

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

R 3E

T 16N

Tamarack Falls Creek

P.D. & Place of Use

Cascade Res

19

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.

Lorissa L. Smith
(Applicant)

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began November 25, 1976, and ended December 2, 1976.

D.E. McMahan

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 2 day of December, 1976.
Donald E. McMahan, Notary Public.
My commission expires January 1, 1980.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that A. Duane & for Virginia L. Smith Boise ID has on November 10, 1976 submitted Application No. 65-7737 for a permit to appropriate .04 cubic feet per second of water from Tamarack Creek trib of Cascade Reservoir by means of a pipeling within the SE¹/₄NW¹/₄ Sec 19 T16N-R3E B.M., Valley County to be used from Jan 1 to Dec. 31 for domestic purposes within the SE¹/₄NW¹/₄ Sec 19 T16N-R3E 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before December 13, 1976.

R. Keith Higginson
Director

Published in the Star News, McCall, ID on November 25, & Dec. 2, 1976

OK
12-8-76
yf

RECEIVED
DEC 6 1976

Department of Water Resources
Western Regional Office

MICROFILMED

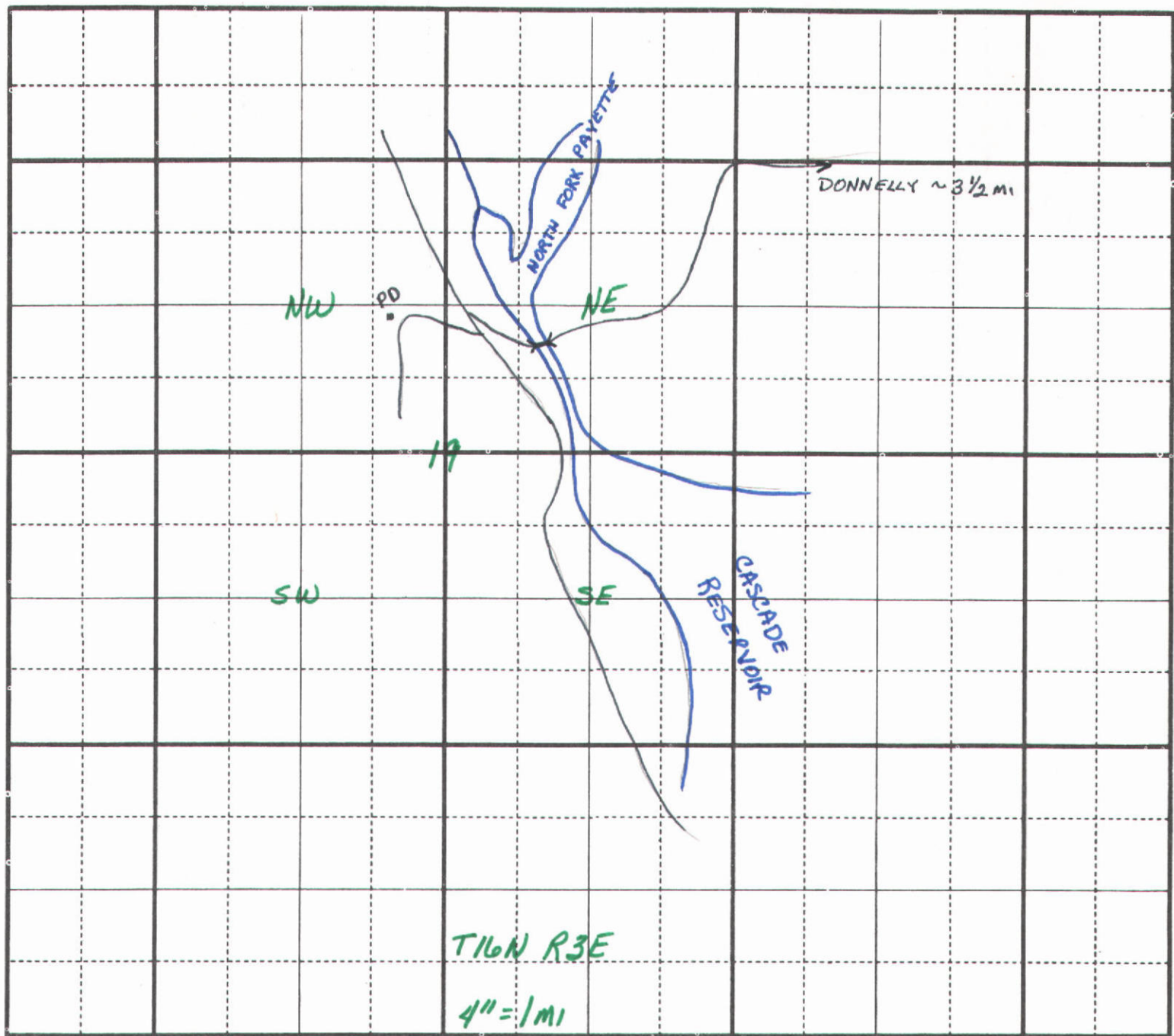


Diagram of System

Identification No _____

Application No. 65-7737

**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 A. DUANE &/ VIRGINIA L. SMITH Phone: 375-6518
post office address 9990 Sky Crest Boise, Idaho 83704

2 Source of water supply Tamarack Cr. which is a tributary of Cascade Reservoir

3 a Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19 Township 16N
Range 3E B M Valley County; additional points of diversion if any: _____

b If water is not consumed, it will be discharged into _____ at a point in SE $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 19 Township 16N Range 3E B M _____

4 Water will be used for the following purposes:

Amount .04 cfs 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 .04 cfs cubic feet per second and/or

b _____ acre feet per annum.

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc _____

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 1 years

b Estimated construction cost is \$ _____

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 NW $\frac{1}{4}$ of Section 19 Township 16N
Range 3E B M

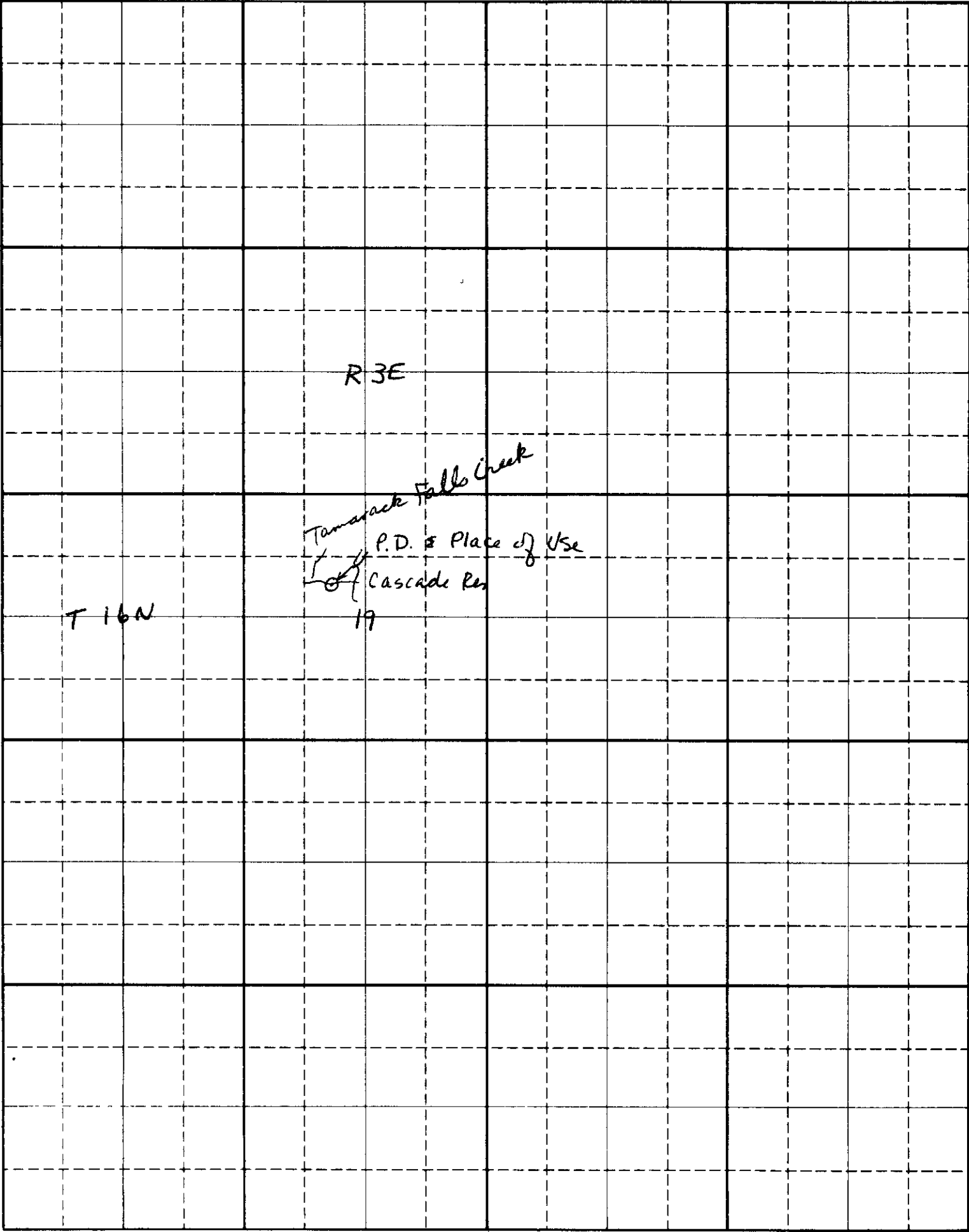
(2) Amount of power to be generated _____ hp under _____ feet of head

(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 _____

1: 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

Virginia L. Smith
(Applicant)

Proposed Priority 11-10-76

Received by Det Date Nov 10 76 Time 4:10

Preliminary check by G.S. Fee \$ 10.00 6062

Received by ES Date Nov 10, 76

Publication prepared by CS Date 11-16-76

Published in Star News

Publication dates 11-25-76 : 12-2-76

Publication approved by Date 12-8-76

Priority reduced to Reason

Protests filed by

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by

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 65-7737, 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, 1978.

c. Other

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

Witness my hand this 18 day of December 19 76

Director

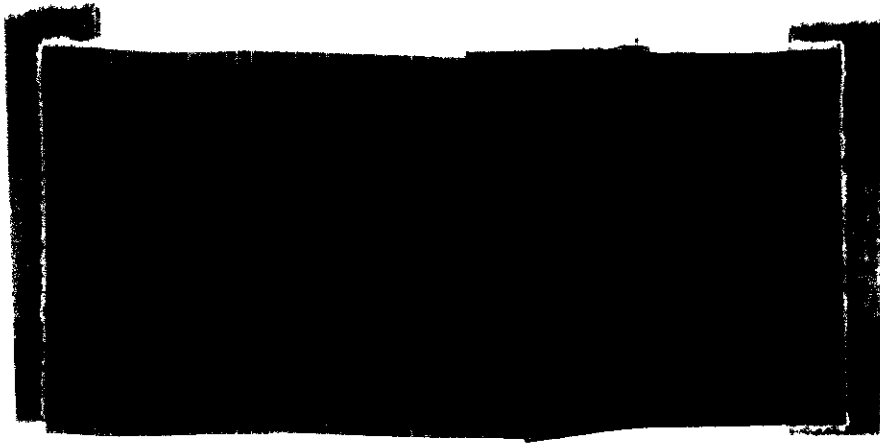
PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

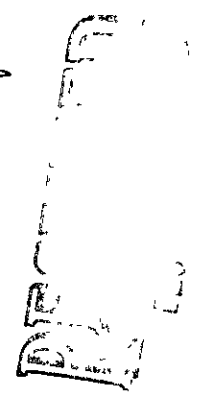
Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began November 25 76, 19....., and ended) December 2 19 76

D. E. McMahan

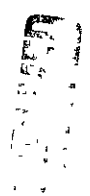
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this day of 1976.
Donald E. McMahan
My commission expires 1980....., Notary Public.



02-9-10
12-11



Department of Resources
Washington Regional Office



STATE OF IDAHO
DEPARTMENT OF
STATEHOUSE
BORSE, IDAHO 83720

RECEIVED

APR 9 1981

Department of Water Resources

Willowbrook
Return to sender

PRESORTED
FIRST-CLASS

~~Duane & Virginia Smith
General Delivery
Donnelly Idaho 83615~~

~~PT-1-80-114D~~
~~McCall 83638~~

Amiga Picard's
under local
control

MAR 78
MAR 78
0034071



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 17, 1981

Duane & Virginia Smith
General Delivery
Donnelly, Idaho 83615

Dear Mr. & Mrs. Smith,

RE: License No. 65-7737

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

WATER RIGHT LICENSE

License of Water Right No. 65-7737 Priority November 10, 1976 Amount .04 cfs

THIS IS TO CERTIFY, that A. DUANE &/OR VIRGINIA L. SMITH
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 65-7737 issued pursuant to Application for Permit dated November 10, 1976,
and has submitted proof to the Department of Water Resources on November 30, 1977,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of .04 cfs of water from Tamarack Creek,
tributary to Cascade Reservoir, and that the permit holder has applied to a beneficial use an
established a right to use water as follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, Twp.
16N, Rge. 3E, B.M. in the County of Valley

Description and location of place of use:

Twp.	Range	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 $\frac{1}{4}$	
16N	3E	19							X										

Total number of acres irrigated _____

P/U known as Lot 15, Smiling Julie Subdivision

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
March, 19 81.

Director

DRT



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 17, 1981

Duane & Virginia Smith
General Delivery
Donnelly, Idaho 83615

Dear Mr. & Mrs. Smith,

RE: License No. 65-7737

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

Samuel Johnson

3. Water will be used for the following purposes:

Other uses: _____

Other Points of Diversions: _____

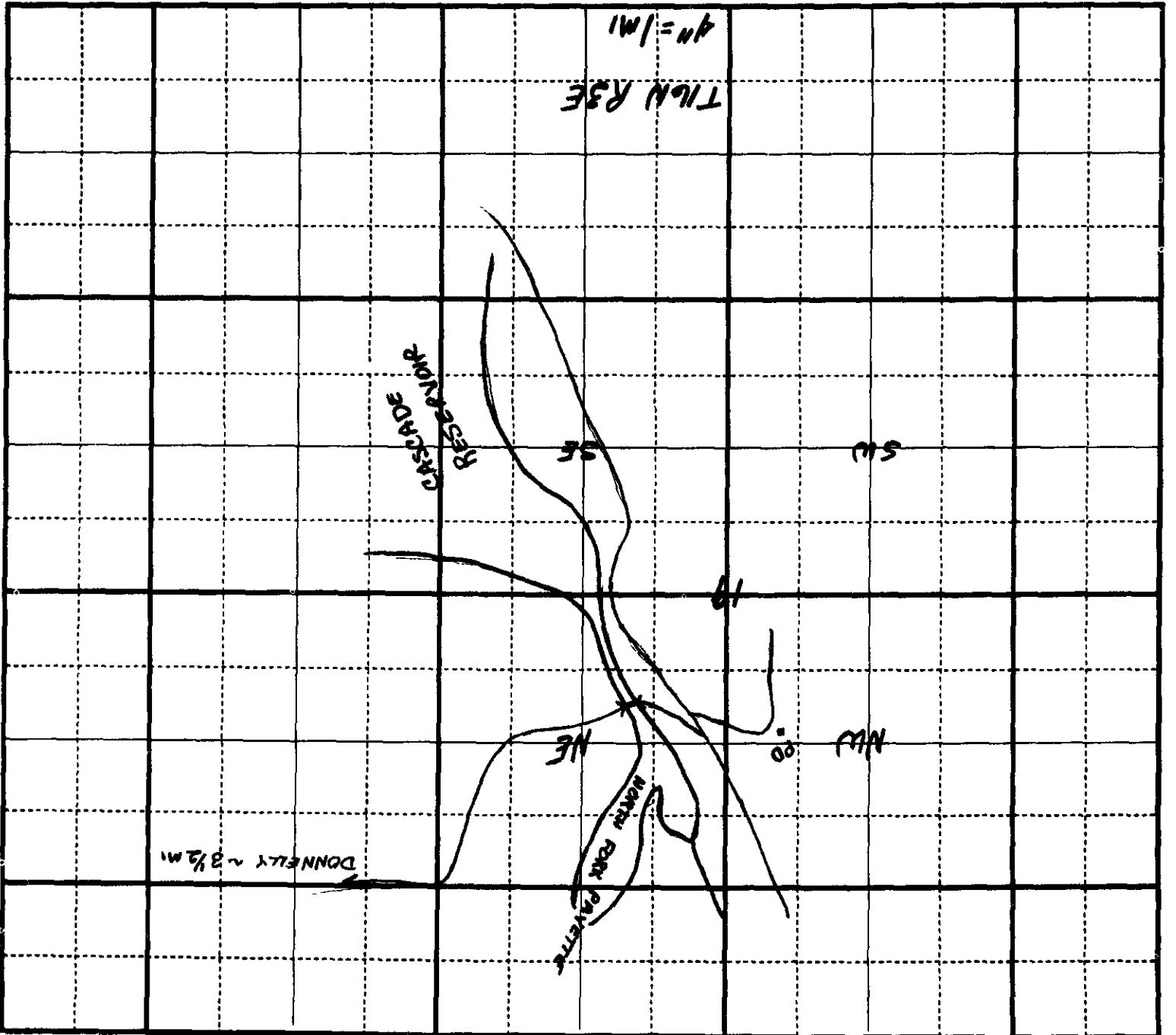
6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____

MICROFILMED

Diagram of System



DATE OF EXAM 10/29/78 7/14/79

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.04 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 .036 cfs Method of measurement CALCULATED

Total Q recommended .04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

$Q = \frac{HP \times 90 \times C}{L + 151} = .036$ ALLOW .04 as per permit
1/2 unit x 1.2 = 1.2 AF
HP = .5 90 = .8
C = 8.8 L = 5 151 = 98.27 head = 90 psi

SYSTEM DESCRIPTION: 1/2 hp CENTRIFUGAL PUMP WITH WELL X-TRON & PUMPTROL
WELL POINT IMBEDDED JUST BESIDE CREEK.
Pump is located in 3'x3'x4' concrete box

REMARKS: VALLEY COUNTY ASSESSOR'S OFFICE HAS REVIEWED OF
RESIDENTIAL IMPROVEMENTS. (Cabin) located opposite Lot 15 of the
Smiling Julia Sub. 1/4 mile west of Lamarch Store.

Examiner's Signature Charles W. Bryan Jr. Linda Johnson Date 10/29/78 7/14/79
Checked by William H. Smith Date 31 July 79
Approved by R. Bryan Date 3/5/81

December 8, 1977

Re: Permit No. 65-7737

A. Duane /or Virginia L. Smith
General Delivery
Donnelly, Idaho

Dear Mr. & Mrs. 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

Identification No. _____

Permit No. 65-7737

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
NOV 30 1977

Department of Water Resources

1. a) Name of Permit Holder A. Duane &/or Virginia L. Smith
b) Post Office Address General Delivery Donnelly, Idaho
2. Permit Number 65-7737
3. Date of Priority that you are prepared to establish 11-10-76
4. a) Source from which water was appropriated Tamarack Tributary - Cascade Lake
b) Location of the point of diversion: S.E. 1/4 N.W. 1/4, Section 19
Township 16 N, Range 3 E, Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount .04 CFS for Domestic purposes from Jan. 1 to Dec. 31 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)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated .04 CFS 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: None

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) From Tamarack Falls Creek by 1/2" H.P. Centrifugal Pump with 1 1/4" well point imbedded just beside creek.

b) Describe the type and size of measuring device which you have installed at your point of diversion: None

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 water

Exam typed

12/4/77 by J

11-10-76

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

Nov. 20, 1977
(Date)

Reginald L. Smith
A. Duane Smith
(Signature)

State of Idaho)
) ss.
 County of Ada)

On this 30th day of November, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires 8-12-79

Marcia L. Brown
Notary Public residing at
Baie, Id

October 31, 1977

CERTIFIED MAIL

138125

Re: Permit No. 65-7737

A. Duane &/or Virginia L. Smith
9990 Sky Crest
Boise, Idaho 83704

Dear Mr. & Mrs. Smith:

One of the conditions of approval of your water Permit No. 65-7737 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1978. Enclosed is an affidavit form which must 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 affidavit 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

138125

December 20, 1976

Re: Permit No. 65-7737

A. Duane &/or Virginia L. Smith
9990 Sky Crest
Boise, ID 83704

Dear Mr. and Mrs. Smith

Enclosed is a copy of your approved Application for Permit No. **65-7737** . 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

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-7737

☒ 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

(1) h. u. f. 11-12-76

In form to receipt

(2) _____

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

(4) h. u. f. 11-12-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) rf ok

Affidavit of Publication received (date) 12-8-76

(12) _____

Final date for protests 12-13-76

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ 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 h. u. f. Date 12-13-76



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Kerth Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

November 17, 1976

65.7737

RE: Notice of Application for Water Permit - SEE ATTACHED SHEET

The Star News
Box 985
McCall, ID 83638

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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)

Sincerely,

B. H. submitted
12-8-76
yf

Published in the Star News on November 25, 1976, and December 2, 1976

65-7717 - Orville H. Roberts

65-7732 - Lester &/or Ella Mae Downing &/or Ray &/or Gladys Davis

65-7733 - Dennis &/or Earl R. Davis

65-7734 - J.K.M.R. Association

65-7735 - Chester A. &/or Leona &/or Leon Brownlee

65-7739 - James H. &/or Susan M. Olson

65-7747 - Earl C. &/or Helen E. Vanover

65-7746 - Wagonwheel Hideout

65-7736 - Robert M. &/or Betsy Gudmundsen

65-7737 - A. Duane &/or Virginia L. Smith

65-7738 - Richard &/or Mary B. Hormaechea

65-7740 - Floyd F. &/or Dimple F. Post

65-7741 - Gleen Hillhouse

65-7742 - Olindo or Gail Marchi

65-7743 - Robert J. Conway

65-7744 - Merle L. or Claudie R. Newell

65-7745 - Richard D. Rutledge

77-7058 - Rex E. Lanham

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that A. Duane &/or Virginia L. Smith
Boise, ID
has on November 10, 1976 submitted Application No. 65-7737
for a permit to appropriate .04 cubic feet per second ~~across feet~~
~~per annum~~ of water from Tamarack Creek trib of Cascade Reservoir
by means of pipeline
within the SE1/4NW1/4 Sec 19 T16N-R3E B.M., Valley County

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

within the ~~XXXXXX~~ SE1/4NW1/4 Sec 19 T16N-R3E B.M., XXXXXXXXXX

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before December 13, 1976.

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, ID
on November 25, 1976 and December 2, 1976.