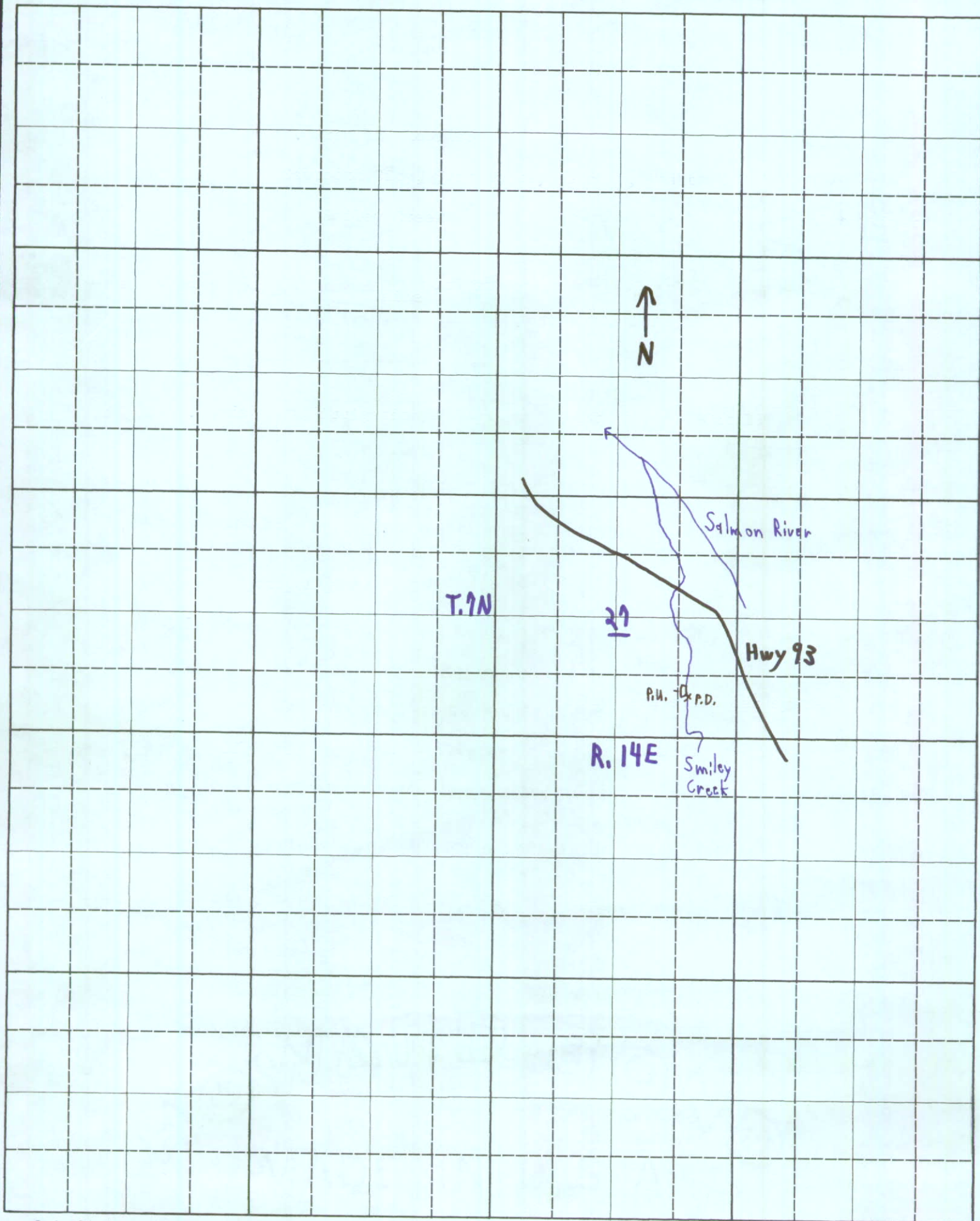


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

B Franklin Robinson
(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 20 day of September

1979, and the date of the last publication was on the 27

day of September, 1979.

Subscribed and sworn to before me this 28 th

day of September, 1979.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 35

Number of Insertions 2

..... Lines tabular at 39c

35 Lines straight at 26c 9.10

35 Subsequent lines at 15c 5.25

TOTAL COST 14.35

COPY OF NOTICE

(Paste Here)

Permit

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:

71-7035

Name: Robinson, B. Franklin
Address: Sawtooth City, Star Route, Ketchum, Id. 83340

Source: Smiley Creek tributary to Salmon River

Date Filed: 08/30/1979

Amount: 0.04 cfs

Diversion Point: SESE Sec 27 T07N R14E, Blaine County

Use: Irrigation (0.04 cfs) from 04/15 to 10/15

Place of Use: SESE Sec 27 T07N R14E for 1 acre

Diversion Means: Pump and sprinkler 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 October 8, 1979.

C. Stephen Allred

Director

Publish: Wood River Journal--
September 20, 27, 1979.

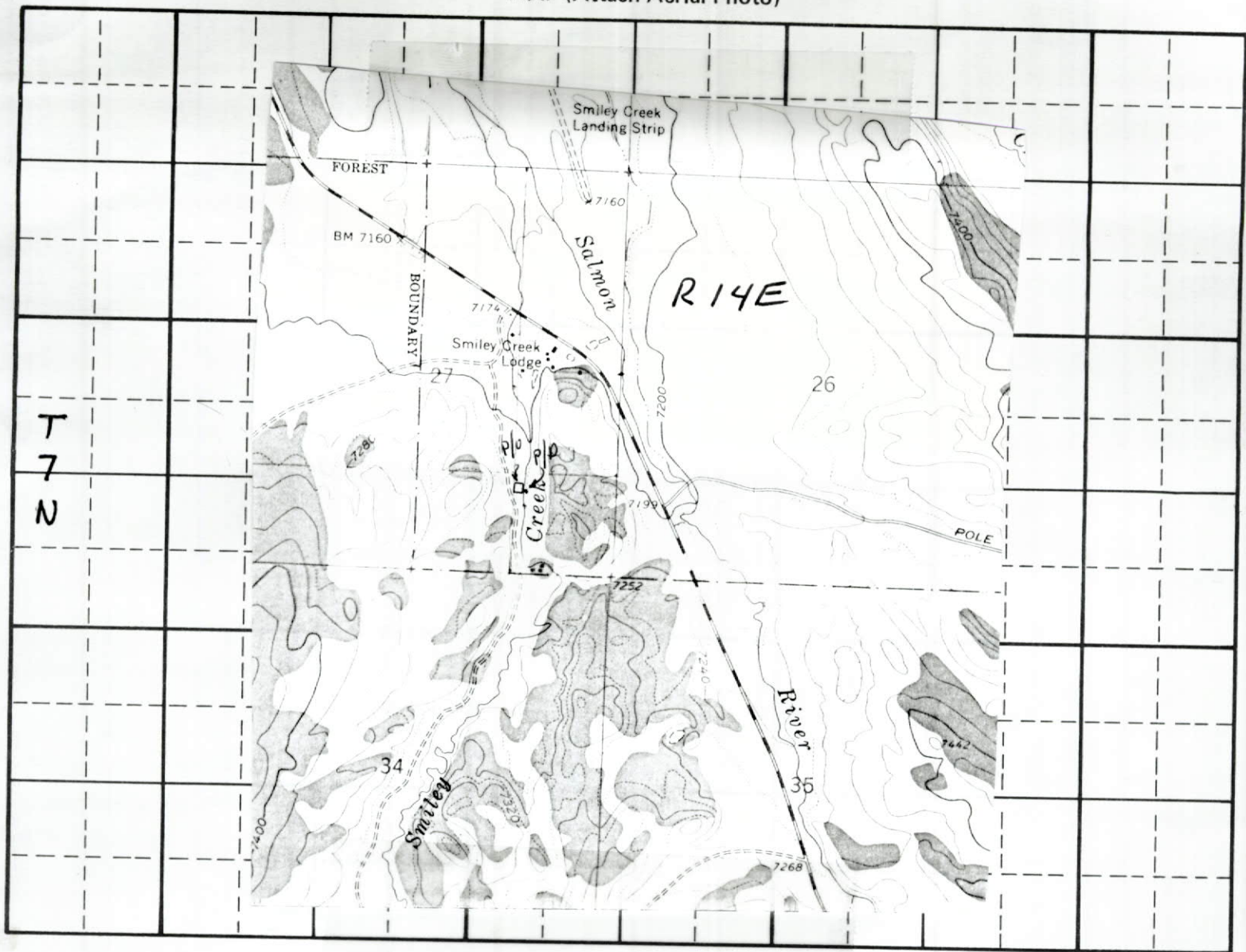
RECEIVED

Nº 0989

Department of Water Resources
Southern District Office

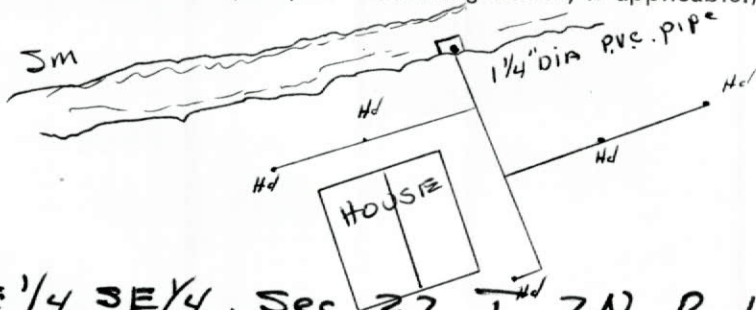
MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



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

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 N	14 E	27																1	1

Recommended Amendments:

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☒ None
 ☐ Other
- ☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above

Examiner's Signature *Long Funderburg*
 Checked by *Terrence A. Sloan*
 Approved by *[Signature]*

Date 02/11/1983
 Date 2/11/83
 Date 3/30/83

UNRECORDED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 71-7035 Priority August 30, 1979 Amount 0.03 cfs

THIS IS TO CERTIFY, that B. Franklin Robinson
of Ketchum, Idaho, has complied with the terms and conditions of Permit
No 71-7035 issued pursuant to Application for Permit dated August 30, 1979,
and has submitted proof to the Department of Water Resources on September 3, 1982,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 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
<u>Irrigation</u>	<u>from April 15 to October 15</u>	<u>at 0.03 cfs and 3.0 acre feet</u>	
	<u>from</u>	<u>cfs and</u>	
	<u>from</u>	<u>at cfs and</u>	

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, 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	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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of April, 19 83.

Acting for the Director

Norm C. Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED
AUG 30 1979

To appropriate the public waters of the State of Idaho

Department of Water Resources
District Office

1. Name of applicant B. Franklin Robinson Phone 774-3388

Post office address Sawtooth City, Star Route, Ketchum, Idaho 83340

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ 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 0.04 cfs for irrigation purposes from Apr 15 to Oct 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. 0.04 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 sprinkler system

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

Period of year 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 supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated

I

c. Describe any other water rights used for the same purposes as described above.

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

b. Who owns the land to be irrigated or place of use

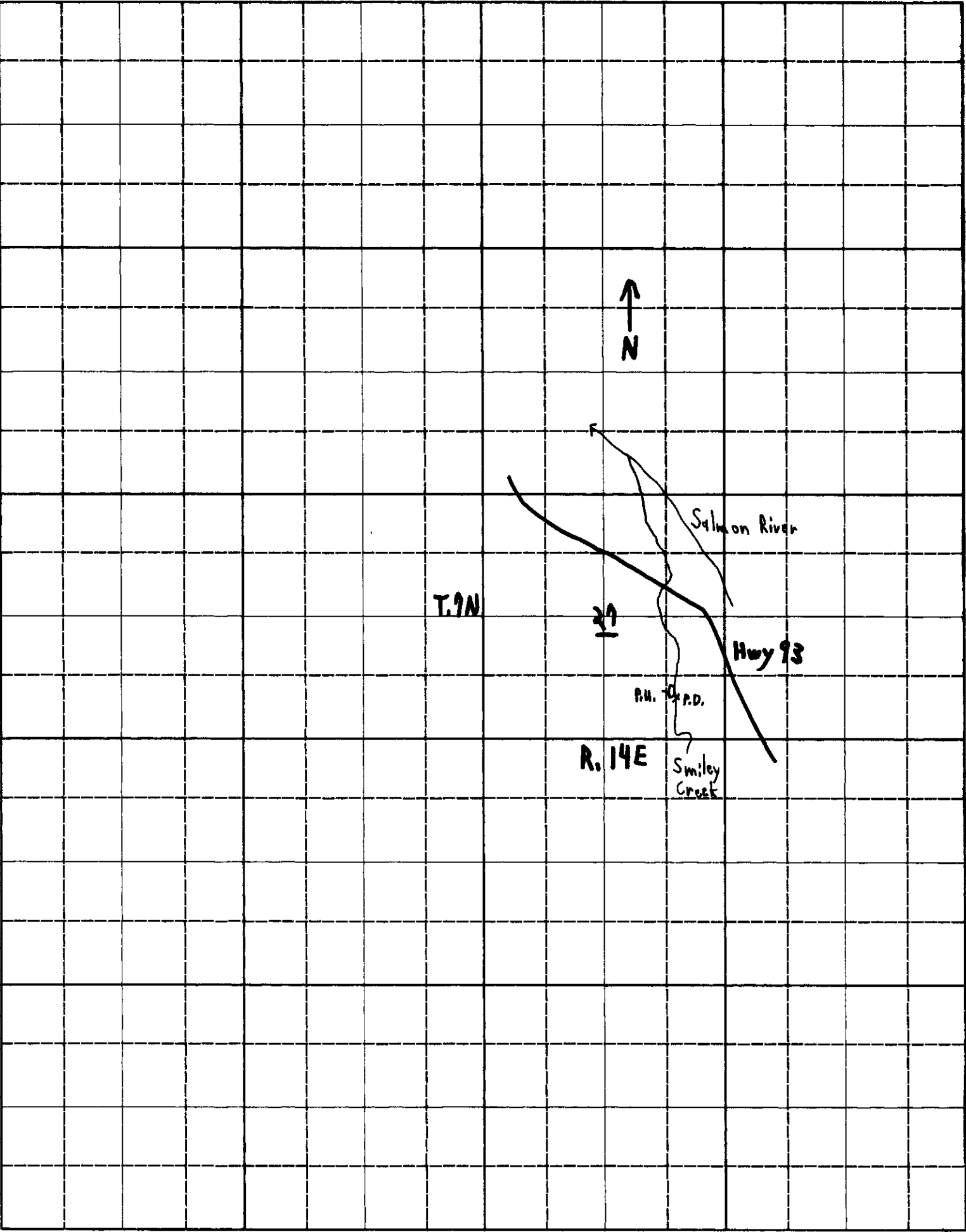
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing

10. Remarks	Place of use and point of diversion are further described as Lot 9 of the
-------------	---

Smiley Creek Subdivision.

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.

B. Franklin Robinson
(Applicant)

Proposed Priority 8/30/79

Received by

80

Date

8-30-79

Time

noon

Preliminary check by

RB

Fee \$ 20.00

Date

8/31/79

13316

Date

9/5/79

Date

9/5/79

Date

9/5/79

Date

9/5/79

Date

9/5/79

Protests filed by:

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

RB

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. 71-7035, 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 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

30

day of

October

19 79.

Chief, Operations Bureau

A. Allen Saylor

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 Halley, 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 20 day of September 1979, and the date of the last publication was on the 27 day of September, 1979.

[Signature]

Subscribed and sworn to before me this 28th

day of September, 1979.
(SEAL)

[Signature]

NOTARY PUBLIC

WOOD RIVER JOURNAL
Halley, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>35</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	39c	
<u>35</u> Lines straight at	26c	<u>9.10</u>
<u>35</u> Subsequent lines at	15c	<u>5.25</u>
TOTAL COST		<u>14.35</u>

COPY OF NOTICE

(Paste Here)

Permit

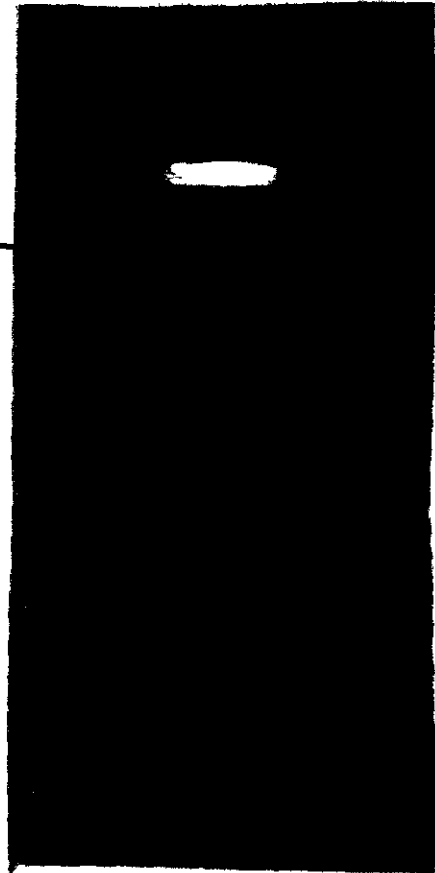
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

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



RECORDED

No 0989

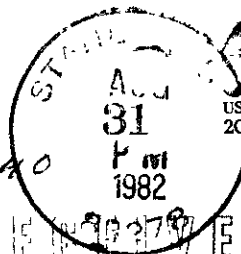
SEP 28 1979
SHERIFF'S OFFICE

MICROFILM

12 Franklin D. Roosevelt

Star 50

Ketchikan, Alaska 99901



MICROFILMED

JUL 25 1988



RECORDED

SEP 1 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

71-7035

COMMENCEMENT OF WORKS

Permit No. Don't know. I can't find it
Name(s) of Permit Holder(s): B. Franklin Robinson
Post Office Address: Star St. Teton Idaho
Tel. No. 274-3388

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on 8/81 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit. Completed 8/82 & in use.
- ☐ 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*:

*Note: A financing difficulty is
not an acceptable reason

8/28/82
Date

B. Franklin Robinson
Signature of Permit Holder

May 2, 1983

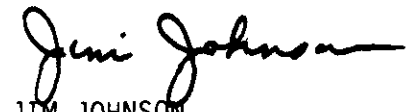
RE: Permit No. 71-7035

B. Franklin Robinson
Star Route
Ketchum, ID 83340

Dear Mr. Robinson:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICRO
FILM



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

April 4, 1983

RE: Permit No. 71-7035

B. Franklin Robinson
Star Route
Ketchum, ID 83340

Dear Mr. Robinson:

A representative of this Department has made an examination of the works covered by your Permit No. 71-7035, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.03 cfs Source: Smiley Creek

The maximum quantity diverted shall not exceed 3.0 acre feet
per year.

Point(s) of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Twp. 7N, Rge. 14E, Blaine County

Beneficial use: Irrigation of one acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Twp.
7N, Rge. 14E,

Priority date established: August 30, 1979

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

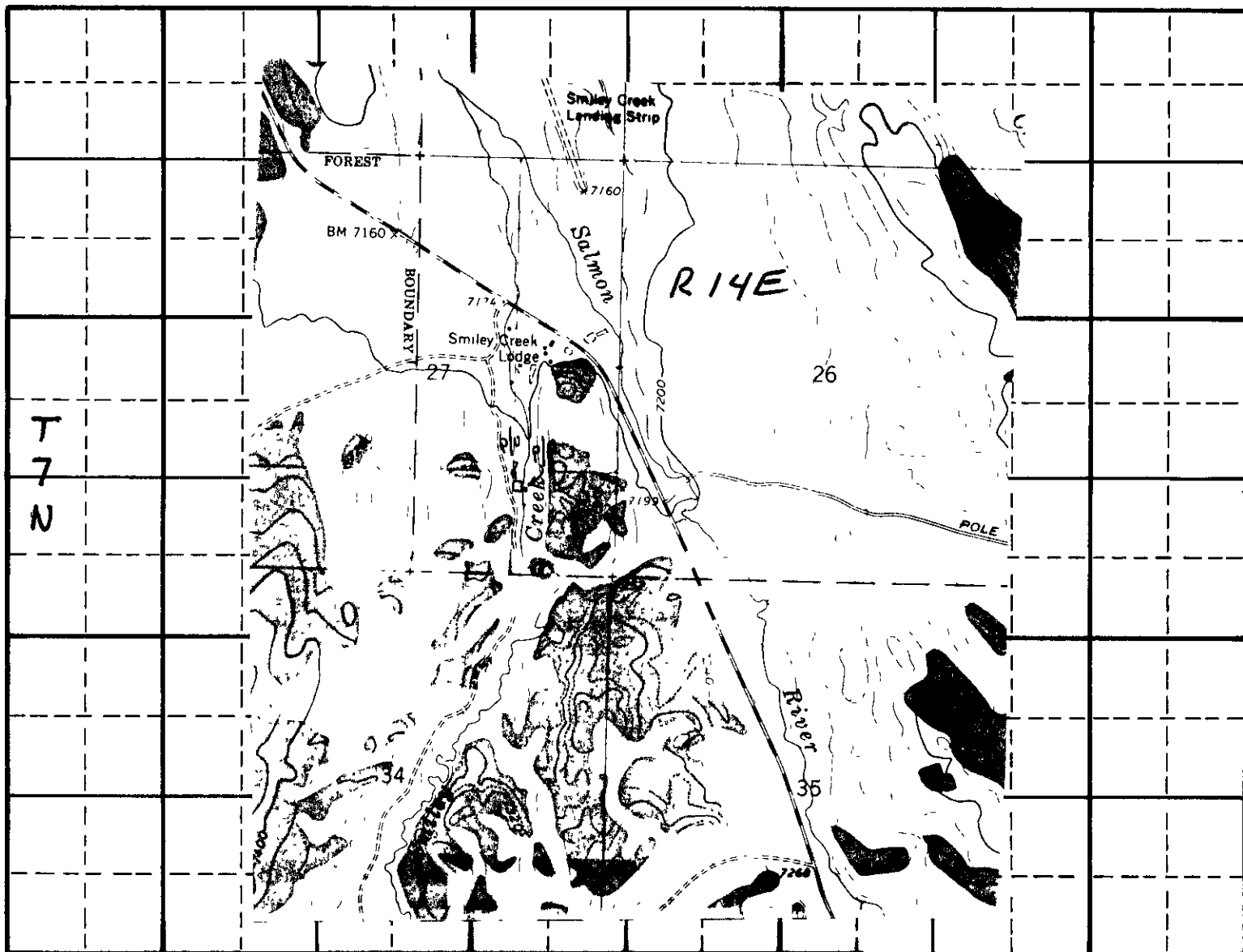
JIM JOHNSON
Water Distribution Supervisor

JJ-kw

MICROFILMED

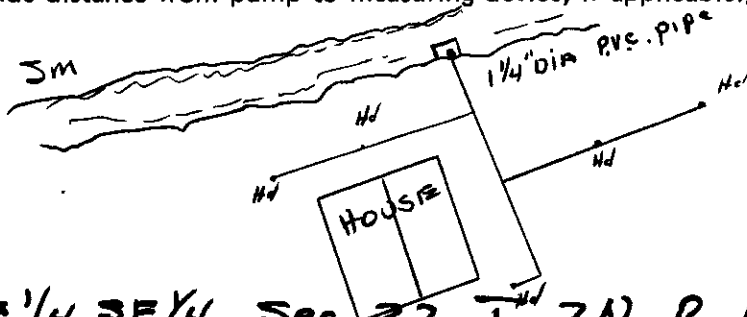
June 4-4 83

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: SE 1/4 SE 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																1	1

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

Examiner's Signature

Checked by

Approved by

Date

Date

Date

02/11/1983

2/11/83

3/30/83



December 8, 1982

B. Franklin Robinson
Sawtooth City
Star Rt.
Ketchum, ID 83840

Dear Mr. Robinson:

Re: Permit No. 71-7035

This office acknowledges receipt of the Statement of Beneficial Use postcard.

It is the Department's understanding that a field exam has been conducted by one of our regional representatives. Based on his recommendations, a water right license will be issued.

If you have further questions concerning your permit, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Sr. Secretary

cc: Region



PLACE
TEN CENT
STAMP
HERE

RECEIVED



SEP 7 1982

Department of Water Resources

SEP 8

Department of Water Resources
Southern District Office

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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. 71-7035

Name(s) of Permit Holder: B. Franklin Robinson

Post Office Address: Star Rt.
Ketchum, Idaho 83340

Source of Water: Smiley, Cr.

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

8/31/82
Date

B. Franklin Robinson
Signature of Permit Holder



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

November
November 3, 1979

B. Franklin Robinson
Swatooth City
Star Route
Ketchum, Idaho 83340

Dear Mr. Robinson,

RE: Permit No. 71-7035

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1

DATE 10-11-79

FROM Loten Holmes

TO State Office

SUBJECT Number change 37-7794 to 71-7035

This Application was given a basin 37 number when it should be in basin 71.

We will delete 37-7794 on the Computer & re-enter as 71-7035

MICROFILMED

SIGNATURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

ROBINSON, B. Franklin

INITIAL REVIEW BY: T.G. Blum

APPLICATION NUMBER: 71-7035

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.
☒ 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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. W 20
☐ Yes ☒ No Other rights on same place of use. None platted
☒ Yes ☐ No* In form for advertising.
Final date for protests: 10/8/79
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

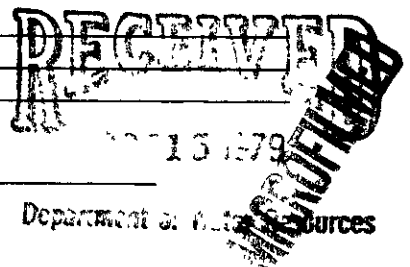
FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/4/79
☒ 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? _____
☒ 8-30-79 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Loren O. Halverson Date: 10-11-79

STATE OFFICE REVIEW:

- Short letter w/o conditions
☐ See attached sheet for more information.
By: Juni Date: 10/30/79



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- 7035

ROBINSON, B. FRANKLIN

SAWTOOTH CITY, STAR ROUTE, KETCHUM, ID 83340

Source: SMILEY CREEK tributary to SALMON RIVER

Date Filed: 08/30/1979

Amount: 0.04 CFS

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

Use: IRRIGATION (0.04 CFS) from 04/15 to 10/15

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

Diversion Means: PUMP AND SPRINKLER 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 OCTOBER 8, 1979.

C. STEPHEN ALLRED

Director

Published 9/20 & 9/27/79.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

SEPTEMBER 5, 1979

Wood River Journal
P.O. Box 988
Hailer 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 OCTOBER 8, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.