

A sheet of graph paper with a grid of solid and dashed lines. Handwritten in black ink: 'RAE' with an arrow pointing to 'P.D.' and 'Use' below it. Below 'RAE' is a small 'x' with an arrow pointing to it. To the left of 'RAE' is 'T 9 AI' stacked vertically. To the right of 'RAE' is '3'. In the bottom right corner, there is a red stamp that reads 'MICROFILMED' vertically.

X Robert L. Smith
(Applicant)

STATE OF IDAHO,
County of Boise,

Nauna Nech 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

Sept. 9, 1977 and end-
ing with the issue of Sept. 16

1977

Nauna Nech
Subscribed and sworn to before
me this 15th day of Sept., 1977

Robert J. Taffield
Clerk of Dist Court

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Robert L. Smith, Garden Valley, Idaho has on August 25, 1977 submitted Application No. 65-7947 for a permit to appropriate 0.04 cubic feet per second of water from a spring tributary Middle Fork Payette River by means of collection box and pipeline within the Government Lot 2 Sec 3 T9N-R4E B.M., Boise County to be used from January 1 to December 31 for domestic purposes and from April 1 to November 1 for the irrigation of 2 acres within Government Lot 2 Sec 3 T9N-R4E.

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 September 26, 1977.

C. STEPHEN ALLRED
Director

Published in THE IDAHO WORLD,
Idaho City, Idaho 83631 on September
9 and 16, 1977.

OK
9-20-77
Wtm

FILED
SEP 20 1977
IDAHO DEPT. OF WATER RESOURCES

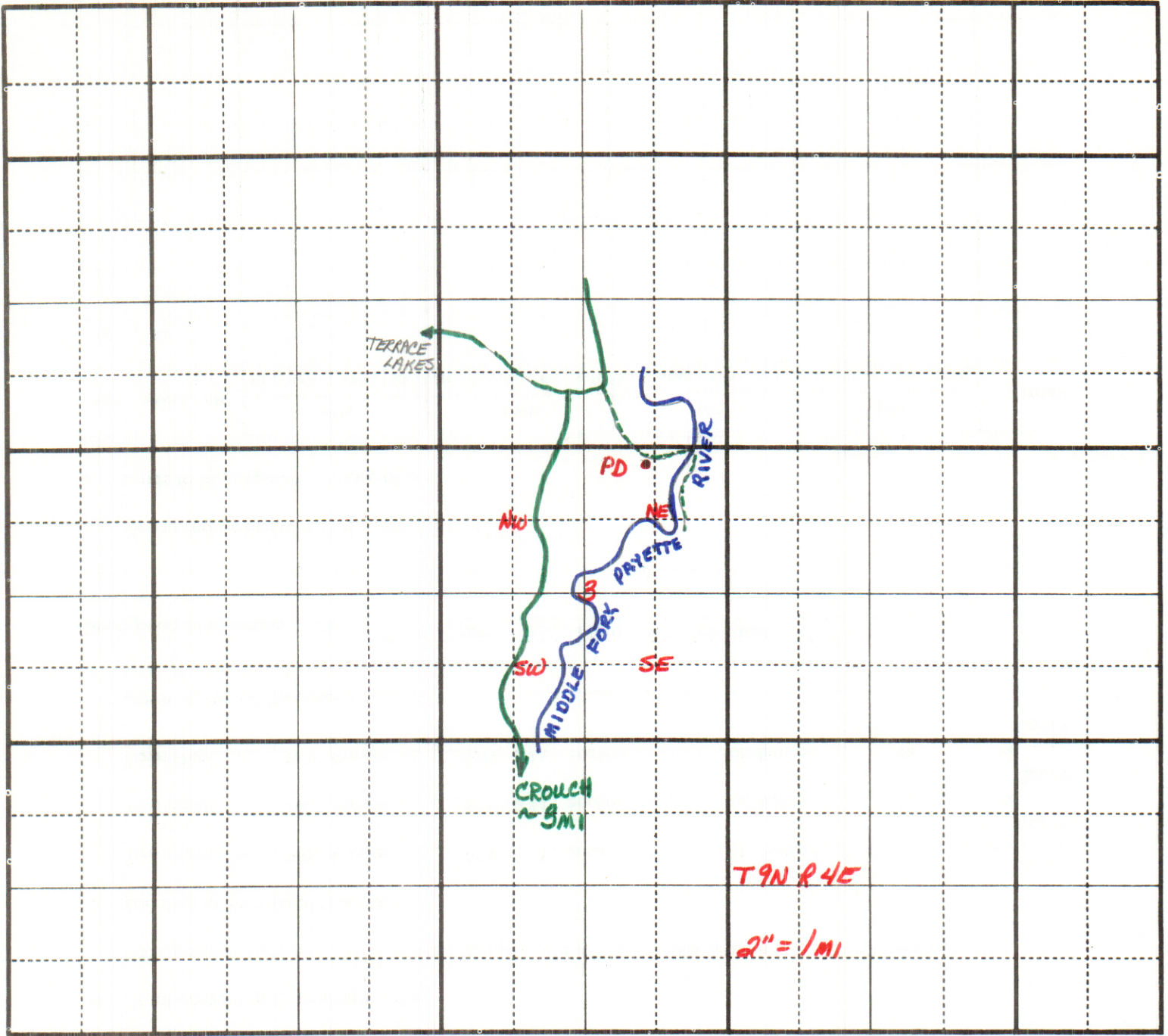


Diagram of System



WATER RIGHT LICENSE

License No. 65-7947 Priority 8/25/1977 Amount .03 CFS 1.2 AF

THIS IS TO CERTIFY, that ROBERT L. SMITH

of Garden Valley, Idaho, has complied with the terms and conditions of Permit No. 65-7947 issued pursuant to Application for Permit dated 8/25/1977, and has submitted proof to the Department of Water Resources on 11/10/1977, that he has applied water to a beneficial use; and examination by the Department indicates that the works have a capacity for the diversion of .03 CFS of water from a spring tributary to Middle Fork Payette River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
.03 CFS	1.2 AF	Domestic (1 unit)	1/1 to 12/31

Location of point of diversion: Govt. Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 3, Twp. 9N, Rge. 4E, B.M.
Boise County

Location of place of use:

TWP.	RGE.	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9N	4E	3		Lt2 X															

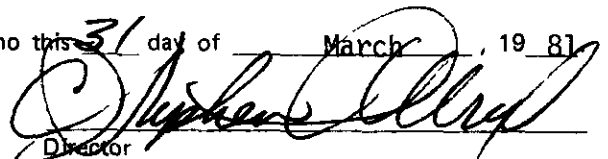
Total number of acres irrigated _____

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

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

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

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


Director

Identification No. 65-7947

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR PERMIT

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

- 1 Name of applicant ROBERT L. SMITH Phone. 642-3285
post office address garden valley, id 83622
- 2 Source of water supply spring Govt. Lot 2 which is a tributary of Middle Fork Payette River
- 3 a Location of point of diversion is (NW 1/4 of NE) 1/4 of Section 3 Township 9N
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 _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
- 4 Water will be used for the following purposes:
Amount .04 for Irrigation purpose from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for Domestic purpose from 1/1 to 12/31 (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 .08 cubic feet per second and/or
b _____ acre feet per annum
6. Proposed diverting works.
a Description of ditches, flumes, pumps, headgates, etc. _____
collection box and pipeline

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 \$ _____
- 8 Description of proposed uses
a If water is not for irrigation Govt. Lot 2
(1) Give the place of use of water (NW 1/4 of NE) 1/4 of Section 3 Township 9N
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 1
(5) If water is to be used for other purposes describe _____

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

Map grid showing a proposed project. The grid is 10 units wide and 10 units high. Handwritten labels include 'R4E' in the 4th column, 6th row; 'T9N' in the 2nd column, 6th row; and '3' in the 4th column, 5th row. An arrow points from 'R4E' to 'P.D. & Use' in the 6th column, 6th row. A small 'x' is marked in the 4th column, 5th row. A stamp 'RECEIVED' is visible in the 8th column, 5th row.

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

x Robert Smith
(Applicant)

Proposed Priority 8/25/77

Received by S Date 8/25/77 Time 3:30 pm
Preliminary check by Wm Fee \$ 10
Received by S Date 8/25/77 # 8852
Publication prepared by W Date 9-2-77
Published in The Idaho World
Publication dates Sept 9+16
Publication approved W Date 9-20-77
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 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 65-7947, 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 82.

c Other: The rate of diversion of water for irrigation under this permit 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 13 day of October 19 77.


Deputy Director

STATE OF IDAHO,
County of Boise

Donna Reed 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

Sept. 9, 197*7* and end-
ing with the issue of *Sept. 16*

197*7*
Donna Reed

Subscribed and sworn to before

me this *15th* day of *Sept*, 197*7*

Robert J. Tuffield
Clerk of Dist Court

OK
9-20-77
Wtm

RECORDED
& INDEXED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

April 6, 1981

Robert L. Smith
Garden Valley,
Idaho 83622

Dear Mr. Smith,

RE: License No. 65-7947

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 10, 1981

Robert L. Smith
Garden Valley,
Idaho 83622

Dear Mr. Smith,

A representative of this Department has made an examination of the works covered by your Permit No. **65-7947**, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: **.03 cfs** Source: **a spring**

The maximum quantity diverted shall not exceed **1.2** acre feet per year.

Point(s) of diversion: **Govt. Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 3, Twp. 9N, Rge. 4E, B.M.**

Beneficial use: **Domestic use for 1 unit within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp. 9N, Rge. 4E.**

Priority date established: **August 25, 1977**

Conditions (if any): **R04 (65) added to letter**

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

40

4102
642-3285

Tributary to Mid. Fk. Payetteriver (none spring, stream, etc.)

change →

Irrig. No
(nature of use)

9 1971

Domestic (1)
(nature of use)

Jan. 1 to Dec 31
(mo. day) inclusive (mo. day)

(nature of use)

(mo.-day) inclusive (mo.-day)

Permit No. 65-7947
Examination for skl

Max Rate of Diversion 0.08 cubic feet per second and annual volume _____ AF/Annum.

L.2

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Other Points of Diversions: _____

Description of diverting works: 2' culvert, 15' long with jet pump 1/3 hp

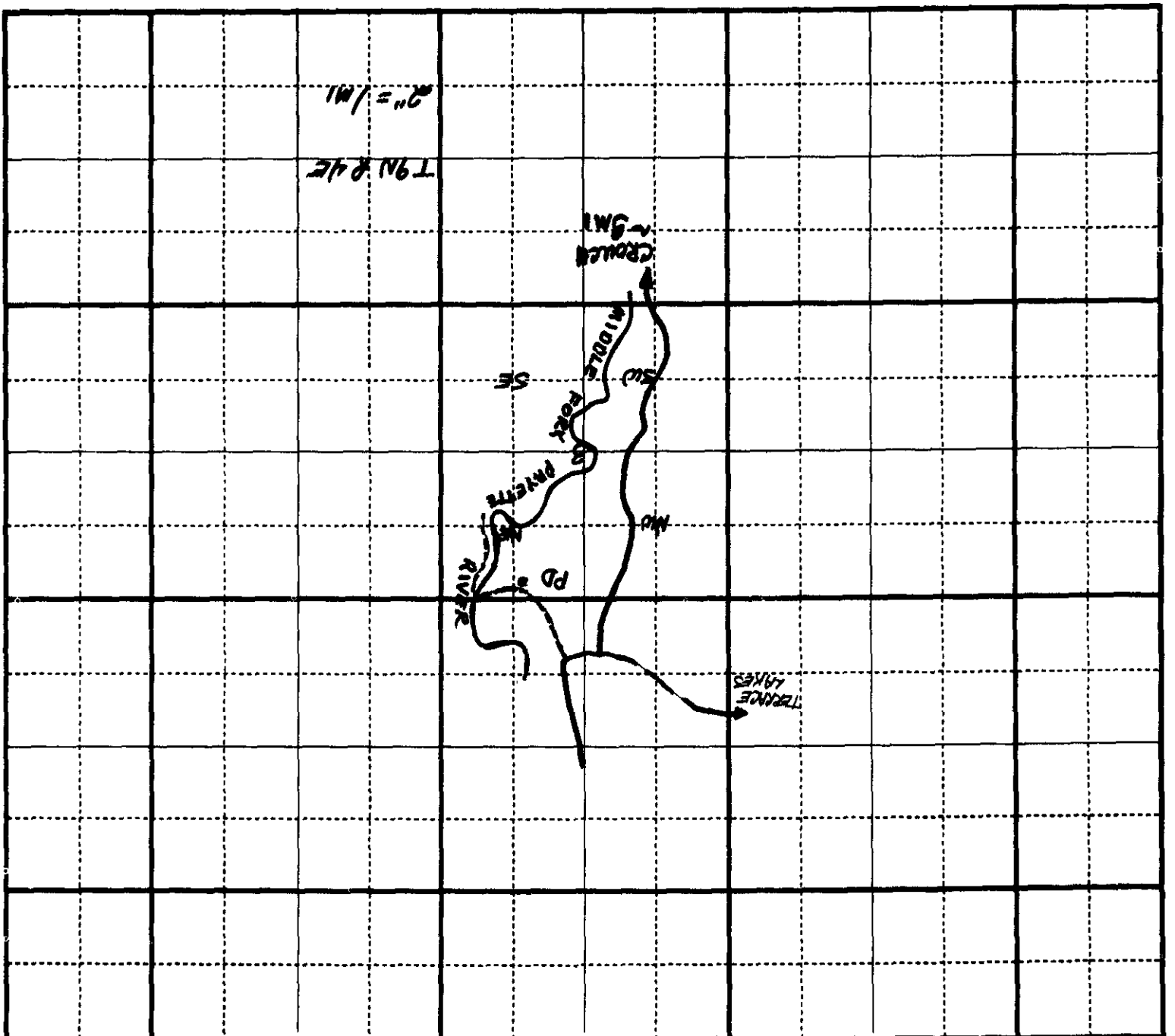
Measuring device required: yes ☐ no ☒

6. **Lands to be irrigated or place of use.**

[illegible]

2

Diagram of System



DATE OF EXAM 8-23-79

ACREAGE

Found

Recommended

1/2 acre

1/2 acre

7

*included
in domestic
use*

Irrigation Requirement

3.5

Ac Ft/Ac

USE

Irrigation Q = .01 c.f.s.

V =

AF/Ann. from

4-1

to

11-1

Domestic Q = .02 c.f.s.

V =

AF/Ann. from

1-1

to

12-31

Livestock Q = c.f.s.

V =

AF/Ann. from

to

Is water co-mingled? yes no ☒

Name source:

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Exchange? yes no ☒

Name source exchanged with:

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of injection:

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of exchange:

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Total Q measured

.025 cfs

Method of measurement

CALCULATED

Total Q recommended

.04
.03 cfs

Meter No.

Type

Condition

Total V recommended

Recommended Amendments:

P.D.

Place of Use

Other

None ☒

MEASUREMENT CALCULATION:

$$Q = \frac{HP \times 92.8 \times C}{L + HEAD} = .025 \text{ cfs}$$

$$\text{Domestic} + \frac{1}{2} \text{ ACRE} = .04$$

Allow capacity

$$V = \text{unit} \times 1.2 = 1.2 \text{ AF}$$

.03

$$HP = .33 \quad C = 8.8$$

$$Q = .8 \quad L = 0 \quad HEAD = 92.27$$

SYSTEM DESCRIPTION:

spring house w/ pressure system 1/3 HP Jacuzzi pump #48-54931-13
2' diameter x 15' depth

REMARKS:

Domestic use only - which small yard + 2 head of stock

Examiner's Signature

Jinda Lee Johnson

Date

8-29-79

Checked by

DBS

Date

8/30/79

Approved by

Rain

Date

3/5/1981

December 3, 1977

Re: Permit No. 65-7947

Robert L. Smith
Garden Valley, Idaho 83622

Dear Mr. Smith:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights

RECEIVED

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 10 1977

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources
Western Regional Office

1. a) Name of Permit Holder Robert L. Smith
b) Post Office Address Garden Valley Idaho 83622
2. Permit Number 65-7947
3. Date of Priority that you are prepared to establish 8-25-77
4. a) Source from which water was appropriated Spring
b) Location of the point of diversion: Govt Lot 12
NW 1/4 NE 1/4, Section 3
Township 9N, Range 4E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .04 for Domestic purposes from 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 1.04 for Irrigation purposes from 4/1 to 11/1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.08 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 2 ft culvert 15 ft long with
jet pump 5 HP
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic NW 1/4 NE 1/4 Sec 3 T9N R4E

Exam typed 2/8/77

October 20, 1977

Re: Permit No. 65-7947

Robert L. Smith
Garden Valley,
Idaho 83622

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Permit No. **65-7947**. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

10/20/77

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ 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

☒ Pre-permit exam
☒ Adjudication Claim
☐ Dam Construction
☐ Papers Sent

In form to receipt

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

Request Dam Safety Information

In form for advertising

Platted on Map No. _____

Located within Water District No. _____

Critical groundwater area: yes _____ no _____

Groundwater levels: N/A
_____ Declining, _____ Stable, _____ Increasing

(comment) _____

Other rights on the same place of use

Comments: none kw

Affidavit of Publication received(date) 9-20-77

Final date for protests 9-26-77

Protests received: yes _____ no ☒

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

Action recommended:

☒ Approve

_____ Deny

8-25-77 Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W By 244 Date 9-26-77

Supplemental



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

September 2, 1977

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

RE: Notice of Application for Water Permit No. 65-7955 -- Valley HI Estates Inc.
Water Association

65-7954 -- John Corder
65-7952 -- Paul A. &/or Marie E. Wrights
65-7951 -- Dennis M. &/or Vonda R. Woods
65-7950 -- Marvin S. &/or Virginia
Richardson
65-7949 -- Ten Ax Water Company, Inc.
65-7948 -- David Q. &/or Fairy L. Bowen
65-7947 -- Robert L. Smith
65-7946 -- Robert L. Smith

The Idaho World
c/o Julie Darnell
Sec/Treas.
P. O. 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."

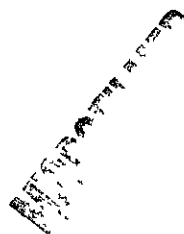
(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before September 26, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
9-20-77
Jy



NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert L. Smith

Garden Valley, ID

has on 8-25-77 submitted Application No. 65-7947

for a permit to appropriate 0.04 cubic feet per second ~~acres~~

~~per~~ of water from a spring trib. Middle Fork Payette River

by means of collection box & pipeline

within ~~the~~ Gov lot 2 Sec3 T9N-R4E B.M., Boise County

to be used from Jan 1 to Dec 31 for domestic purposes

for and from April 1 to Nov 1 for the irrigation of 2 acres

within ~~the~~ Gov lot 2 T9N-R4E Sec3

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 September 26, 1977.

C. STEPHEN ALLRED

Director

Published in the Idaho World

on September 9 and September 16, 1977.

RECEIVED
SEP 27 1977
IDAHO DEPT. OF WATER RESOURCES