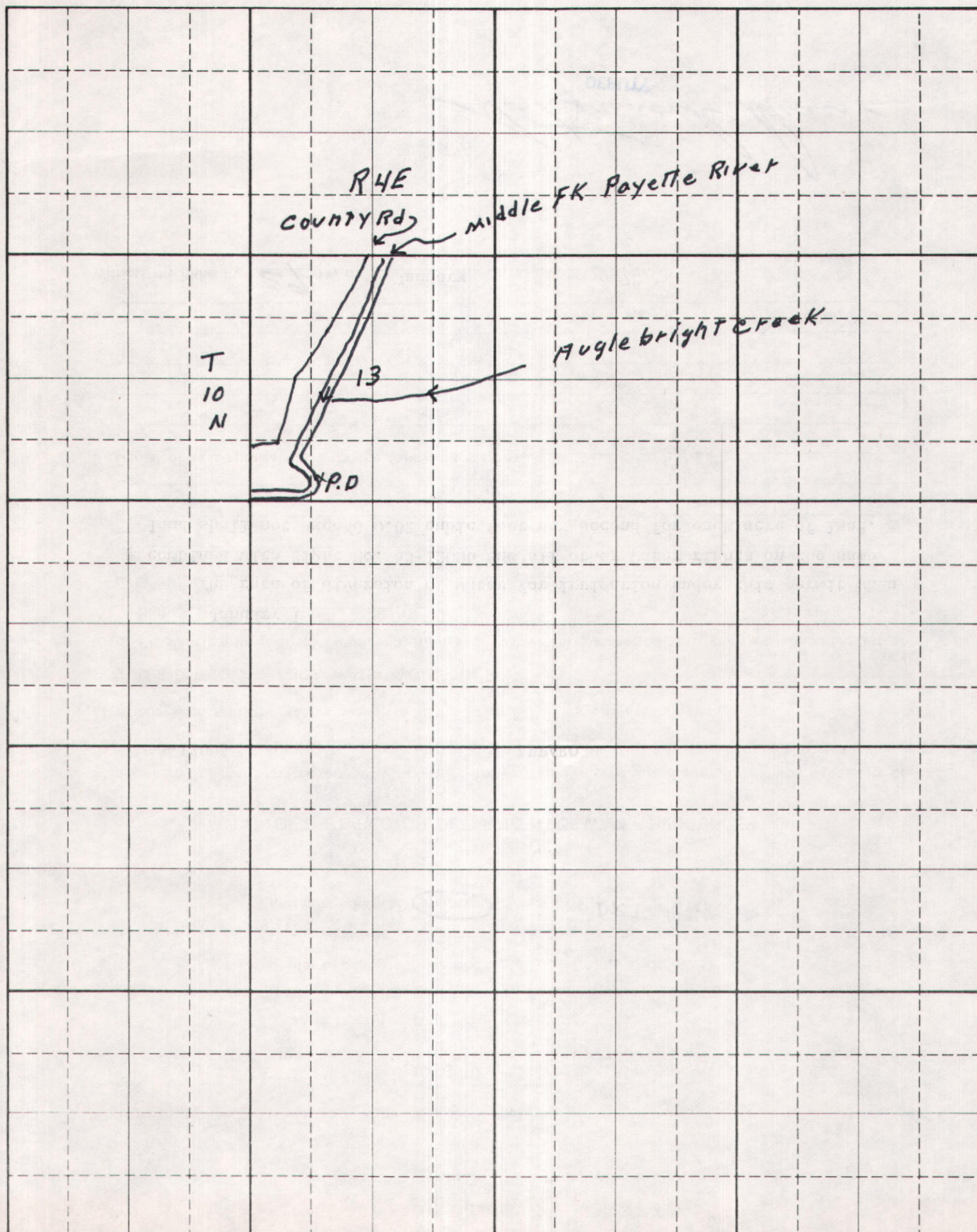
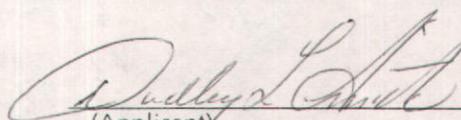


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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


(Applicant)

STATE OF IDAHO,
County of Boise

Danna Ruth being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho; that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for

2 consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

Oct. 14, 1977 and end-

ing with the issue of *Oct. 21*

1977
Danna Ruth

Subscribed and sworn to before

me this 21 day of *Oct*, 1977.

Robert J. Tuffels
Clerk of Dist Court

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Dudley
L. &/or Enid V. Smith, 1718 Manitou
Avenue, Boise, Idaho has on Sep-
tember 29, 1977 submitted Appli-
cation No. 65-12005 for a permit to
appropriate 0.10 cubic feet per
second of water from Middle Fork
Payette River by means of pump
and pipeline within the SE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec 13 T10N-R4E B.M., Boise County
to be used from January 1 to De-
cember 31 for domestic purposes
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 13 T10N-
R4E B.M.

If issued, this permit will be subject
to all prior water rights. Protests
against the granting of the permit
must be filed with the Director of
the Idaho Department of Water
Resources, 92 South Cole Road,
Boise, Idaho 83705 on or before
October 31, 1977.

C. STEPHEN ALLRED
Director

Published in THE IDAHO WORLD,
Idaho City, Idaho 83631 on October
14 and 21, 1977.

OK
10-31-77
mf

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12005

Priority: September 29, 1977 Amount: .10 CFS 3.0 AFA

This is to certify, that DUDLEY L. SMITH
ENID V. SMITH

1718 MANITOU
BOISE, ID 83706

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 29, 1977, and has submitted proof to the Department of Water Resources on November 8, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .10 cfs of water from;

PAYETTE RIVER, MIDDLE FORK tributary to PAYETTE RIVER

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.10 cfs	3.0 afa

LOCATION OF POINT OF DIVERSION(S): SESW , Sec. 13, Township 10N, Range 4E
Boise County

PLACE OF USE: Domestic

TWN RGE SEC

10N 4E 13 SESW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 5 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 24th day of JUNE, 1987.

MICROFILMED

JUL 08 1987

the Director

Identification No. _____
Application No. 65-12005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- 1 Name of applicant Dudley L. &/or Enid V. Smith Phone 342-8015
post office address 1718 Manitou Ave., Boise, ID 83706
- 2 Source of water supply Middle Fork Payette which is a tributary of _____
- 3 a Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 13 Township 10N
Range 4E B M Boise County, additional points of diversion if any _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B M _____
- 4 Water will be used for the following purposes
Amount .10 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated
a .10 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc 3/4 H.P. pump & 2" pipeline 200ft
long.

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam, _____
Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)
c Proposed well diameter is _____ inches, proposed depth of well is _____ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b Estimated construction cost is \$ 300.00
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 13 Township 10N
Range 4E B M _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 5
(5) If water is to be used for other purposes describe _____

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

[illegible]

Total number of acres to be irrigated_____

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

65-12006 is SUPPLEMENTAL

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

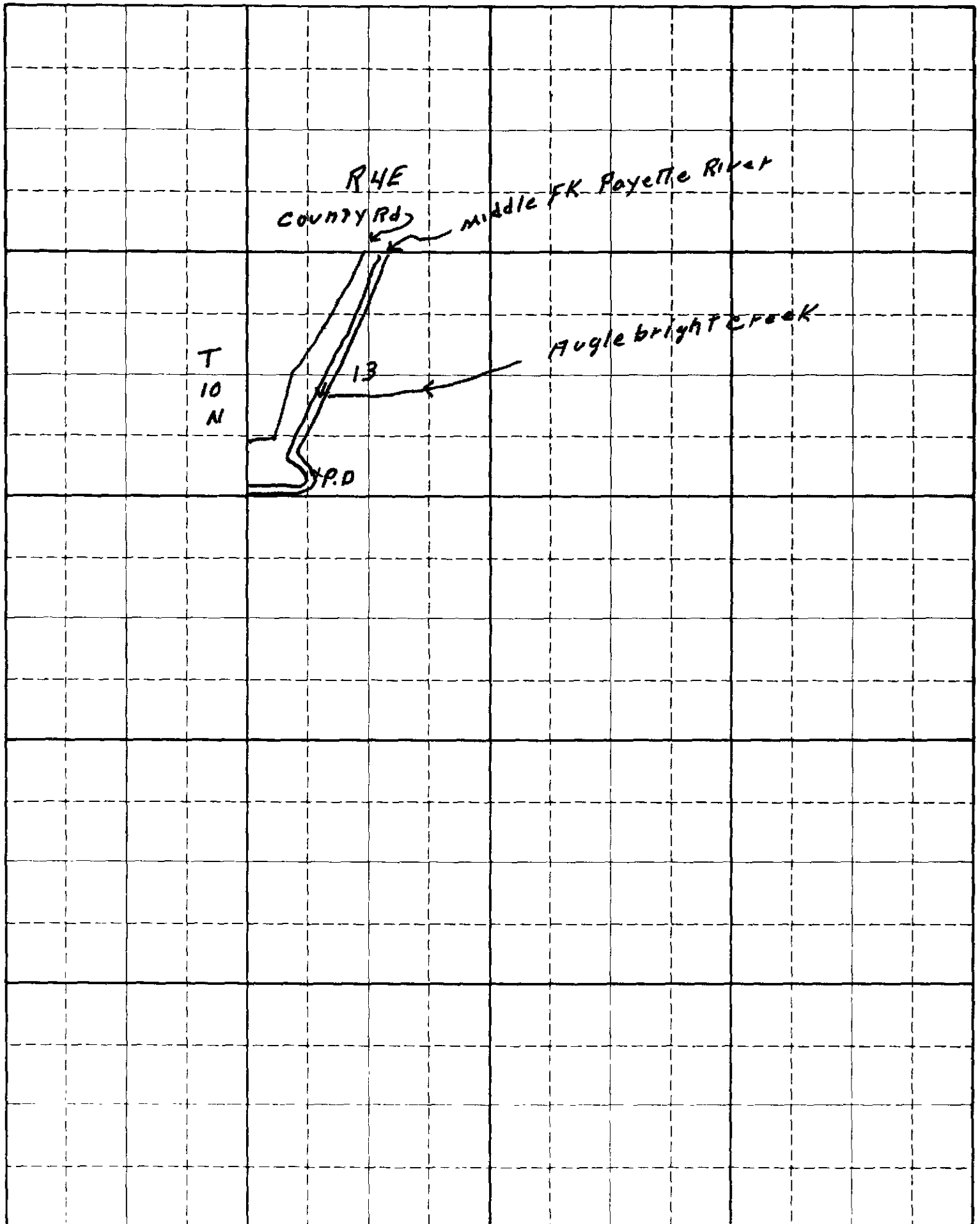
b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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

DeWayne L. Smith
(Applicant)

Proposed Priority 9/29/77

Received by GH Date 9/29/77 Time 3:06 PM

Preliminary check by GH Fee \$ 1.00

Receipted by Y Date 9-29-77 # 8952

Publication prepared by Y Date 10-7-77

Published in Idaho World

Publication dates Oct 14 & 21, 1977

Publication approved Y Date 10-31-77

Priority reduced to Y Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DRT W

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 65-12005, 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 January 1, 1983.

c. Other: The rate of diversion of water for irrigation under this permit when combined with Right No. 65-12006 and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

2. Denial of said application is for the following reasons _____

Witness my hand this 29 day of January, 19 78.


DEPUTY Director

STATE OF IDAHO,
County of Boise

Dennis Neff being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho; that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for

2 consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

Oct. 14, 197*7* and end-

ing with the issue of *Oct. 21*

197*7*

Subscribed and sworn to before

me this *21* day of *Oct*, 197*7*

Robert J. Tappert
Clerk of Dist Court

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Dudley
L. &/or Enid V. Smith, 1718 Manitou
Avenue, Boise, Idaho has on Sep-
tember 29, 1977 submitted Appli-
cation No. 65-12005 for a permit to
appropriate 0.10 cubic feet per
second of water from Middle Fork
Payette River by means of pump
and pipeline within the SE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec 13 T10N-R4E B.M., Boise County
to be used from January 1 to De-
cember 31 for domestic purposes
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 13 T10N-
R4E B.M.

If issued, this permit will be subject
to all prior water rights. Protests
against the granting of the permit
must be filed with the Director of
the Idaho Department of Water
Resources, 92 South Cole Road,
Boise, Idaho 83705 on or before
October 31, 1977.

C. STEPHEN ALLRED
Director

Published in THE IDAHO WORLD,
Idaho City, Idaho 83631 on October
14 and 21, 1977.

*OK
10-31-77*

June 2, 1987

DUDLEY L. & ENID V. SMITH
1718 MANITOU
BOISE, ID 83706

RE: Permit No. 65-12005

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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JUL 08 1987

State of Idaho DEPARTMENT OF WATER RESOURCES FIELD REPORT

APR 02 1987

200 LBY 1. 71119
1.1 45 32 140 170 210 240
INSTRUMENT 2

Department of Water Resources CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS

- ☐ Appointment letter mailed: _____
- ☐ Telephone call made: 8/19/85 JP
(List Telephone No. used) _____
- ☐ Appointment scheduled for: 8/20/85 JP
(Date, time, location) _____

Mr. Smith gave directions to camp
& said to drop in anytime for exam.

EXAMINATION

Date 8/20/85 Accompanied by N/A Total Q measured ESTIMATE
If source is surface water, estimate total flow of source SOURCE - M. L. R. PAYETTE R
Methods of measurement ESTIMATED Meets Permit requirements? _____

Measurement calculations:

5 DOMESTIC (IN-HOUSE) - .10 cfs + 3.0 af/ann.

5 x 6 = 3.0 af/ann. < .10 x 1.98 x 365 = 72.27

ACTUAL INCLINE PER TOPO MAP IS 80' 50" 80' x 20 x 2.3 = 126 = 0.06 cfs * SEE REMARKS

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1	FRANKLIN	157208-230	SANK	NONE			

System Description 1 1/2" PIPELINE IN RIVER W/SCREEN ON END APPROXIMATELY 15' w/5' INCLINE TO PUMP. PUMPS INTO 1" DISCHARGE UP TO 4 TRAILORS. APPROX. 127' TO A "T" w/GARDEN HOSE TO CAMP & UNDER-

*Code with map on reverse side. Disregard code if only one. FOR DUST ABATEMENT.

GROUND TO TRAILORS - 4 TRAILORS & MR. SMITH STATED HE MORE TRAILOR BROUGHT IN DURING THE SUMMER.

RECOMMENDED AMOUNTS Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<u>DOMESTIC - 5 FAMILIES</u>	<u>.10 cfs</u>	<u>3.0 afa</u>	<u>1-1</u>	<u>12-31</u>

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Total

Remarks

JUL 08 1987

The Condition that no more than 6.0 af/annum when this and 65-12006 are combined has been met by having each one limited to 3.0 af/ann.

*I feel it would be difficult to cut this permit back when it is unknown if the lift was 80' at the point where the pump is located in relation to the camp. The 80' was taken only from topo contour lines for theoretical purposes. .10 cfs does not seem excessive for 5 domestic uses per the instantaneous demand for domestic purposes memo.

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

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

NO GOUT LOTS
Point(s) of diversion: SESW, S. 13, T. 10N, R. 4E.

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
10N	4E	13												D					

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

JUL 08 1987

Examiner's Signature Jan Shultz

Checked by DRT

Approved by While file # 3/27/80

Date 1/27/87

Date 3/25/87

e

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 1, 1983

DUDLEY L. SMITH
1718 MANITOU
BOISE

ID 83706

RE: Permit No. 65-12005

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/ Judy Pense
Secretary

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JUL 08 1987

SECOND REPLY

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-12005.

Name(s) of Permit Holder: Dudley L & Enid V Smith

Post Office Address: 1718 Manitou Boise, Idaho 83706

Tel. No. _____

Source of Water

Spring

Extent of Use

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

MOUNTAIN SPRING

SECTION

Requirements Met 1982

R 4E

Measuring Device: Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

Access Port.

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed

11-5-1982

Date

Dudley L Smith
Signature of Permit Holder

Dudley L. Smith
1718 Manitou
Boise, Idaho

BOISE, ID 83720



NOV

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138887

SMITH, DUDLEY L. & ENID V.
1718 MANITOU AVENUE
BOISE, ID 83706

OCTOBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12005 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE. OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FRECK
SR. SECRETARY

ENC: 1

February 1, 1978

Re: Permit No. 65-12005

Dudley L. &/or Enid V. Smith
1718 Manitou Ave.
Boise, ID 83706

Dear Mr. & Mrs. Smith:

Enclosed is a copy of your approved Application for Permit No. 65-12005 We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

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DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12005

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) 6LS 9/30/77

In form to receipt

(2) rf 10-12-77

Send Copies to:

☒ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(4) 6LS 9/30/77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) rf α

Affidavit of Publication received(date) 10-31-77

(12) _____

Final date for protests _____

Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

9-29-77 Proposed Priority

Reason for Reduction _____

Measuring device required _____

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District W By ORT Date 10-31-77

Supplemental condition is on
65-12006 IS A SUPPLEMENTAL
CONDITION



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

October 12, 1977

Re: Applications for Permit Nos. 65-7990, 65-7991, 65-7992, 65-12005 & 65-12009

Jim Jenkins
Central District Health
1455 North Orchard
Boise, ID

Dear Mr. Jenkins:

Enclosed are copies of the above referenced applications for permit which may be of interest to your agency. Please review the applications 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.

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

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

MICROFILMED



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

October 7, 1977

Re: Notice of Application for Water Right No. 65-12001 - George &/or Dora M. Murray
65-12004 - Richard &/or Linda Borders
65-12005 - Dudley &/or Enid Smith
65-12006 - Dudley &/or Enid Smith
65-12009 - Gerry &/or Margaret Deier&/or
Wm. &/or Violet Virts
65-12008 & Eight Mile Subd. Water Assn.
65-12010 - Mary C. Ihrig

Idaho World
Box 220
Idaho City, ID 83631

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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before October 31, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
10 - 31 - 77
[Signature]

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DUDLEY L. &/or ERIC V. SMITH
1718 Manitou Avenue Boise, ID
has on September 29, 1977 submitted Application No. 65-12005
for a permit to appropriate 0.10 cubic feet per second acre feet
XXXXXXXXXX per annum of water from Middle Fork Payette River
XXXXXXXXXX by means of pump and pipeline
within the SE 1/4 SW 1/4 Sec 13 T10N-R4E B.M., Boise County
XXXXXXXXXX
XXXXXXXXXX
to be used from Jan 1 to Dec 31
for domestic purposes
XXXXXXXXXX
within the SE 1/4 SW 1/4 Sec 13 T10N-R4E B.M.
XXXXXXXXXX
XXXXXXXXXX

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Director of
the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho
83705 on or before October 3, 1977.

C. STEPHEN ALLRED

Director

Published in the Idaho City World, Idaho City, ID
on October 14, 1977 and October 21, 1977.

MICROFILMED