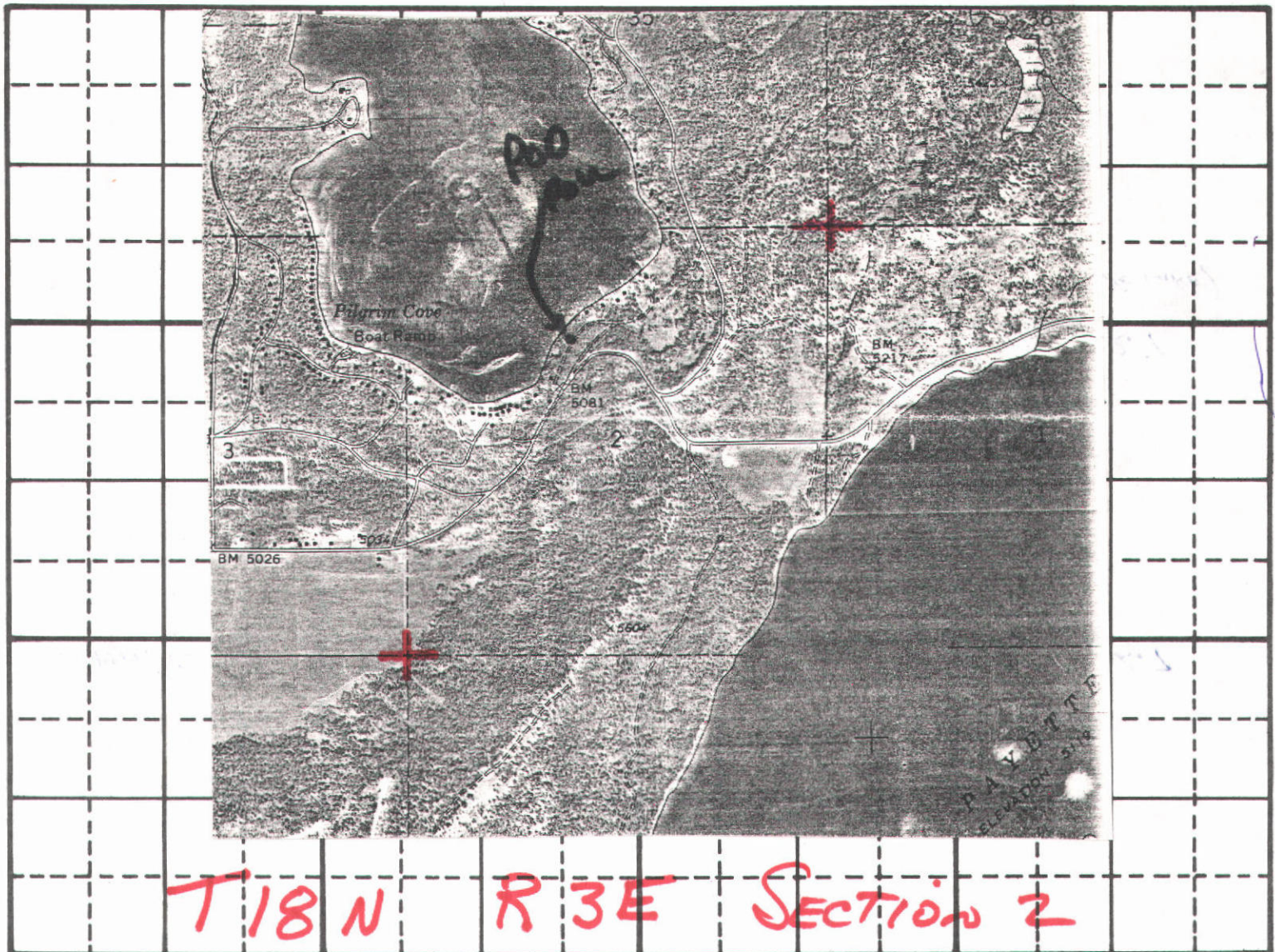


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



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

Signed at X La Jolla, California, this 8th day of November, 19 89.

X Ballard F. Hunt
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by GP Fee = \$20.00 Received by LH Date 10-30-89 # W006580
Publication prepared by N/A Date _____ Published in _____
Publication dates N/A

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above Application for Amendment provided the conditions as set forth
in Permit No. 65-12965 are met.

FEB 27 1990

Witness my hand this 1st day of December, 19 89
L. Glen Saxton
Chief, Water Alloc. Bureau



T
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MICROFILMED

JUN 14 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 18 1993

Department of Water Resources

A. GENERAL INFORMATION

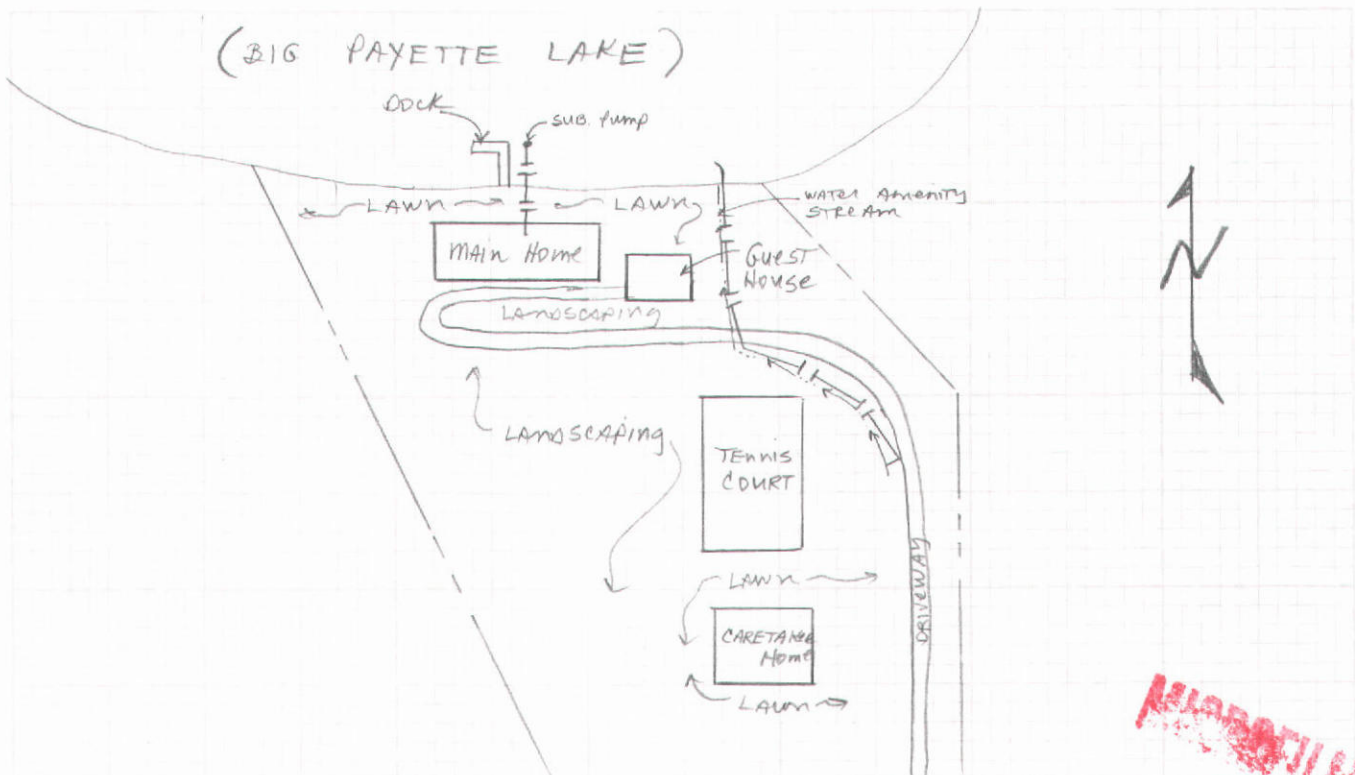
1. Owner: BALLARD Smith Permit No. 65-12965
Current Address: 1320 INSPIRATION DRIVE, LA JOLLA, CA 92037 Phone No. (619) 454-3099
2. Accompanied by: FLOYD SARGENT EXAM. DATE: 7/2/93
Address: MCCALL, ID Phone No. 634-8668
Relationship to Permit Holder: PROPERTY CARETAKER
3. Source: BIG PAYETTE LAKE tributary to NORTH FORK, PAYETTE RIVER

B. OVERLAP REVIEW

1. Other water rights with same place of use: many - See OVERLAP SHEET
☐ Copies Attached
2. Other water rights with same point of diversion: many - see overlap sheet
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

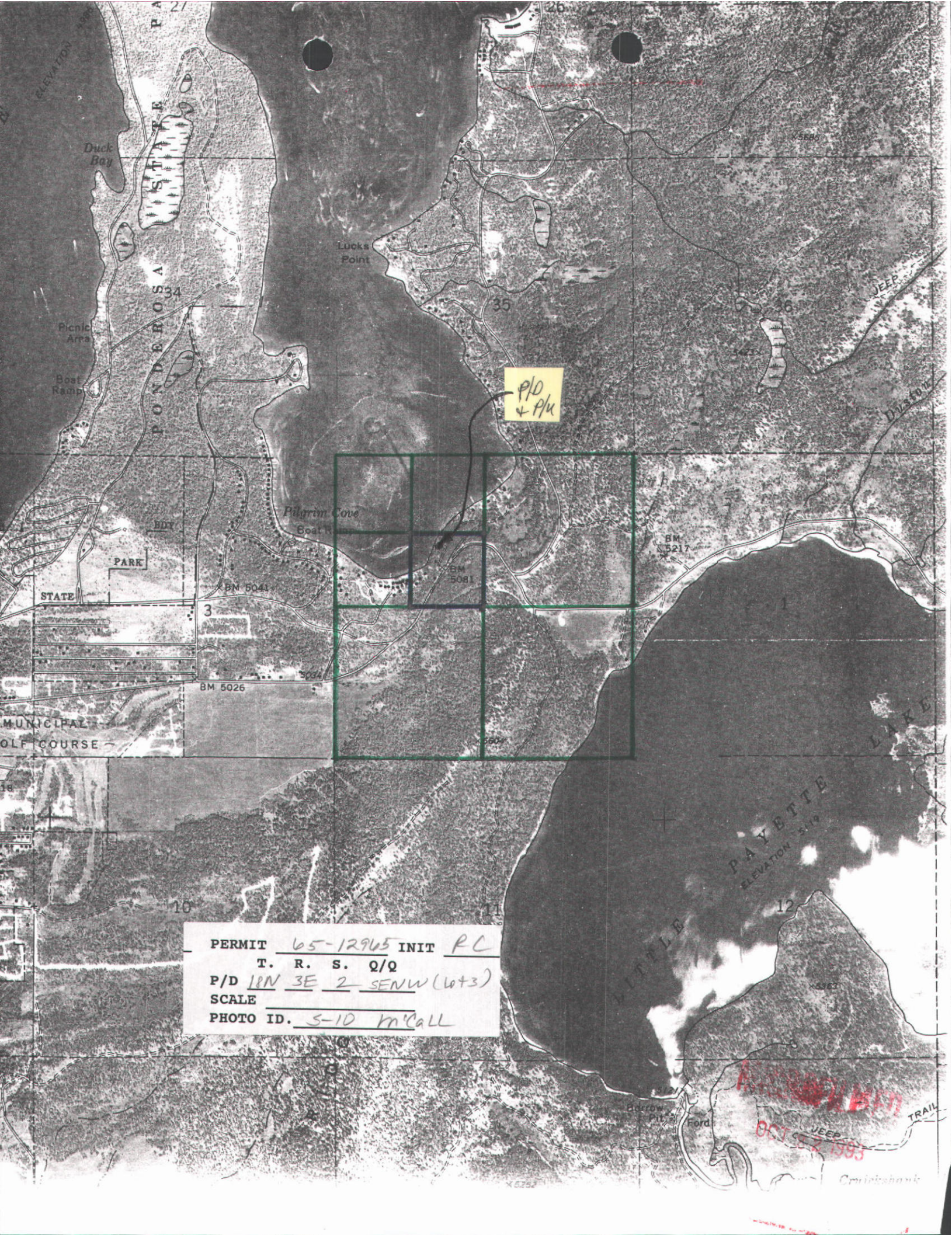
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

RECEIVED
OCT 22 1993



P/D
+ P/U

PERMIT 65-12965 INIT PC
T. R. S. Q/Q
P/D 18N 3E 2 SE NW (lot 3)
SCALE
PHOTO ID. 5-10 McCall

OCT 22 1993

RECEIVED
OCT 22 1993





PHOTO ONE-

LAKEFRONT PORTION OF PROPERTY. PUMP IN LAKE EAST OF DOCK.



PHOTO TWO-

Remaining LAKEFRONT PORTION OF PROPERTY TO THE WEST. HOME IN BACKGROUND IS CARETAKER'S HOME.

OCT 22 1993



PHOTO THREE-

Driveway and Landscaping between (2) LAKEFRONT homes and Tennis court.



PHOTO FOUR-

Underground irrigation system in operation on LAKEFRONT Lawn. Pipe to pump for water amenity, stream, can be seen near waters edge.

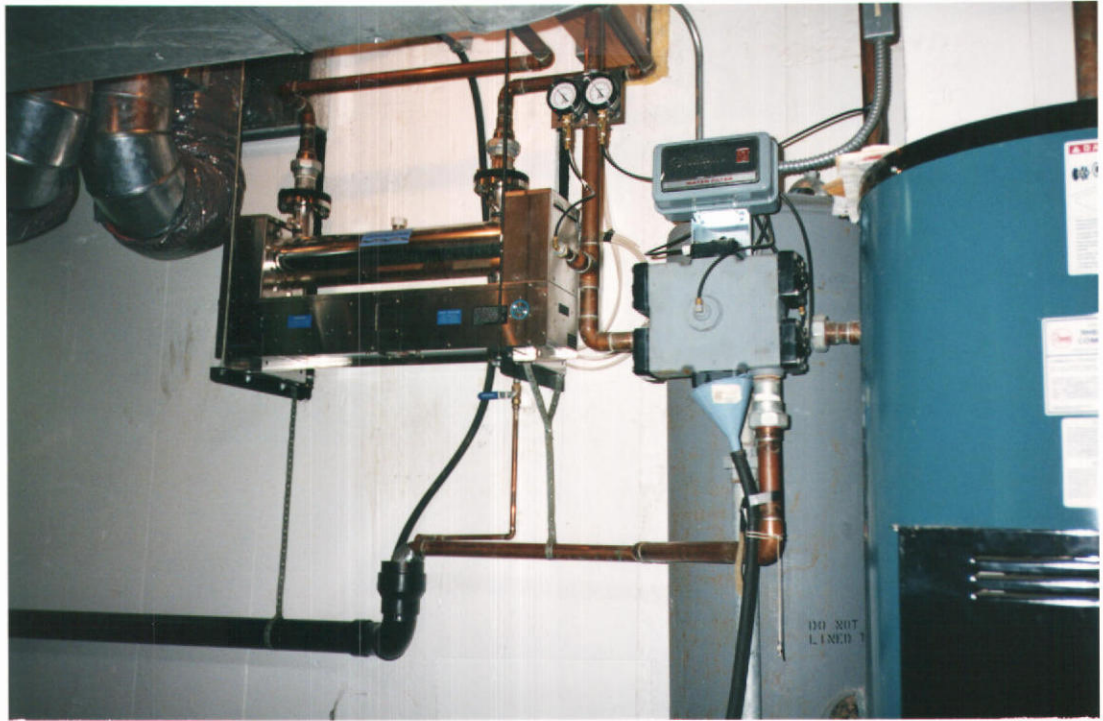


PHOTO FIVE-

Culligan ULTRAVIOLET WATER PURIFYING SYSTEM in basement of home.



PHOTO SIX-

Pump and pipe for water aeration, ~~stream~~ man made stream.

RECEIVED
OCT 22 1993



SEVEN
PHOTO ONE-

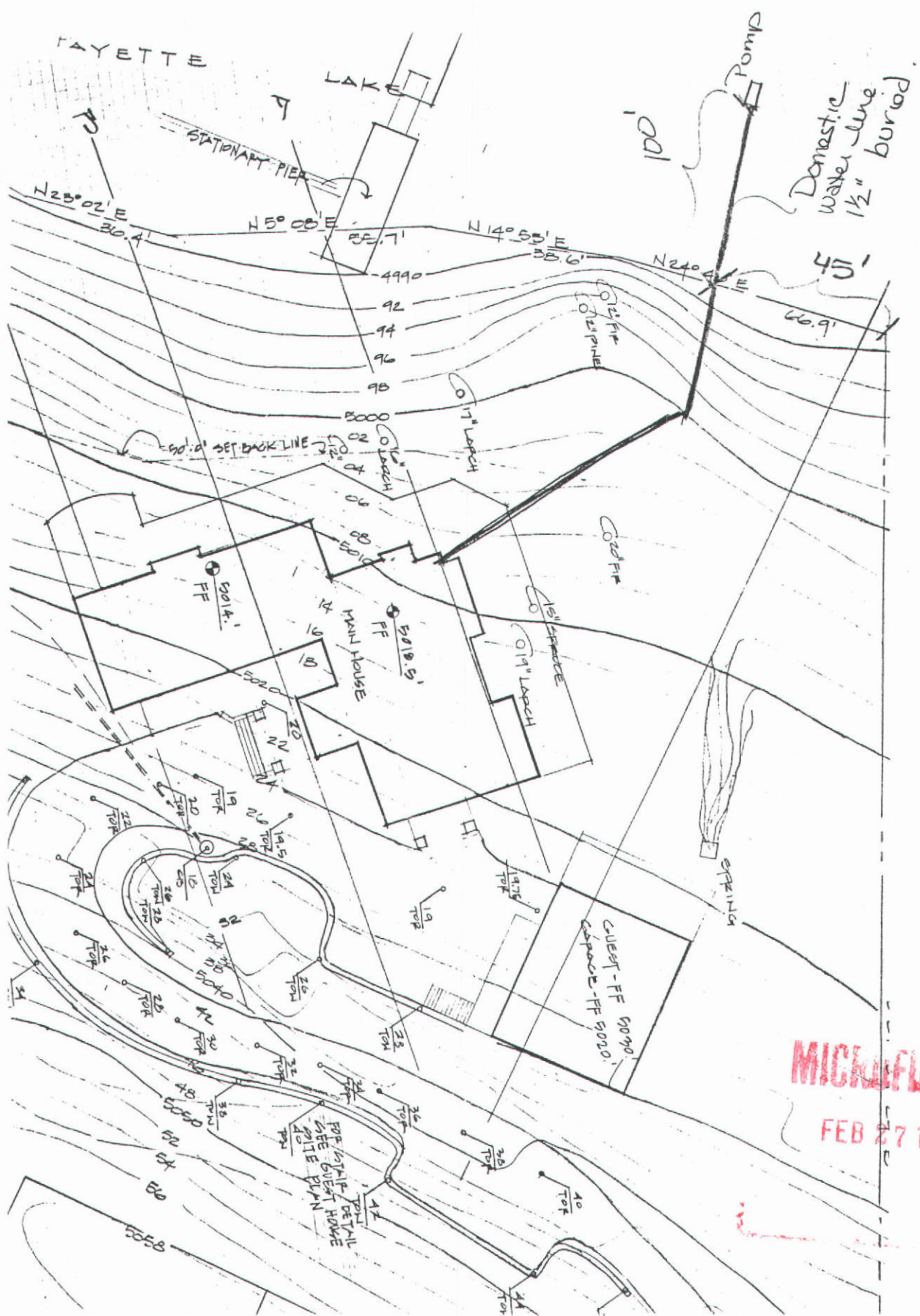
Downstream end of water amenity discharging back into Big Payette Lake.



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OCT 22 1993
E-W-H-T

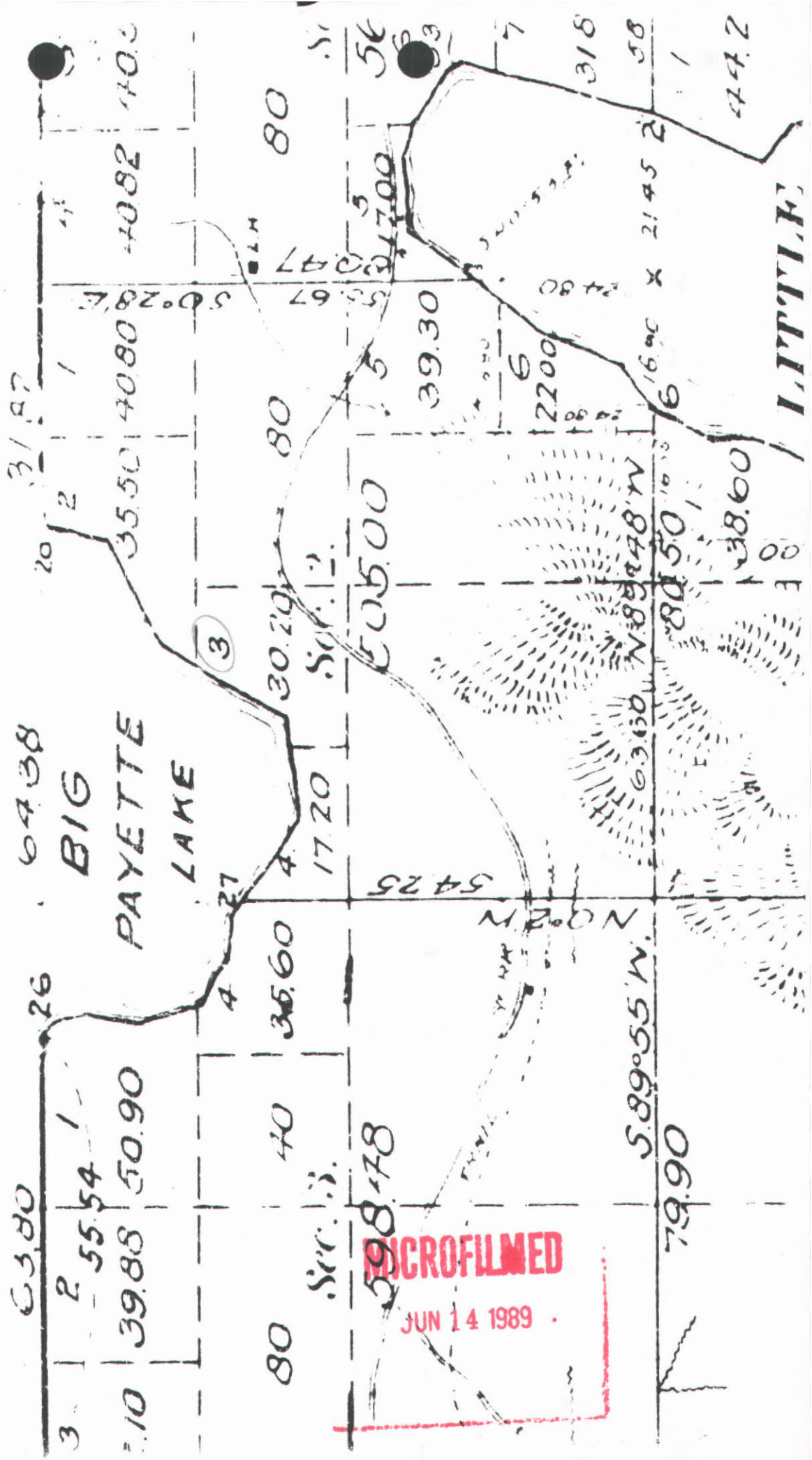
PHOTO TWO-

Discharge at stream beginning east of Tennis court.



MICROFILMED
FEB 27 1990

18N 3E 5.2 5E NW



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12965

Priority: November 28, 1988

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

9.9 AF

This is to certify, that BALLARD SMITH

PO BOX 9572

RANCHO SANTA FE CA 92067

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 22, 1988; and has submitted Proof of Beneficial Use on June 7, 1991. An examination indicates that the works have a diversion capacity of .160 cfs of water from:

PAYETTE LAKE

tributary to PAYETTE RIVER, NORTH FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	8.1 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.8 AF
	Totals	0.08 CFS	9.9 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SENW), Sec. 2, Township 18N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
18N	03E	2	Lot 3(SENW)	2.7		2.7

Total number of acres irrigated: 2.7

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MAINTAINED
OCT 22 1993

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**
WATER RIGHT NO. 65-12965CONDITIONS/REMARKS:

5. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
8. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.
9. Domestic use is for 3 homes.

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 9TH day of September, 1993.


Acting for R. Keith Higginson, Director

RECORDED
OCT 22 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-12965 IN THE
NAME OF BALLARD SMITH

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1991; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, on June 1, 1991 the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

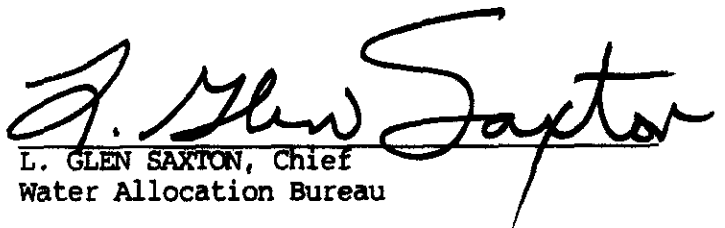
WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 7, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-12965 be REINSTATED and the priority advanced to November 28, 1988.

Dated this 14th day of June, 1991.

MICROFILMED

JUL 15 1991


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED
JUN 07 1991

STATE OF IDAHO

Amt. of Fee \$8000
Date 6/7/91
Receipt No. 0920141
Received by J. Laidlaw

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-12965 Telephone No. 619 759-0833
2. Name(s) of Permit Holder(s): Ballard Smith
3. Post Office Address Box 9572 Rancho Santa Fe, CA 92067 (note new address)
4. Source of Water Payette Lake
- a. If ground water, well driller's name _____ Date drilled: _____
- b. Pump horsepower 5 Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:
- | | |
|--|--------------------------------------|
| Domestic _____ (No. of households) | Irrigation <u>2.8</u> (No. of acres) |
| Stockwater _____ (No. and type of stock) | Other _____ |
6. Total rate and/or volume for which proof is submitted 50GPM/12 cfs ^{08 as per permit} _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:
- Measuring device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No
LOCKABLE OR
- Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
8. Fee Enclosed \$ 50 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:
- | | |
|---------------------------------|---------------------|
| <u>Andrew Laidlaw</u> | <u>208 634-5707</u> |
| Name | Telephone No |
| <u>Box 729 McCall, ID 83638</u> | |
| Address | |

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

6/6/91

AT Laidlaw
Signature (and title if on behalf of a corporation or partnership)

Architect, Agent

Date

MICROFILMED

JUL 15 1991

RECEIVED
MAY 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by 15.00
Date 5-2-90
Receipt # C616644

REQUEST FOR EXTENSION OF TIME

Department of Water Resources To provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 65-12965

Name(s) of Permit Holder: Ballard Smith

Post Office Address: 1320 Inspiration Drive

La Jolla, Ca 92307

Telephone No. _____

Date Proof is Due: June 1, 1990

Describe what work has been completed toward the development of this water right ① Two (2) - 1 1/4" P.V.C. Pipe
(This must be filled out! If no work has been completed, show "none".)

Lines for domestic water have been ran out into Payette Lake. One of these

lines has been hooked up to a 2 Horse submersible pump and pressure system

② A 2" P.V.C. Pipe line has been ran out into lake for future sprinkler

system

Costing \$ 4000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

① Lake was frozen over ② Landscaping is not complete

Permit holder(s) request an extension to June 1, 1991.
(1 yr. minimum)

Ballard J. Smith
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

JUN 21 1990

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1991.

Signed this 4th day of June, 1990.

A. Glen Saxton
Chief, Water Allocation Bureau

RECEIVED
STATE OF IDAHO
NOV 24 1989

Ident. No. 65-12965

RECEIVED
NOV 13 1989

Department of Water Resources
APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources
Western Regional Office

To change the point of diversion and/or the place of use

APPROVED

Comes now Ballard Smith

Phone (619) 454-3099

of (address) 1320 Inspiration Dr. RA Jolla, CA. 92307, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-12965, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SAME 1/4, Section SAME, Township SAME, Range SAME, B.M.,
County of SAME. Other points of diversion: _____

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

Amount .06 for IRRIGATION purposes from 5-15 to 10-15 (both dates inclusive)
(cfs or acre feet per annum)

Amount .02 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum)

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

Amount 1.35 for IRRIGATION purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

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	
<u>SAME</u>																			<u>2.7</u>

Total number of acres to be irrigated = 2.7

4. a. Who owns the property at the point of diversion? STATE of Idaho (Big Payette Lake)
b. Who owns the land to be irrigated or the place of use? Ballard Smith
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MICROFILMED

FEB 27 1990

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



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

Signed at X Leola, Wyoming, this 24th day of November, 19 89.

X Ronald F. Hull
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by SP Fee = \$20.00
Received by SP Date 10-30-89 W006580

Publication prepared by N/A Date N/A Published in _____

Publication dates N/A

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON

Approve the above Application for Amendment provided the conditions as set forth in Permit No. 65-12965 are met.

FEB 27 1990

Witness my hand this

day of

19 89

Chief, Water Alloc. Bureau

L. Glen Saxton

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 Ballard Smith Phone _____
Post office address 1320 Inspiration Dr., La Jolla, Ca. 92037
2. Source of water supply Big Payette Lake which is a tributary of North Fork Payette River
3. Location of point of diversion is _____ ¼ of SE ¼ of NW ¼, Govt. Lot 3
Sec. 2 Township 18N Range 3E B.M. Valley County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
.08 *
Amount .0875 for irrigation purposes from May 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 is (a) .087 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 1.5 h.p. Jacuzzi submersible pump
located in end of dock with 1 1/2" polybutylene line.
max. 30 gal./min.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed use is
1 yr. years (minimum 1 year).

MICROFILMED

JUN 14 1989

* $2.8 \text{ ac} \times \text{max } .03 \text{ cfs/ac} = .084 = .08 \text{ cfs}$ per Admin memo.
Actual b.w. may be 30 gpm (.067 = .07 cfs) per item
Ga. 2/3/89

ED

applicant to make this filing.

Ballard Smith

None

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

Total number of acres to be irrigated 2.8 acres

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

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

9. Description of place of use:

e. Other, describe fully.

d. Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in kW.

8. Description of proposed uses (if irrigation only, go to item 9):

7
N
N
7

Proposed Priority 11/22/88

Received by ML Date 11-23-88 Time 11:00 AM Preliminary check by SL

Fee \$ 30.00 Received by SL # W001534 Date 11/28/88 check rec'd with appl. on

Publication prepared by GG Date 2-8-89 Published in The Star News 1/22/88 SC

Publication approved at Date 2-27-89

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. 65-12965, 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 90.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: The availability of water for this permit is subject to all prior

water rights of Lake Reservoir Co.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Use of water under this permit is subject to control by the watermaster of State Water District No. 65, Payette River.

Witness my hand this 30th day of May, 1989.

J. Alan Saylor

MICROFILMED

JUN 14 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

September 10, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

BALLARD SMITH
PO BOX 9572
RANCHO SANTA FE CA 92067

RE: WATER RIGHT NO. 65-12965

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature of Jim Johnson, consisting of a stylized 'J' and 'J' followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
OCT 22 1993

WR0749NP
No. L65-12965

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 09/07/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BALLARD SMITH PO BOX 9572 RANCHO SANTA FE CA 92067 (619) 759-0833	11/28/1988	IRRIGATION DOMESTIC	04-15 10-15 01-01 12-31	0.06 CFS 0.02 CFS	8.1 AFA 1.8 AFA
TOTAL DIVERSION:					0.08 CFS	9.9 AFA

Water Source: PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.16 CFS

Point(s) of Diversion: T18N R03E S02 Lot 03(SE NW)

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
18N	03E	2	:									03-02								:	2.7
TOTAL ACRES																				2.7	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: VALLEY

Other Water Rights Listing Overlapping Place(s) of use:
65-12965

Conditions of Approval:

- 047 - The availability of water for this right is subject to all
- prior water rights of Lake Reservoir Co.
- 004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65.
- R49 - This right when combined with all other rights shall provide no
- more than .03 cfs per acre nor more than 3.0 afa per acre for the
- lands above.

Remarks: Domestic use is for 3 homes.

Dates:	App. Received: 11/22/1988	Priority Date: 11/28/1988	(Priority Date Advanced.)
	Proof Due Date: 06/01/1991	Proof Made Date: 06/07/1991	(Proof Received Late.)
	Exam Made Date: 07/02/1993	Exam Sent to S.O.: 08/16/1993	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee: R (Received)

Audit: 09/07/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 65-12965 Date 9-3-93 Brenda Chapman

NAME Yes No ☒ Or Address Change?
 PRIORITY DATE ☒ Advance? Done Memo to Advance _____
☒ Order to Reinstate Needed?
☒ Incorrect Fee for rate recommended?
 SOURCE ☒ Changes? Clarification of Originally
Intended source Correct to PAYETTE Lake
☒ Notice of Intent to Void - Source change.

P/D ☒ Amendment Needed? _____
☒ Is Overlap Analysis a Consideration?

P/U ☒ Amendment Needed? _____
☒ Is Overlap Analysis a Consideration?

TOTAL CFS -NA- Disagree/Measurement None Done
Theoretical Only (DONT KNOW WHERE PSI COMES FROM)
☒ Pumping Theoretical $(8.8 \times .70 \times 5HP)$
 $(50 + 2.31 \times 64psi) = .16$
☒ System Capacity .16
 Allowable Amount: (IRR = .06 DOM = .02)

TOTAL VOLUME Rate/ac 3.0 AFA Irr. Season B
 Season Recommended 4-15 to 10-15
☒ Disagree with Examiner's Calculations?
 $2.7 \times 3.0 = 8.1$
 $3 DOM @ .16 = 1.8$
☒ Flow limit: .06 x 184 x 1.9835 = 21.9

USES ☒ Change(s) in Nature of Use? _____
☒ Amendment Needed? _____

REMARKS ☒ Multiple P/Ds in 1/4 1/4? _____
☒ Special Overlap Condition _____
004 + 047 Other _____

CONDITIONS ☒ Measuring/Locking Devices Misc/Dates
R04 ☒ W/Master Control 65 Water Dist
R49 ☒ Irrigation Overlap 11-22-88 App Rec'd
☒ Water Quality 7-2-93 Exam Made

COMMENTS: Recommend .16 for each domestic - .02 CFS cap
support that)

RECOMMENDED	CFS	VOL	LICENSE
Irrigation	<u>.06</u>	<u>8.1</u>	☒
Domestic	<u>.02</u>	<u>1.8</u>	
Stockwater	_____	_____	AMEND _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 18 1993

Department of Water Resources

A. GENERAL INFORMATION

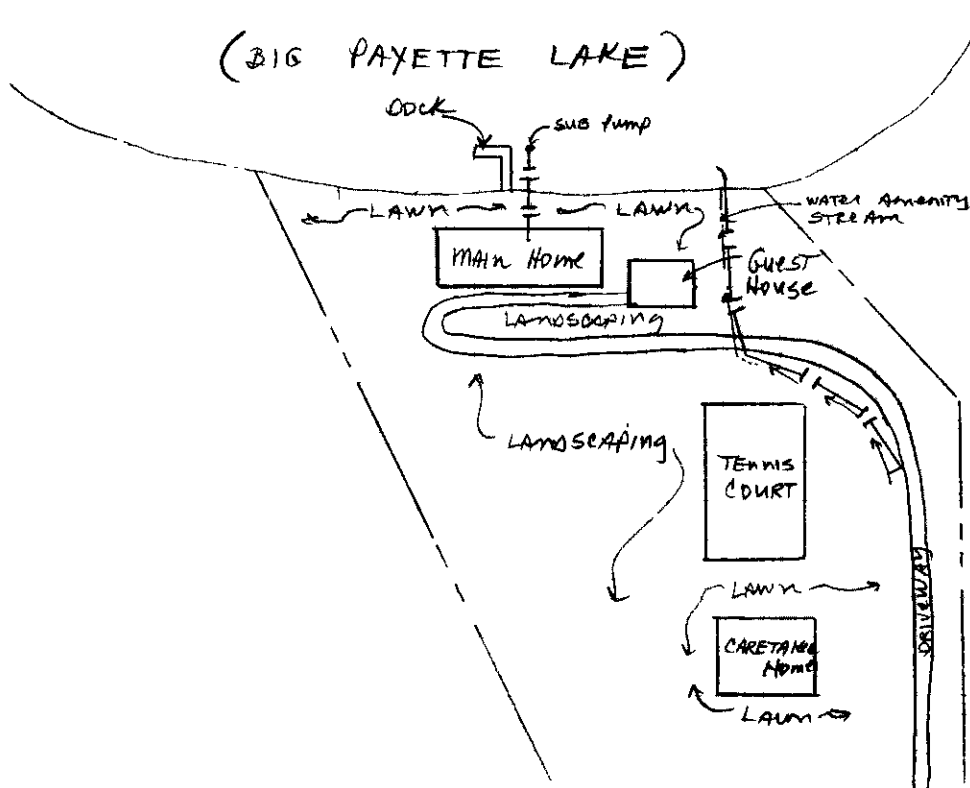
1 Owner: BALLARD Smith Permit No. 65-12965
Current Address: 1320 INSPIRATION DRIVE, LA JOLLA, CA 92037 Phone No (619) 454-3099
2 Accompanied by: FLOYD SARGENT EXAM. DATE: 7/2/93
Address M'CALL, ID Phone No 634-8668
Relationship to Permit Holder. PROPERTY CARETAKER
3. Source: BIG PAYETTE LAKE tributary to NORTH FORK, PAYETTE RIVER

B. OVERLAP REVIEW

1 Other water rights with same place of use MANY - SEE OVERLAP SHEET
☐ Copies Attached
2. Other water rights with same point of diversion: MANY - SEE OVERLAP SHEET
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = NTS

- 2 ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater)

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

Water from Big Fayette Lake is pumped by ~~two~~ ^{three} separate pumps. One 2 h.p. pump for domestic, one 2 h.p. pump for irrigation, and one 1 h.p. pump for water amenity (man made stream). Irrigation was for ~~28~~ ²⁹ acres and is a complete underground system. Domestic use is for cabins (~~3~~ ³ homes). A culligan ultraviolet purifier is used to purify the lake water. Since the water amenity returns the water to the lake, classify under irrigation allocation.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model	Pump Make	Pump Serial No. or Discharge Size
Big Fayette Lake	Franklin	2	2823018103	no TAG	no TAG
"	"	2	2823018103	" "	" "
"	"	1	2823028103	" "	" "

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	3		SE 1/4	2	18N	3E	Valley		Aerial Map

6. Place(s) of Use:

Indicate Method of Determination

Same as #10

Twp.	Rge.	Sec.	NE 1/4	NE 1/4 SW 1/4	SE 1/4	NW 1/4	NW 1/4 SW 1/4	SE 1/4	SW 1/4	SW 1/4 SE 1/4	NE 1/4	NE 1/4 SW 1/4	SE 1/4	Totals
18N	3E	2												3.8

Do not use this space

OCT 22 1993

Do not use this space

D. FLOW MEASUREMENTS

N/A

☐ Additional Data Sheets Attached

1

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

2. Measurements:

Since system is pressurized, and pop ups discharged
A spray, no measurement possible.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1 Measured Method: NONE

2 Alternate Method for Checking Purposes:

$$Q = \frac{(8.8)(5)(0.7)}{(2.31 \times 64) + 50} = \frac{0.16}{0.32} \text{ CFS}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 64 psi x 2.31 = 147.84 ft (1); Dynamic pumping level: 50 ft (2)

Total Head: (1) + (2) = 197.84 (3) $Q = \frac{(8.8)(5)(0.7)}{(2.31 \times 64) + 50} = 0.16 \text{ CFS}$: Flow rate: 0.16 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{2.7}{2.8} \times 3.0 = 2.9 \text{ AFA}$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{0.06}{0.08} \times 153 \times 1.9835 = 18.2 \text{ AFA}$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 2.9 \text{ AFA}$

2. Volume Calculations for Other Uses:

$V_{(INTERNAL)} = 0.6 \text{ AFA}$

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

OVERLAPS - P/O & P/U - Same OG, but different P/Os and areas of use.

Domestic use is for (3) homes, but since request is for only 0.02 cfs, only 0.02 cfs can be recommended for licensing.

Irrigation for 2.7 acres at 0.03/acre allows an allocation of 0.08 cfs as requested on permit. The separate system

for the water quantity is just a recycling of water, thus loss of water is minimal. Combined with irrigation allocation.

Recommend licensing for 0.02 cfs domestic, and 0.08 cfs irrigation as requested on permit.

I. RECOMMENDATIONS

1 Recommended Amounts

Beneficial Use	From	To	Period of Use	Rate of Diversion Q (cfs)	Annual Volume V (ata)
IRRIGATION	5/15	10/15	10/15	0.06	8.1
DOMESTIC	1/1	12/31	12/31	0.02	0.6

Totals: 0.08 8.7

2. 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

J. AUTHENTICATION

Field Examiner's Name
Signature
Certification Date
Field Report Preparation Date

Rick Collingwood
Rick Collingwood
7/28/93

CONSULTANT SEAL

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

RECEIVED
OCT 22 1993

910
+ P/M

PROJECT 65-18965 TRAIL 24
S. S. S. 910
DND JIM SE 2 SENE (1973)
SCALE
DND 65-18965 TRAIL

TRAIL

RECEIVED
SEP 22 1993

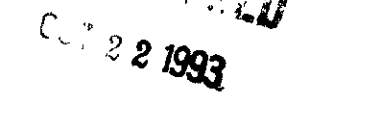
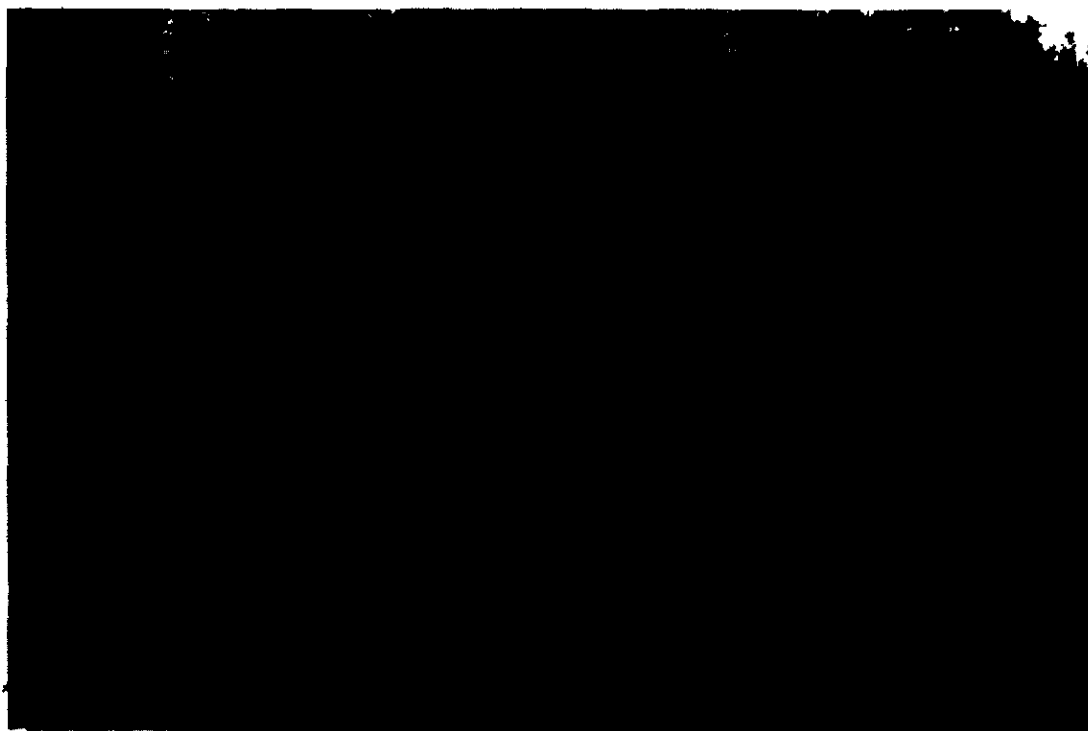




PHOTO ONE-

Lakefront portion of property. Pump in Lake east of dock.



OCT 22 1993

PHOTO TWO-

Remaining Lakefront portion of property to the west. Home in background is caretakers home.



PHOTO THREE-

Driveway and Landscaping between (2) LAKEFRONT homes and Tennis court.



MISSING
OCT 22 1993
PHOTO

PHOTO FOUR-

Underground irrigation system in operation on Lakefront Lawn. Pipe to pump for water amenity, stream, can be seen near waters edge.



PHOTO FIVE-

Culligan ULTRAVIOLET WATER PURIFYING SYSTEM in basement of home.

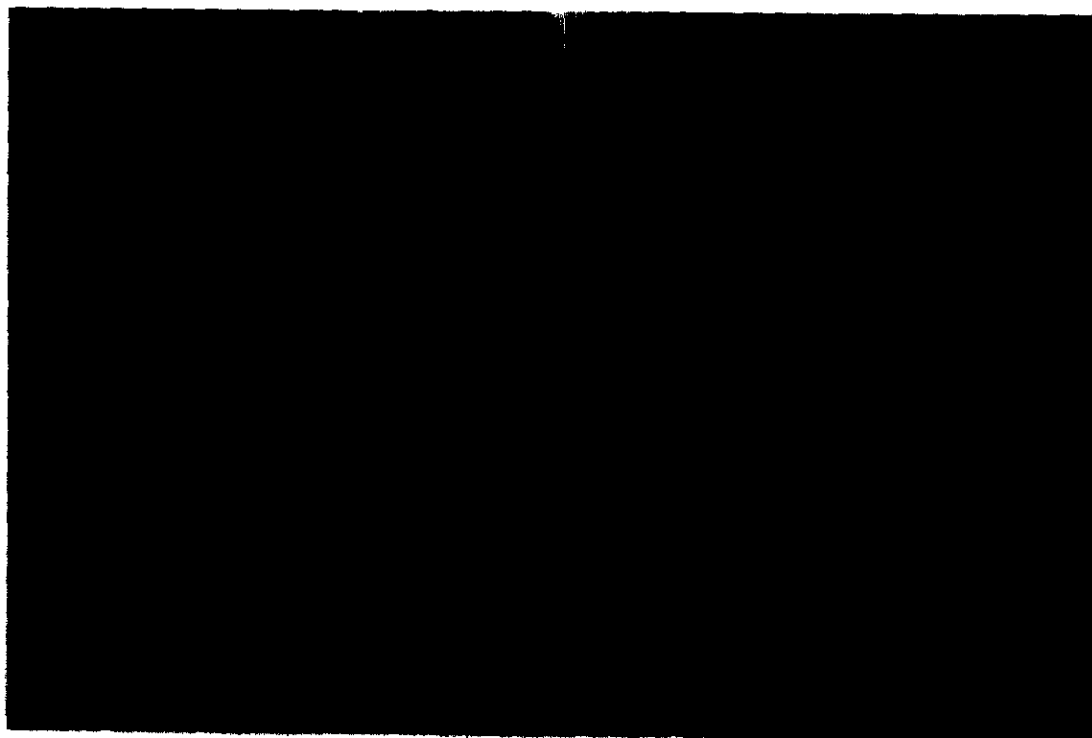


PHOTO SIX-

Pump and pipe for water amenity, ~~stream~~ man made stream.

OCT 22 1993



^{SEVEN}
PHOTO ONE-

Downstream end of water amenity discharging back into Big Payette Lake.



U.S. DEPT. OF AGRICULTURE
OCT 2 1993
PHOTO TWO

Discharge at stream beginning east of Tennis Court

June 21, 1991

BALLARD SMITH
BOX 9572
RANCHO SANTA FE, CA 92067

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-12965

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

MICROFILMED

JUL 15 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 65-12965

Date 6-12-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☒ Ground water source
☒ Drill permit req'd?
☒ Copy in file? Drill permit no. _____
☒ Amt paid for drilling permit? _____ Correct?
☒ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
☒ Amount submitted? 50.00
☒ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

address change *ps. 6-20-91*
proof acceptable when reinstated

PRIORITY CALCULATION

☒ Date proof received June 1, 1991 158
Date proof due June 1, 1991 - 152
No. of days late = 6
Priority date Nov 22, 1988 + 326
☒ NEW PRIORITY DATE Nov 28, 1988 = 332

LB



MDPI

PO BOX 729 McCALL, ID 83638 • 208 634-5707

RECEIVED
JUN 07 1991

Department of Water Resources

6/6/91

Rita Fleck
State of Idaho
Department of Water Resources
1301 N. Orchard Street, Statehouse Mail
Boise, ID 83720-9000

Dear Ms. Fleck:

On behalf of my client, Ballard Smith, I request a waiver for the requirement of a measuring device for Proof of Beneficial Use on their permit application #65-12965.

Very truly yours:



Andrew Laidlaw, architect

*measuring
device
required*

MDPI

JUL 15 1991

138301
March 31, 1991

BALLARD SMITH
1320 INSPIRATION DR.
LA JOLLA, CA 92307

PROOF DUE NOTICE

RE: PERMIT NO. 65-12965

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

15 1991

June 5, 1990

Ballard Smith
1320 Inspiration Drive
La Jolla, CA 92307

Dear Mr. Smith:

Re: Permit No. 65-12965

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to June 1, 1991.

Note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

JUN 21 1990

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 65-12965

Reviewed by *[Signature]*

Date 6-1-90

BASIC INFORMATION

- Y Date stamp received
- Y Extension received timely (not too early not too late)
- Y Fee received and receipted
- Y Name and signature same as permit
- N Address change

BASIS FOR EXTENSION REQUEST

- Y Has adequate work been completed to demonstrate due diligence?
- Y Has the cost incurred been adequate to demonstrate an intent to complete the project?

- N/A Has the permit been involved in litigation?
 - a. Swan Falls _____ Dismissed from Swan Falls _____
 - Other _____ Identify _____
- b. Is supporting documentation needed to complete the file? _____
Requested _____
- c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- N/A Is delay by a government agency?
- Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN - *Recommend approval based on due diligence for one year*

N/A Reinstate

Date extension received	_____	=	_____
Proof due date	_____	=	_____
No. of days late	_____	=	_____
Priority date	_____	=	+
ADJUSTED PRIORITY DATE	_____	=	_____

DATE ENTRY

_____ Change proof due date _____ Address change
 _____ Priority date change

138562

March 31, 1990

BALLARD SMITH
1320 INSPIRATION DR.
LA JOLLA, CA 92307

PROOF DUE NOTICE

RE: PERMIT NO. 65-12965

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1990.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JUN 21 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 4, 1989

RE: Permit No. 65-12965

Ballard Smith
1320 Inspiration Dr.
LaJolla, CA 92307

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

FEB 27 1990

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: GP

Right Number 65-12965 Applicant Ballard Smith

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☒ Other Add DM USE

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority. *AMOUNT NOT INCREASED
DM USE Added, Period of use 1-1 to 12-31*
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) _____
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions Advertising unnecessary for this right.

By DM Date 11/22/89

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By Jm Date 11-30-89
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

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

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

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

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

TO: NANCY HANDZEL

FROM: GENE GIBSON ✓

DATE: 11/15/1989

SUBJECT: REFUND ON APPLICATION

Nancy on 10/30/89 we received an Application For Permit from Ballard Smith. The filing fee paid for this application was \$30.00 according to receipt number W006580. The applicant would like to withdraw the application at this time and file a transfer (65-12965) instead. Since the Application has not been processed or advertised a refund of \$30.00 would be due. Mr. Smith would like to apply \$20.00 of this refund to the filing fee for the transfer. There will still be a \$10.00 refund due to Mr. Smith. Thank you for your assistance in this matter.

Gene

Fee paid for application	\$30.00
Fee to be paid for transfer	<u>20.00</u>
Refund due Mr. Smith	10.00

Ballard Smith
1320 Inspiration Dr.
La Jolla, Calif. 92307

RECORDED

FEB 27 1990

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 110165180

Date: 10/30/87
Time: 14:53:04

Received
From: JENSEN, CHARLES M.

Type of Payment	Program Acct Class	Amount
CONTRIBUTION FOR PERMIT	0620199 1238 6390	\$40,000
Total		\$40,000

10/30/87

Idaho Department of Water Resources

BY LINE RECEIVED

Signature: *Lori Harris*

MICROFILMED

FEB 27 1990

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

7330
Date
11/17/89
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No	
Pre-Audit	Date
Warrant No	

PAY
TO

BALLARD SMITH
1320 INSPIRATION DR.
LA JOLLA, CA 92307

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT. () PARTIAL () FINAL

Encumbrance Reference No

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 20 199	1238	8831		RECPT. #W006580 PER GENE GIBSON 11/15/89 10.00	10.00	
MICROFILMED FEB 27 1990						10.00	
TOTAL						10.00	

NOTE. Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form, that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith, and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

RE: - 65-12965

B. Smith

IDAHO DEPARTMENT OF LANDS

P.O. BOX 670, COEUR D'ALENE, IDAHO 83814

RECEIVED

NOV 03 1989

RECEIVED

NOV 07 1989

STANLEY F. HAMILTON
DIRECTOR

Department of Water Resources
Washington Regional Office

Department of Water Resources

BOARD OF LAND
COMMISSIONERS
CECIL D. ANDRUS
Governor

PETE T. CENARRUSA
Secretary of State

JIM JONES
Attorney General

J.D. WILLIAMS
State Auditor

JERRY L. EVANS
Sup't of Public
Instruction

MEMORANDUM

DATE: November 2, 1989

TO: Idaho Department of Fish and Game - Boise and McCall
Idaho Department of Health and Welfare - Boise
United States Coast Guard - Seattle, WA
Idaho Department of Water Resources - Boise

FROM: W. R. Pitman, PE *WRP*
Lake Protection Act Manager

SUBJECT: NOTICE OF APPLICATION - L-65-S-532A - BALLARD SMITH

Enclosed is an application and plats requesting permission to install A 1.5 inch domestic waterline 100 feet waterward of the ordinary high water mark in Payette Lake.

Please submit your recommendations to me by December 8, 1989, regarding the likely effect of the proposed encroachment upon adjacent property, lake, and streambed value factors of navigation, fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, or water quality. If you have concerns or are opposed to the project as proposed, please list your specific reasons for concern or opposition and any facts or documentation to support your position.

You should recommend alternate plans if they are economically feasible to accomplish the purpose of the proposed encroachment. You should also recommend any mitigation measures or special restrictions/provisions you would like included as part of the permit if one is issued.

If you do not submit a comment, I will assume you have no objections to the application. If you have questions concerning the application, I suggest you contact the applicant. If the applicant cannot answer your questions, I can be reached at 664-2171.

mc
enclosures

c: Area Supervisor, Payette Lakes

FEB 27 1990

Unnotified comments needed water rights.
FL 11/13/89

KEEP IDAHO GREEN
PREVENT WILDFIRE

Identification No. L-65-532A

Area Payette Lakes

STATE OF IDAHO
DEPARTMENT OF LANDS

APPLICATION FOR A PERMIT TO MAKE AN ENCROACHMENT
ON A NAVIGABLE LAKE OR RESERVOIR

RECEIVED
NOV 07 1989

Pursuant to Adopted Rules
And Applicable Statutes
(TYPE OR PRINT IN INK)

Department of Water Resources

1. Name of applicant: Ballard Smith
Post office address: 1320 Inspiration Drive, La Jolla, Ca. 92307
Telephone Number: 619 454 3099
2. Name of lake or stream: Payette Lake
3. Name and address of contractor: Chris Kirk, McCall, Idaho
excavator- Dan Place, McCall Idaho
4. Proposed starting date of construction and installation: Oct. 20, 1989
5. Property description: Govt. Lot 3, Sec. 2 Town. 18N Range 3E Valley County

in 3 (1/16 or Lot No.) of Section 2, Township 18N, Range 3E, B.M.

6. Type of structure proposed: (Please check and attach a descriptive drawing.)
INITIAL CONSTRUCTION YES NO
Breakwater Dock Bulkhead
Piling Boathouse Fill
Excavation x Other (Please specify)

7. Length of encroachment waterward from the ordinary highwater mark: 100'

8. Width of encroachment at ordinary highwater mark: 4", at maximum length: 8"

9. Water depth at maximum length: 8'

10. Signature of applicant: X Ballard Smith Date: Oct 20, 89

11. STATEMENTS OF ADJACENT PROPERTY OWNERS

I, _____ am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed and I offer no objection to the encroachment.

Date _____

Name _____

Address _____

I, _____ am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed and I offer no objection to the encroachment.

Date _____

Name _____

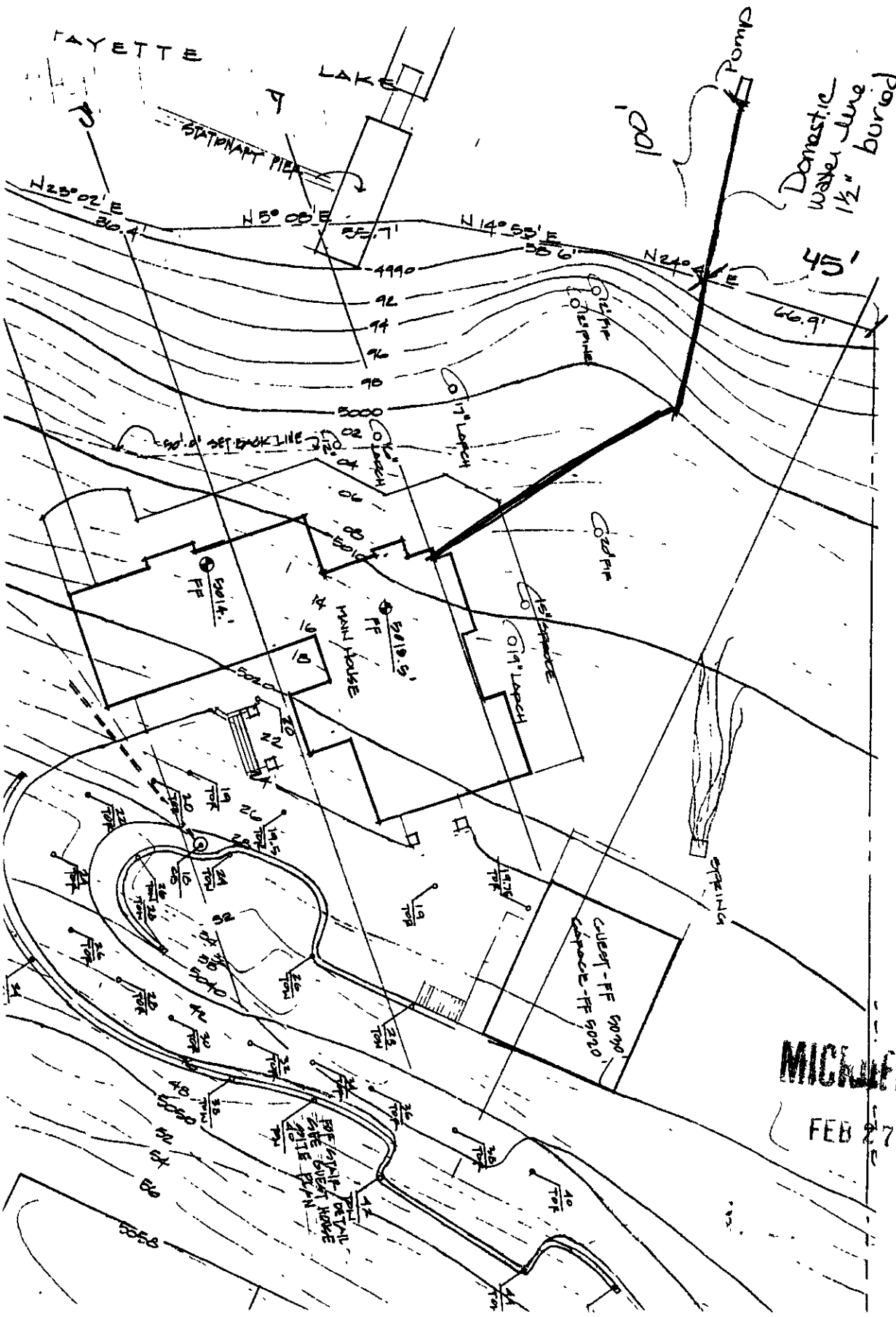
Address _____

Application approved by _____

Permit issued by _____

Date _____

MICROFILMED
Date FEB 27 1990



MICROFILMED

FEB 27 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 30, 1989

BALLARD SMITH
1320 INSPIRATION DR.
LA JOLLA, CA 92307

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 65-12965

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for 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 a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUN 14 1989

Publisher's Affidavit of Publication

STATE OF IDAHO }
 }.SS
County of Valley }

I, Maggie Aganew, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHT, a copy of which is enclosed hereto and in a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began February 15, 1989, and ended February 22, 1989

M. A. Ag.

Subscribed and sworn before me this the 22nd day of February, 1989.

STATE OF IDAHO }
COUNTY OF VALLEY }

On this 22nd day of February in the year of 1989, before me, a Notary Public, personally appeared Maggie Aganew, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires: 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-12964 DAVID M., 2088 WORSLEY, SALT LAKE CITY, UT MICHIGAN, SALT LAKE CITY, UT 84108. Source: PAYETTE LAKE Tributary: PAYETTE RIVER, NORTH FORK PAYETTE RIVER, NORTH FORK Diversion Pt. LOT 3 (NESW) Sec 28 T 19N R 03E Use: DOMESTIC (.040 CFS) Date Filed: 11/17/1988 In: T19N R03E S28 Lot 3 (NESW) 3 (NESW) 65-12965 SMITH, BALLARD 1320 INSPIRATION DR., LA JOLLA, CA 92037 Source: PAYETTE LAKE Tributary: PAYETTE RIVER, NORTH FORK Diversion Pt. LOT 3 (SENW) Sec 2 T 18N R 03E Use: IRRIGATION (.080 CFS) Date Filed: 11/22/1988 In: T18N R03E S02 Lot 3 (SENW) 2.8 ACRES TOTAL (SENW) 2.8 ACRES TOTAL The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MARCH 6, 1989. R. KEITH HIGGINSON, Director 22/22

MICROFILMED

JUN 14 1989

65-12965

SMITH, BALLARD
1320 INSPIRATION DR.
LA JOLLA, CA 92307

Source: PAYETTE LAKE

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: LOT 3 (SENW) Sec 2 T 18N R 03E

Use: IRRIGATION (.080 CFS)

Date Filed: 11/22/1988

In: T18N R03E S02 Lot 3 (SENW)

2.8 ACRES TOTAL

MicroFILMED

JUN 14 1989

Map of the Boise Meridian

18N 3E S2 SE NW

