of Water Resources
Southern District Office

1. Name of applicant KELLY MCKEAN Phone 342-0698

Post office address 3730 Catalpa Dr., Boise, ID 83703

2. Source of water supply Smiley Creek which is a tributary of Salmon River

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 Township 7N

Range 14E B.M. Blaine County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .03cfs for irrigation purposes from 4/15 to 10/15 (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. .03 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 gravity system

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

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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: _____

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	
7N	14E	27			.5														.5

Total number of acres to be irrigated .5

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

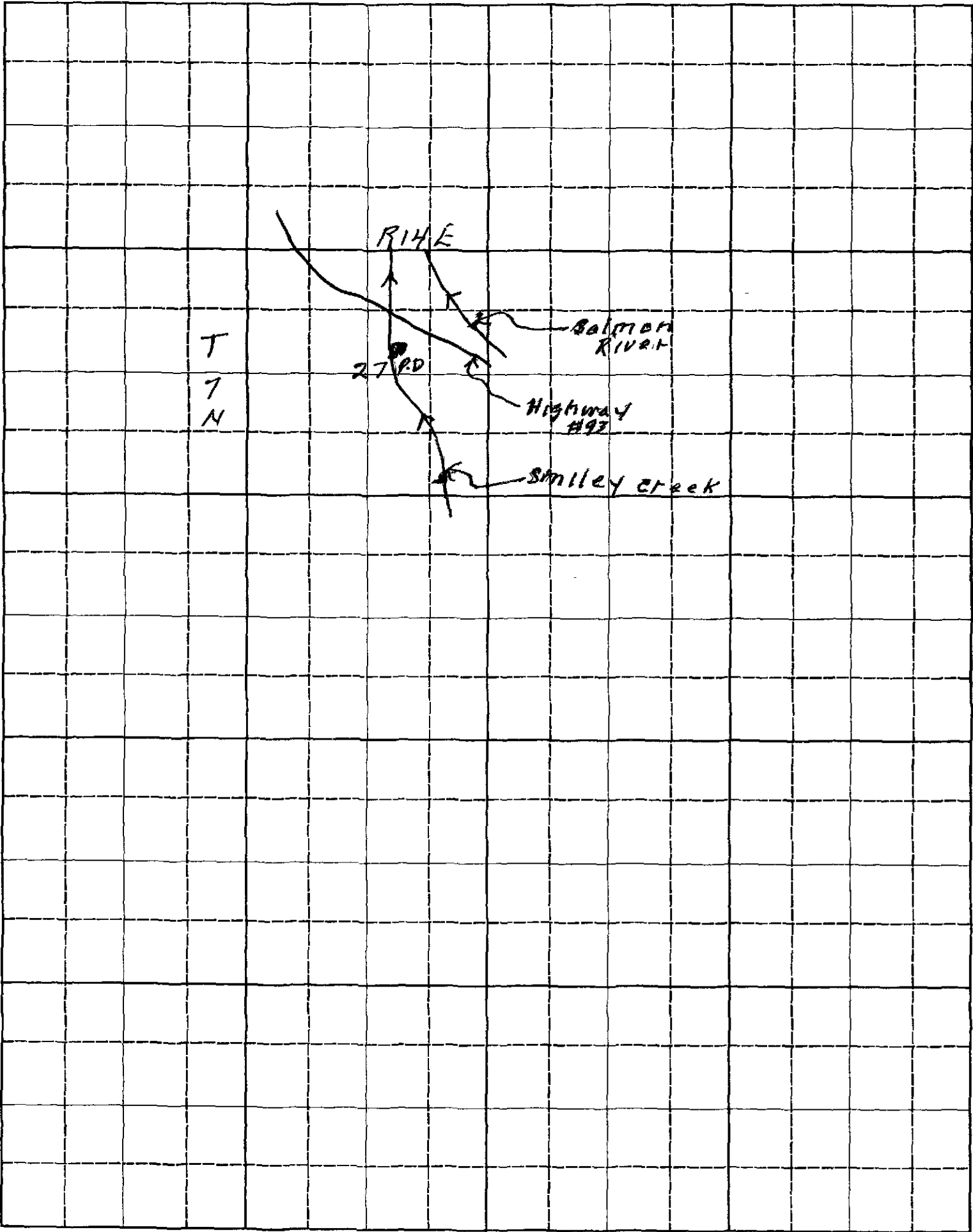
9. a. Who owns the property at the point of diversion Applicant

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

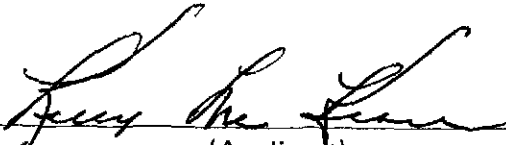
10. Remarks Lot 21, Smiley Creek Sub. #3, Blk. 1

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.


(Applicant)

Proposed Priority 7/17/80 marpa 7/24/80 1:45 pm
Received by GKN Date 7/17/80 Time 11:30 A.M.
Preliminary check by HS Fee \$ 30.00
Received by H.H. Date 7/17/80 # 15648
Publication prepared by mm Date 8/6/80
Published in Wood River Journal
Publication dates 8/4 + 8/21/80
Publication approved marpa Date 7/2/80
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by LK RA Jir

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. 71-7062, 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 October 1, 19 85.
- 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 2nd day of October, 1980.

L. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 14 day of August, 1980, and the date of the last publication was on the 21 day of August, 1980.

Subscribed and sworn to before me this 23rd

day of August, 1980.
(SEAL)

Roberta McKee

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 13
Number of Lines in Notice 36
Number of Insertions 2
Lines tabular at _____ 4¢ / Pica
36 Lines straight at 14.04 3¢ / Pica
36 Subsequent lines at 9.36 2¢ / Pica
TOTAL COST 23.40

COPY OF NOTICE

(Paste Here)

Permit 71-7062
FILE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho 83301

RECEIVED

SEP 2 1980

No. 122
Department of Justice
Southern District Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 19, 1981

RE: Permit No. 71-7062

Kelly McKean
3730 Catalpa Drive
Boise, ID 83701

Dear Mr. McKean:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

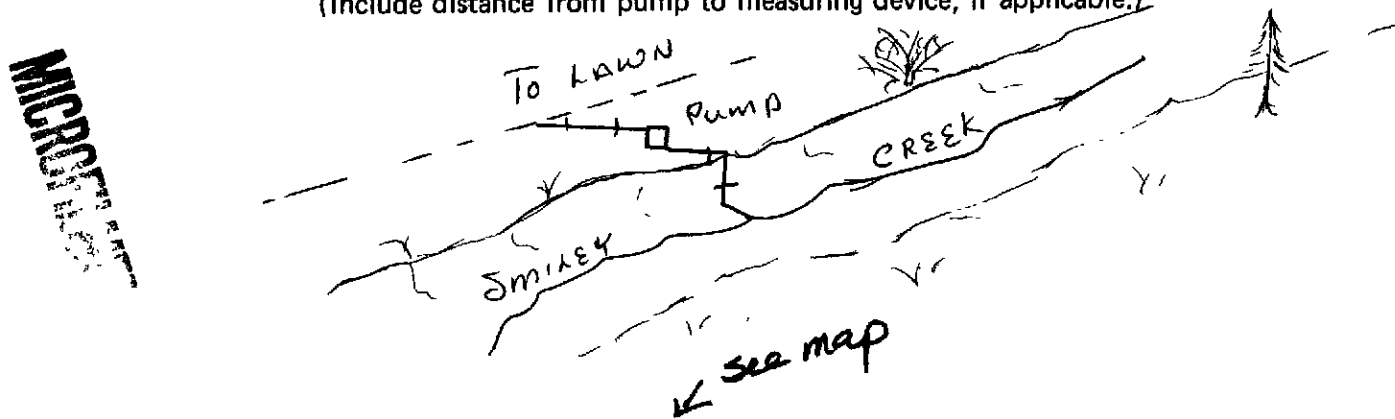
Enclosure

Microfilm

Irrigation requirement = 3.0		AFA/Acre	
Q (cfs)	V (afa)	FROM	TO
~~0.03 cfs~~	4 1.5	4-15	10-15
.03			
~~0.03 cfs~~	1.5		
.03			

[illegible]

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



Point(s) of diversion: SW 1/4 NE 1/4 Sec. 27 T. 7N. R. 14E.

Place(s) of Use

TWP.	RGE.	SEC:	NE% 				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
7N	14E	27			✓ 206			873											
									</										

☐ 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

Checked by

Approved by _____

Date 8-20-1981

Date 8-24-81

Date _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

April 24, 1981

Kelly McKean
3730 Catalpa Drive
Boise, Idaho 83701

Re: Permit No. 71-7062

Dear Mr. McKean:

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

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

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

GLF:marya

MICROFILMED

PLACE
TEN CENT
STAMP
HERE

RECEIVED

DEC 1 1980



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

WATER RESOURCES

DEPARTMENT OF WATER RESOURCES

n.f.

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. 11-7062

Name(s) of Permit Holder:

KELLY MC KEAN

Post Office Address:

3730 CATALPA DR

BOISE IDAHO

Tel. No. 342-0698

Source of Water:

SMILEY CREEK

Intent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

(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.

Date

12-1-80

Signature of Permit Holder

Kelly Mc Kean

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

MC KEAN, KELLY
3730 CATALPA DRIVE
BOISE, ID 83703

NOVEMBER 20, 1980

RE: PERMIT NO. 71-7062

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 A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

UNRECORDED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

71
McKEAN, Kelly

INITIAL REVIEW BY: J. E. Edenton

APPLICATION NUMBER: 71-7062

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature. *note - reduce amount to .02 off*
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____ Date: _____

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*
☐ Yes ☒ No

Platted by: JS Map No. W-20

Other rights on same place of use. unknown - land has been subdivided

In form for advertising.

Final date for protests: 9/2/80 ✓

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/2/80 ✓
☒ 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
☐ Yes ☒ No
☐ Yes ☒ No

Measuring device required.

Access port required.

Will water be delivered by watermaster? If yes, what district? _____

Date of priority recommended.

Special conditions of approval or cover letter. _____

By: Loren O. Hansen

Date: 9-10-80

MICROFILMED

STATE OFFICE REVIEW:

SLW/lo cond

- ☐ See attached sheet for more information.

By: Rebyn

Date: 9/24/80

NOTICE OF APPLICATION FOR WATER RIGHT

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

71-7062

MC KEAN, KELLY

,3730 CATALPA DRIVE, BOISE, ID 83703

Source: SMILEY CREEK tributary to SALMON RIVER

Date Filed: 07/17/1980

Amount: 0.03 CFS

Diversion Point: SWNE Sec 27 T 07N R 14E, BLAINE Co.

Use: IRRIGATION (0.03 CFS) from 04/15 to 10/15

Place of Use: SWNE Sec 27 T 07N R 14E FOR 1 ACRES

Diversion Means: PUMP AND GRAVITY SYSTEM.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before SEPTEMBER 2, 1980.

C. STEPHEN ALLRED

Director

Published 8/14 & 8/21.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

AUGUST 6, 1980

Wood River Journal
P.O. Box 988
Hailey ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 2, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED