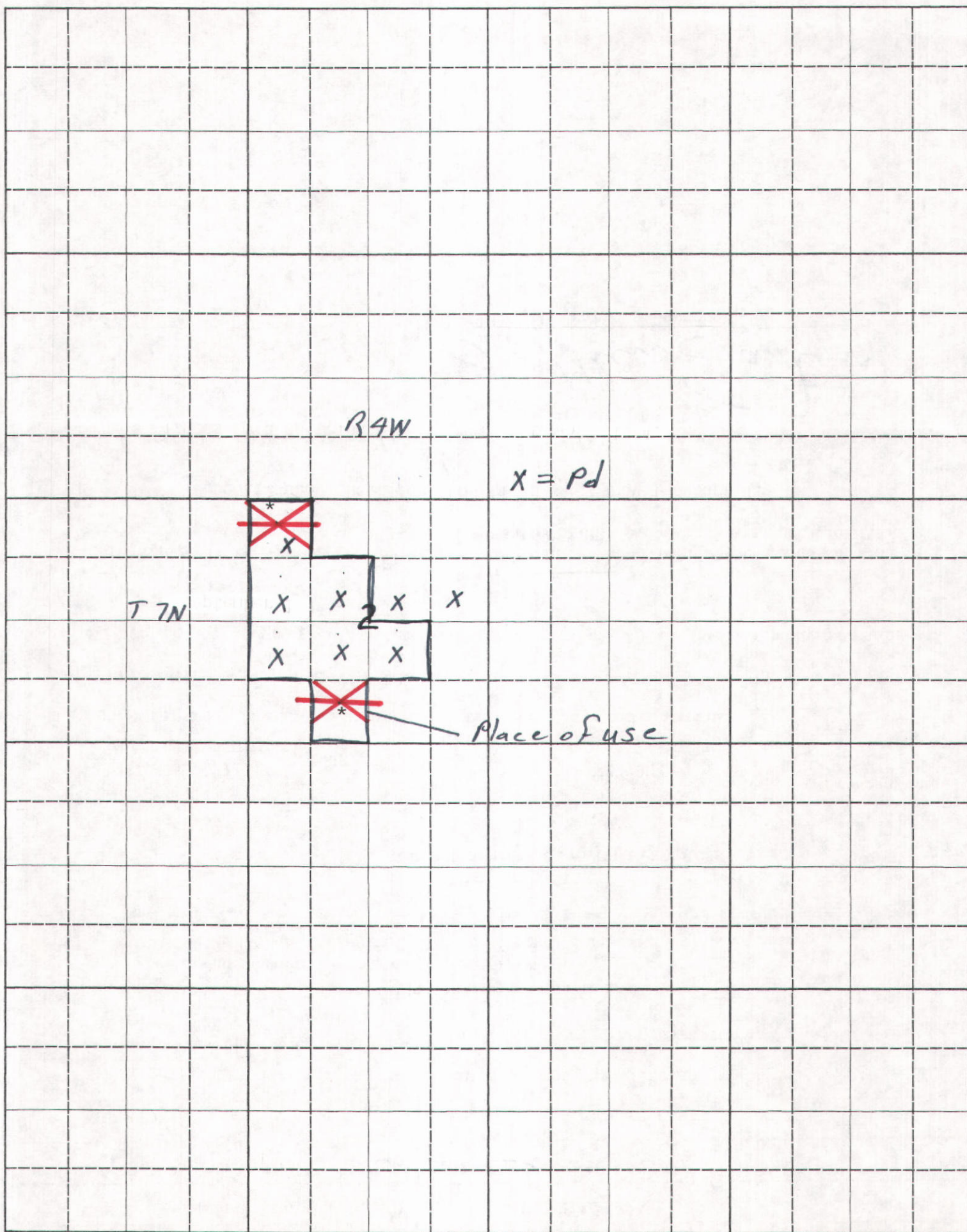


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



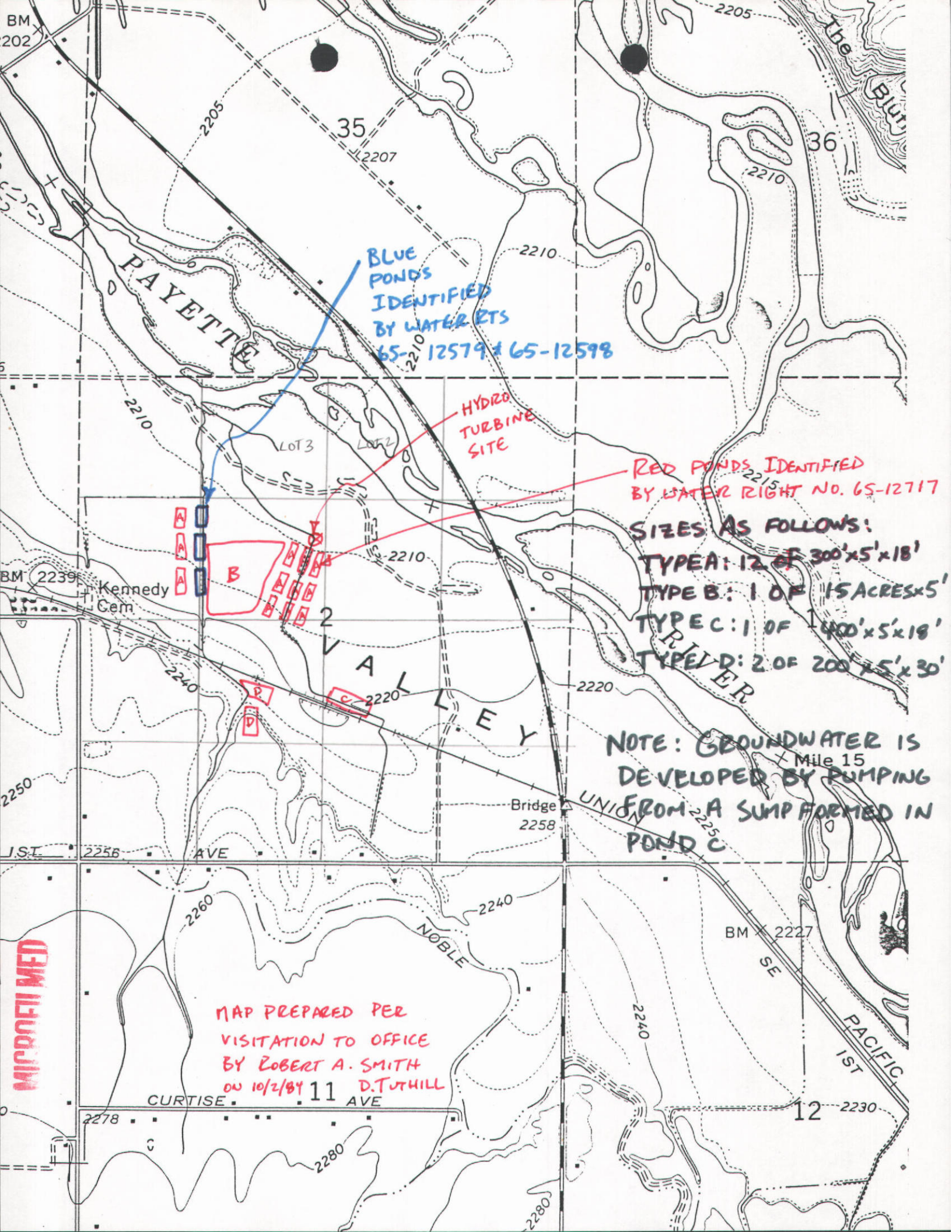
Scale: 2 inches equal 1 mile.

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.

* Deleted per Applicant 10/2/84

Robert D. Smith
(Applicant)

MICROFILMED



PAYETTE

BLUE PONDS IDENTIFIED BY WATER RTS 65-12579 & 65-12598

HYDRO TURBINE SITE

RED PONDS IDENTIFIED BY WATER RIGHT NO. 65-12717

SIZES AS FOLLOWS:
TYPE A: 12 OF 300'x5'x18'
TYPE B: 1 OF 15 ACRESx5'
TYPE C: 1 OF 1400'x5'x18'
TYPE D: 2 OF 200'x5'x30'

NOTE: GROUNDWATER IS DEVELOPED BY PUMPING FROM A SNIP FORMED IN POND C

MAP PREPARED PER VISITATION TO OFFICE BY ROBERT A. SMITH ON 10/2/84 D. TUTILL

MICROFILMED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

Notice of Application for Water Rights
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

J. Melvena Berrett, being
duly sworn, deposes and says:

That ~~he~~ *she* is the *principal clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
(2) two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
June 27, 1984, and ending with the issue
of *July 5*, 1984.

Subscribed and sworn to before me this *6th* day
of *July*, 1984.

Marilyn J. Rhenehart
Notary Public, Residing at Payette, Idaho.

My Commission Expires *Dec. 1*, 1986.

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *22 dbl line*

Number of Insertions *(2) two*

22 Lines @ *574* . . . \$ *12.54*

22 Lines @ *384* . . . \$ *8.36*

TOTAL COST
WILL BE \$ *20.90*

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to ap-
propriate the public waters of the State of Idaho

65-12717 *118*

SMITH, ROBERT A.

P.O. BOX 586, NEW PLYMOUTH, ID 83655

Source: GROUNDWATER

SPRINGS trib. to UNNAMED DRAIN

UNNAMED DRAINS trib. to PAYETTE RIVER

Date Filed: 06/13/1984

Diversion Pt: NWSE NWNW SENE SWNE NESW
NWSW SENW SWNW Sec 02 T 07N R 04W

Use: FISH PROP. (24.00 CFS)

POWER (24.00 CFS)

In: NWNW SWNW SENW NESW NWSW SESW NWSE
Sec 02 T 07N R 04W

The permit(s) will be subject to all prior water rights.
Protests must be filed with the Director, Dept. of Water
Resources, Western Region. Statehouse, Boise, Idaho
83720 on or before JULY 16, 1984.

KEN DUNN, Dir.
June 27, July 5

No. 224

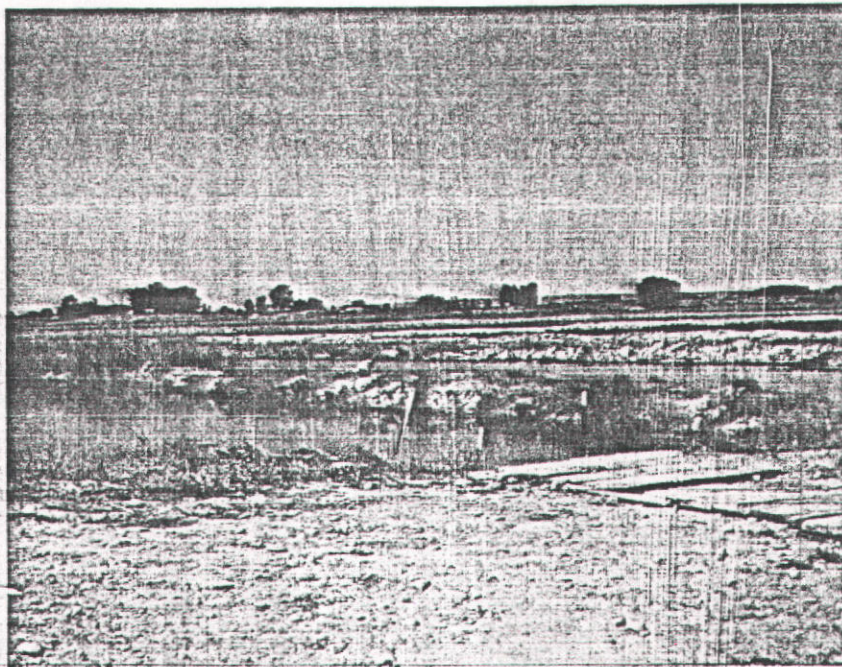
RECEIVED
JUL 23 1984

Department of Water Resources
Western Regional Office

No. 224

MICROFILMED

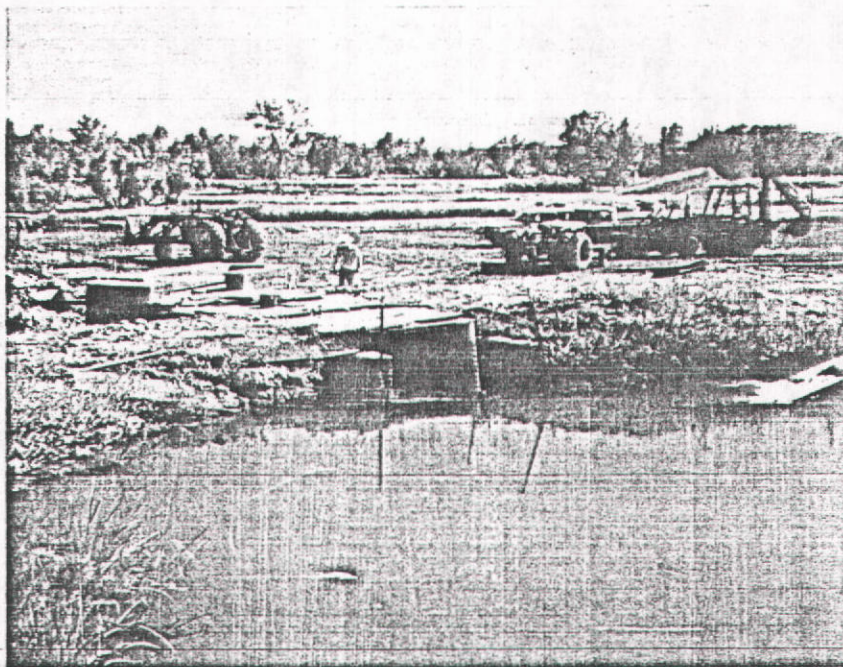
Fish Ponds



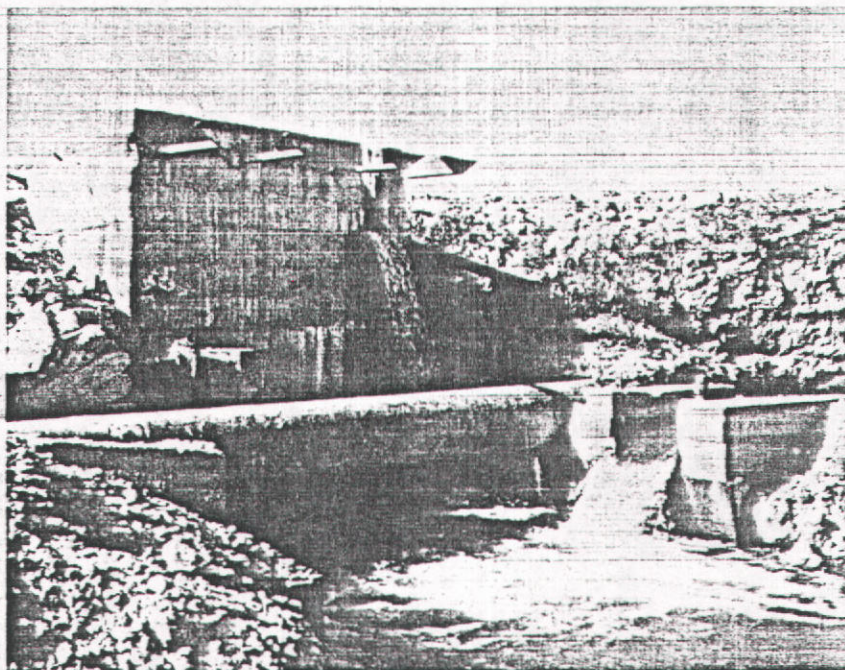
View looking South from power plant intake showing
fish ponds and water flowing into power plant.

MICROFILMED
FEB 18 1993

Power Plant



Intake to power plant - upstream view.

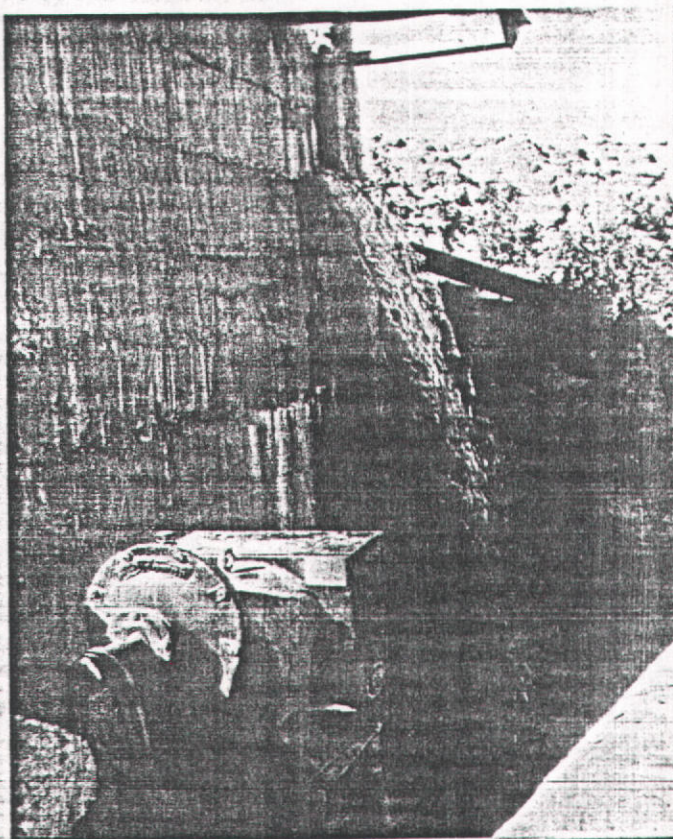


Downstream view showing turbine, overflow for bay area. Note: pipe and water flowing is water bypassing fish ponds.

MICROFILMED

FEB 18 1993

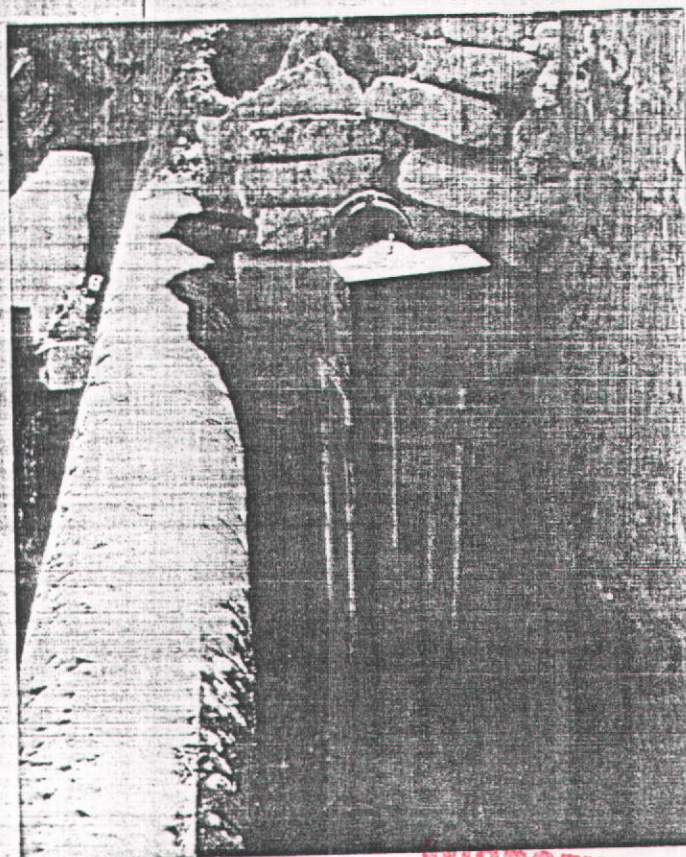
Generator and Turbine



Left bank view showing
generator and belts to
turbine.

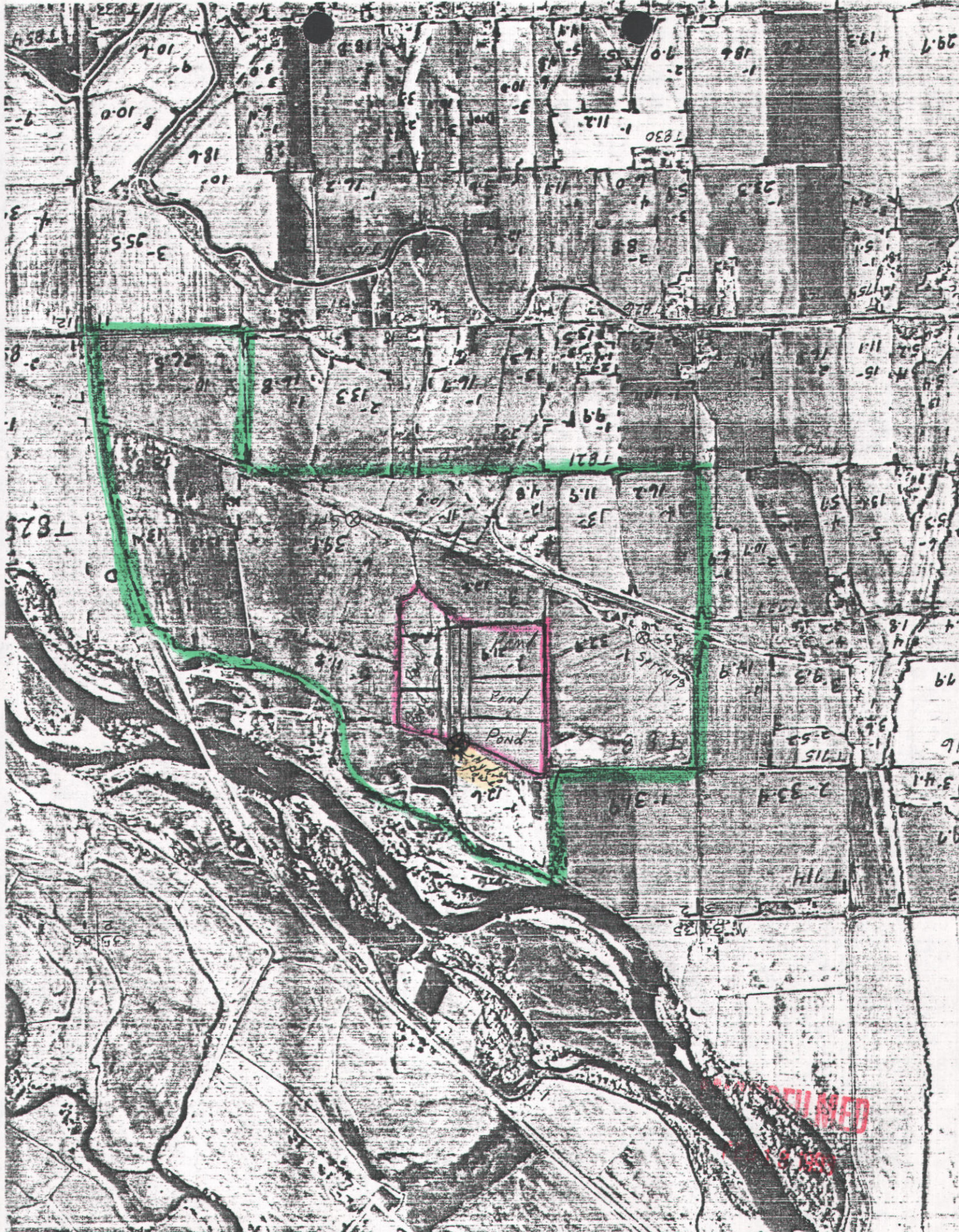
Note: Overflow water
spilling.

Right bank view showing
generator, mounting on
turbine and turbine just
below water level.



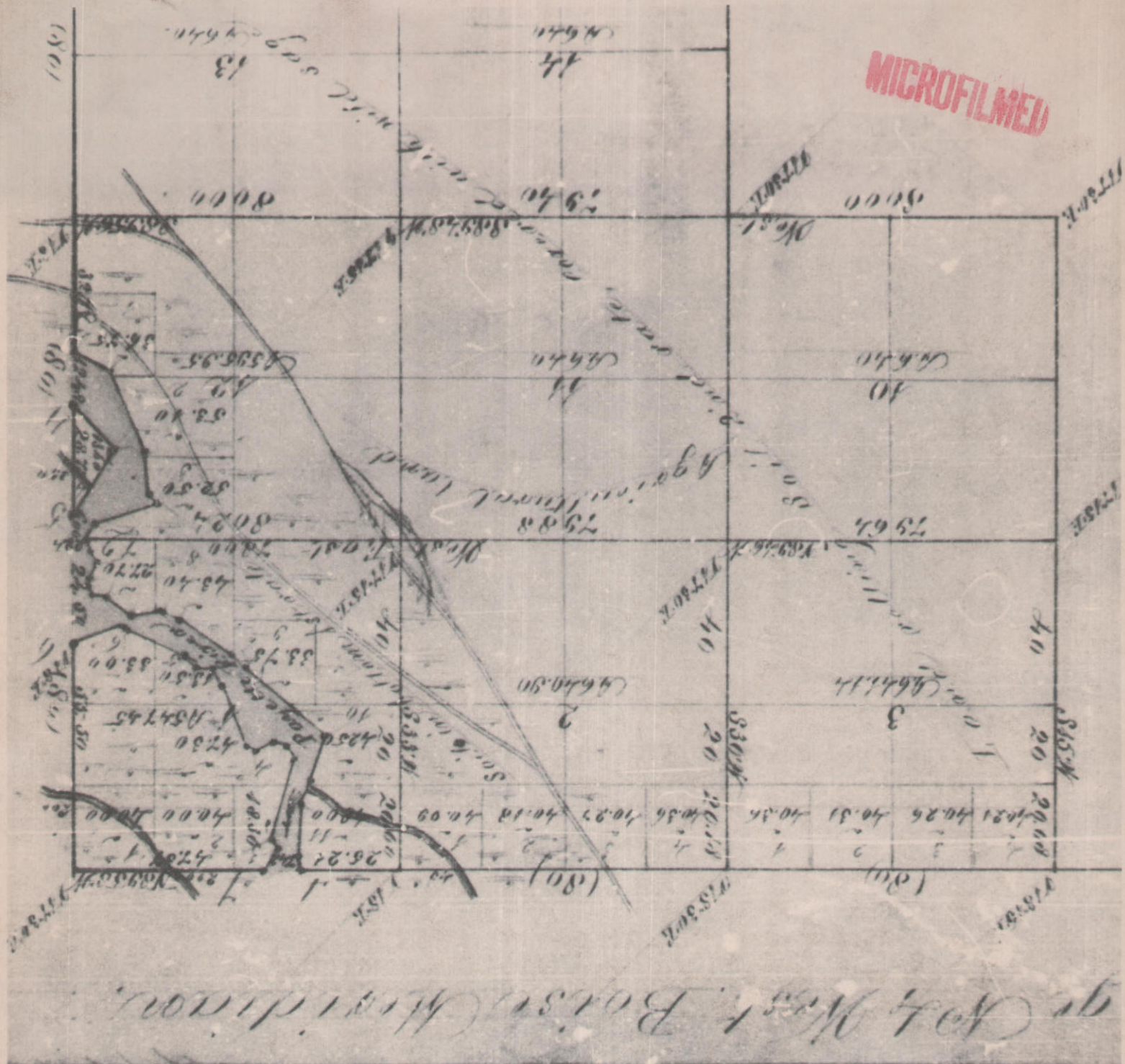
MICROFILMED

FEB 18 1993



RECEIVED
1967

MICROFILMED



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 65-12717

Priority: June 13, 1984

Maximum Diversion Rate: 24.00 CFS
Maximum Diversion Volume: 34750.6 AF

This is to certify, that ROBERT A SMITH
PO BOX 586

NEW PLYMOUTH ID 83655 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 13, 1984; and
has submitted Proof of Beneficial Use on February 27, 1990. An examination indicates
that the works have a diversion capacity of 38.360 cfs of water from:

SPRINGS tributary to UNNAMED DRAIN
UNNAMED DRAIN tributary to PAYETTE RIVER

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>
FISH PROPAGATION	01/01 to 12/31	24.00 CFS	17375.1 AF
POWER	01/01 to 12/31	24.00 CFS	17375.5 AF
	Totals	24.00 CFS	34750.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 2, Township 07N, Range 04W
NESW , Sec. 2, Township 07N, Range 04W
NWSW , Sec. 2, Township 07N, Range 04W
SWSE , Sec. 2, Township 07N, Range 04W
PAYETTE County

PLACE OF USE: FISH PROPAGATION
TWN RGE SEC

07N 04W 2	SWNE	SENE	NENW
	SENW	NESW	NWSE

PLACE OF USE: POWER
TWN RGE SEC

07N 04W 2	SENW
-----------	------

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.

RECEIVED

FEB 18 1993

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12717

CONDITIONS/REMARKS:

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.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
6. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
7. The water right confirmed in this license 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 license 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 license.
8. The diversion and use of water under this right is subject to review by the Director on January 1, 2019. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
9. This right is used for fish propagation and power uses in combination with Right Nos. 65-12579 and 65-12598. The total fish propagation facility volume under these rights is 15,211,152 cubic feet.

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 8TH
day of FEBRUARY, 1993.

Acting for 
R. Keith Higginson, Director

FEB 18 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12717

APPROVED

Date of Priority: June 13, 1984 Maximum Diversion Rate: 24.00 CFS
Comes now ROBERT A SMITH
PO BOX 586
NEW PLYMOUTH ID 83655 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. 65-12717, and requests that the permit be changed as follows:

Source: SPRINGS tributary to UNKNOWN DRAIN
Source: UNKNOWN DRAIN tributary to PAYETTE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	24.00 CFS	
POWER	01/01 to 12/31	24.00 CFS	
	Totals	24.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 2, Township 07N, Range 04W
NESW , Sec. 2, Township 07N, Range 04W
NWSW , Sec. 2, Township 07N, Range 04W
SWSE , Sec. 2, Township 07N, Range 04W
PAYETTE County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

07N 04W 2	SWNE	SENE	NENW
	SESW	NESW	NWSE

PLACE OF USE: POWER

TWN RGE SEC

07N 04W 2	SESW
-----------	------

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

Signed at _____, this _____ day of Jan 29, 1993.

Robert A. Smith
(Signature)

FEB 18 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12717

FOR DEPARTMENT USE ONLY

Preliminary check by SL Fee = 20⁰⁰ Received by Jy # C026659 Date 2/2/93

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-12717 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
5. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
6. The diversion and use of water under this right is subject to review by the Director 35 years from the date of issuance. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
7. The water right confirmed in this license 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 license 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 license.
8. This right is used for fish propagation and power uses in combination with Right Nos. 65-12579 and 65-12598. The total fish propagation facility volume under these rights is 15,211,152 cubic feet. The total annual volume for power purposes under these rights is 27,511.2 acre feet.

FEB 18 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12717

Witness my hand this 8TH day of FEBRUARY, 1993.

Acting for  R. Keith Higginson, Director

FEB 18 1993

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 ROBERT A. SMITH Phone 278-3743

Post office address Box 586, New Plymouth, ID 83655
groundwater

2. Source of water supply springs which is a tributary of unnamed Drain

unnamed drains Payette River

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 7N

Range 4W B.M. Payette County, additional points of diversion if any:

~~NW~~ SENE, SWNE, NESW, NWSW, SENW, SWNW, Sec. 2, T. 7N, R. 4W

4. Water will be used for the following purposes:

Amount 24.0 for fish purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) propagation

Amount 24.0 for Power 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 for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 24.0 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 5 wells and/or sump ponds and
a series of springs and unnamed drains into ponds and through generating plant.

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: SEE 8b

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: 17KW horsepower under 10.5 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: Fish propagation; a series of
large ponds and lakes for trout raising

GET IT?

Total number of acres to be irrigated

65-12598, 65-12579

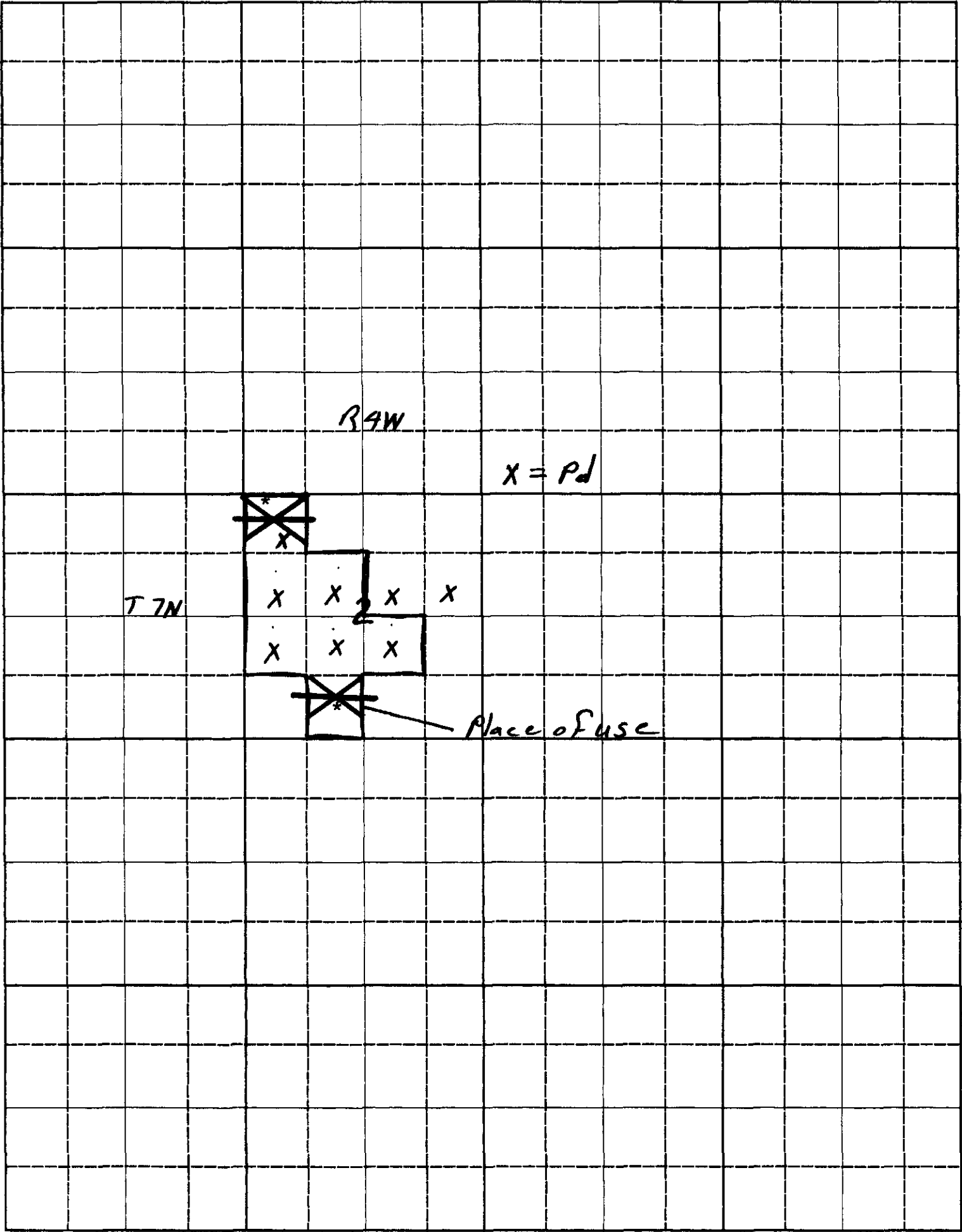
Applicant

Applicant

applicant to make this filing

10. Remarks

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



Scale. 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

* Deleted per Applicant 10/2/84

Robert D. Smith
(Applicant)

MICROFILMED

Proposed Priority 6/13/84

Received by 6LS Date 6/13/84 Time 11:44

Preliminary check by _____ Fee \$ 465/34473

Receipted by SR Date 6/13/84

Publication prepared by JP Date 6/21/84

Published in Independent Enterprise

Publication dates 6/28/84 & 7/5/84

Publication approved SR Date 7/13/84

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 6LS

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. 65-12717, 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 89.

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: See attached sheet for conditions of approval d thru l.

Witness my hand this 11th day of October, 1984.

J. Glen Saxton
Chief, Operations Bureau
Diet

ATTACHMENT TO CONDITIONS OF APPROVAL
For Permit No. 65-12717

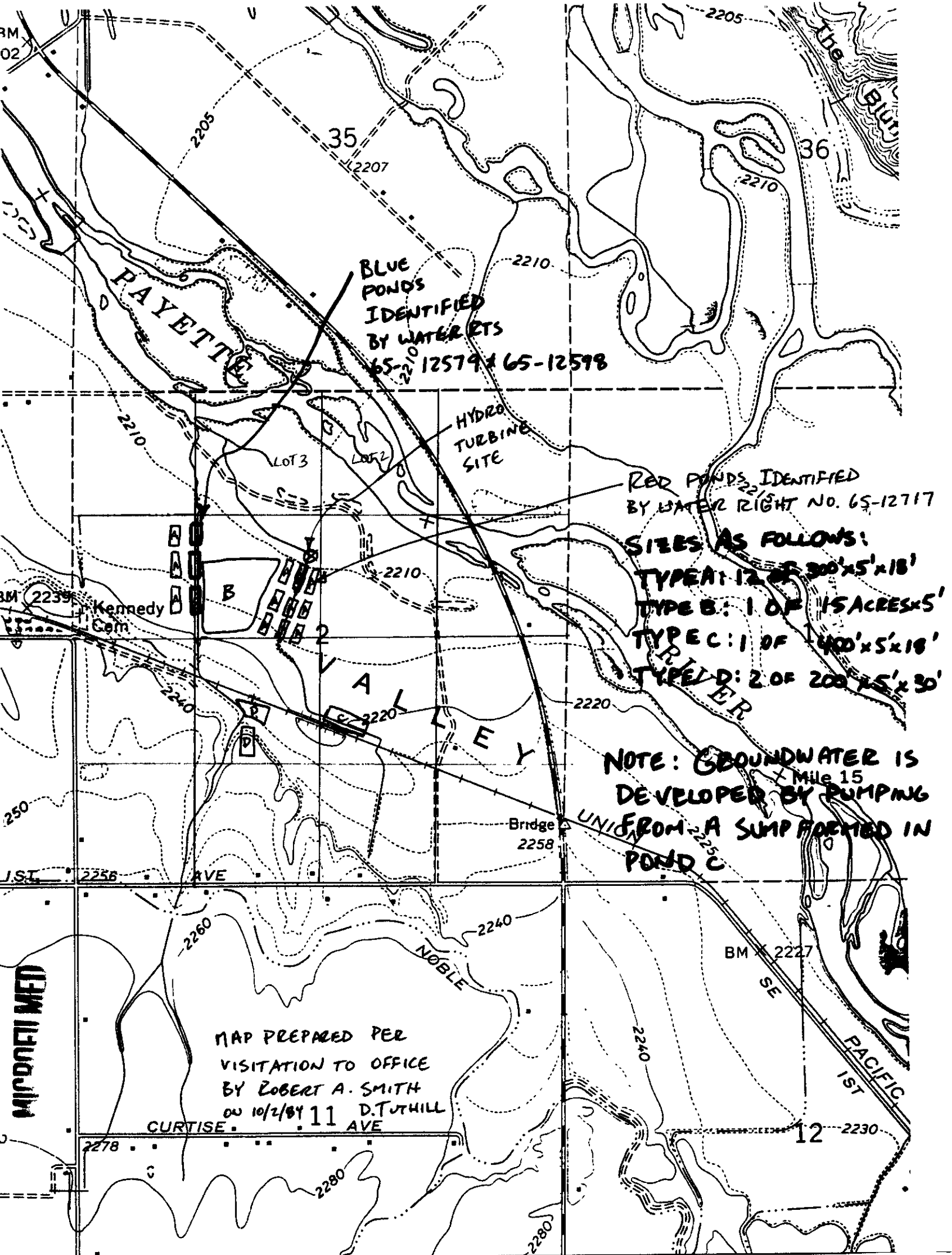
- d. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- e. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
- f. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
- g. The diversion and use of water under this permit and any license subsequently issued is subject to review by the Director thirty (30) years from the date of issuance of this permit. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
- h. The rights for the use of water acquired under this permit shall be junior and subordinate to all other rights for 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 for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- i. This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
- j. Use of water under this permit is subject to control by the watermaster of State Water District No. 65, Payette River.
- k. The permit holder shall either install a measuring device or a flow measurement port or provide a certified measurement or computation of flow based upon system design to be prepared by a professional engineer.
- l. Groundwater shall not be diverted solely for power production purposes; however, power may be produced utilizing groundwater diverted for other uses.

Witness my hand this 11th day of October, 1984.


Chief, Operations Bureau

DR

RECEIVED
OCT 11 1984



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES

RECEIVED
DEC 01 1982

A. Establishment of Residency: (Complete either 1, or 2).

Department of Water Resources
Western Regional Office

1. Individual Applicant or Individual Members of a Partnership:

I, Robert A. Smith of New Plymouth,
(name) (city)

county of Payette, State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____,
(name) (city)

County of _____, State of Idaho, being duly sworn, depose

and say: That I am the designated registered agent of the _____

_____ : that as such I am in charge of the registered
(name of corporation)

office of the said corporation as required by Section 30-1-12, Idaho Code, at

_____ Idaho, wherein are kept the corporate records required
(city)

by Section 30-1-52, Idaho Code: and that _____
(name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of
the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for
Permit:

(check one)

- ☐ Will not utilize existing man-made irrigation facilities such as a dam or a
canal.
- ☒ Will utilize existing man-made irrigation facilities such as a dam or a canal,
and permission of the owner is documented in an affidavit attached hereto.
- ☒ Will utilize existing man-made irrigation facilities such as a dam or a canal
and the owner of the facilities is the signee of this affidavit.

State of Idaho)
County of Ada) ss.

Robert A. Smith
Applicant

On this 1 day of December, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at
Boise, ID

seal

My commission expires:

Life

UNRECORDED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice
(First Copy)

Notice of Application for Water Rights
TITLE OF PUBLICATION

Dept. of Water Resources
SPONSOR OR PLAINTIFF
PLAINTIFF OR LEGAL AGENT

I, *Melvena Bennett*, being
duly sworn, deposes and says:
That ~~he~~ *she* is the *principal clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
(2) two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with *June 27*, 19*84*, and ending with the issue
of *July 5*, 19*84*.

Subscribed and sworn to before me this *6th* day
of *July*, 19*84*.

Marilyn J. Rhinehart
Notary Public, Residing at Payette, Idaho.

My Commission Expires *Dec. 1*, 19 *86*.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines *22 dbl line*

Number of Insertions *(2) two*

22 Lines @ *574* . . . \$ *12.54*

22 Lines @ *384* . . . \$ *8.36*

TOTAL COST
WILL BE \$ *20.90*

RECEIVED

JUL 23 1984

Department of Water Resources
Western Regional Office

No 224

MICROFILMED



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 9, 1993

RE: Permit Nos. 65-12579/12598/12717

Robert A. Smith
Box 586
New Plymouth, ID 83655

Dear Mr. Smith:

Enclosed are the water right licenses issued on the above referenced permits along with copies of the approved applications for amendment.

Sincerely,

A handwritten signature in cursive script that reads "Sharla Curtis".

SHARLA CURTIS
Sr. Water Resource Agent

Enclosures

RECEIVED

FEB 18 1993

MEMORANDUM

TO: File 65-12717
FROM: Sharla
DATE: February 2, 1993
RE: Annual Volume for Fish Propagation

Per a memo dated 1/15/88, volume is calculated this way:

1. Calculate changes per hour:
total flow into facility x 3600/facility volume(cf)=changes
2. Calculate annual volume:
facility volume(AF) x changes x 8760=AFA
3. Calculate volume given by permitted flow:
flow rate(cfs) x 1.9835 x 365 days=AFA
4. Recommend lower figure

1. 24.0 cfs x 3600/ 15,211,152 cf = .00568
2. 349.2 AF x .00568 x 8760 = 17,375.1 AFA
3. 24.0 cfs x 1.9835 x 365 days = 17,375.5 AFA

RECOMMENDATION: 17,375.1 AFA

MICROFILMED

FEB 18 1993



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 29, 1993

ROBERT A SMITH
SHARON R SMITH
PO BOX 586
NEW PLYMOUTH ID 83655-0586

RE: WATER RIGHT NOS. 65-12579, 65-12598, & 65-12717

Dear Mr. & Mrs. Smith:

I have completed the review of the beneficial use field examinations for the above referenced water rights. Before licenses can be issued, your permits must be amended to include the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Twp. 07N, Rng. 04W. The enclosed applications for amendment contain this information.

With the information you supplied previously concerning the pond dimensions, locations, etc., I was able to finish our recommendations. You will note that the full amounts originally permitted for fish propagation and power uses will be licensed.

Please review the amendments carefully and if you concur, sign them and return with the \$60.00 (\$20.00 per each amendment) filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact me within the 15-day period.

Sincerely,

SHARLA CURTIS
Senior Water Resource Agent

SC:cz

Enclosures

MICROFILMED

FEB 18 1993

MEMORANDUM

TO: Files 65-12579/12598/12717

FROM: Sharla

DATE: January 28, 1993

RE: License Review

Mr. Smith has made numerous visits and phone calls to the department concerning the above three permits. He is anxious to finish the licensing process on these rights. I originally started review of Permit 65-12579 and sent correspondence on January 9, 1992 regarding information that was needed in order to finish the license process. Mr. Smith then came into the office and supplied most of the information requested. I believe there is sufficient information to issue the licenses.

These permits were inspected by a certified examiner. He recommends a capacity of 38.36 cfs - the flow through the power plant. He explains that there is no other way of actually measuring the capacity. This has been verified by Mr. Smith in his description of his system - water rises almost everywhere on the property, there is no shortage. This does present the problem of being unable to distinguish between the sources. Therefore, in this case the measurement at the power plant will have to suffice.

The map with Mr. Smith's description of ponds, locations of springs, etc. can be found in Right 65-12579.

Because none of the three rights individually were over 25 cfs, the normal conditioning for compliance with FERC requirements was never placed on any of the permits. However, the three rights combined exceed 25 cfs, therefore, the normal conditions placed on power rights will be added at the time of licensing. No documentation is found concerning the amount of power produced under this system. 38.0 cfs was measured for power and fish propagation and has been recommended for licensing. This is how much water is available; it may not be an indication of how much water is actually **needed** for the power use.

Licensing amendments will be required for each of the three permits to add the spring located in the SWSE, Sec. 2. The groundwater source has been removed from Permit 65-12717; wells were not developed.

No diversion volume has been listed on any of the rights for fish propagation or power uses. In ~~the~~ **the** total facility volume between the three rights is listed in remarks for each. The total annual volume for power use is also listed in remarks under each right.

FEB 18 1993



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 11, 1992

RE: Permit Nos. 65-12579/12598/12717

Robert A. Smith
Box 581
New Plymouth, ID 83655

Dear Mr. Smith:

In follow-up to your office visit last week, I am writing to confirm that the above referenced permits are in good standing with the department. All requirements on your part as the permit holder have been met.

As I stated to you in our conversation, the plan of action is to visit the site later this summer and finalize license issuance for the permits. Meanwhile, the permits are valid rights covering your use of water.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

MAILED

FEB 18 1993

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AUG 13 1989

~~Assigned to be~~
~~Per 65-12598~~

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources
Western Regional Office

A. GENERAL INFORMATION

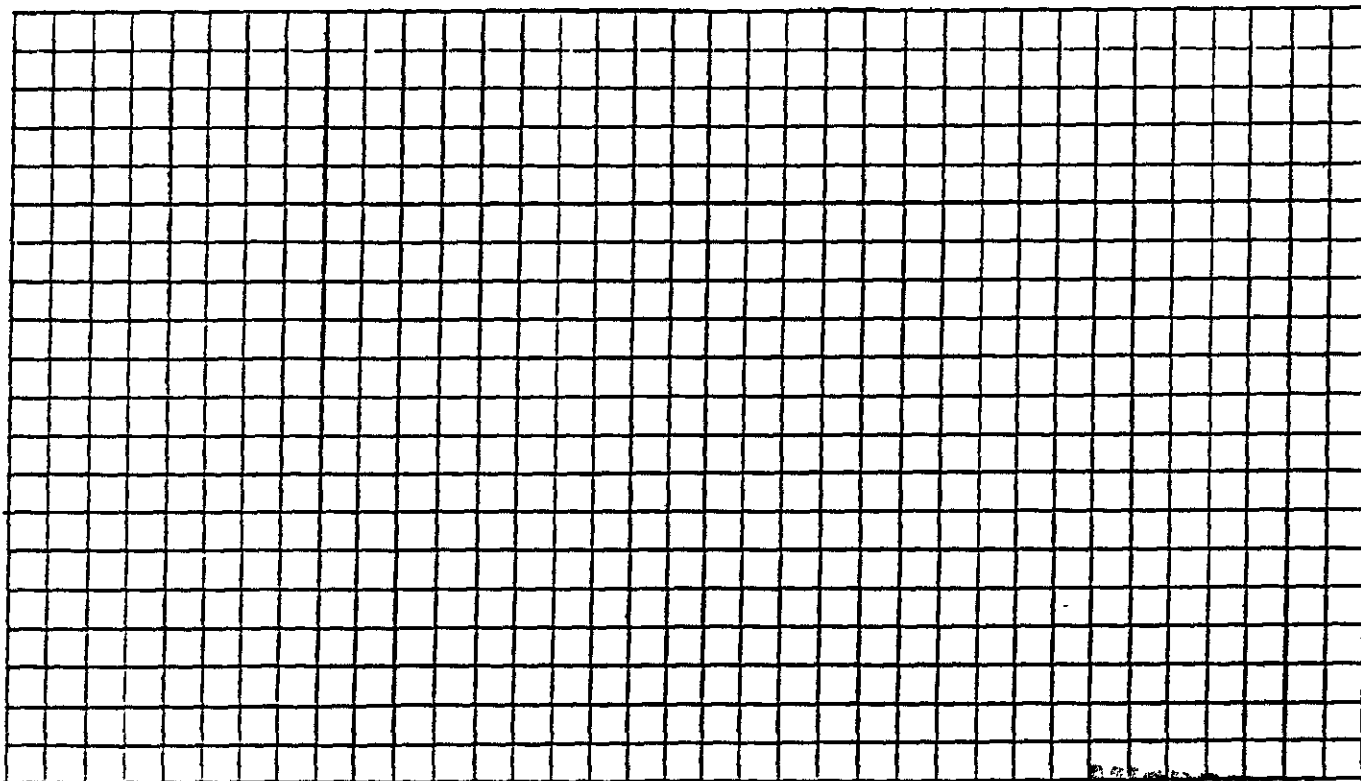
1. Owner: Robert A. and/or Sharon Smith Permit No. 65-12717
Current Address: Box 581 New Plymouth, ID 83655 Phone No. (208) 278-3743
2. Accompanied by: Bob Smith EXAM. DATE: 8/16/89
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: Springs tributary to Payette River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-12579, ~~65-12717~~, 65-12598
166 shares Nobel Ditch ☒ Copies Attached
☐ None ditch
2. Other water rights with same point of diversion: Same
☒ 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" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached ☒ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more). FEB 18 1993
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater)

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Velocity Probe	2 Range	Mead	HP-302	3846	5/10 f/s	7/86

2. Measurements:

See attached table

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ 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:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 62 \times 3 = 186$

$V_{OR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.24 \times 200 \times 1.9835 = 491.9$

$V = \text{Smaller of } V_{IR} \text{ and } V_{OR} = 186$

2. Volume Calculations for Other Uses:

NOT FILMED

FEB 18 1993

ROBERT SMITH POWER PLANT

WATER DEPTH 1.54 FEET
CHANNEL 4.50 FEET

MEASUREMENT LOCATION	VELOCITY 0.6 DEPTH	X SECTION AREA	FLOW CFS
19.0	5.9	3.27	19.31
32.0	5.4	1.67	9.01
45.0	5.2	1.99	10.34
			38.66

OVERFLOW

WATER DEPTH 0.10
WATER WIDTH 1.00
VELOCITY 3.00

FLOW CFS 0.30

FLOW CFS THROUGH THE POWER PLANT 38.36

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System Description (continued)

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

GEN Tractor driven alternator Model No. 12/12 PT2

Cont Kw 12 amps 83.3 Volts 120/240

Cycles 60 Phase 1 PTO RPM 520

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*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
					2	7N	4W	Payette	Aerial Photo

6. Place(s) of Use:

Indicate Method of Determination Aerial Photo

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	
7N	4W	2							33		26	3							62

Do not use this space

FILED
FEB 18 1993

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The source of water is springs and seepage into drains, thus the amount of water diverted is very difficult to measure because it comes up everywhere. The hydrostatic head is apparently above ground surface, so when the soil surface is removed the water starts flowing. The only reasonable method of measurement is measure the water used for hydropower which is a collection point for almost all of the water used including water used for fish propagation.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afs)
	From	To		
Fish Propagation	1/1	12/31	38 cfs	
Power	1/1	12/31	38 cfs	
Irrigation	3/15	11/15	1.24 cfs	
Stockwater	1/1	12/31	0.12 cfs	
Totals:			38 cfs	

2. 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

J. AUTHENTICATION

Field Examiner's Name

Michael E. Holladay

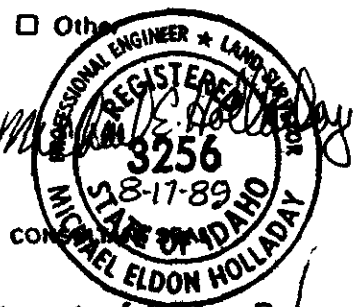
Signature

Certification Date

Field Report Preparation Date

8/15/89

8/17/89

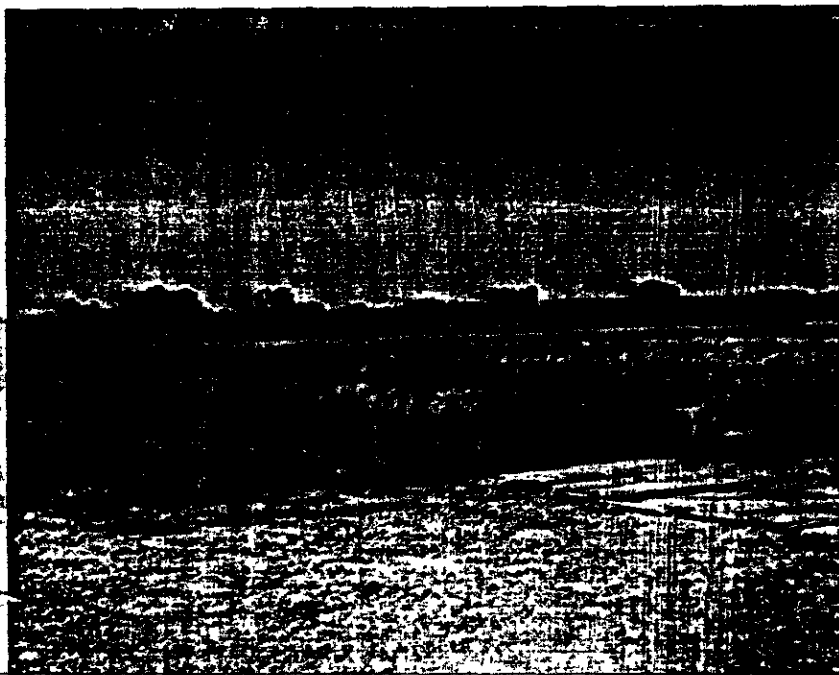


K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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Fish Ponds



View looking South from power plant intake showing
fish ponds and water flowing into power plant.

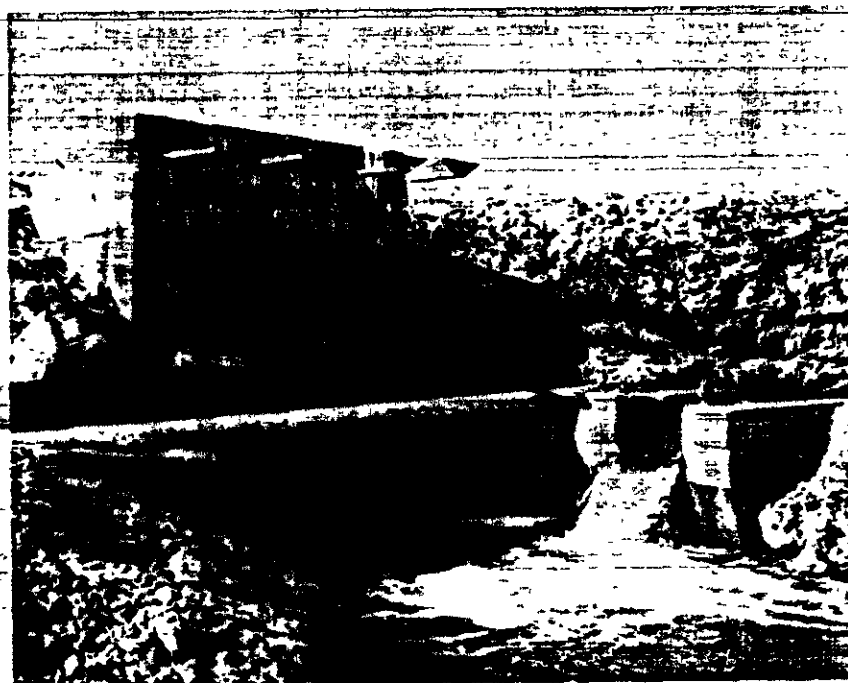
MICROFILMED

FEB 18 1993

Power Plant



Intake to power plant - upstream view.



Downstream view showing turbine, overflow for bay area. Note: pipe and water flowing is water bypassing fish ponds.

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Generator and Turbine



Left bank view showing
generator and belts to
turbine.

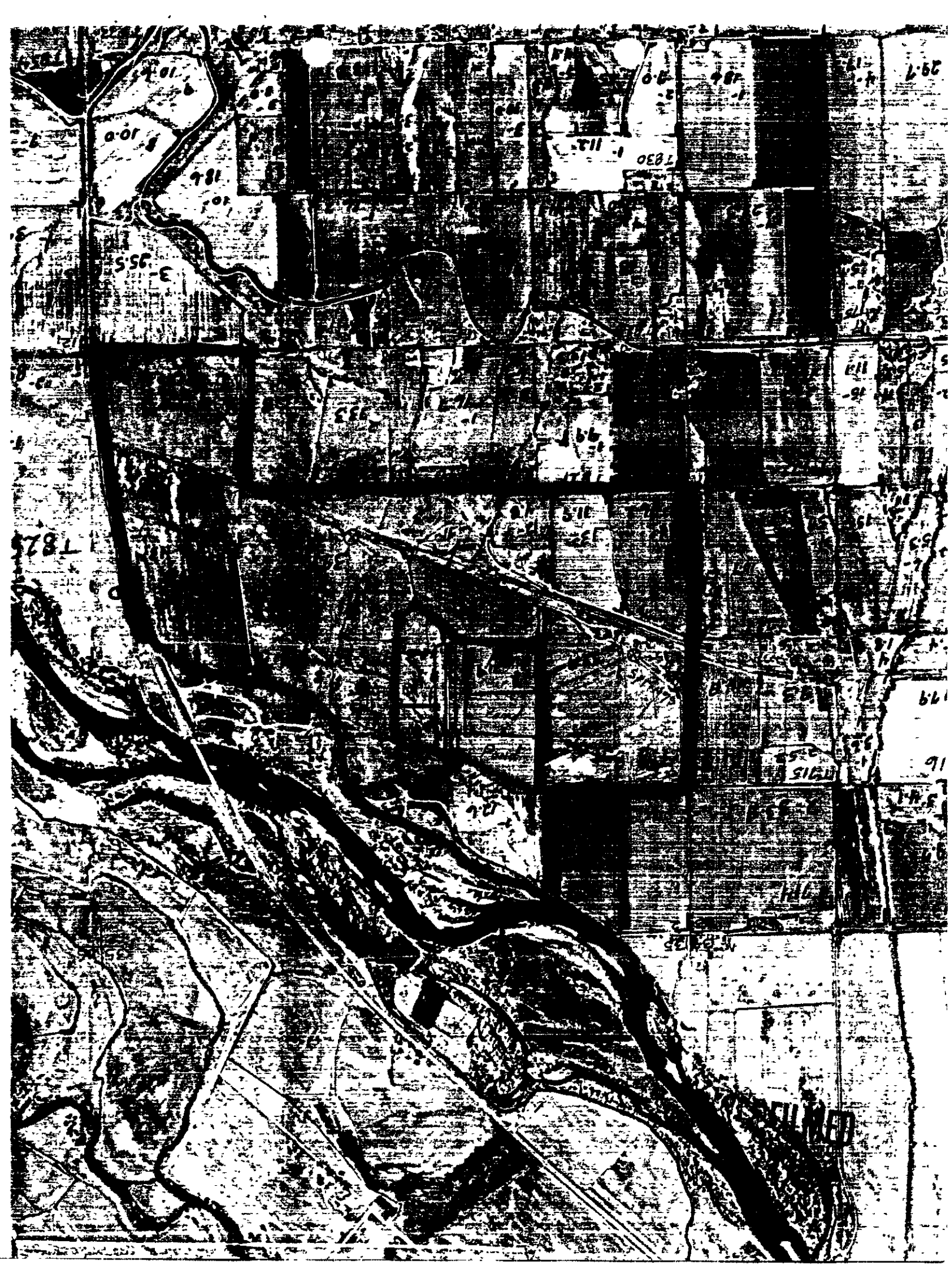
Note: Overflow water
spilling.

Right bank view showing
generator, mounting on
turbine and turbine just
below water level.



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FEB 18 1993



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FEB 27 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

PROOF OF BENEFICIAL USE

RECEIVED
FEB 28 1990

For Office Use Only
Amt of Fee \$
Date
Receipt No
Received by

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

Permit No. 65-12717 Telephone No. 278-3743

Name(s) of Permit Holder(s): Robert A. Smith

Post Office Address: Box 581, New Plymouth, ID 83655

Source of Water: springs

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater x (No. and type of stock) Other fish propagation, power

Total rate and/or volume for which proof is submitted x 38 24 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: x 6 - 13 - 84

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? x Yes No Installed? Yes x No

Fee Enclosed: \$ N/A (See License Examination Fee Schedule) CERTIFIED EXAMINER CONDUCTED EXAM.

Person to contact to accompany the Department representative during the field examination:

Name

Telephone No.

Address

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

FEB 18 1990

2/26/90
Date

Robert A. Smith
Signature (and title if on behalf of a company or organization)

February 21, 1990

Robert A. Smith
Box 581
New Plymouth, ID 83655

Dear Mr. Smith:

Re: Permit No. 65-12717

The department received the beneficial use field report, but did not receive the proof of beneficial use form.

Enclosed is a proof of beneficial use form. Please complete it by filling in the information at the "X". Upon receipt of this form, the proof of beneficial use requirement will be complete.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

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FEB 18 1993

ROBERT A. SMITH
P.O. BOX 586
NEW PLYMOUTH, ID 83655

July 31, 1989
138495

PROOF DUE NOTICE

RE: PERMIT NO. 65-12717

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 October 1, 1989. (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

RECEIVED
FEB 18 1993

FEB 18 1993

October 11, 1984

RE: Permit No. 65-12717

Robert A. Smith
Box 586
New Plymouth, ID 83655

Dear Mr. Smith:

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

Please be advised that your application for permit has been approved because we no longer wait for approval from the Federal Energy Regulatory Commission (FERC) or the Idaho Public Utilities Commission (PUC) when the flow is less than 25 cfs and the power to be generated is less than 500 HP. However, you may still need to obtain approval from FERC and/or PUC.

Prior applications for permit have been filed to appropriate water from your source which may impact the availability of water to be used under this permit. Therefore, you should be sure to analyze the impact of these rights before making a major investment into your water use project.

Please be advised that your plans for fish propagation may be subject to regulations of the Idaho Department of Fish and Game. We suggest that you check with them before starting construction.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port, or to provide a certified measurement or computation of flow based upon the design of the system to be prepared by a professional engineer.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is

RECEIVED

Robert A. Smith
October 11, 1984
Page 2

completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Also enclosed is a copy of the map prepared pursuant to your office visit of October 2, 1984, along with a copy of the memorandum of the same date.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc
Enclosures

MICROFILMED

M E M O R A N D U M

TO: File No. 65-12717

FROM: Dave Tuthill *DT*

DATE: October 2, 1984

RE: Visitation to the Office by Robert A. Smith

On this day, Robert A. Smith visited this office to check on the progress of the above-referenced application for permit. By chance, the file had recently been reviewed by Norman C. Young, who indicated a desire for additional information in the file regarding how water will be diverted and used under the proposed system.

In discussing the proposed project with Mr. Smith, we discovered that the place of use described in the application does not correspond with the land which he owns in Sec. 2, Twp 7N, Rge 4W. Specifically, the application does not include the following lands, which Mr. Smith indicated that he owns: Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), SE $\frac{1}{4}$ SE $\frac{1}{4}$, and a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$. Lands described in the application which are not owned by Mr. Smith include Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), and the SE $\frac{1}{4}$ SW $\frac{1}{4}$. I explained to Mr. Smith about our amendment procedure, and that pursuant to Section 42-211, any amendment to the application would require readvertisement.

Mr. Smith was concerned about the timing associated with readvertisement, and wants to get started with construction of the fish ponds as soon as possible. Therefore, he indicated that under this permit, he would not plan to proceed with any development whatsoever in either the lands which he owns but are not included under the application or lands which he does not own that are included in the application. He identified those sites of proposed development which are included in the lands that are both on the application and that he does own. A map describing the sites is included as an attachment on the left side of this file. Note that Mr. Smith identified a total of 16 ponds which were not included in two previous filings in his name, Permit Nos. 65-12579 and 65-12598. Instead, these ponds are in addition to the three ponds that had been previously identified. Sizes and locations of the ponds are shown on the map.

Note that groundwater is proposed to be developed by pumping from a sump that will be formed by the construction of the pond located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 1. Mr. Smith indicated that the groundwater table is very high on the lands in questions, and his proposed groundwater use merely includes placing a low-lift pump on the pond, and discharging the resulting flow into an existing drain which can be identified on the USGS topographic map of the area.

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OCT 10 1984

TO: File No. 65-12717
DATE: October 2, 1984
PAGE: 2

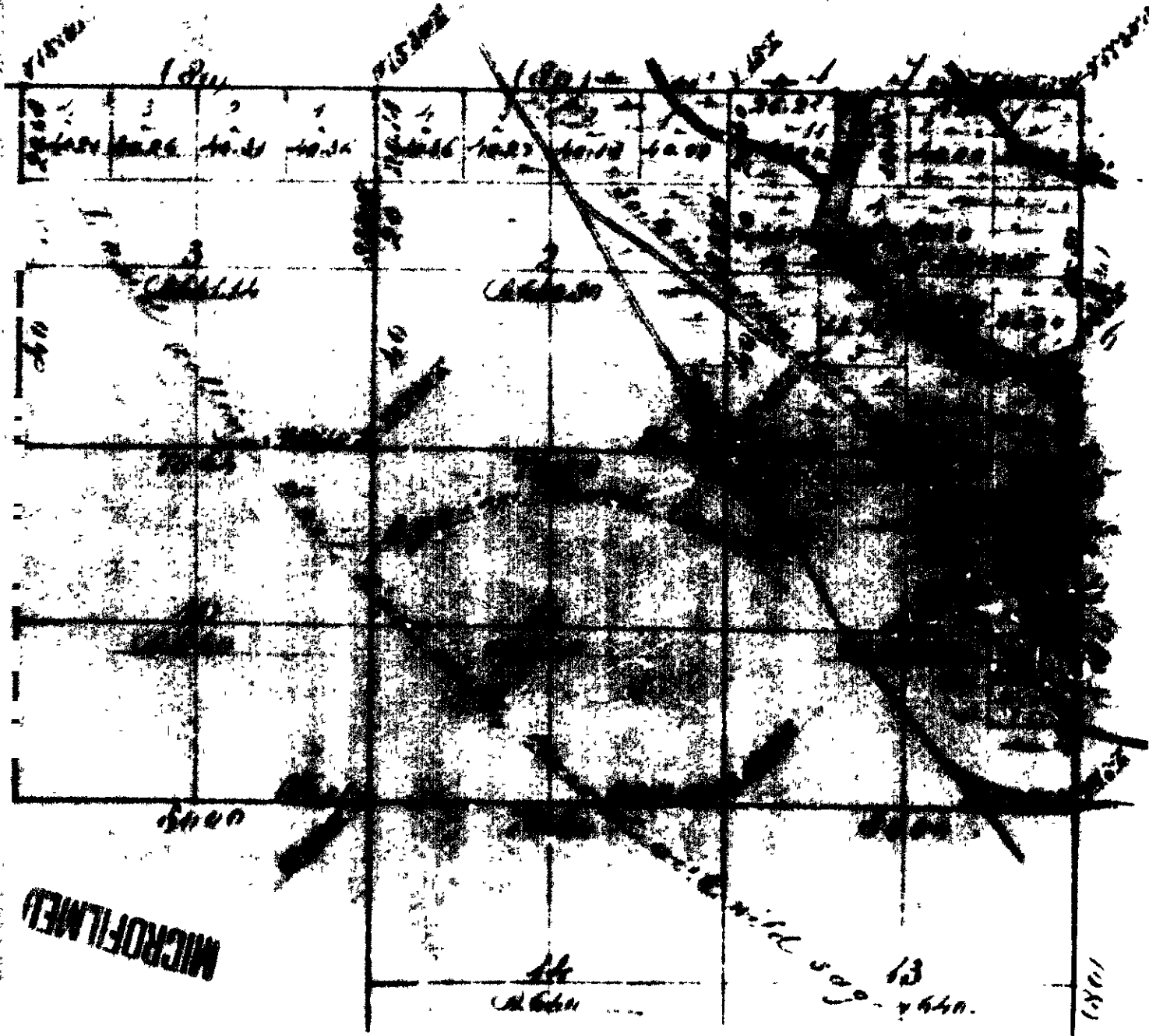
Mr. Smith requested that we expedite approval of the application for permit in question. He indicated that he does intend to amend the permit in the future to change the site for the hydroturbine. However, in my opinion, the application is acceptable for approval at this time, with the deletion of the two tracts which Mr. Smith does not currently own from the application.

Attachments

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Handwritten title or header, possibly "The [illegible] [illegible]"



POWER CALCULATIONS FOR APPLICATION NO. 65-12717

17
P = Kilowatts .74 X hp

Q = cfs 24

H = feet 10.5

e = efficiency

proposed

- ☒ 1.) Affidavit of Residency
- ☒ 2.) Ownership of Facilities
- ☒ 3.) *Financial Ability
- ☒ 4.) Feasibility of Project

see
letter
of 11/12/82

- a (Plans) drawings
- b. Economic analysis

- 5.) *Compliance w/FERC

*only for projects of more than 25 cfs
or more than 500 horsepower.

$$e = \frac{P(11.8)}{QH} = \frac{17(11.8)}{24 \times 10.5} = \frac{200.6}{252} = 0.796 \approx 0.80$$

Based on the above calculations the proposed project
must have an 80 % efficiency.

OVERLAP REVIEW

per terminal 9/5/84

P/D(sec) 65-12579 > power rights for same party
65-12598

all other rights w/plds in this section
are for irrigation and domestic uses

P/U(sec) 65-12598 fish^{same party} - all others were for
irrigation & domestic uses

BYPASSED AREA

Recommend L14

MICROFILMED

tw
9-5-84

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Grover

APPLICATION NUMBER: 65-12717

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

Copies sent by: SP

Date: 6/21/84

PROCESSING:

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

Platted by: _____

Map No. _____

Other rights on same place of use. 65-12579 & 65-12598

8.0 cfs & 6.0 cfs - This app has 3 additional p.d.s (NWJW, JENIE & SWNE), approved permits

In form for advertising. Also 1 additional p.d. of use in the NWJW. 65-13579 also

Final date for protests: including Aug. & September 1984

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

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/23/84
☐ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 465/34473
☒ Publication dates and paper, recorded on application. Independent Enterprise 6/28 & 7/5/84
☒ 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? 65
☒ 6/13/84 Date of priority recommended.

Special conditions of approval or cover letter. 01D, 02, 05(65), 07A, Sub-power portion, 08A, 09D, 25, 26

*A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained at the points of diversion and the point of effluent discharge.

By: GLS

Date: 8/22/84

STATE OFFICE REVIEW:

08A above 09E 17F 17H
2600 05(65, Page 2) 25

☐ See attached sheet for more information.

By: FW

Date: 9-5-84

AUG 22 1984

ADD CONDITION REQUIRING THAT DIVERSION FOR POWER USE WILL OCCUR ONLY WHEN DIVERSION FOR FISH PROP IS REQ'D TO PREVENT "WASTE" OF THE GROUNDWATER SOURCE, PER EARLIER DEPT PRACTICE. DRT 9/20/84

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						



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

September 5, 1984

RE: Application for Permit No. 65-12717

Robert A. Smith
Box 586
New Plymouth, ID 83655

Dear Mr. Smith:

Enclosed is the Financial Statement that you brought into our office last week. I am returning it to you, pursuant to your request.

We have done further review of your application and find that we can proceed with it as you have submitted it. We will be sending you correspondence in regard to it shortly.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:k
Enclosure

MICROFILMED

MICROFILMED

In Payette County, Idaho: Township 7 N., Range 1 E.,

In Section 2: NW1/4, NE4/4, SW4/4, and SE4/4 of the Payette Valley Extension Railroad. Also all that part of the NE4/SW4 and NW4/SE4 lying South of the right of way of the Payette Valley Extension Railroad. ALSO all that part of the NE4/SW4 lying North of the Payette Valley Extension Railroad and West of the Drain Ditch as same now crosses said NE4/4. ALSO to have, hold, SAVE AND EXCEPTING therefrom the right of way of the Payette Valley Extension Railroad; and further Excepting one square acre on the Southwest corner thereof as described in Deed recorded January 1, 1915 in Book L, Page 127, Deed Records of Payette County, Idaho.

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EXHIBIT B

In Payette County, Idaho: Township 7 North, Range 4 West of the Boise Meridian:

Section 2: Government Lot 3, SE4/NW4;

All that portion of the NW1/SE4 and of the NE4/SW4 lying North of the right of way of Payette Valley Extension Railroad Company, as described in Deed recorded December 3, 1913 in Book J, Page 586, Deed Records of said County save and EXCEPT that portion of said NE4/SW4 lying West of the drain ditch as the same now crosses said NE4/SW4,

E2/SE4, save and EXCEPT the right of way of Highway #52, and further EXCEPTING that portion of the SE4/SE4 conveyed to Payette Valley Extension Railroad Company by deed recorded December 3, 1913 in Book J, Page 591, Deed Records of said County, ALSO EXCEPTING that portion lying East of Highway #52.

All that part of the NE4 lying South of the present channel of the Payette River and West of Highway #52.

U

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EXHIBIT A

FROM David Shaw

DATE 4/19/83

TO 65-12598 + 65-12717

SUBJECT Fish Facilities

THIS filing is for more water for the raceways described in ⁶⁵⁻¹²⁵⁹⁸ 65-12579. This was confirmed by phone with Mr. Smith. The combined flow of the two filings and the ^{raceway} ~~pond~~ sizes are within our guidelines. A copy of the raceway description is attached.

SIGNATURE

November 12, 1982

Director of Department of Water Resources:

Concerning my Application for Permit filed on 10/15/82 for myself, Robert A. &/or Sharon A. Smith, the additional information required regarding power and fish propagation is as follows:

The power is for personal consumption and will not be sold therefore, it will not require a FERC exemption.

The size of the fish raceways will be 8 ft., deep by 300 ft. ^{by 5ft wide} and there will be three in number. These will be located on the drains so no concrete raceways will be utilized. The type of fish to be raised will be a warm water variety so 6 cfs will turn over the pond area and provide oxygen. Area capacity of ^{the} ponds would hold about .82 to 1 acre ft. of water. Also, letter from Drainage District No. 8 is enclosed, plus a copy of proof of ownership.

Sincerely,

Robert A. Smith

Robert A. Smith

Box 586

New Plymouth Colorado
836 55

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NOV 17 1982
DEPT. OF WATER RESOURCES

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IDAHO DEPARTMENT OF FISH AND GAME
REGION 3
109 West Forty-fourth Street
Boise • Idaho • 83704

June 27, 1984

Mr. David B. Shaw
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Shaw:

Re: 65-12717, Robert A. Smith
Unnamed Drain, Payette River

Idaho Department of Fish and Game personnel have reviewed the above referenced application to appropriate public water and have no objection to issuance of a permit.

Thank you for the opportunity to review and comment on this application.

Sincerely,

Stacy Gebhards
Regional Supervisor
Region 3

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JUL 3 1984

Department of Water Resources
Western Regional Office



STATE OF IDAHO

DEPARTMENT OF HEALTH
AND WELFARE

DIVISION OF ENVIRONMENT
Statehouse
Boise, Idaho 83720

DIVISION OF ENVIRONMENT - 801 Reserve St. - Boise, ID 83712

June 26, 1984

Mr. David B. Shaw
Western Regional Supervisor
Idaho Department of Water Resources
450 W. State Street
STATEHOUSE MAIL
Boise, Idaho 83720

Re: 65-12717 (Smith)

Dear Mr. Shaw:

This office has reviewed the above-described application and has no objections to this appropriation.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Wroten".

Jon Wroten
Senior Water Quality Specialist

JW/ecw

cc: Craig Shepard, DOE/BFO

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JUN 27 1984

Department of Water Resources
Western Regional Office



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

June 21, 1984

Jim Wroten
Idaho Department of Health & Welfare
Division of Environment
Statehouse
BOISE, ID 83720

Re: 65-12717/Smith

Dear Mr. Wroten:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application, your written protest must be received in this office by July 16, 1984.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Shaw", is written over the word "Sincerely,".

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

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State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Stacy Gebhards
Regional Supervisor
Idaho Department of Fish & Game
Region 3/Statehouse
Boise, ID 83720

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

June 21, 1984

Re: Nos. 65-12717/Smith, 67-7696/Beckwith/Long/Noah, 77-7219/Nelson

Dear Stacy:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application, your written protest must be received in this office by July 16, 1984.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 21, 1984

Independent Enterprise
Box 520
Payette, ID 83661

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. 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 JULY 16, 1984.

Yours truly,

JUDY PENSE
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JULY 16, 1984.

KEN DUNN, Dir.

Published 06/28 & 07/05/84.

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65-12717

SMITH, ROBERT A.

P.O. BOX 586, NEW PLYMOUTH, ID 83655

Source: GROUNDWATER
SPRINGS trib. to UNNAMED DRAIN
UNNAMED DRAINS trib. to PAYETTE RIVER

Date Filed: 06/13/1984

Diversion Pt: NWSE NWNW SENE SWNE NESW NWSW SENW SWNW Sec 02 T 07N R 04W

Use: FISH PROP. (24.00 CFS)
POWER (24.00 CFS)

In: NWNW SWNW SENW NESW NWSW SESW NWSE Sec 02 T 07N R 04W

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INTER-DEPARTMENT MEMO — 1

FROM Lee Sisco

DATE 6/1/84

TO 65-12717

SUBJECT Fish pond size

This is the plans for gravel removal and a large hole-pond that Mr. Smith plans on using for fish prop. when the gravel operation is completed. This should be considered part of his fish raising area.

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NOTE:

AREA ON THIS MAP

NOT INCLUDED IN PLACE OF Lee

USE OF APP 65-12717. MR. SMITH OPTED NOT TO ADD AS OF 10/2/84. D. T. W.

SIGNATURE