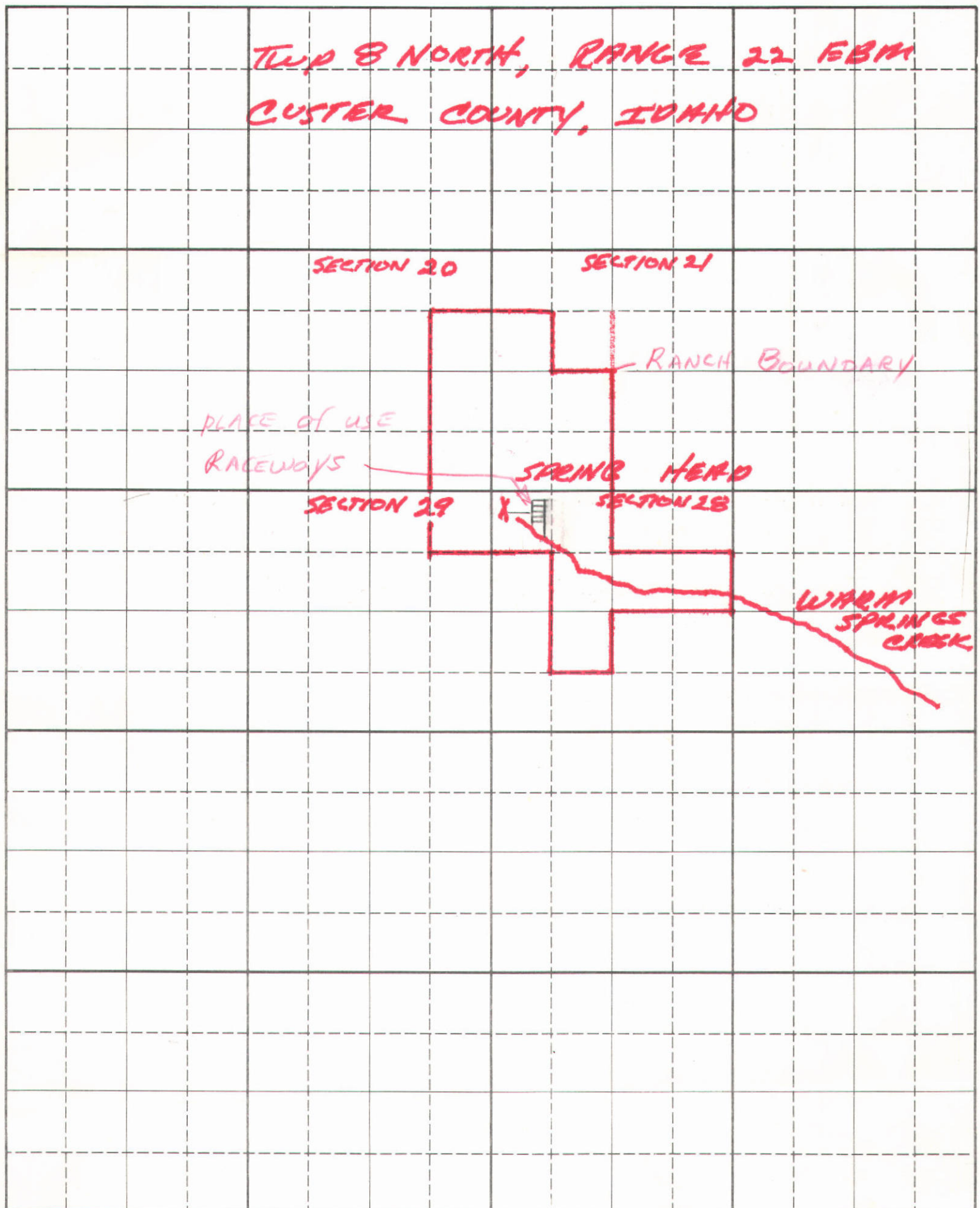


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Richard A. Smith
(Applicant)
Patricia A. Smith

34-7034

RECEIVED

MAY 3 1973

Department of Water Administration
Eastern District Office

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Richard A. and Patricia A. Smith, 27460 Bramwell, Farmington, Michigan have on 4/2/73 submitted Application No. 34-7034 for a permit to appropriate 23.0 cubic feet per second of water from Warm Springs spring, tributary of Warm Springs Creek, tributary of Big Lost River by means of pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 8N, R. 22E, B.M., Custer County; to be used from Jan. 1 to Dec. 31 for fish propagation within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 8N, R. 22E, 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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before April 30, 1973.

R. KEITH HIGGINSON
Director

Published in the Mackay Miner,
Mackay, Idaho on April 12 and April 19, 1973.

Affidavit of Publication

STATE OF IDAHO }
County of Custer } ss.

I, Toni Reimann the

Bookkeeper

of The MACKAY MINER, a weekly newspaper of General Circulation published weekly and entered in the Post Office Mackay, Idaho, continuously since February 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 2

 consecutive weeks commencing with the issue dated

April 12, 1973
and ending with the issue dated

April 19, 1973
Toni Reimann

Subscribed and sworn to before me this May 3 day of

May, 1973
Gary D. Silver
Notary Public

34-7034

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Form 219
6/86

AUG 26 1987

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 9 1986

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 34-7034

1. Owner: Richard A. or Patricia A. Smith

Phone No. 588-2866

Current Address: Star Rt. Mackay Id 83251

2. Accompanied by: Ken Day

EXAM. DATE: 9-4-1986

Address: Box 163 Mackay Id 83251

Phone No. 588-3174

Relationship to Permit Holder: Manager

3. Source: Hamilton Springs tributary to Warm Spring

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE

☐ Copies Attached

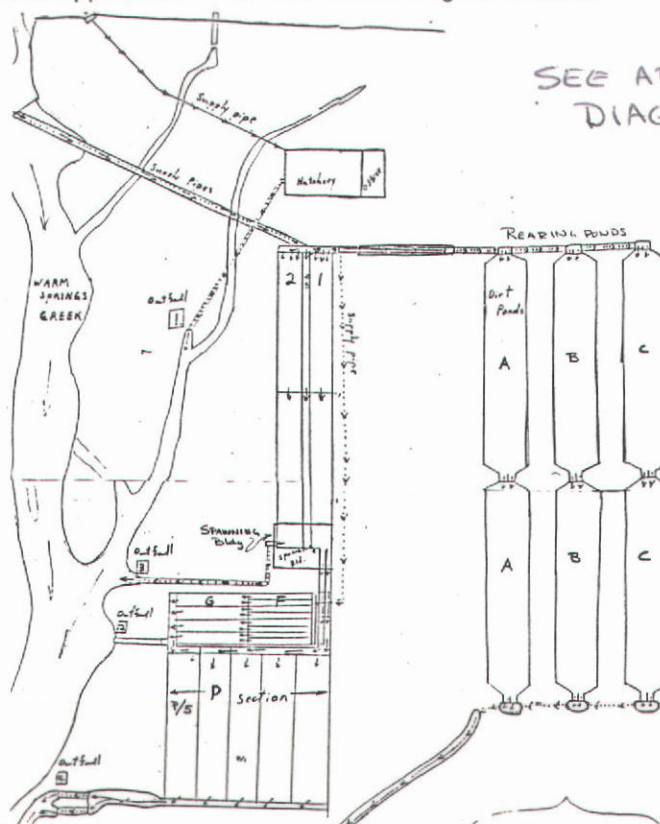
2. Other water rights with same point of diversion: NONE

☐ 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



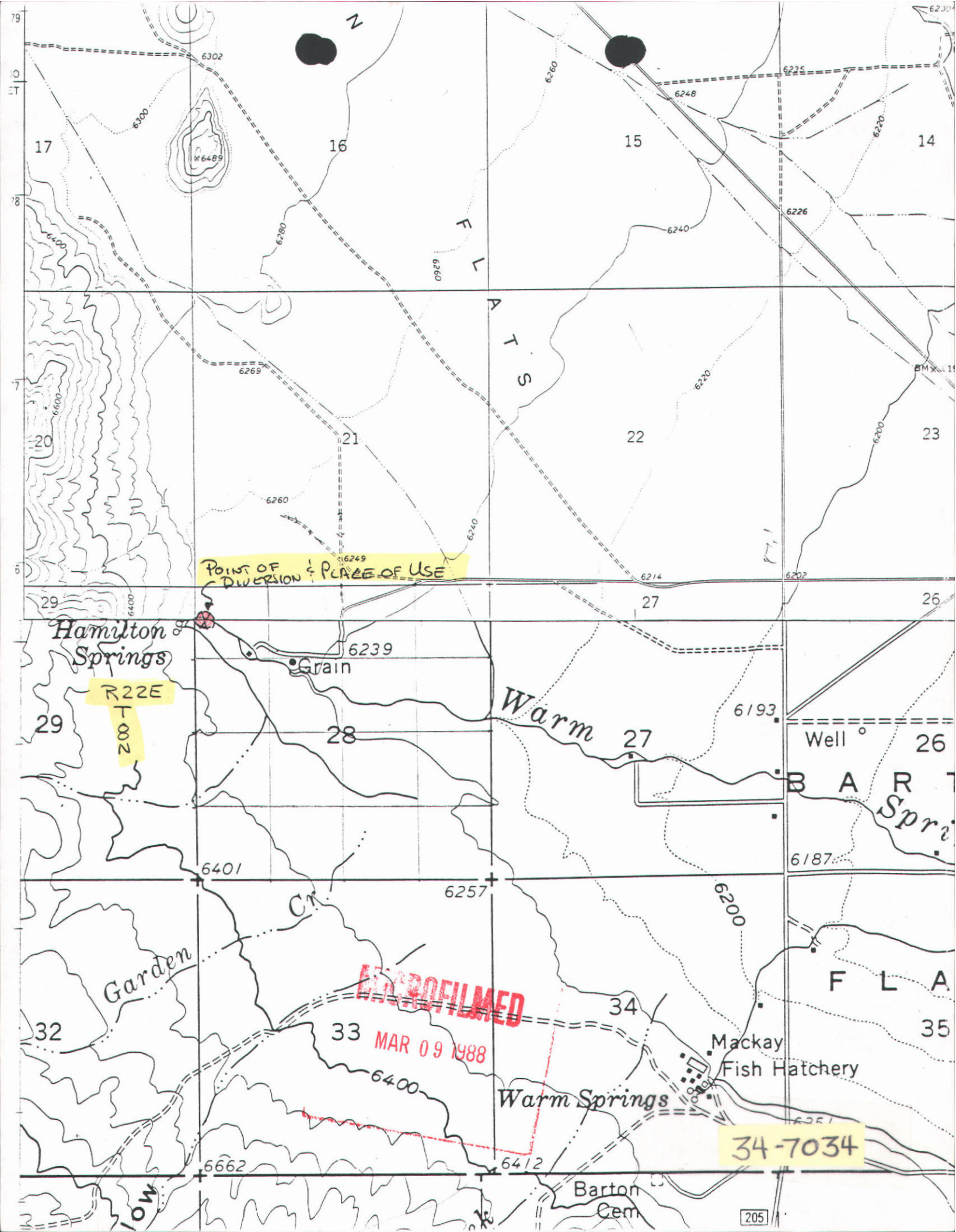
Scale: 1" = _____

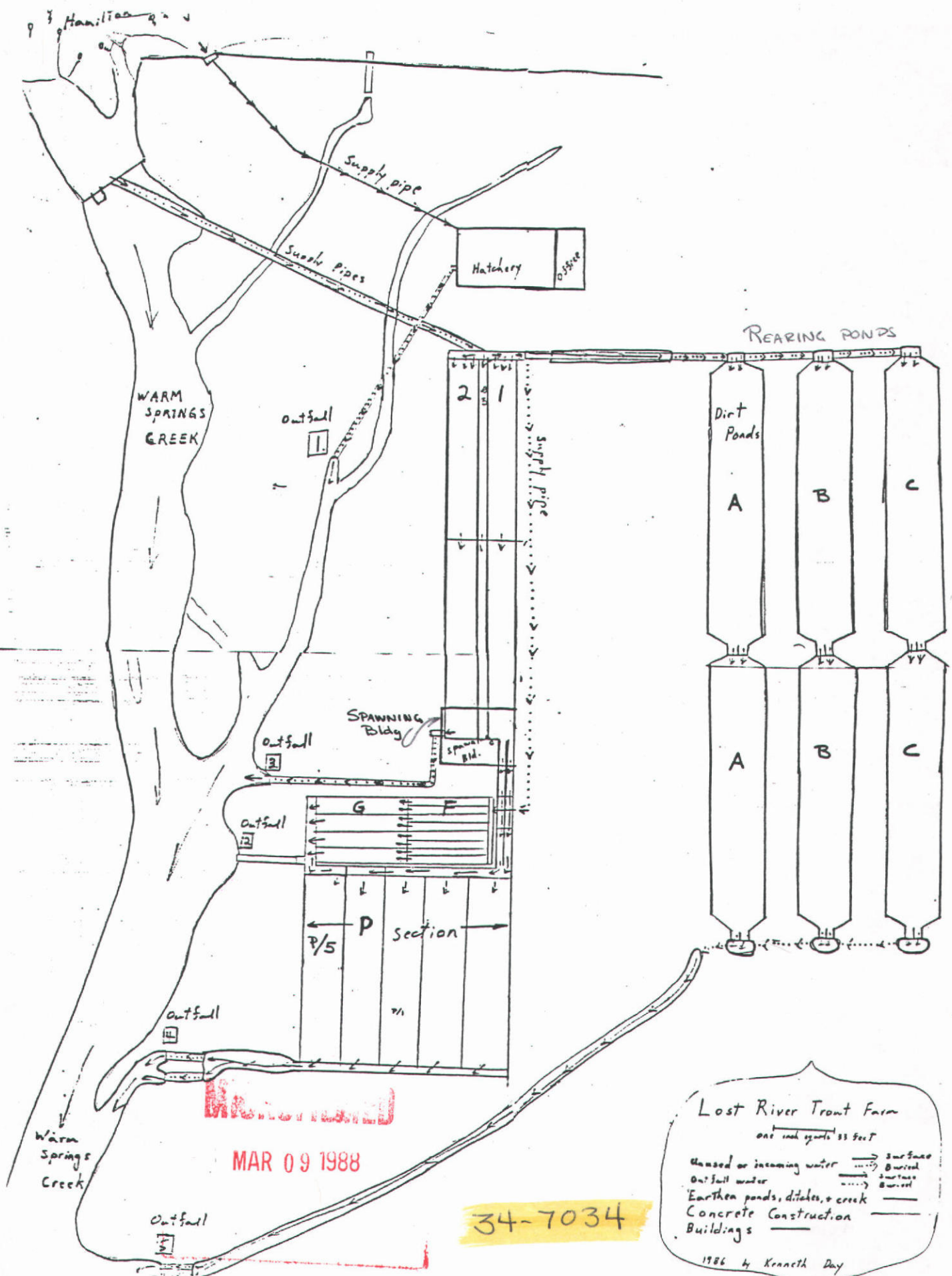
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).





MAR 09 1988

Lost River Trout Farm

one inch equals 85 feet

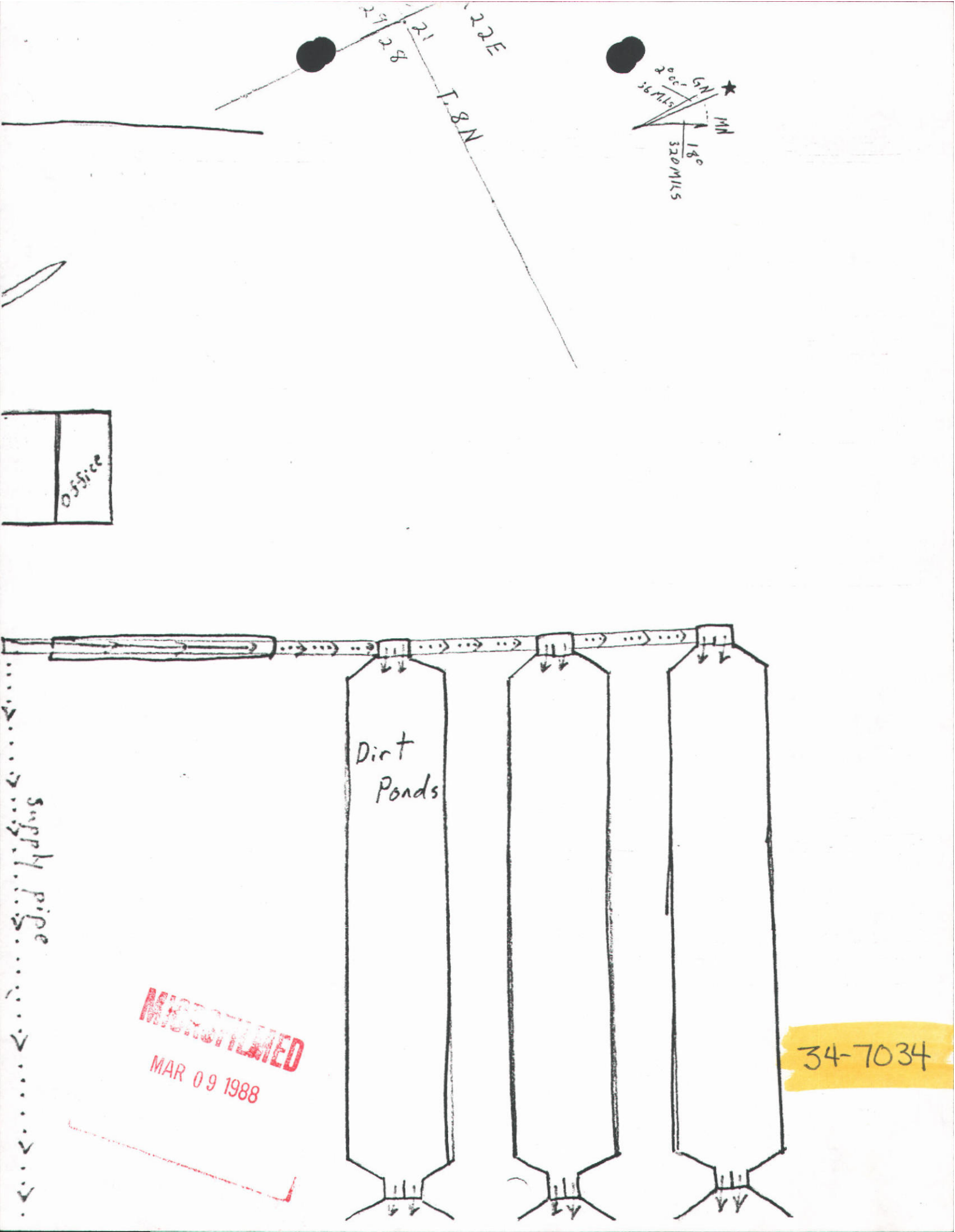
Unused or incoming water → Surface
 Outfall water → Buried
 Earthen ponds, ditches, & creek → Surface
 Concrete Construction → Buried
 Buildings → Surface

1986 by Kenneth Day

34-7034

12-11-1964

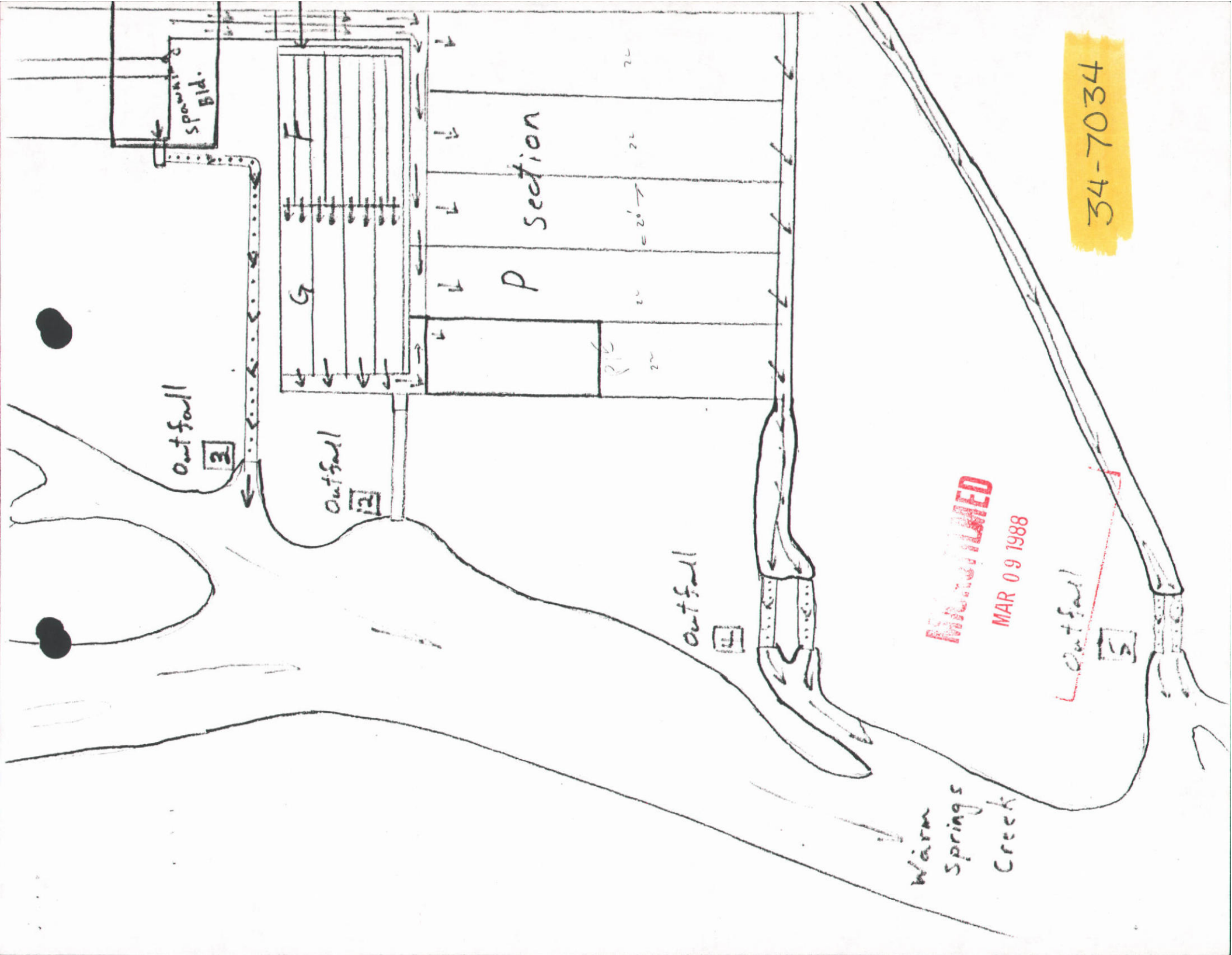
2	3	1
↓	↓	↓



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34-7034



outfall

3

outfall

2

outfall

1

Warm
Springs
Creek

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outfall

2

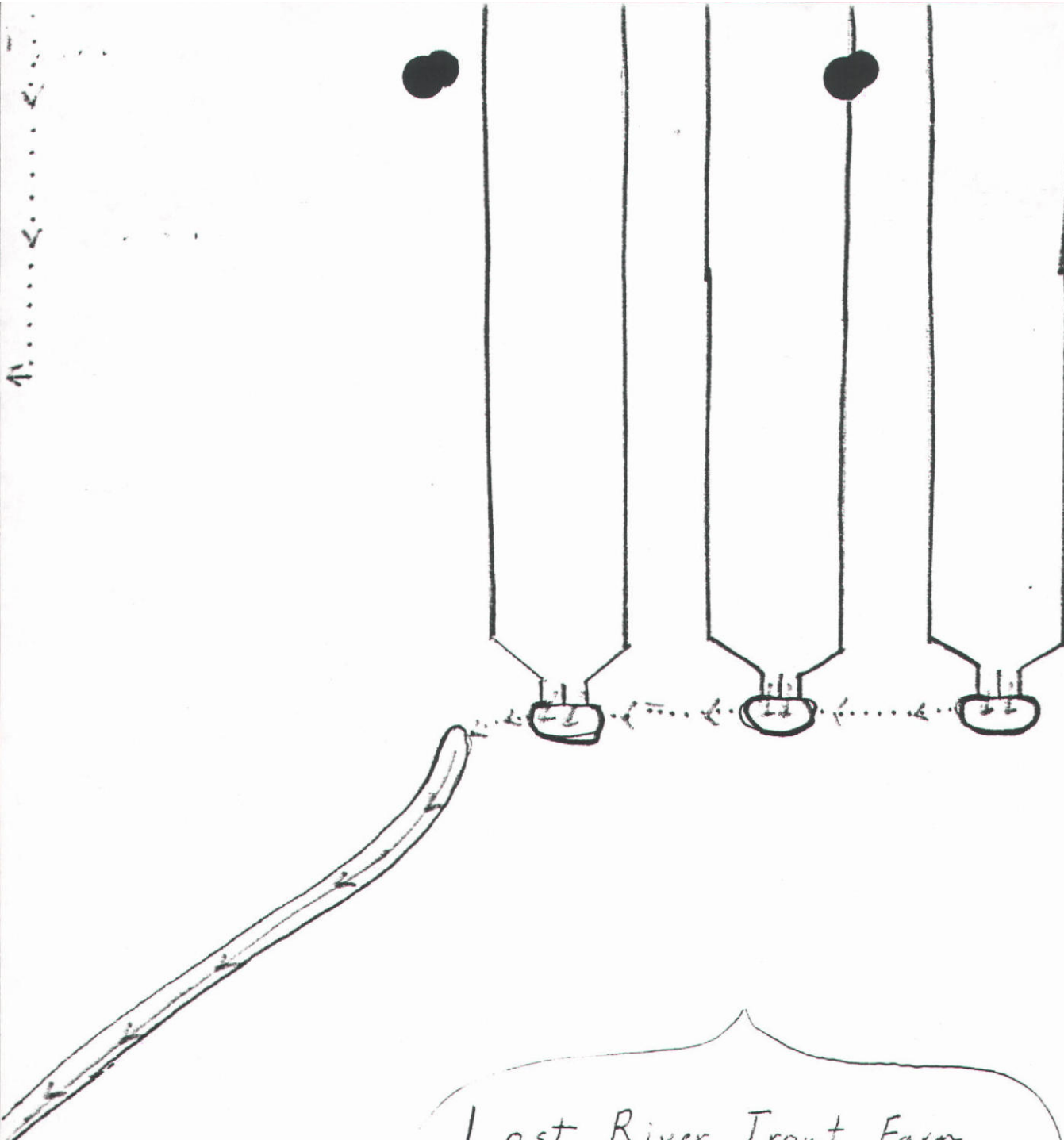
34-7034

P section

Spawning
Bld.

G

P/C



Lost River Trout Farm

one inch equals 33 feet

- Unused or incoming water Surface
- Outfall water Buried
- Earthen ponds, ditches, + creek Surface
- Concrete Construction Buried
- Buildings

MICROFILMED

MAR 09 1988

1986 by Kenneth Day

34-7034



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

SPAWNING BLDG



Ponds & Raceways
P/D

HATCHERY
← S P/D



MAR 6 1988 34-7034



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

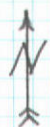
150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161



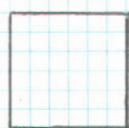
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34-7034



SPRING



30" PIPE LINE
12"

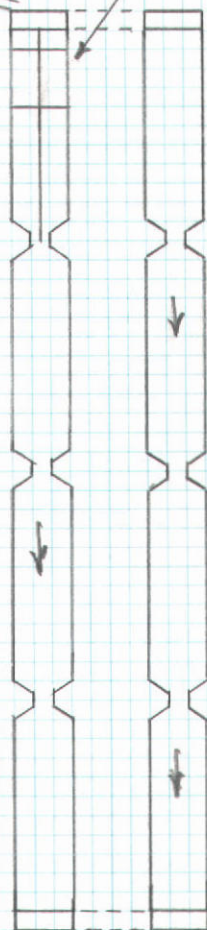
HATCHERY
BUILDING



HATCHERY DISCHARGE

SPAWNING
HOUSE

RACEWAYS



(2 HOUR
DETENTION
IN POND)

POLLUTION
CONTROL
POND

SCALE

1 SQUARE = 10 FEET

34-7034

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-7034

Priority: April 2, 1973 Amount: 23.00 CFS 16651.5 AFA

This is to certify, that RICHARD A. SMITH
PATRICIA A. SMITH

STAR RT.

MACKAY, ID 83251

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated April 2, 1973, and has submitted proof to the Department of Water Resources on May 2, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 26.89 cfs of water from;

HAMILTON SPRINGS

tributary to WARM SPRINGS CREEK

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>
Fish propagation	01/01 to 12/31	23.00 cfs	16651.5 afa

LOCATION OF POINT OF DIVERSION(S): NWNWNW, Sec. 28, Township 8N, Range 22E
Custer County

PLACE OF USE: Fish propagation

TWN RGE SEC

8N 22E 28

NWNW

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. Use of water under this license is subject to control by the watermaster of State Water District No. 34.
5. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.
6. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
7. Source also known as Warm Springs Spring.
8. 2 points of diversion in NWNWNW, S28, T8N, R22E.
9. Facility volume = 105,661 cubic feet.

MicroFILMED

MAR 09 1988

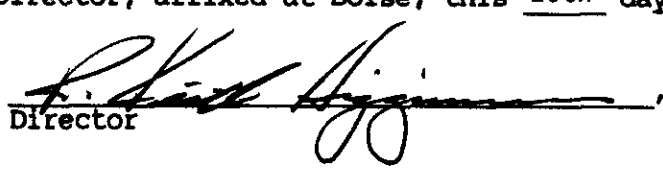
State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 34-7034

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 20th day
of November, 19 87.


Director

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MAR 09 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 2 1978

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of CLUSTER)

Permit No. 34-7034

RICHARD & PATRICIA SMITH of ST ROUTE MACKAY
(name) (address)

State of IDAHO, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriate the Public Waters of the State of Idaho No. 34-7034.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before MAY 15, 19 78.

That he has heretofore performed the following work described under said permit:
CONSTRUCTED TWO STEEL HAWK CATCHES TO MEASURE
WATER AT INTAKE. BUILT APPROX 700' DYKE
ALONG EXISTING DITCH TO DELIVER WATER. CONSTRUCTED
TWO 30' X 100' PONDERS WITH CONCRETE HEADWALLS. Costing \$ 8300.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: WE WERE UNABLE TO MOVE HERE
UNTIL THE SPRING OF 1978. IT IS TAKING MUCH
LONGER TO FINALIZE PLANS AND CONSTRUCT THAN
WE HAD ANTICIPATED.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to MAY 15, 19 83.

Richard A. Smith
(signature) *

Subscribed and sworn before me this 27 day of February, 19 78.

seal

Larry D. Silver
Notary Public residing at
Mackay Idaho

My commission expires NON EXPIRING

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water is extended
to May 1, 1983.

Witness my hand this 9th day of March, 19 78.

A. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

MICROFILMED

34 7034

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED**APPLICATION FOR PERMIT**

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

1. Name of applicant Richard A. Smith and Patricia A. Smith
post office address 27460 Bramwell Farmington, Michigan 48024
- 2 Source of water supply Warm Springs spring which is a tributary of Warm Springs Creek,
which is a tributary of Big Lost River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 8 north
Range 22E B.M. Custer County; additional points of diversion if any: none
- b. If water is not consumed, it will be discharged into Warm Springs Creek at a point in NW $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 28 Township 8 north Range 22E B.M. Custer County
4. Water will be used for the following purposes:
Amount 23 cfs for fish culture 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. 23 c.f.s. cubic feet per second and/or
b. _____ acre feet per annum.
- 6 Proposed diverting works
a. Description of ditches, flumes, pumps, headgates, etc. Water to be diverted from head
of spring through pipe to California - raceway type ponds with concrete
cross dam, then into settling pond and back into Warm Springs Creek.
- 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 \$ 20,000.
- 8 Description of proposed uses:
a If water is **not** for irrigation.
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 8 north
Range 22E 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 one.
(5) If water is to be used for other purposes describe: Water is to be used for fish
propagation.

34-7034

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

TWP	RANGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

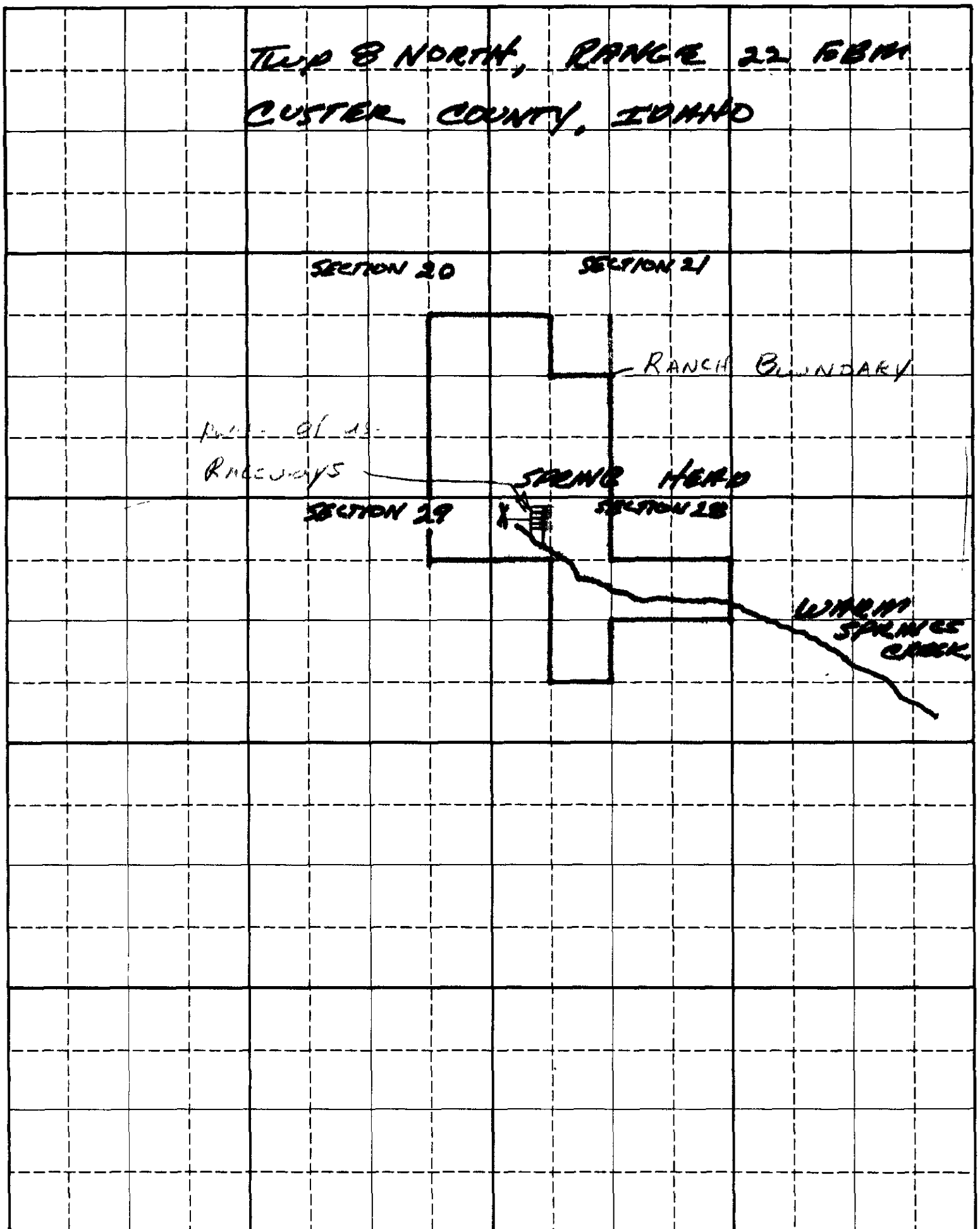
Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above.
150 miners inches - May 1, 1905
Davidson Ditch (now Nielson Ditch) - 150 miners inches - May 1, 1907 (not relevant to this application)
160 miners inches - April 1, 1883
Warm Springs Creek - 120 miners inches - April 1, 1908

9. a. Who owns the property at the point of diversion Richard A. Smith and Patricia A. Smith
b. Who owns the land to be irrigated or place of use Same
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 Proposed plans to be used provide for pollution control by the use of a settling pond with a sufficient capacity to contain the used water for a minimum of two hours before discharge into the creek.
Any loss of water through evaporation or by any other means will be compensated by the 5 3/5 C.f.s. decrees now held by the property.

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.

Richard A. Smith
(Applicant),
Patricia A. Smith

34-7034

Received by la Date 5-2-73 Time 10:30 am
Preliminary check by NCT Fee \$ 231.00
Receipted by la Date 4-2-73 Receipt # 1139
Publication prepared by la Date 4-6-73
Published in MacLay Miner
Publication dates 4-12 + 19-73
Publication approved RMT Date 5/3/73
Priority reduced to 4-2-73 Reason 42-202

Protests filed by: N/A

Copies of protests forwarded by N/A

Hearing held by N/A Date _____

Recommended for approval denial by RMT N

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 34-7034, 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 May 1, _____, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge. Use of water under this permit is subject to control by the watermaster of State Water District No. 34, Big Lost River.

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

Witness my hand this 11th day of May 19 73.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	NCY	3/21/73	Application No. <u>34</u> - Name <u>Richard A. Smith</u> + <u>Patricia A. Smith</u>
(2)	"	"	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use <u>letter of justification rec'd dated 3/17/73</u> ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Fee <u>\$200 and \$230 req'd (return)</u> ☒ <u>county</u> Send copies to: ☒ Idaho State Health Department ☒ Idaho Fish and Game Department ☐ Bureau of Land Management
(3)	JF	4/9/73	
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	JF	4/9/73	In form for advertising <u>yes</u>
(6)	BA	5-03-73	Affidavit of Publication received <u>5-03-73</u>
(7)	"	"	Final date for protests <u>4-30-73</u> Protests received: yes <u> </u> no <u> </u> ✓
(8)	"	"	Date and Place of hearing <u>NA</u> Decision reached at hearing <u>NA</u>
(9)	JF	4/9/73	Located within Water District No. <u>34</u>
(10)	N/A		Critical groundwater area: yes <u> </u> no <u> </u>
(11)	N/A		Groundwater levels: ☐ Decline (comment) <u> </u> ☐ Stable (comment) <u> </u> ☐ Increasing (comment) <u> </u>
(12)	NCY	4/17/73	Comments: <u>Financial statement and Q justification have been reviewed and appear to be adequate.</u>
(13)	RWA	5/3	Action recommended: ☒ Approve Priority <u>4/2/73</u> ☐ Deny Reason for Reduction <u>Fee</u> <u>See attached sheet for conditions of approval</u> <u>No conditions for approval</u>
(14)	RWA	5/3	District <u>Eastern</u> By <u>R. G. McQuinn</u> Date <u>5/3/73</u> Title <u>W.R. Administrator</u>

E D

34-7034

MAY 8 1973

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

n. ☒ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☒ Use of water under this permit is subject to control by the watermaster of State Water District No. 34, Big Lost River.

☐ The proposed well shall not be drilled within _____ feet of another well.

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

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

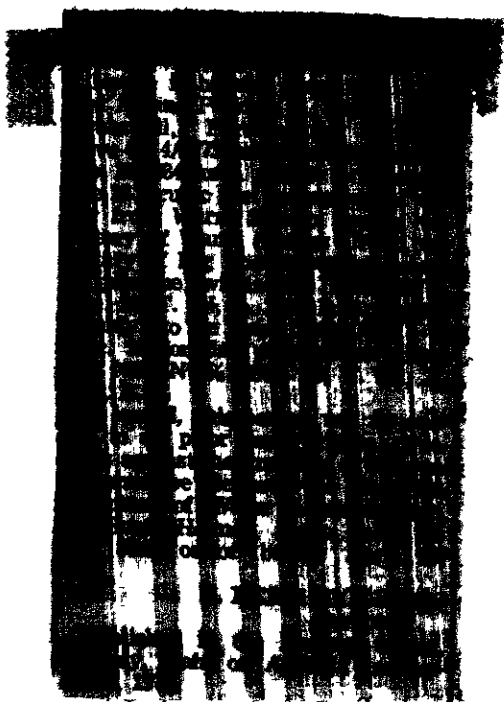
☐ Other: _____

34-7034

270515 D

MAY 3 1973

Department of Water Administration
Eastern District Office



Affidavit of Publication

STATE OF IDAHO }
County of Custer } ss.

I, TONI REIMANN the

BOOKKEEPER

of The MACKAY MINER, a weekly newspaper of General Circulation published weekly and entered in the Post Office Mackay, Idaho, continuously since February 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 2

 consecutive weeks commencing with the issue dated

April 12, 1973
and ending with the issue dated

April 19, 1973

Toni Reimann

Subscribed and sworn to before me this May 3 day of

May, 1973

Gary D. Selver
Notary Public

34-7034



31555 WEST 13 MILE ROAD / FARMINGTON, MICHIGAN 48024 / TELEPHONE 474-6930

RECEIVED

MAR 21 1973

Department of Water Administration
Eastern District Office

March 14, 1973

To Whom It May Concern:

Please be advised that as of March 14, 1973, Mr. Richard A. Smith and Mrs. Patricia A. Smith have a balance of \$10,074.76 in their savings account.

We trust that the above information will be of assistance to you.

Sincerely,

Fred O. Wirth
Branch Manager

34-7034

RECEIVED

NATIONAL BANK OF DETROIT

DETROIT, MICHIGAN

MAR 21 1973

Department of Water Administration,
Eastern District Office

CERTIFICATE OF BALANCE

This certifies that as of the close of business March 15, 1973

there was on deposit to the credit of the following captioned account(s) the designated balance(s).

<u>Account Caption</u>	<u>Type of Account</u>	<u>Account Balance</u>
Richard A. Smith	☒ Savings	\$5,405.89
/ / / / / / / / / / / / / / / / / /	☐ Checking / / / / / / / / / / / / / / / / / /	
/ / / / / / / / / / / / / / / / / /	☐ Savings / / / / / / / / / / / / / / / / / /	
/ / / / / / / / / / / / / / / / / /	☐ Checking / / / / / / / / / / / / / / / / / /	
/ / / / / / / / / / / / / / / / / /	☐ Savings / / / / / / / / / / / / / / / / / /	
/ / / / / / / / / / / / / / / / / /	☐ Checking / / / / / / / / / / / / / / / / / /	

Remarks:

We also hold a mortgage in the amount of \$18,000.00 on his home located at 27460 Bramwell, Farmington, Mich. Current market value estimated at \$31,900.00.

March 16, 1973

Date Prepared


JAMES S. SCHOENING
Authorized Signature

Twelve Mile - Farmington #64

Office

34-7034

RICHARD A. & PATRICIA A. SMITH
STAR RT.
MACKAY, ID 83251

November 22, 1987

RE: Permit No. 34-7034

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

NOT FILMED

MAR 09 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No _____

1 Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: 34-0527, 34-0528, 34-2056 -
all irrig. rights - no p/u overlap.
- b) Other water rights with same point of diversion: 34-0527, 34-0528, 34-0398A,
34-0398B, 34-0399 - all for irrigation,
- c) Analysis: no p/d overlap -

RECEIVED
MAR 09 1988

no priority advance ^{REC'D}
per letter of 7/9/87

License

Date 9-14-1987

MEMORANDUM

TO: File 34-7034

FROM: Jim Johnson *Jim*

DATE: October 5, 1987

RE: Volume for Fish Propagation

Pursuant to Rule 5,1,11., I reviewed the field examination to determine what the facility diverted in terms of changes per hour. The field examiner determined the facility volume to be 105,661 cu.ft. The rate of diversion allowed under the permit is 23.0 cfs. The rate of diversion actually found is 26.89 cfs.

The volume produced in one hour under both rates is:

23.0 cfs = 82,800 ft³/hr
26.89 cfs = 96,804 ft³/hr

The change per hour for the facility is:

105,661 ft³/82,800 ft³ = 1.27 change/hr
105,661 ft³/96,804 ft³ = 1.09 change/hr

According to Admin. Memo of 8/7/79, reasonable change per hour may range from 1.0 to 3.0 depending on various environments. This right falls within the lower limits.

MICROFILMED

MAR 09 1988

RECEIVED

OCT 9 1986

DEPARTMENT OF WATER RESOURCES
Department of Water Resources **BENEFICIAL USE FIELD REPORT**

Department of Water Resources

Permit No 34-7034

1. Owner: Richard A. or Patricia A Smith
Current Address: Star Rt. Mackay Id 83251

Phone No. 588-2866

2. Accompanied by: Ken Day

EXAM. DATE: 9-4-1986

Address: Box 163 Mackay Id 83251

Phone No. 588-3174

Relationship to Permit Holder. Manager

3. Source: Hamilton Springs tributary to Warm Spring

1 Other water rights with same place of use: NONE

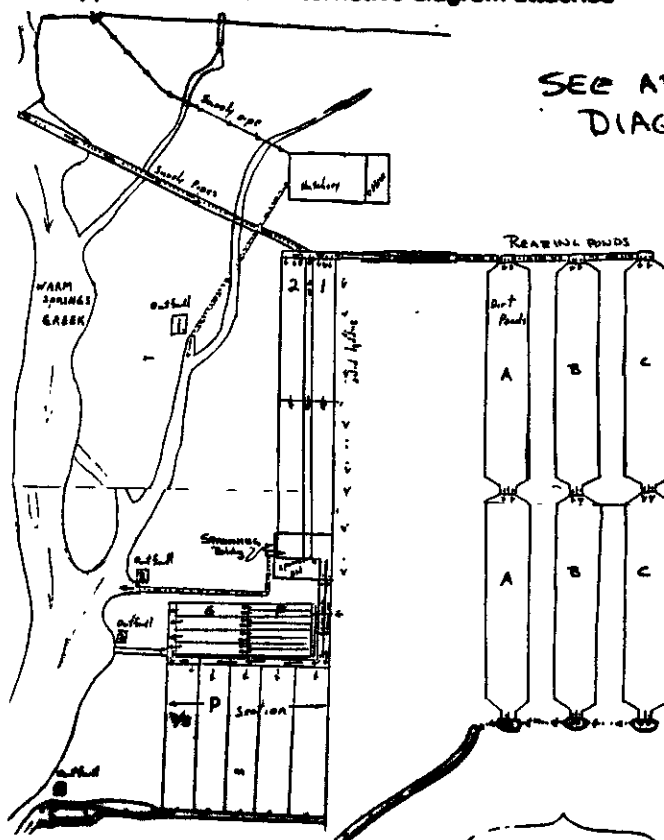
☐ **Copies Attached**

2. Other water rights with same point of diversion: NONE

☐ Copies Attached ☐ Copies of Field Exam's Attached

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

☒ Alternative diagram attached



SEE ATTACHED
DIAGRAM

Scale: 1" = _____

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

System Description (continued)

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

P/D with concrete headbox to two concrete & steel diversion pipes to raceways & rearing ponds.

P/D for Hatchery rock diversion dam with concrete headbox with screen to 16" steel pipe to hatchery

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A	-	-	-	-	-

*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
#1		NW	NW	NW	28	8N	22E	Custer	USGS MAP
#2		NW	NW	NW	28	8N	22E	Custer	USGS MAP

6. Place(s) of Use:

Indicate Method of Determination _____

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	
8N	22E	28					H												

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MAR 9 1988

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D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Hatchery Effluent & Diversion - Bucket & Stopwatch						
Rearing Ponds & Raceways - Rectangular Weirs						

2. Measurements:

Hatchery Div & Effluent - #12 (4gal/49.09 sec) #8 (4gal/34.25 sec) #9 (4gal/86.58 sec) #10 (4gal/125.45 sec) #11 (4gal/44.52 sec)
 #1 (4gal/57.63 sec) #2 (4gal/111.56 sec) #3 (4gal/55.23 sec) #4 (4gal/56.22) #5 (4gal/60 sec)
 #6 (4gal/30.33 sec) #7 (4gal/30.59 sec) : Fingerlings #1 (2.5gal/8.74 sec) #2 (2.5gal/26.82 sec) #3 (2.5gal/9.66 sec)
 #4 (2.5gal/9.36 sec) #5 (2.5gal/17.36 sec) #6 (2.5gal/6.55 sec) #7 (2.5gal/9.74 sec) #8 (2.5gal/8.59 sec) #9 (2.5gal/6.98 sec)
 #10 (2.5gal/9.6 sec) DIV: Raceway #1 (53' rect 0.41') + (53' rect 0.45') + (53' rect 0.45') Race #2 (53' rect 0.55') + (46' rect 0.27')
 Pond intake (48' rect 0.64') EFF: Pond A (60' rect 0.13') + (60' rect 0.17') Pond B (60' rect 0.32') Pond C (60' rect 0.11') + (60' rect 0.16')
 SPAWNING BLDG EFF (52' rect 0.39') Weir after "P" sec. (36' rect 1.44')

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached (TWO PAGES)

1. Measured Method: DIVERSION Total Q = (Raceways + Ponds) + Hatchery = [26.42 cfs + 0.47 cfs] = 26.89 cfs
 DISCHARGE (EFFLUENT) TOTAL Q = (Ponds) + (Weir after "P" sec.) + (Spawning Bldg) + Hatch = [26.44 + 0.47 cfs] = 26.91 cfs

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 0.01732 = _____ (6)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ MAR 09 1988
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$

2. Volume Calculations for Other Uses: SEE ATTACHED PAGE FOR VOL CALCULATIONS

$V = 2.42 \text{ ac-ft (STORAGE CAPACITY)}$
 $V = 23 \text{ cfs} \times 1.9835 \times 365 \text{ days} = 16651.5 \text{ ac-ft/ann}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

SOURCE AKA Warm Springs Spring AKA Hamilton Springs
Difference between diversion "Q" & effluent "Q" could be accounted for by the fact that the weir boards for Raceway #3 were leaking and could not be measured (would have been added to diversion "Q")

Q LIMITED BY PERMIT

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
FISH PROPAGATION	1/1	12/31	23 cfs	16651.5
Totals:			23 cfs cfs	16651.5 afa

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

KEITH C. WILSON

Signature

Keith C. Wilson

checked by HWT

Certification Date

8-24-87

Field Report Preparation Date

16 Sept 1986

CONSULTANT SEAL

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

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ADDITIONAL PAGE #1

34-7034

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

DIVERSION

Raceway #1 53' weir = 4.417ft or 0.417ft in excess of 4' weir reading

$$\text{weir } L=53' \quad H=0.41' \quad Q = 3.42 \text{ cfs} + (0.417\text{ft})(0.87 \text{ cfs/ft}) = 3.783 \text{ cfs}$$

$$\text{weir } L=53' \quad H=0.45' \quad Q = 3.93 \text{ cfs} + (0.417\text{ft})(1 \text{ cfs/ft}) = 4.347 \text{ cfs}$$

$$\text{weir } L=53' \quad H=0.45' \quad Q = 3.93 \text{ cfs} + (0.417\text{ft})(1 \text{ cfs/ft}) = 4.347 \text{ cfs}$$

Raceway #2

$$\text{weir } L=53' \quad H=0.55' \quad Q = 5.27 \text{ cfs} + (0.417\text{ft})(1.33 \text{ cfs/ft}) = 5.825 \text{ cfs}$$

$$\text{weir } L=40' \quad H=0.27' \quad Q = 3.33(L \cdot 0.2H) H^{3/2} = 1.530 \text{ cfs}$$

Pond Intake

$$\text{weir } L=48' \quad H=0.64' \quad Q = 6.59 \text{ cfs}$$

$$Q_{\text{DIV}} = 26.422 \text{ cfs} = 26.42 \text{ cfs}$$

DISCHARGE (EFFLUENT)

$$\text{Ponds 'A' } \begin{cases} L=60' \quad H=0.13' \quad Q = 0.629 + 0.159 = 0.788 \text{ cfs} \\ L=60' \quad H=0.17' \quad Q = 0.934 + 0.236 = 1.170 \text{ cfs} \end{cases}$$

$$\text{'B' } \begin{cases} L=60' \quad H=0.32' \quad Q = 2.37 + 0.60 = 2.970 \text{ cfs} \end{cases}$$

$$\text{'C' } \begin{cases} L=60' \quad H=0.11' \quad Q = 0.427 + 0.108 = 0.535 \text{ cfs} \\ L=60' \quad H=0.16' \quad Q = 0.854 + 0.216 = 1.070 \text{ cfs} \end{cases}$$

$$\text{Weir after 'P' Section } L=3' \quad H=1.44' \quad Q = 16.19 = 16.19 \text{ cfs}$$

$$\text{Spawning Building } L=56' = 4.667' \quad H=0.39' = 3.18 \text{ cfs} + (4.667' \times 0.81) = 3.72 \text{ cfs}$$

$$Q_{\text{DISCHARGE}} = 26.443 \text{ cfs} = 26.44 \text{ cfs}$$

Hatchery

DIV; EFFLUENT

$$\text{Egg Trays } \# (4 \text{ gal/} \# \text{sec}) (60 \text{ sec/min}) = \text{gal/min}$$

$$\begin{aligned} \#1 - (57.63 \text{ sec}) &= 4.16 \text{ gpm} \\ \#2 - (111.56 \text{ sec}) &= 2.15 \\ \#3 - (55.23 \text{ sec}) &= 4.34 \\ \#4 - (56.22 \text{ sec}) &= 4.27 \\ \#5 - (60 \text{ sec}) &= 4.00 \\ \#6 - (30.33 \text{ sec}) &= 7.91 \end{aligned}$$

$$\begin{aligned} \#7 - (38.59 \text{ sec}) &= 7.84 \text{ gpm} \\ \#8 - (34.2 \text{ sec}) &= 7.02 \\ \#9 - (86.58 \text{ sec}) &= 2.77 \\ \#10 - (125.45 \text{ sec}) &= 1.91 \\ \#11 - (44.52 \text{ sec}) &= 5.39 \\ \#12 - (49.09 \text{ sec}) &= 4.89 \end{aligned}$$

$$\text{Egg Trays } Q = 56.65 \text{ gpm}$$

$$\text{Fingerling Trays } \# (2.5 \text{ gal/} \# \text{sec}) (60 \text{ sec/min}) = \text{gal/min}$$

$$\begin{aligned} \#1 - (8.74 \text{ sec}) &= 17.16 \text{ gpm} \\ \#2 - (26.82 \text{ sec}) &= 5.59 \text{ gpm} \\ \#3 - (9.66 \text{ sec}) &= 15.53 \\ \#4 - (9.36 \text{ sec}) &= 16.02 \\ \#5 - (17.36 \text{ sec}) &= 8.64 \text{ gpm} \end{aligned}$$

$$\begin{aligned} \#6 - (6.55 \text{ sec}) &= 22.90 \text{ gpm} \\ \#7 - (9.74 \text{ sec}) &= 15.40 \\ \#8 - (8.59 \text{ sec}) &= 17.46 \\ \#9 - (6.98 \text{ sec}) &= 21.49 \\ \#10 - (9.6 \text{ sec}) &= 15.62 \end{aligned}$$

$$\text{Fingerling Trays } Q = 155.81 \text{ gpm}$$

Hatchery Div; Effluent

$$\text{Total } Q = 212.46 \text{ gpm} = 0.47 \text{ cfs}$$

RED BY:

KEITH C WILSON 16 SEPT 86

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

1. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Period of Use
From _____ **To** _____

Rate of Diversion
Q (cts)

Annual Volume
V (sta)

2. Recommended Amendments

☐ Change P.U. as reflected above

☐ Change P.D. as reflected above

J. AUTHENTICATION

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

K. Licensing recommendation shall be prepared by employee on a computer printout attached hereto.

CONSULTANT SEAL

CONTINUATION

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ADDITIONAL PAGE # 2

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

34-7034

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Rearing Ponds & Raceways		Rectangular	Weirs			

2. Measurements: VOLUME

Rearing Ponds (6) each 150' x 18.5' x 2.8'	P/S raceway 100' x 22' x 3'
Raceway #1 #2 (2) each 200' x 15' x 3'	" Raceway (3) 100' x 22' x 3'
Raceway #3 (1) 200' x 3' x 3'	P/I (1) 600' x 20' x 3'
Raceway "F" (8) 42' x 3.8' x 2.2'	
Raceway "G" (4) 45' x 8' x 2.8'	

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:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

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

2. Volume Calculations for Other Uses.

Rearing Ponds (150' x 18.5' x 2.8') 6 = 46620 ft³

Raceway #1 #2 (200' x 15' x 3') 2 = 18000 ft³

Raceway #3 (200' x 3' x 3') = 1800 ft³

Raceway "F" (42' x 3.8' x 2.2) 8 = 2808.96 ft³

Raceway "G" (45' x 8' x 2.8') 4 = 4032.0

P/S Raceway = (100 x 22' x 3) 4 = 26400.0

P/I Raceway (600 x 20' x 3) = 6000.0

Total Volume = 105660.96 ft³ ÷ 43560 ft²/ac

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WATER MEASUREMENT

Dorrell C. Larsen

Table 3. Flow over rectangular contracted weirs
in cubic feet per second*.

COOPERATIVE EXTENSION
University
College of

Head in ft. "H"	Head in inches, approx.	Crest length (L)					For each additional foot of crest in excess of 4 ft. (approx.)
		1.0 foot	1.5 feet	2.0 feet	3.0 feet	4.0 feet	
		Flow in cubic feet per second					
0.10	1-3/16	0.105	0.158	0.212	0.319	0.427	0.108
0.11	1-5/16	0.121	0.182	0.244	0.367	0.491	0.124
0.12	1-7/16	0.137	0.207	0.277	0.418	0.559	0.141
0.13	1-9/16	0.155	0.233	0.312	0.470	0.629	0.159
0.14	1-11/16	0.172	0.260	0.348	0.524	0.701	0.177
0.15	1-13/16	0.191	0.288	0.385	0.581	0.776	0.196
0.16	1-15/16	0.210	0.316	0.423	0.638	0.854	0.216
0.17	2-1/16	0.229	0.346	0.463	0.698	0.934	0.236
0.18	2-3/16	0.249	0.376	0.504	0.760	1.02	0.257
0.19	2-1/4	0.270	0.407	0.546	0.823	1.10	0.278
0.20	2-3/8	0.291	0.439	0.588	0.887	1.19	0.303
0.21	2-1/2	0.312	0.472	0.632	0.954	1.28	0.326
0.22	2-5/8	0.335	0.505	0.677	1.02	1.37	0.35
0.23	2-3/4	0.358	0.539	0.723	1.09	1.46	0.37
0.24	2-7/8	0.380	0.574	0.769	1.16	1.55	0.39
0.25	3	0.404	0.609	0.817	1.23	1.65	0.42
0.26	3-1/8	0.428	0.646	0.865	1.31	1.75	0.44
0.27	3-1/4	0.452	0.682	0.914	1.38	1.85	0.47
0.28	3-3/8	0.477	0.720	0.965	1.46	1.95	0.49
0.29	3-1/2	0.502	0.758	1.02	1.53	2.05	0.52
0.30	3-5/8	0.527	0.796	1.07	1.61	2.16	0.55
0.31	3-3/4	0.553	0.836	1.12	1.69	2.26	0.57
0.32	3-13/16	0.580	0.876	1.18	1.77	2.37	0.60
0.33	3-15/16	0.606	0.916	1.23	1.86	2.48	0.62
0.34	4-1/16	0.634	0.957	1.28	1.94	2.60	0.66
0.35	4-3/16	0.661	0.999	1.34	2.02	2.71	0.69
0.36	4-5/16	0.688	1.04	1.40	2.11	2.82	0.71
0.37	4-7/16	0.717	1.08	1.45	2.20	2.94	0.74
0.38	4-9/16	0.745	1.13	1.51	2.28	3.06	0.78
0.39	4-11/16	0.774	1.17	1.57	2.37	3.18	0.81
0.40	4-13/16	0.804	1.21	1.63	2.46	3.30	0.84
0.41	4-15/16	0.833	1.26	1.69	2.55	3.42	0.87
0.42	5-1/16	0.863	1.30	1.75	2.65	3.54	0.89
0.43	5-3/16	0.893	1.35	1.81	2.74	3.67	0.93
0.44	5-1/4	0.924	1.40	1.88	2.83	3.80	0.97
0.45	5-3/8	0.955	1.44	1.94	2.93	3.93	1.00
0.46	5-1/2	0.986	1.49	2.00	3.03	4.05	1.02
0.47	5-5/8	1.02	1.54	2.07	3.12	4.18	1.06
0.48	5-3/4	1.05	1.59	2.13	3.22	4.32	1.10
0.49	5-7/8	1.08	1.64	2.20	3.32	4.45	1.13
0.50	6	1.11	1.68	2.26	3.42	4.58	1.16
0.51	6-1/8	1.15	1.73	2.33	3.52	4.72	1.20
0.52	6-1/4	1.18	1.78	2.40	3.62	4.86	1.24
0.53	6-3/8	1.21	1.84	2.46	3.73	4.99	1.26
0.54	6-1/2	1.25	1.89	2.53	3.83	5.13	1.30
0.55	6-5/8	1.28	1.94	2.60	3.94	5.27	1.33
0.56	6-3/4	1.31	1.99	2.67	4.04	5.42	1.38
0.57	6-13/16	1.35	2.04	2.74	4.15	5.56	1.41
0.58	6-15/16	1.38	2.09	2.81	4.26	5.70	1.44
0.59	7-1/16	1.42	2.15	2.88	4.36	5.85	1.49

*Computed from Cote's formula: $Q = 3.247 L H^{3/2} \cdot \frac{0.568 L^{1/2}}{1+2L^{1/2}} H^{1/2}$

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WATER MEASUREMENT

Dorrell C. Larsen

Table 3 (Continued). Flow over rectangular contracted weirs.

COOPERATIVE EXTENSION SERVICE



University of Idaho
College of Agriculture

Head in ft. "H"	Head in inches, approx.	Crest length (L)					For each additional foot of crest in excess of 4 ft. (approx.)
		1.0 foot	1.5 feet	2.0 feet	3.0 feet	4.0 feet	
		Flow in cubic feet per second					
0.60	7-3/16	1.45	2.20	2.96	4.47	6.00	1.53
0.61	7-5/16	1.49	2.25	3.03	4.59	6.14	1.55
0.62	7-7/16	1.52	2.31	3.10	4.69	6.29	1.60
0.63	7-9/16	1.56	2.36	3.17	4.81	6.44	1.63
0.64	7-11/16	1.60	2.42	3.25	4.92	6.59	1.67
0.65	7-13/16	1.63	2.47	3.32	5.03	6.75	1.72
0.66	7-15/16	1.67	2.53	3.40	5.15	6.90	1.75
0.67	8-1/16	1.71	2.59	3.47	5.26	7.05	1.79
0.68	8-3/16	1.74	2.64	3.56	5.38	7.21	1.83
0.69	8-1/4	1.78	2.70	3.63	5.49	7.36	1.87
0.70	8-3/8	1.82	2.76	3.71	5.61	7.52	1.91
0.71	8-1/2	1.86	2.81	3.78	5.73	7.68	1.95
0.72	8-5/8	1.90	2.87	3.86	5.85	7.84	1.99
0.73	8-3/4	1.93	2.93	3.94	5.97	8.00	2.03
0.74	8-7/8	1.97	2.99	4.02	6.09	8.17	2.08
0.75	9	2.01	3.05	4.10	6.21	8.33	2.12
0.76	9-1/8	2.05	3.11	4.18	6.33	8.49	2.16
0.77	9-1/4	2.09	3.17	4.26	6.45	8.66	2.21
0.78	9-3/8	2.13	3.23	4.34	6.58	8.82	2.24
0.79	9-1/2	2.17	3.29	4.42	6.70	8.99	2.29
0.80	9-5/8	2.21	3.35	4.51	6.83	9.16	2.33
0.81	9-3/4	2.25	3.41	4.59	6.95	9.33	2.38
0.82	9-13/16	2.29	3.47	4.67	7.08	9.50	2.42
0.83	9-15/16	2.33	3.54	4.75	7.21	9.67	2.46
0.84	10-1/16	2.37	3.60	4.84	7.33	9.84	2.51
0.85	10-3/16	2.41	3.66	4.92	7.46	10.01	2.55
0.86	10-5/16	2.46	3.72	5.01	7.59	10.19	2.60
0.87	10-7/16	2.50	3.79	5.10	7.72	10.36	2.64
0.88	10-9/16	2.54	3.85	5.18	7.85	10.54	2.69
0.89	10-11/16	2.58	3.92	5.27	7.99	10.71	2.72
0.90	10-13/16	2.62	3.98	5.35	8.12	10.89	2.77
0.91	10-15/16	2.67	4.05	5.44	8.25	11.07	2.82
0.92	11-1/16	2.71	4.11	5.53	8.38	11.25	2.87
0.93	11-3/16	2.75	4.18	5.62	8.52	11.43	2.91
0.94	11-1/4	2.79	4.24	5.71	8.65	11.61	2.96
0.95	11-3/8	2.84	4.31	5.80	8.79	11.79	3.00
0.96	11-1/2	2.88	4.37	5.89	8.93	11.98	3.05
0.97	11-5/8	2.93	4.44	5.98	9.06	12.16	3.10
0.98	11-3/4	2.97	4.51	6.07	9.20	12.34	3.14
0.99	11-7/8	3.01	4.57	6.15	9.34	12.53	3.19
1.00	12	3.06	4.64	6.25	9.48	12.72	3.24
1.01	12-1/8		4.71	6.34	9.62	12.91	3.29
1.02	12-1/4		4.78	6.43	9.76	13.10	3.34
1.03	12-3/8		4.85	6.52	9.90	13.28	3.38
1.04	12-1/2		4.92	6.62	10.04	13.47	3.43
1.05	12-5/8		4.98	6.71	10.18	13.66	3.48
1.06	12-3/4		5.05	6.80	10.32	13.85	3.53
1.07	12-13/16		5.12	6.90	10.46	14.04	3.58
1.08	12-15/16		5.20	6.99	10.61	14.24	3.63
1.09	13-1/16		5.26	7.09	10.75	14.43	3.68

MAILED

MAR 09 1988

WATER MEASUREMENT

Dorrell C. Larsen

Table 3 (Continued). Flow over rectangular contracted weirs.

COOPERATIVE EXTENSION SERVICE

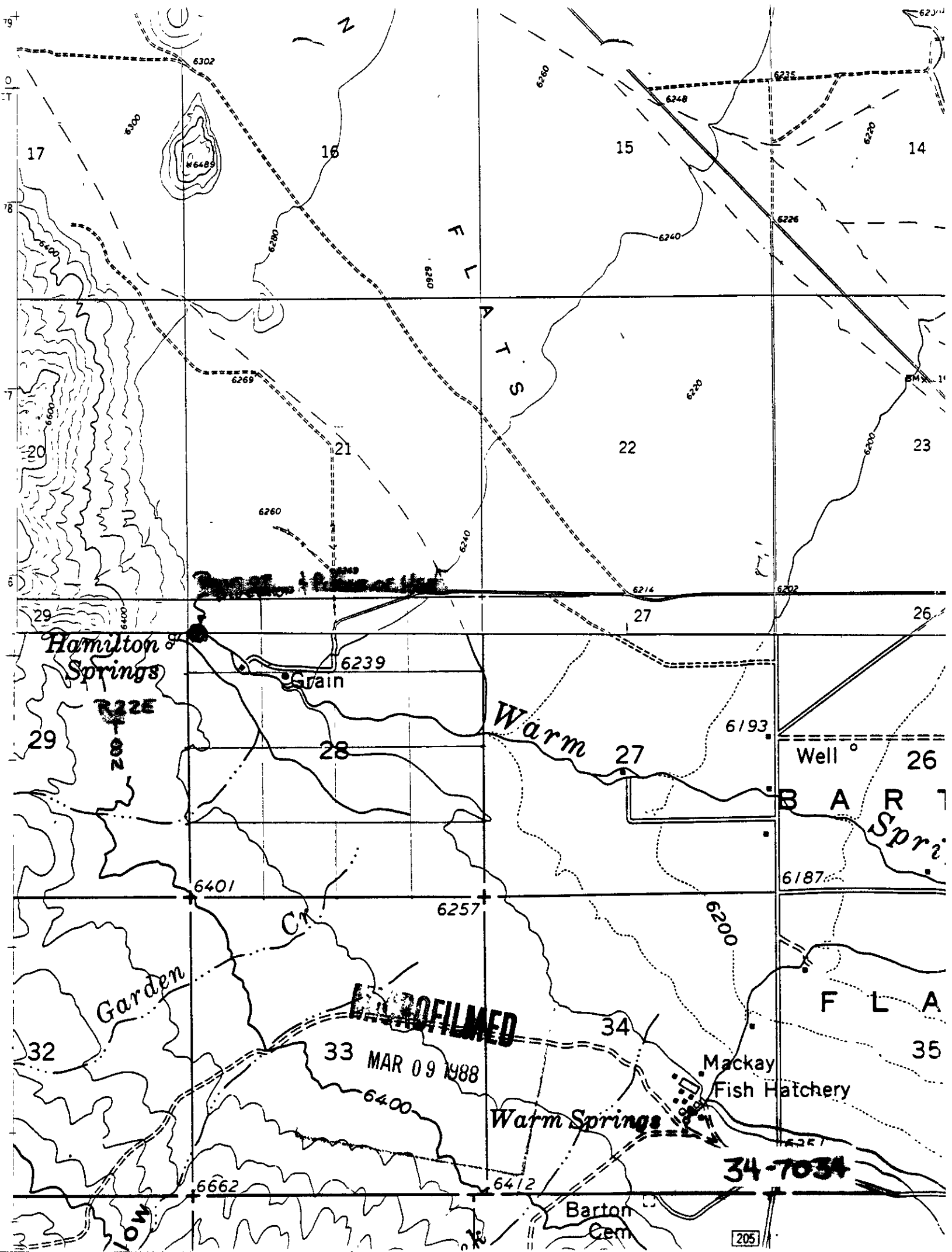


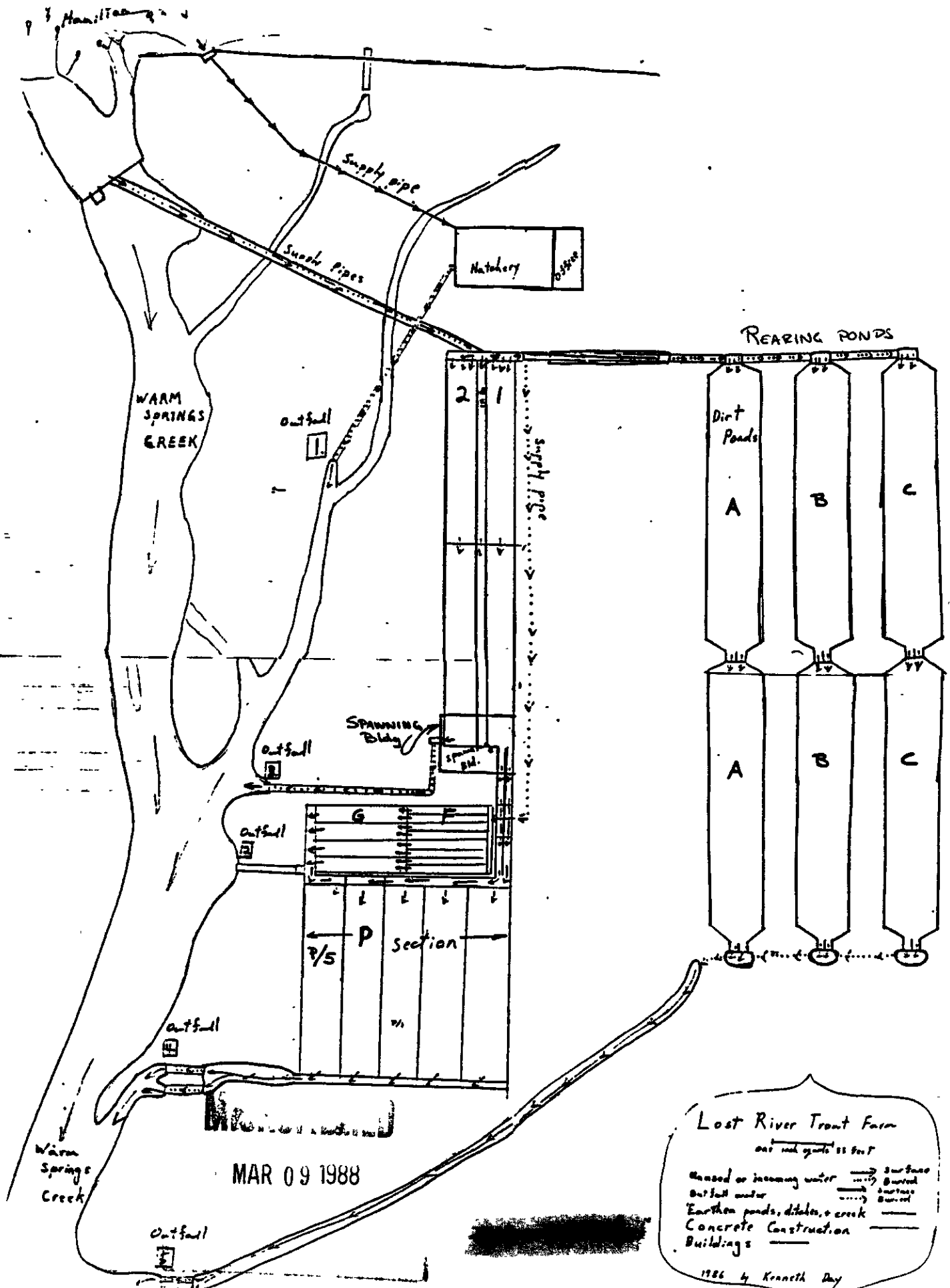
University of Idaho
College of Agriculture

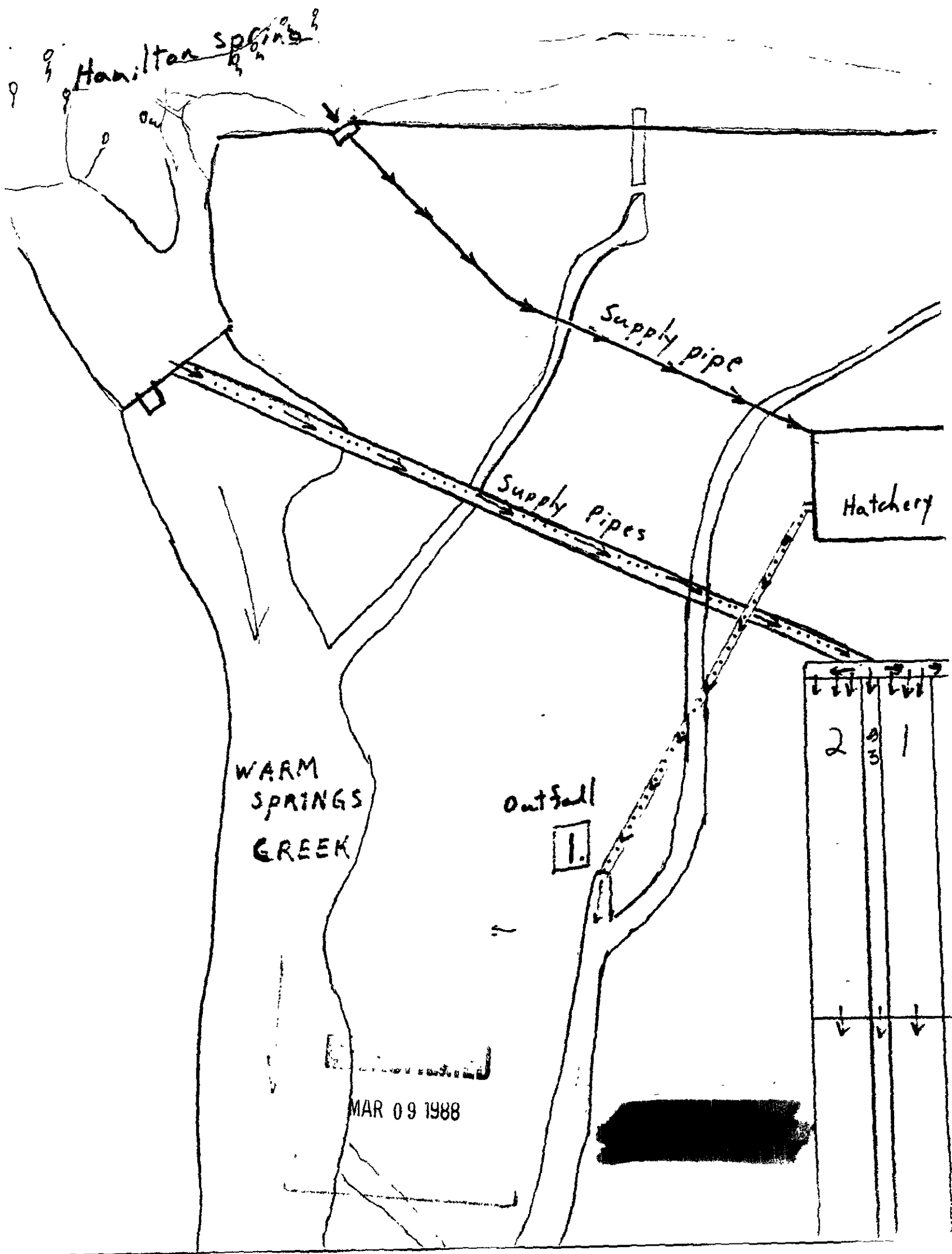
Head in ft. "H"	Head in inches, approx.	Crest length (L)					For each additional foot of crest in excess of 4 ft. (approx.)
		1.0 foot	1.5 feet	2.0 feet	3.0 feet	4.0 feet	
		Flow in cubic feet per second					
1.10	13-3/16	5.34	7.19	10.90	14.64	3.74	
1.11	13-5/16	5.41	7.28	11.04	14.83	3.79	
1.12	13-7/16	5.48	7.38	11.19	15.03	3.84	
1.13	13-9/16	5.55	7.47	11.34	15.22	3.88	
1.14	13-11/16	5.62	7.57	11.48	15.42	3.94	
1.15	13-13/16	5.69	7.66	11.64	15.62	3.98	
1.16	13-15/16	5.77	7.76	11.79	15.82	4.03	
1.17	14-1/16	5.84	7.86	11.94	16.02	4.08	
1.18	14-3/16	5.91	7.96	12.09	16.23	4.14	
1.19	14-1/4	5.98	8.06	12.24	16.43	4.19	
1.20	14-3/8	6.06	8.16	12.39	16.63	4.24	
1.21	14-1/2	6.13	8.26	12.54	16.83	4.29	
1.22	14-5/8	6.20	8.35	12.69	17.03	4.34	
1.23	14-3/4	6.28	8.46	12.85	17.25	4.40	
1.24	14-7/8	6.35	8.56	12.99	17.45	4.46	
1.25	15	6.43	8.66	13.14	17.65	4.51	
1.26	15-1/8			13.30	17.87	4.57	
1.27	15-1/4			13.45	18.07	4.62	
1.28	15-3/8			13.61	18.28	4.67	
1.29	15-1/2			13.77	18.50	4.73	
1.30	15-5/8			13.93	18.71	4.78	
1.31	15-3/4			14.09	18.92	4.82	
1.32	15-13/16			14.24	19.12	4.88	
1.33	15-15/16			14.40	19.34	4.94	
1.34	16-1/16			14.56	19.55	4.99	
1.35	16-3/16			14.72	19.77	5.05	
1.36	16-5/16			14.88	19.98	5.10	
1.37	16-7/16			15.04	20.20	5.16	
1.38	16-9/16			15.20	20.42	5.22	
1.39	16-11/16			15.36	20.64	5.28	
1.40	16-13/16			15.53	20.86	5.33	
1.41	16-15/16			15.69	21.08	5.39	
1.42	17-1/16			15.85	21.29	5.44	
1.43	17-3/16			16.02	21.52	5.50	
1.44	17-1/4			16.19	21.74	5.55	
1.45	17-3/8			16.34	21.96	5.62	
1.46	17-1/2			16.51	22.18	5.67	
1.47	17-5/8			16.68	22.41	5.73	
1.48	17-3/4			16.85	22.64	5.79	
1.49	17-7/8			17.01	22.85	5.84	
1.50	18			17.17	23.08	5.91	

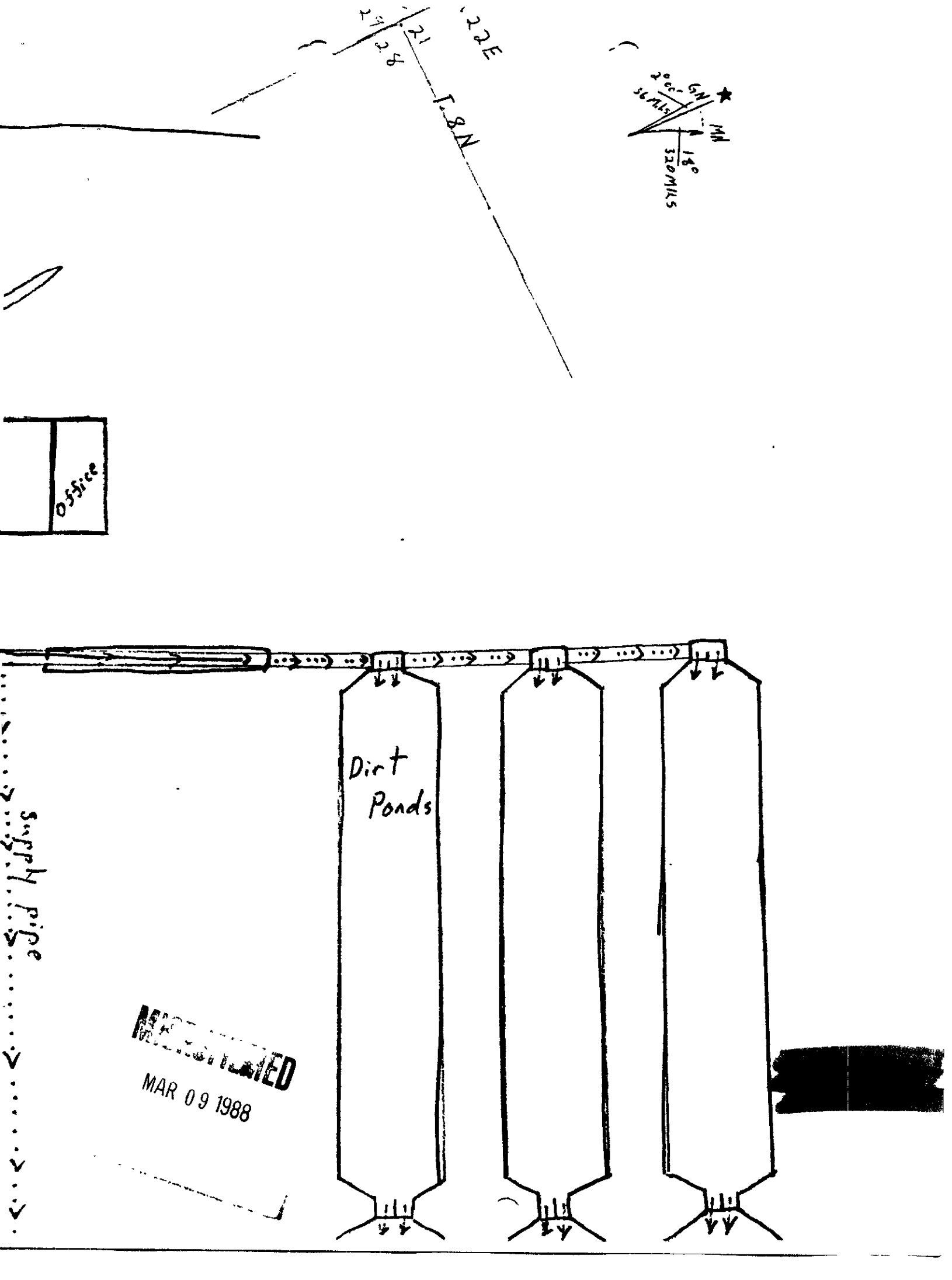
MICROFILMED

MAR 09 1988







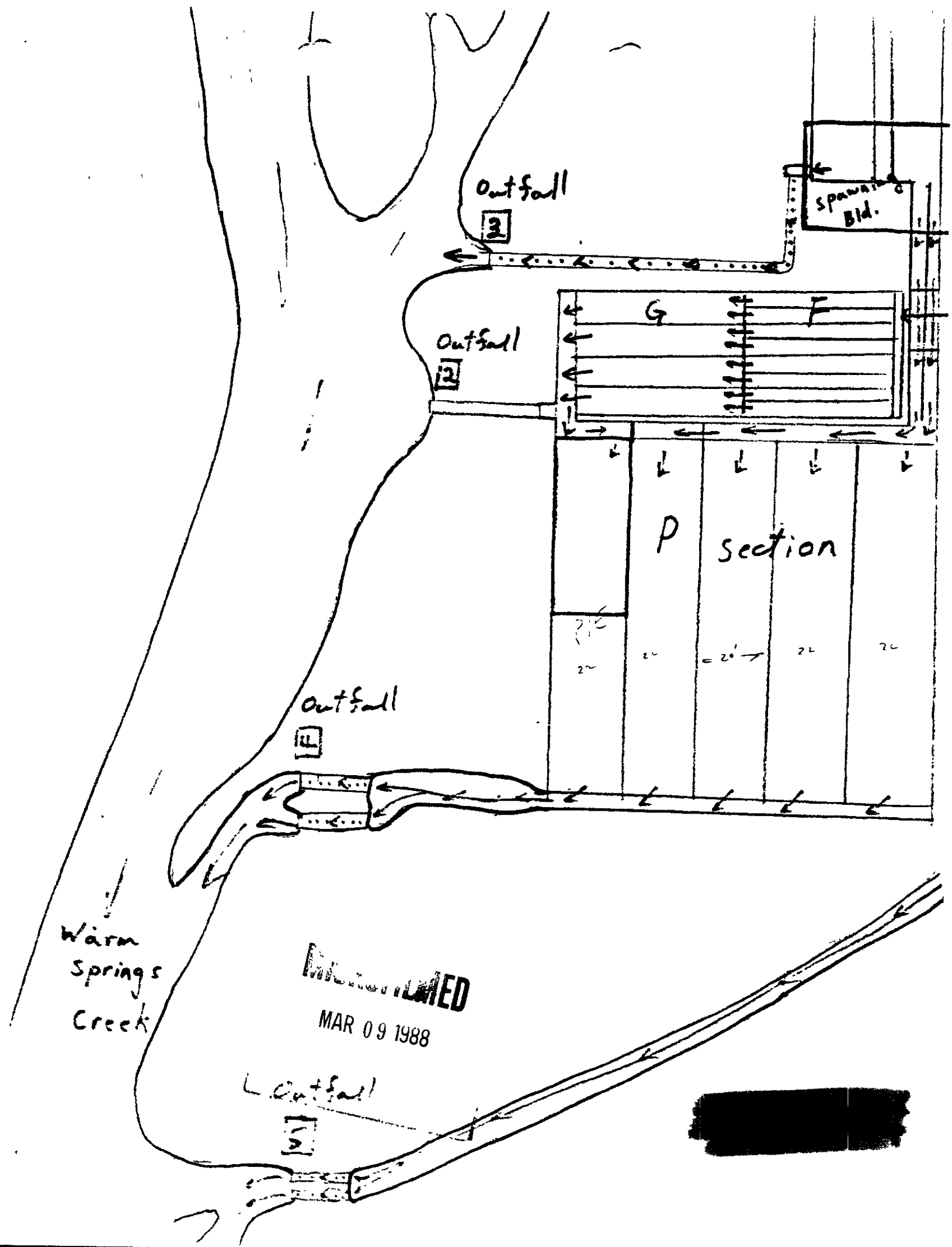


Office

Dirt
Ponds

RECEIVED

MAR 09 1988





WATER DISTRICT 34

**P. O. Box 206
Mackay, Idaho 83251**

July 23, 1987

Mr. Ernest Carlsen
Dept. Water Resources
150 Shoup Avenue
Idaho Falls, Id. 83401

Dear Ernie:

At Richard Smith's request I went out today and looked over his weirs at the Lost River Trout Hatchery. The weirs are good concrete structures that I see no problem in measuring; its true there are 7 of them for the inflow but so far as I am concerned, as watermaster of this district, they are acceptable to me.

In talking to Dick he indicated that he would be sending the Dept. the necessary \$600 fee for the previous field examination.

Should there be any question on this Ernie, please give me a call.

Yours truly,


Doug Rosenkrance
Watermaster #34

RECEIVED

MAR 09 1988

RECEIVED

JUL 27 1987

Department of Water Resources
Eastern District Office

4/86

AUG 13 1987

RECEIVED

AUG 3 1987

Department of Water Resources

STATE OF IDAHO

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 600.00
Date 8-4-87
Receipt # 41314
Receipt by dy
Sent to S.O. 8

1. Permit No. 34-7034

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: RICHARD A SMITH

3. Post Office Address: STAR ROUTE MACKAY IDAHO 83251

Telephone No. 508-2866

4. Source of Water: HAMILTON SPRINGS

5. Extent of Use:

Domestic 1 (No. of households) Stockwater 6 ^{1 HORSE} (No. and type of stock)

Irrigation 600 (acres) Other/Remark TROUT

6. Total rate &/or volume for which proof is submitted 25 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

JUNE, 1975

8. Person to contact to accompany the department representative during the field examination:

RICHARD A SMITH
(Name)

MAR 09 1988

STAR ROUTE MACKAY ID 83251 208 508-2866
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

7/27/87

Richard A Smith (OWNER)
Signature of Permit Holder (and title, if appropriate)

4/86

RECEIVED

AUG 3 1987

STATE OF IDAHO

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

9/11/87
per phone conversation w/Eastern
KW

For Office Use Only
Fee Received 600.00
Date 8-4-87
Receipt # 41314
Receipt by Dena
Sent to S.O.

1. Permit No. 34-7034

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☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: RICHARD A SMITH

3. Post Office Address: STAR ROUTE MACKAY IDAHO 83251

Telephone No. 508-2866

4. Source of Water: HAMILTON SPRINGS

5. Extent of Use:

Domestic 1 (No. of households) Stockwater 6 1 HORSE (No. and type of stock)

Irrigation 60 (acres) Other/Remark TROUT

6. Total rate &/or volume for which proof is submitted 23 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

JUNE, 1975

8. Person to contact to accompany the department representative during the field examination:

RICHARD A SMITH

(Name)

MAR 09 1988

STAR ROUTE MACKAY ID 83251

(Address)

508-508-2866

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

7/27/87

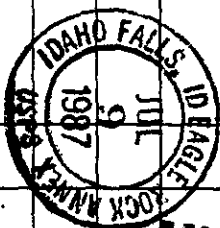
Date

Richard A Smith (owner)
Signature of Permit Holder (and title, if appropriate)

NAME AND ADDRESS OF SENDER		Indicate type of mail		Check appropriate block for		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.						
Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (1st Regis.)	Insured Value	Due Sender if C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Postmark and Date of Receipt
1	073	Richard A. Smith, Star Rt., Hachway, ID 83251	22	75								70
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$400 for COD and \$400 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.							

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

☆ U.S. G.P.O. 1985-478-804



MAILED

MAR 09 1988

Receiving of
Amount 32.234

July 9, 1987

Richard A. Smith
Star Route
Mackay, Idaho 83251

RE: Licensing of Permit 34-7034, Fish Propagation

Dear Mr. Smith:

In July, 1986, you received notice from this office concerning statutory changes requiring a permit holder to either hire a certified water rights examiner to conduct the field exam for licensing his permit, or pay a licensing examination fee to the Department so the exam could be conducted by Department staff.

In response to your objections to payment of the licensing examination fee, personnel from this office conducted the licensing examination with the intent of billing you for the cost of performing the exam. These costs were found to exceed the amount provided for by statute. However, we cannot charge an amount greater than provided for by Section 42-221, Idaho Code. Therefore, the licensing examination fee on the above listed permit is \$600. In conjunction with payment of the licensing examination fee, the enclosed form must be completed, signed and returned.

With reference to issuing the license, there is another matter requiring your attention. It concerns the installation of measuring devices. Department records contain a letter you submitted with the application for permit stating "a water measuring device or weir will be constructed to measure water loss by evaporation or by other means." Furthermore, the permanent installation and maintenance of a measuring device at the point of diversion and the point of effluent discharge was a condition of approval on the permit. However, the field examination conducted in September, 1986, revealed that these devices were not present. Consequently, this impaired both our ability to make the examination and to regulate the diversion. Before issuing the license, either acceptable measuring devices must be installed, or the condition removed from the permit.

RECEIVED

MAR 09 1988

Mr. Richard A. Smith
Page 2
July 9, 1987

Consideration for removing a permit condition is based on a petition submitted by the permit holder. The petition should state the reasons for removal of the condition and why it is not justified.

To prevent a loss in priority of your permit, the licensing examination fee must be paid within 60 days of the date of this letter. After the 60 day period, there will be a reduction in priority of one day for each day payment is late. If the payment is not submitted within one year and 60 days, the permit will be cancelled.

Feel free to contact me should you have questions concerning either the Department's position or your responsibilities concerning this matter.

Respectfully submitted,

Ernest Carlsen
Water Resource Supervisor

EC/dg

cc Doug Rosenkrance

RECEIVED

MAR 08 1988

FROM

Kay Walker

TO

Eastern

SUBJECT

Exam fee - 34-7034

RECEIVED

JAN 26 1987

Department of Water Resources
Eastern District Office

INTERDEPARTMENTAL
HAVE SOMEONE
PREPARE A BILL
APPROXIMATELY
EQUAL TO THE
EXAM FEE

Prior to further processing
of this right we need to request
the fee for the exam be
submitted — returning exam
for your use — Kay

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Bob

RECEIVED

DATE 2-19-87

TO Keith

FEB 23 1987

Department of Water Resources
Eastern District Office

SUBJECT 34-7034 Richard Smith exam

I reviewed the file and didn't find your tabulation of the hours you spent on this exam.

Mr. Smith should be billed for the fee set by statute unless the exam was partially complete before the fee was initiated and was not completed because of our fault.

SIGNATURE

FROM KEITH

TO RON

SUBJECT EXAM FEE 34-7034

INTER-DEPARTMENT MEMO — 1

DATE 24 Feb 1987

EXAM COMPLETED 9-4-86
200 miles Travel (Round Trip)
10 hrs EXAM TIME ; TRAVEL
9 hrs WRITE UP ; OVERLAP REVIEW
10 COPIES (MAP, MEASUREMENT NOTES)
9 PHOTOS (409/print)

These are the best figures
on time spent doing this
Exam. The original figures
could not be found.

Kath C Wilson

SIGNATURE



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

CHALKING BLOCK

PONDS: RACEWAYS
P/D

HATCHERY
S P/D

34-7034



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V Evans
Governor

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A Kenneth Dunn
Director

34-7034

REFILMED

MAR 09 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

August 25, 1987

Senator Ann Rydalch
3824 East 17th
Idaho Falls, ID 83401

Re: Permit to Appropriate Water No. 34-7034 in the name of
Richard and Patricia Smith

Dear Senator Rydalch:

In 1973, Richard (Dick) and Patricia Smith filed an application to appropriate 23 cfs from Warm Springs for fish propagation purposes. Dick Smith requested an extension of time to complete development in 1978, and was given until 1983 to finish his project. When proof of beneficial use was due in 1983, Mr. Smith sought another extension to complete development. Only one extension could be granted under the law, however, and Mr. Smith submitted proof of beneficial use.

Shortly thereafter, our eastern region staff in Idaho Falls attempted to schedule a field examination with Mr. Smith, but he expressed reluctance to have the system examined because it was incomplete. Examination of the permit was deferred, and the field examination fee legislation was enacted before the system was examined.

For several years following the drought of 1977, the Department received a large number of water appropriation applications. Proof of beneficial use for the increased filings was required in the early 1980's.

The Director of the Department of Water Resources requested additional funding from the legislature to process the large number of applications, but funding was not granted. During the 1986 legislative session, the Director proposed that all field examinations be conducted by private sector. The legislature opted, however, to allow a permit holder the alternative of either hiring an outside consultant or paying an examination fee to the Department. A copy of the legislative bill is enclosed. Please note that the fee must be paid for all permits for which an application was submitted, but which have not yet been examined. Also, note that the Director is authorized to advance priority if the

RECORDED
AUG 27 1987

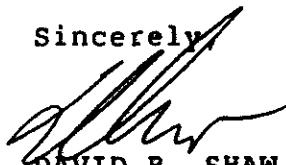
fee is more than sixty (60) days late and to lapse the permit for failure to pay the fee within one (1) year.

The legality of the retroactive nature of the fee is not a proper matter for my speculation. The payment of the fee has, however, funded the salaries of eight to ten temporary field examiners, who have substantially reduced the backload of field examinations.

Mr. Smith's concerns about his weirs and possible staff gauges are being resolved with the watermaster through Department employees.

If I can provide further information, please contact me.

Sincerely,



DAVID B. SHAW, Acting Administrator
Resources Administration Division

DBSGS:jf

Enclosure

CC: Eastern Region

MICROFILMED

AUG 27 1987

SENATOR ANN RYDALCH
DISTRICT 33
BONNEVILLE AND TETON COUNTIES

HOME ADDRESS
3824 E 17TH
IDAHO FALLS, IDAHO 83401



COMMITTEES
COMMERCE AND LABOR
HEALTH AND WELFARE

RECEIVED

AUG 13 1987

Department of Water Resources

*Colen - please
draft a response
- I have a copy of
the bill if you
need over ^{thanks} one*

Idaho State Senate

CAPITOL BUILDING
BOISE

August 10, 1987

Mr. Ken Dunn, Director
Department of Water Resources
Statehouse
Boise, ID 83720

Dear Ken;

Please find attached a letter and other information from Richard Smith of the Lost River Trout Hatchery in Mackay.

Would you please respond back to me regarding his concerns. Please also include a copy of the bill he refers to in the letter.

Thank you for your help in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ann Rydalch".

Senator Ann Rydalch
District 33

cc: Richard Smith

MICROFILMED

AUG 27 1987

July 22, 1987

Senator Ann Rydalch
The State House
Boise, Id. 83720

Dear Senator Rydalch

In April of 1973 I filed for application to divert water for a trout hatchery. At that time, the IDWR informed me that they would perform a field examination within 5 years to conform to the existing statutes. Time went on, the hatchery business has kept me very busy, I installed cement weirs which I assumed to be acceptable.

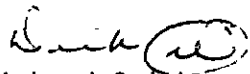
As you can see by the enclosed copy of a letter received by me, a field exam was conducted in 1987!! It does not seem to me that the Senate would pass a bill retroactively going back that many years??? Was this done, is it legal to now charge me \$600 for a field exam that should have been performed no later than 1978?? Also, did this bill authorize IDWR to threaten a loss of priority for a fee that should not be charged??

Since a person cannot seem to fight government I will pay the fee and install staff gages which I did not realize were needed to measure at the weir. However Senator it does not seem quite fair to assess for this service when I paid a large fee to obtain the permit in the first place. It would appear to me that a fee should cover all charges at the time you file! Not 15 years later.

Would you please send me a copy (if this is possible) of the bill that was passed authorizing these changes to IDWR.

Your assistance to me is gratefully acknowledged.

Yours truly,



Richard Smith
Lost River Trout Hatchery
Star Route
Mackay, Id. 83251

MICROFILMED
AUG 27 1987



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans

GOV. 8790

A. Kenneth Dunn

GOV. 8790

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

July 9, 1987

Richard A. Smith
Star Route
Mackay, Idaho 83251

RE: Licensing of Permit 34-7034, Fish Propagation

Dear Mr. Smith:

In July, 1986, you received notice from this office concerning statutory changes requiring a permit holder to either hire a certified water rights examiner to conduct the field exam for licensing his permit, or pay a licensing examination fee to the Department so the exam could be conducted by Department staff.

In response to your objections to payment of the licensing examination fee, personnel from this office conducted the licensing examination with the intent of billing you for the cost of performing the exam. These costs were found to exceed the amount provided for by statute. However, we cannot charge an amount greater than provided for by Section 42-221, Idaho Code. Therefore, the licensing examination fee on the above listed permit is \$600. In conjunction with payment of the licensing examination fee, the enclosed form must be completed, signed and returned.

With reference to issuing the license, there is another matter requiring your attention. It concerns the installation of measuring devices. Department records contain a letter you submitted with the application for permit stating "a water measuring device or weir will be constructed to measure water loss by evaporation or by other means." Furthermore, the permanent installation and maintenance of a measuring device at the point of diversion and the point of effluent discharge was a condition of approval on the permit. However, the field examination conducted in September, 1986, revealed that devices were not present. Consequently, this impaired both ability to make the examination and to regulate the diversion. Before issuing the license, either acceptable measuring devices must be installed, or the condition removed from the permit.

MICROFILMED
AUG 27 1987

Mr. Richard A. Smith

Page 2

July 9, 1987

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Feel free to contact me should you have questions concerning either the Department's position or your responsibilities concerning this matter.

Respectfully submitted,

Ernest Carlisle

Ernest Carlisle
Water Resource Supervisor

EC/dg

cc Doug Rosenkrance

Enclosure

MICROFILMED
AUG 27 1987

42-212. Diversion of private waters.

ANALYSIS

Private waters
Water from mine portal

Private Waters.

Where waters of creek consisted primarily of spring runoff which arose in the mountains on U.S. government property, and where but for farmer's actions of capturing those waters and putting them to use on his farm, land the stream would have flowed into a river, the

creek was not a private stream within the definition of this section. *Olson v. Bedke*, 97 Idaho 320, 535 P.2d 156 (1976)

Water From Mine Portal.

An open flow of water emanating from a mine portal which would not exist absent development of the mine was not nonappropriable private water as defined by this section. *Branson v. Miracle*, 107 Idaho 221, 687 P.2d 1348 (1984)

42-217. Proof of application to beneficial use. — On or before the date set for the beneficial use of waters appropriated under the provisions of this chapter, the permit holder shall submit a statement that he has used such water for the beneficial purpose allowed by the permit. The statement shall include:

1. The name and post-office address of the permit holder.
2. The permit number.
3. A description of the extent of the use.
4. The source of the water used.
5. Such other information as shall be required by the blank form furnished by the department.

Such written proof as may be required to be submitted by such user shall be upon forms furnished by the department of water resources and shall include fees as provided in subsection K of section 42-221, Idaho Code, or a field examination report prepared by a certified water right examiner.

Upon receipt of such proof and the fee as required in section 42-221, Idaho Code, by the department of water resources the department shall examine, or cause to be examined:

1. The place where such water is diverted and used, and, if the use is for irrigation, he shall ascertain the area and location of the land irrigated and the nature of all the improvements which have been made as a direct result of such use.

2. The capacities of the ditches or canals or other means by which such water is conducted to such place of use, and the quantity of water which has been beneficially applied for irrigation or other purposes.

The department or the person making such examination under the direction of the department shall prepare and file a report of the investigation: provided, that whenever irrigation systems cover more than twenty-five thousand (25,000) acres, proof of beneficial use may be made by the persons, company or corporation constructing the irrigation works on behalf of the project, and in such cases, the lands upon which the water has been used need not be described by legal subdivisions, but may be described generally as the lands under the irrigation system, and it shall not be necessary to show in such cases that the quantity of water beneficially applied for irrigation has been applied within the limits of the project.

Holders of permits who have submitted proof of beneficial use but have not had their project examined for beneficial use shall submit the fee re-

quired in section 42-221 by the director of the department. A fee is required. Failure to pay the fee for the director's day for each day that the permit is not within one (1) year of water resources may be incomplete and lapse. Code. [1903, p. 223, § am. 1915, ch. 94, § 41-211; am. 1967, ch. 1986, ch. 242, § 1, p

Compiler's notes. Section 42-217 is compiled as §

42-217a. Certify all necessary rules and requirements for qualification to become certified. An initial application for those applying for certification (\$50.00). All certification year and thereafter transmitted to the account.

Employees of the department of this section. [I.C.,

42-218a. Lapse submit proof of: A permit upon which a request for extension set for such proof, said lapsing shall of record by registration. 1. That within may, upon a short priority date advertisement is subsequent. 2. That upon such notice of lapse submitted by the use made during time previously during the advertisement filing a late permit with the priority received;

Retrospectively

NOT RECORDED
AUG 27 1987

department, of the corrected application or additional information; provided, that upon request, and good cause appearing therefor, the director of the department of water resources may grant an extension of time within which to return the corrected application or supply needed information. All applications which shall comply with the provisions of this chapter and with the regulations of the department of water resources shall be numbered in such manner as will aid in their identification, and it shall be the duty of the department to approve all applications, made in proper form, which contemplate the application of water to a beneficial use: provided, that the department may deny any such application, or may partially approve and grant permit for a lesser quantity of water than applied for, or may grant permit upon conditions as provided in the preceding section.

The approval of an application shall be indorsed thereon, and a record made of such indorsement in the department of water resources. The application so indorsed shall constitute a permit, and a copy thereof shall be returned to the applicant, and he shall be authorized, on receipt thereof, to proceed with the construction of the necessary works for the diversion of such water, and to take all steps required to apply the water to a beneficial use and perfect the proposed appropriation. In its indorsement of approval on any application the department shall require that actual construction work and application of the water to full beneficial use shall be complete within a period of five (5) years from the date of such approval, but may limit the application to a less period than is named in the application, and such indorsement shall give the date when beneficial application of the water to be diverted by such works shall be made. Sixty (60) days before the date set for the completion of the appropriation of water under any permit, the department shall forward a notice to the applicant by certified mail at his address of record of the date for such completion, which said notice shall advise the applicant of the necessity of submitting an affidavit of completion or a request for an extension of time on or before said date; Provided that:

1. In cases where the applicant is prevented from proceeding with his work by his failure to obtain necessary consent or final approval or rejection from the federal government because of the pendency of an application for right of way or other matter within the jurisdiction of the United States, or by litigation of any nature which might bring his title to said water in question, the department of water resources upon proper showing of the existence of any such condition, and being convinced that said applicant is proceeding diligently and in good faith, shall extend the time so that the amount of time lost by such delays shall be added to the time given in the original permit for each and every action required.

2. The time for completion of works and application of the water to full beneficial use under any permit involving the diversion of more than twenty-five thousand (25,000) acre feet in one (1) irrigation season for a project of no less than five thousand (5,000) acres, may upon application to the director of the department of water resources, supported by a showing that additional time is needed on account of the time required for organizing, financing and constructing works of such large size, be extended by the

director of the department seven (7) years, but no permit: Provided, that cant for such extension toward the construction purchase of rights of water hundred thousand do

3. The time for cor beneficial use under a more than ten thousand of water to be imposed (10,000) acre feet capacity of water resources establishes that the good cause exists for

4. In connection with water resource board signment or otherwise may extend the time water to full beneficial he may deem necessary additional time is required construction fund are found to be required

5. In all other circumstances may grant on beyond the date or the water to full be before the date set

Any applicant before the department of water before the director the purpose of carrying pursuant to section director following

Every holder of conditions of an acre cubic feet or less, which said permit sources, commence intends to divert uninterruptedly to fault of the holder control.

The holder of this section with abandoned all § 2; reem. R. C.

I don't understand

RECORDED

AUG 27 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720

A. KENNETH DUNN
Director

34-7034
SMITH, RICHARD A.
SMITH, PATRICIA A.
STAR ROUTE
MACKAY, ID 83251

0013456

JUL 30 1986

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

RECEIVED
AUG 27 1986

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information ~~sheet~~. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD; THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

AUG 27 1987



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

May 20, 1983

Richard A. Smith
Star Route
Mackay, ID 83251

RE: 34-7034

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 examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ 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.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:JK

MICROFILMED

AUG 27 1987

March 21, 1983

Mr. Richard Smith
Star Route
Mackay, ID 8251

Dear Mr. Smith:

Re: Permit No. 34-8034

Pursuant to our telephone conversation, enclosed is an Application for Permit and instructions. If you have any questions or need any assistance in the completion of this application, be sure to contact our Eastern Regional office in Idaho Falls. The address and phone number are on the instruction sheet.

Also, be sure to mail the postcard for the above-referenced permit before May 1, 1983 to keep this permit in good standing.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

MICROFILMED

CONVERSATION MEMORANDUM

DATE March 17, 1985
FILE 34-7034

NAME OF PARTY

Richard Smith

EMPLOYEE

Pete Fleck

RE:

Mr. Smith contacted us today about his permit. He wanted to talk about getting another extension of time. I reviewed the file and found he has had one already. I told him the chances of getting another for the reasons he stated were very slim.

The more we talked, however, I found that he is actually beneficially using the amount of water he applied for. He wants to expand the system and apply for more water. I advised him to submit an application for the additional expansion.

He will submit the b/w postcard for this permit.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138240

SMITH, RICHARD & PATRICIA
STAR ROUTE
MACKAY, ID 83251

PROOF DUE NOTICE

FEBRUARY 28, 1983

DEAR PERMIT HOLDERS:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 34-7034 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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

ENCLOSURE

March 10, 1978

Re: Permit No. 34-7034

Richard A. & Patricia A. Smith
Star Route
Mackay, Idaho 83251

Dear Mr. & Mrs. Smith:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to
May 1, 1983.

Sincerely,

Jan Grover
Water Rights Supervisor

MAIL ROOM



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

February 28, 1978

CERTIFIED MAIL

138498

Re: Permit No. 34-7034

Richard A. Smith & Patricia A. Smith
27460 Bramwell
Farmington, Michigan 48024

Dear Mr. & Mrs. Smith:

One of the conditions of approval of your water Permit No. 34-7034 (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 May 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.

Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

MICROFILMED



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

May 15, 1973

Re: Permit No. 34-7034

Richard & Patricia Smith
27460 Bramwell
Farmington, MI 48024

Dear Mr. & Mrs. Smith:

Enclosed is a copy of your approved Application for Permit No. 34-7034. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEFNOR
Assistant Director

BDF:cd

Enclosures

34-7034

April 30, 1973

Re: Application No. 34-7034 - Richard A. & Patricia A. Smith

Mackay Miner
114 South Main Ave.
Mackay, ID 83251

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on April 12 and 19, 1973.

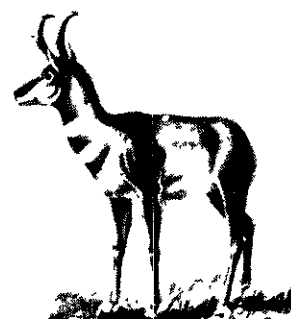
Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

34-7034



CECIL D. ANDRUS, Governor
Department of Water Administration
Eastern District Office

COMMISSION
ROBERT G. KALB, Sandpoint
PAUL C. KEETON, Lewiston
JOHN EATON, Cascade
JACK HEMINGWAY, Sun Valley
H. JACK ALVORD, Pocatello

IDAHO FISH AND GAME DEPARTMENT

April 20, 1973

JOSEPH C. GREENLEY
Director

POST OFFICE BOX 26
800 SOUTH WALNUT STREET
BOISE, IDAHO 83707

Mr. Norman C. Young, District Engineer
Department of Water Administration
240 South Holmes Avenue
Idaho Falls, ID 83401

Upper Warm Springs Creek
Custer County

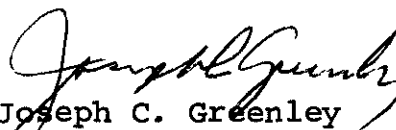
Dear Mr. Young:

In the matter of application for permit to appropriate state waters, application #34-7034, the Idaho Fish and Game Department interposes no objection to the allowance of this application.

Thank you for submitting to the Fish and Game Department a copy of this application by Richard A. Smith.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT


Joseph C. Greenley
Director

cc: Fisheries, Boise
Fisheries, Idaho Falls

34-7034

April 19, 1973

Re: Application No. 34-7034 - Richard A. & Patricia A. Smith

Mr. Eugene H. Gabert
Watermaster
Water District No. 34
Mackay, ID 83251

Dear Mr. Gabert:

Enclosed please find a copy of the above referenced application for permit.

If we can be of further assistance, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enclosure

34-7034

April 9, 1973

Mr. Ted Biladeau
Engineering Division
Idaho Dept. of Fish & Game
600 South Walnut
Boise, Idaho 83270

Gentlemen:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 3-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:cw

Enclosure

cc: Regional Fishery Biologist

34 - 7034

April 9, 1973

Mr. Jerry O'Neal
Environmental Protection & Health
316 North 7th Street
Pocatello, Idaho 83201

Dear Mr. O'Neal:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible. We normally complete the processing of an application within a 3-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:cw

Enclosure

34-7034

April 6, 1973

Re: Application No. 34-7034 - Richard A. and Patricia A. Smith

Mackay Miner
114 South Main Ave.
Mackay, ID 83251

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 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)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 5-03-73 by BA

NCY:BA
Enc: Legal notice

34-7034

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Richard A. and Patricia A. Smith, 27460 Bramwell,
Farmington Michigan

have ~~was~~ on 4/2/73 submitted Application No. 34-7034

for a permit to appropriate 23.0 cubic feet per second ~~some feet per annum~~

of water from Warm Springs spring, tributary of Warm Springs Creek, tributary of
Big Lost River
by means of pipeline

within the NW¹/₄ NW¹/₄, Sec. 28, T. 8N, R. 22E, B.M., Custer County;

to be used from Jan. 1 to Dec. 31

for fish propagation

within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 8N, R. 22E, 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 Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before April 30, 1973.

R. KEITH HIGGINSON

Director

Published in the **Mackay Miner, Mackay, Idaho**

on April 12 and April 19, 1973

34-7034

April 2, 1973

Mr. Richard Smith
27460 Bramwell
Farmington, MI 48024

Dear Mr. Smith:

Attached herewith is departmental receipt No. 7139 in the amount of \$230.00 for your application for water permit which was recently received in this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

34-7034

March 21, 1973

Mr. Richard A. Smith
27460 Bramwell
Farmington, MI 48024

Dear Mr. Smith:

We are in receipt of your application for permit. The application appears to be in good order; however, for 23 c.f.s. there is a filing fee of \$230.00.(see enclosed fee schedule). We are therefore returning your check in the amount of \$200.00. We will hold your application until we receive the proper filing fee.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Enc: Check #9-31 (\$200)
Fee schedule

34-7034

RECEIVED

MA 1973

27460 Bramwell
Farmington, Michigan
March 17, 1973

Department of Water Administration
Eastern District Office

State of Idaho
Department of Water Administration

Gentlemen:

The following is the information that you requested for further consideration of the enclosed application for permit.

We plan to raise and develop Rainbow Trout brood stock for the purpose of marketing the eggs. We also plan to raise trout to sell to assure a cash return necessary for the operation and development of our hatchery.

Water will be diverted from Warm Springs spring, located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, Township 8 north, Range 22E B.M. Custer County, Idaho, through pipe to California raceway type ponds with concrete cross-dams, then into a settling pond and back into Warm Springs Creek.

The water will be diverted from the spring head through a 30-inch steel pipe to a headbox for the raceways. There will also be a diversion through a 12-inch steel pipe to a hatchery building to be used during the egg-taking and hatching season.

The earthfill raceway pond is 100 feet long, 4 feet deep, 30 feet wide at the top, and 10 feet wide at the bottom, with a side-slope ratio of 2 $\frac{1}{2}$ to 1. The gradient is 6 inches per 100 feet. There is a concrete cross-dam which can be used to hold or to separate fish from one pond to another.

There will be two sets of raceways in parallel with four ponds per set. Each pond will hold approximately 59,840 gallons or 8,000 cubic feet of water when filled to a depth of four feet. All eight ponds, if filled to capacity, will hold approximately 480,000 gallons of water. 23 C.F.S. or 619,000 G.P.H. would give a complete water change in a little less than one hour, which is necessary to assure an adequate supply of Oxygen.

Using a rearing density of two pounds per cubic foot for brood stock averaging eight to ten pounds apiece, each pond would hold 1,600 fish. If used solely for the purpose of rearing marketable fish, the potential production of the entire system would be approximately 200,000 pounds of fish annually.

In order to provide that the hatchery effluent conforms to Idaho Water Quality Standards, there will be a pond approximately 200 feet by 200 feet by 4 feet deep with a capacity of 165,000 cubic feet and a minimum of two hours detention.

In addition, a water measuring device or weir will be constructed to measure water loss by evaporation or by any other means. Any such loss will be made up with the 5 $\frac{3}{5}$ C.F.S. water rights decreed to the property.

34-7034

page 2

At this time, the tentative starting date for construction is the spring of 1974. We estimate that it will take approximately one year after the granting of the permit for use of the water to sell our home and other property we own in Michigan. (The financial information requested is enclosed separately.)

In addition to our savings accounts and our home, we are also joint owners of an 80-acre farm in Hillsdale, Michigan.

Sincerely,

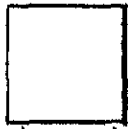
Richard A. Smith
Patricia A. Smith

Richard A. Smith
Patricia A. Smith

34-7034

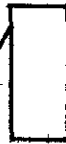


SPRING



30" PIPE LINE
12" PIPE LINE

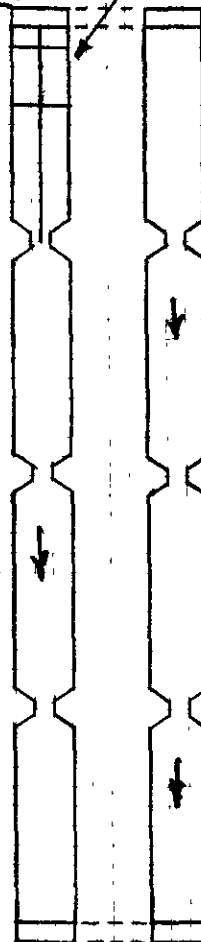
HATCHERY
BUILDING



HATCHERY DISCHARGE

SPAWNING
HOUSE

RACEWAYS



(2 HOUR
DETENTION
IN POND)

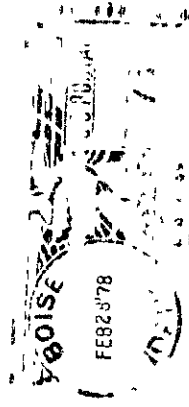
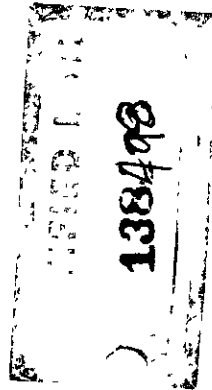
POLLUTION
CONTROL
POND

SCALE

1 SQUARE = 10 FEET

34-7034

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



RETURNED TO
SENDER
No Postage
Necessary
If Mailed
in the
United States
Reduced
Temporarily Away
Unclaimed

File
34-7034

Richard A. Smith & Patricia A. Smith
27460 Bramwell
Farmington, Michigan 48024
ph. bc. nothing
Asses off has
3/2/78 Same address

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits.
- Otherwise affix to back of article.
- Enclose article "Return Receipt Requested" adjacent to number.

RETURN

TO

Department of Water Resources
Eastern District Office

Dept. of Water Resources

(Name of Sender)

150 Shoup, Suite 15

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

Idaho Falls, ID. 83402

(City, State, and ZIP Code)

MAR 09 1988

PENALTY FOR PRIVATE
USE, \$300

JUL 22 1987

RECEIVED

PS Fo. 3811, July 1983 447-845

SENDER Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

- 1 ☒ Show to whom, date and address of delivery
- 2 ☐ Restricted Delivery

3 Article Addressed to

Richard A. Smith
Star Route
Mackay, ID 83251

4 Type of Service

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

073

Always obtain signature of addressee or agent and DATE DELIVERED.

5 Signature - Addressee

X

6 Signature - Agent

X

7 Date of Delivery

7/21/87 12-04-1988

8 Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

NOT FILMED

347034

DEPARTMENT OF WATER RESOURCES

ment that the permit

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

Name(s) of Permit Holder:

RICARDO M. SMITH
STAR ROUTE, MAPLE
Tel. No. 588-2866

Post Office Address:

MICROFILMED

HAMILTON SPRINGS

(number of households)

Source of Water:

Domestic

ONE

Stockwater

4-HORSES

Irrigation

400

Other

TROUT REARING

Required?

Yes

Installed?

Yes

Required?

Yes

Installed?

Yes

Measuring Device:

Access Point:

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

4/28/83

Date

Ricardo M. Smith

Signature of Permit Holder



Alton P. Smith
State Route
Makay Idaho 83720

1723



MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
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