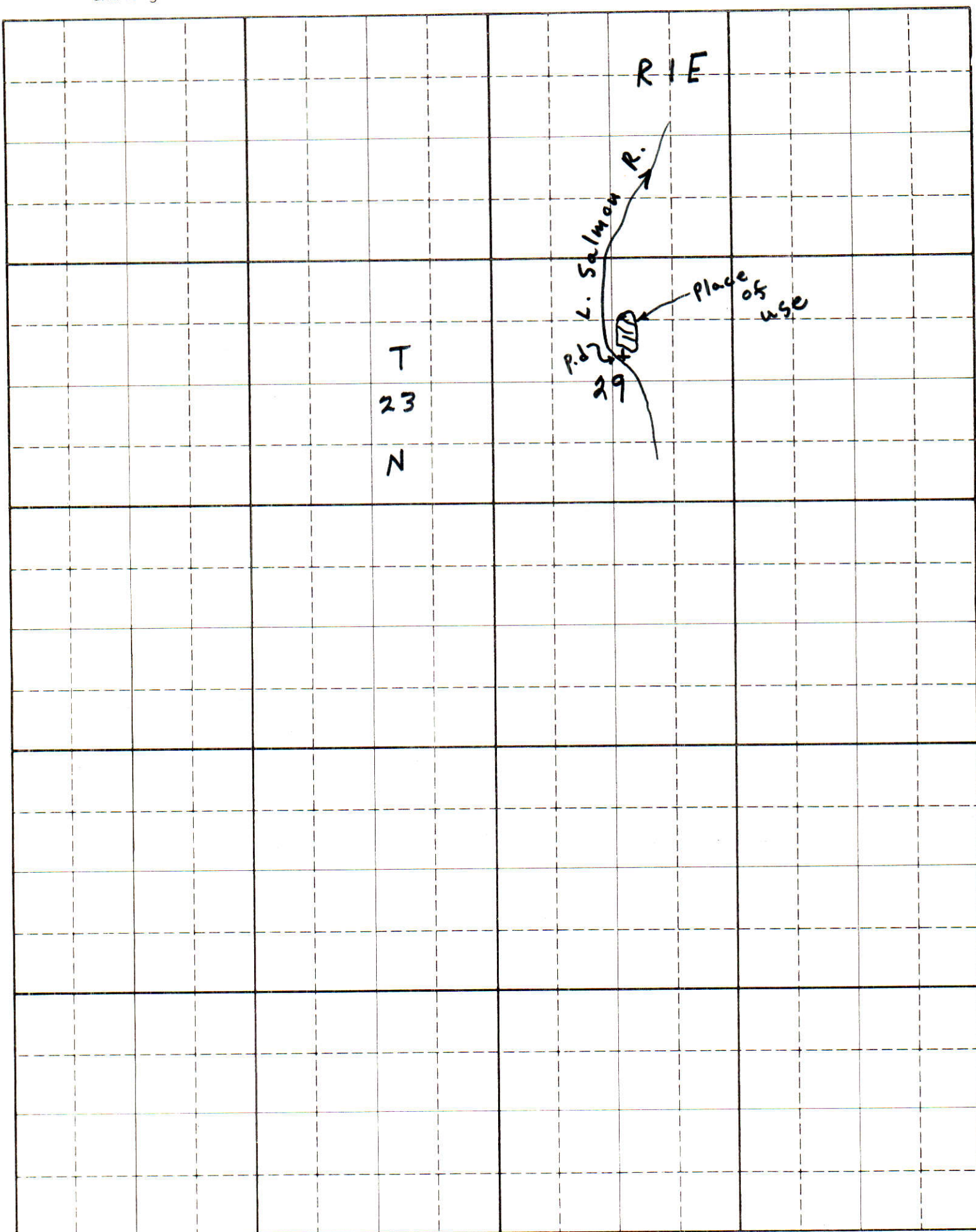


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Ervin Hodges
(Applicant)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Gary D. Smith &/or Gary Lee &/or Ervin Hodges, Box 187 Pollock, Id has on June 22, 1977 submitted Application No. 78-7086 for a permit to appropriate 0.10 cubic feet per second of water from the Little Salmon River trib. Salmon River by means of pump and motor within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29 T23N-R1E B.M., Idaho County to be used from Apr. 1 to Nov 1 for irrigation of 5 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 29 T23N-R1E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before July 18, 1977.

C. STEPHEN ALLRED
Director

Published in the Idaho
County Free Press,
Grangeville, Idaho on June
29, 1977 and July 6, 1977.

Jn 29-Jy 6

AFFIDAVIT OF PUBLICATION

Nona C. Donaldson being first duly sworn, says he is the office manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 29 day of June, 1977, and the last publication on the 6 day of July, 1977; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Nona C. Donaldson

Subscribed and sworn to before me this 7 day of July, 1977.

Marilyn J. Stolley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK
1-18-77
M

RECEIVED
JUL 10 1977
IDAHO COUNTY
CLERK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: GARY D. Y/OR GARY LEE SMITH &/OR ERVIN Permit No. 1028-3489
 Current Address: P.O. Box 186, Pollock, ID HODGES Phone No. 83547

2. Accompanied by: MRS. BARBARA SMITH EXAM. DATE: 9/22/87
 Address: SAME AS ABOVE Phone No. _____
 Relationship to Permit Holder: WIFE

3. Source: LITTLE SALMON R tributary to SALMON R.

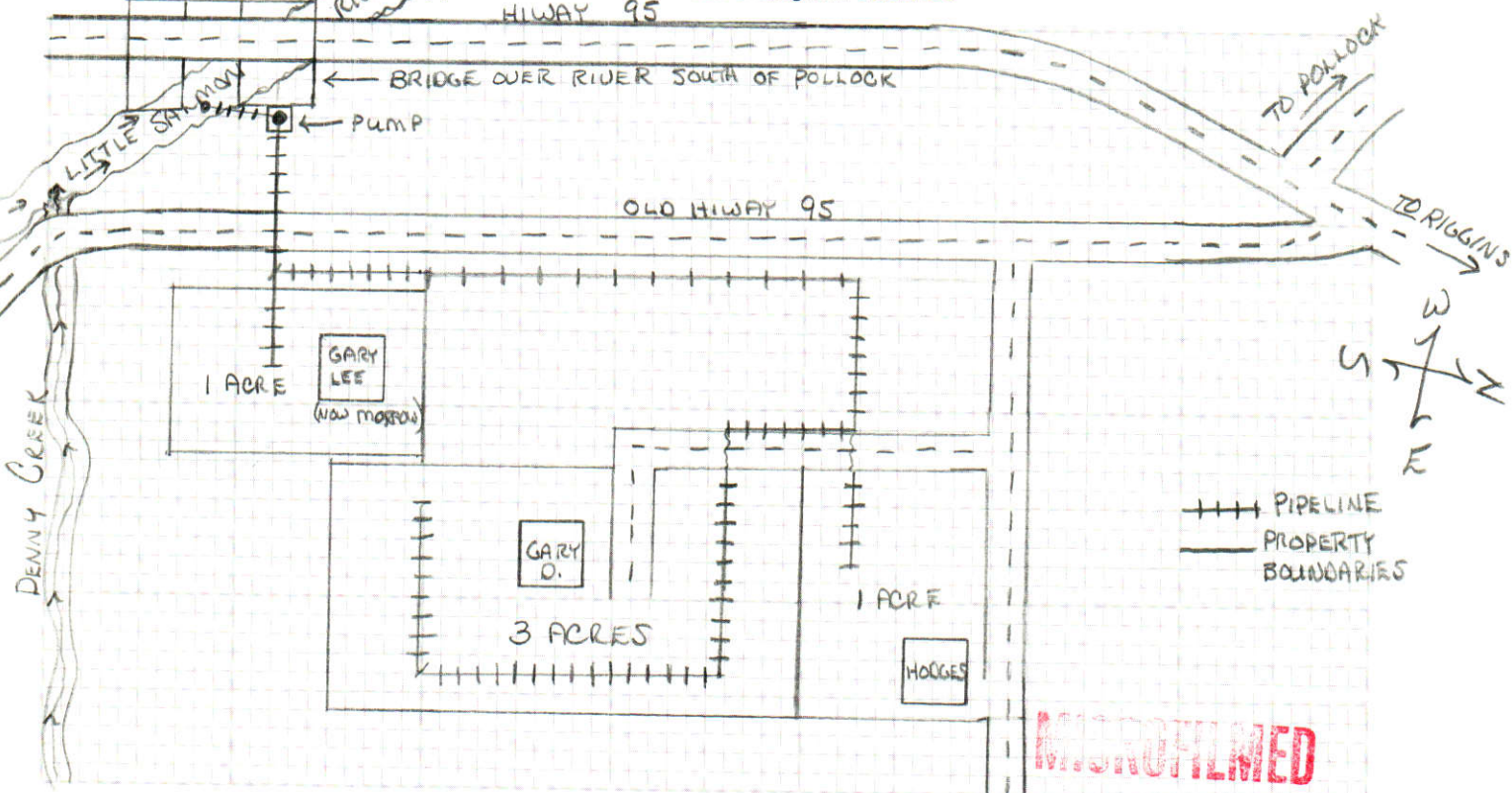
B. OVERLAP REVIEW

1. Other water rights with same place of use: 78-4162 & 78-7179 (DENNY CREEK)
☒ 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" = NO SCALE

MAR 17 1989

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).

PERMIT No.
78-7046

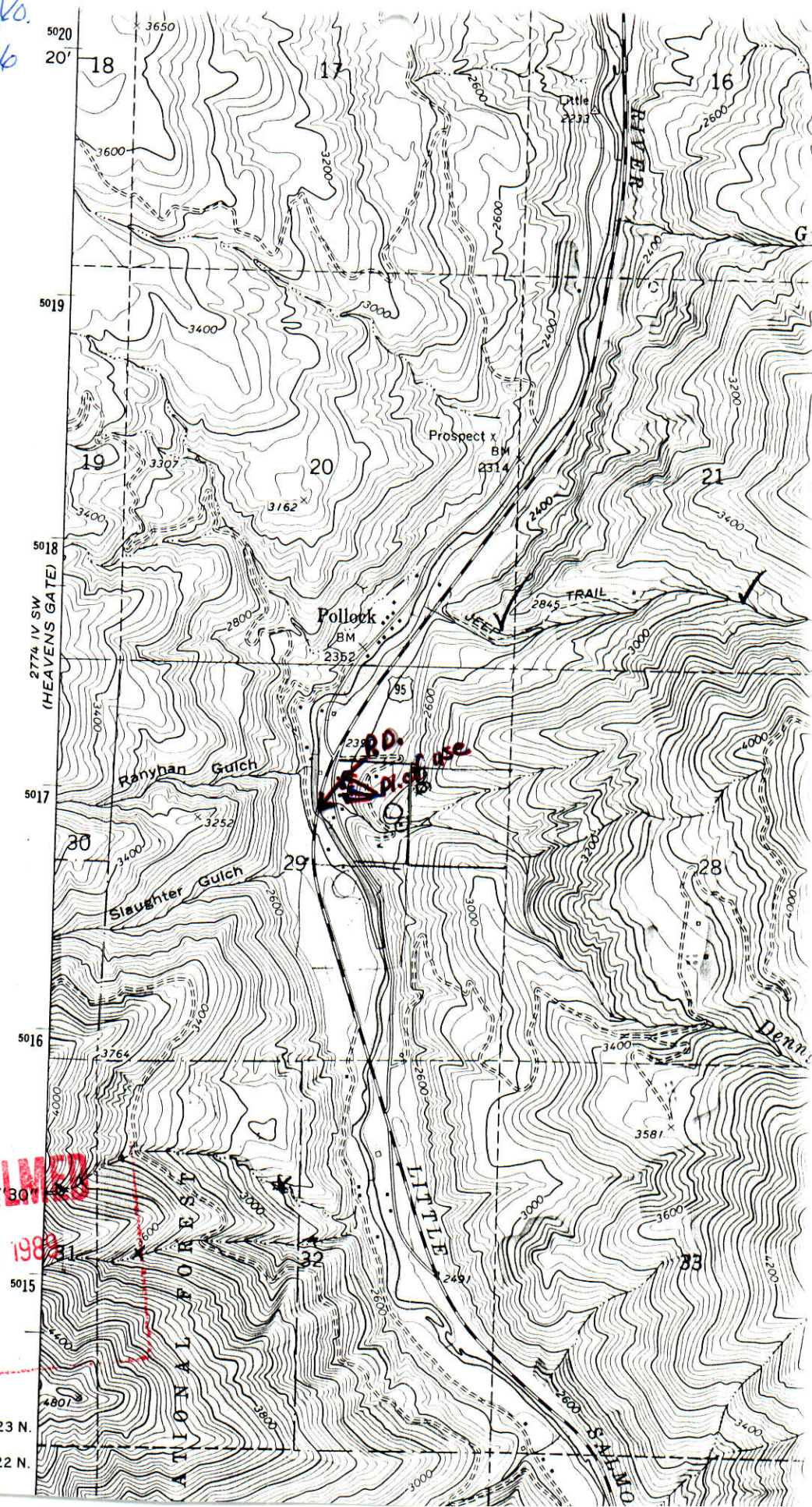
T-23 R-1E Sec 29

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T. 23 N.

T. 22 N.



PERMIT No. 78-7096



PIC. # 1
POINT OF
DIVERSION
FROM THE
LITTLE SALMON
RIVER
LOOKING SOUTH
WEST - NOTE
BRIDGE SUPPORT



PIC # 2
GARY D.
SMITH'S HOME
LOOKING SOUTH
WEST TOWARDS
DENNY CREEK
PASTURE ALSO
LIES NORTH
EAST OF THEIR
HOME.

MAR 17 1989

PERMIT No. 18-7096



PIC. No. 3

ERVIN HODGES
HOME LOOKING
NORTHEAST.

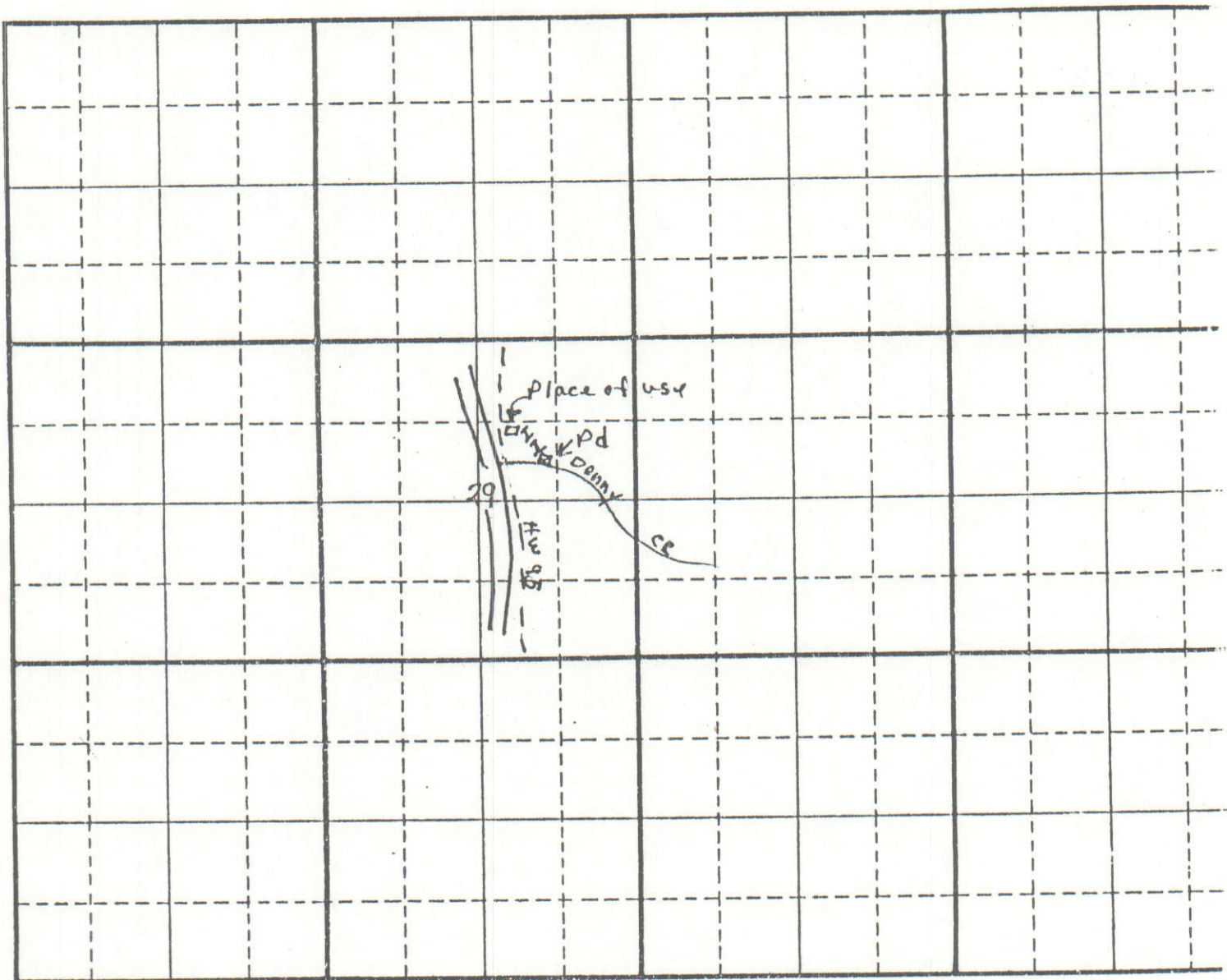
MICROFILMED
MAR 17 1989



PIC. No. 4

GARY LEE
SMITH HOME
NOW OWNED BY
MORROW'S. Pic
TAKEN LOOKING
~~NORTH~~ SOUTH
WEST TOWARDS
DENNY CREEK.

(8) Remarks See Lic. 78-7023, 78-7081



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Larry D. Smith Barbara J.
(Claimant)

Sworn to before me this 16 day of Nov, 19 81.

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by CEB Date 11/11/81 Exception filed by:
Prelim. check by KG Date 12/1/81
\$20.00 fee received by CEB Date 10/25/81 NO 355
Published in Idaho County News
Dates 12/24 & 12/31/81 Press

MICROFILMED
Forwarded to
claimant by: 17 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07096

Priority: June 22, 1977 Amount: 0.10 CFS 20.0 AFA

This is to certify, that GARY D. SMITH
GARY LEE
ERVIN HODGES

P.O. BOX 186
POLLOCK, ID 83547

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 22, 1977, and has submitted proof to the Department of Water Resources on July 2, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .100 cfs of water from:

LITTLE SALMON RIVER tributary to SALMON RIVER

source 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>
IRRIGATION	03/01 to 12/01	0.10 CFS	20.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 29, Township 23N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
23N	01E	29	SWNE	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. The right to the use of 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

MAR 17 1989

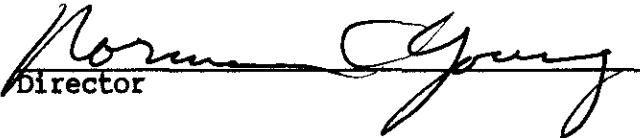
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07096

CONDITIONS/REMARKS:

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 9th
day of MARCH, 19 89.


Director

Identification No. _____

Application No. 78-1086
78-7096

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

Gary D. Smith &/or Gary Lee

1. Name of applicant and/or Ervin Hodges Phone: 628-3222
post office address Box 187, Pollock, Idaho 83547

2. Source of water supply L. Salmon River which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29 Township 23N
Range 1E B.M. Idaho County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.10 for Irrig purpose from Apr. 1 to Nov. 1 (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. 0.10 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 5 HP pump and Motor
w/ 3" intake

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

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

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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

[illegible]

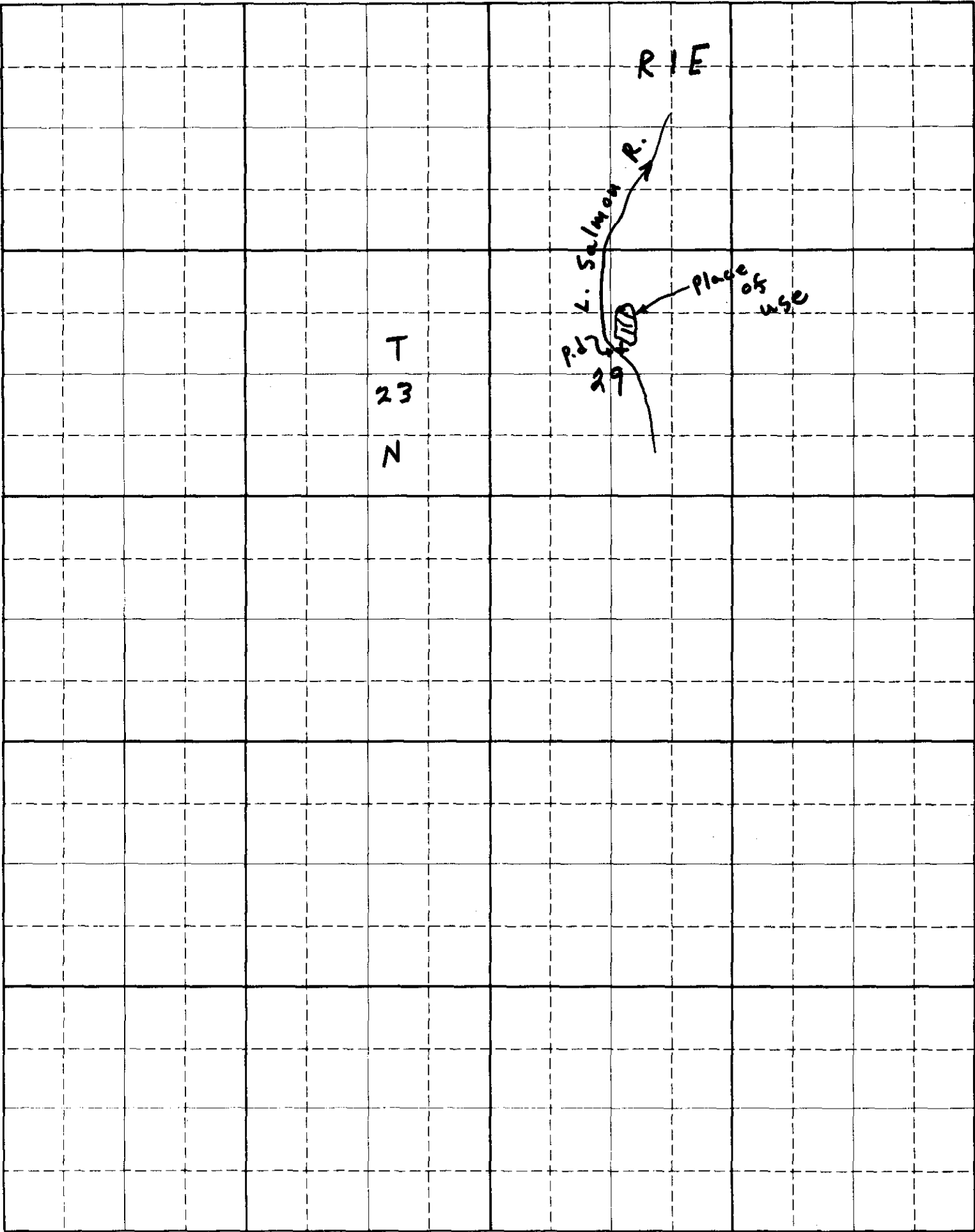
Total number of acres to be irrigated 5

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

9. a. Who owns the property at the point of diversion State of Idaho
b. Who owns the land to be irrigated or place of use Applicants
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 Land owned is as follows
Gary Lee 1.6 ac. in SW⁺NE⁺-Sec 29
Gary Smith 2.4 ac. in SW⁺NE⁺-Sec 29
Ervin Hodges 1.0 ac. in NW⁺NE⁺-Sec 29

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.

Erwin Hodges
(Applicant)

Proposed Priority 6/22/77

Received by THA Date 6-22-77 Time 1:50 P.M.

Preliminary check by WHL Fee \$ 10.00 # 8099

Receipted by CS Date June 22, 1977

Publication prepared by WHL Date 6-23-77

Published in Blaine County Free Press

Publication dates June 29 + July 6

Publication approved WHL Date 7-18-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by THA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 78-7096, 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 August 1, 19 82.

c. Other: _____

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

Witness my hand this 10 day of August, 19 77.


Deputy Director

AFFIDAVIT OF PUBLICATION

.....Nona C. Donaldson..... being first duly sworn, says he is the office manager..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two..... weeks, being published two..... times, the first publication being on the 29..... day of June....., 197...7..., and the last publication on the 6..... day of July..... 197...7...; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

.....*Nona C. Donaldson*.....

Subscribed and sworn to before me this 7..... day of July....., 197...7...

.....*Marilene J. Staley*....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK
7-18-77
M

March 13, 1989

GARY D. SMITH
GARY LEE
ERVIN HODGES
P.O. BOX 186
POLLOCK, ID 83547

RE: PERMIT NO. 78-07096

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

APR 17 1989

February 7, 1989

ERVIN HODGES
GARY LEE
GARY D. SMITH
P.O. BOX 186
POLLOCK, ID 83547

RE: PERMIT NO. 78-07096

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

MAR 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

78-7096
Permit No.

RECEIVED
MAR 24 1988

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat NONE

Check of P/D index JP 2/4/88 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index JP 2/4/88 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☒ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: same lands, different

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? JP 9/10/87 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Jan Thurtell 2/4/88 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office DM 2/29/88 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office 118-36188 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

NOTE: PLEASE DON'T TAKE
78-7179 TOGETHER.
THANKS

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

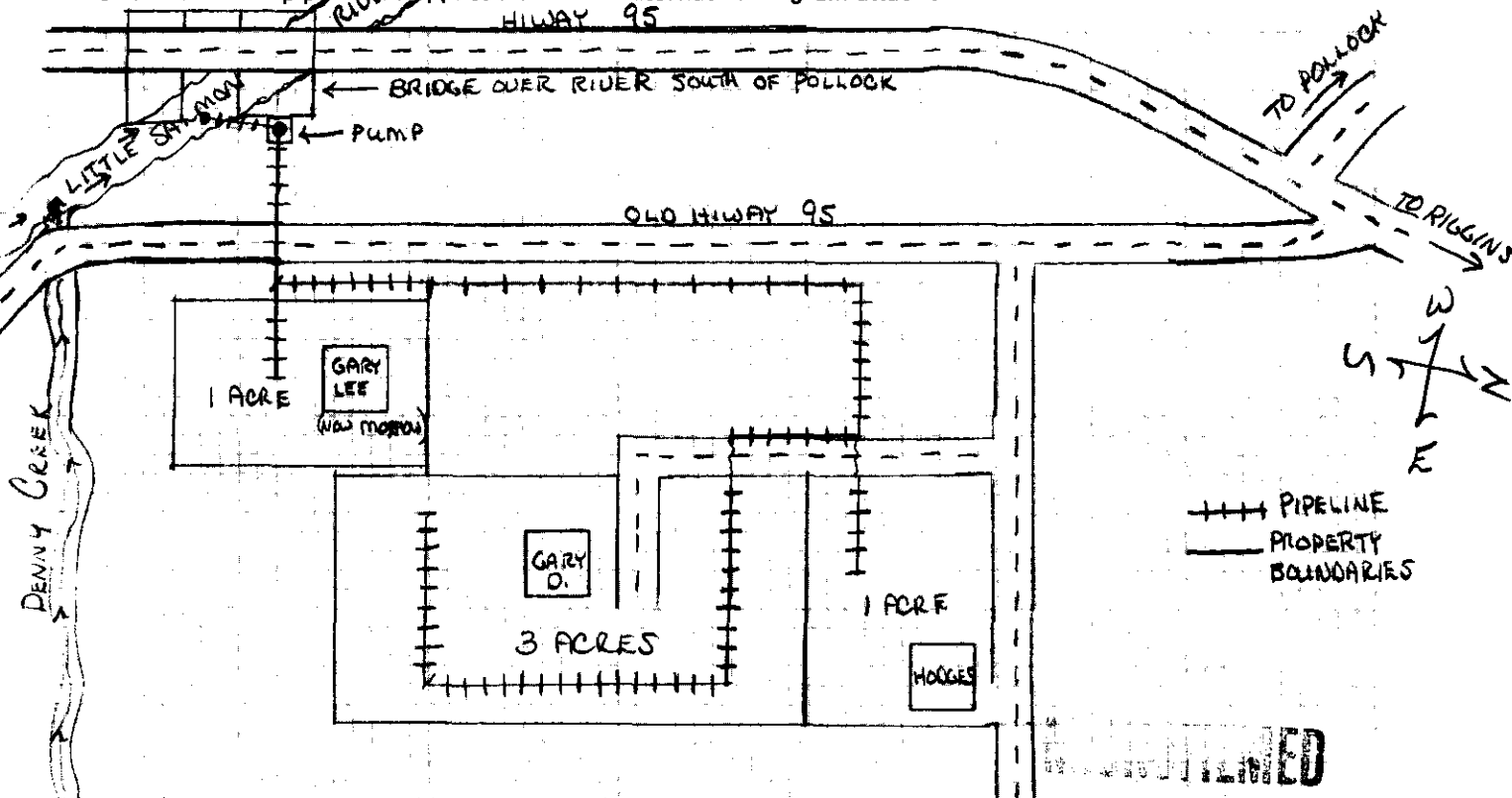
Permit No. 78-7096
1. Owner: GARY D. &/or GARY LEE SMITH &/or ERVIN Phone No. 628-3489
Current Address: P.O. Box 186, Pollock, ID HODGES 83547
2. Accompanied by: MRS. GARY D. SMITH EXAM. DATE: 9/22/87
Address: SAME AS ABOVE Phone No. _____
Relationship to Permit Holder: WIFE
3. Source: LITTLE SALMON R. tributary to SALMON R.

B. OVERLAP REVIEW

1. Other water rights with same place of use: 78-4162 & 78-7179 (DENNY CREEK)
_____ ☒ 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 (as applicable). ☐ Alternative diagram attached



Scale: 1" = NO SCALE

MAR 17 1989

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.)

PIC. No. 1 - PUMP & MOTOR ARE LOCATED APPROX. 10' ABOVE THE LITTLE SAGGION R. WITH A 4" INTAKE PIPE IN RIVER & UP TO PUMP. A 3" OUTLET PIPE TAKES WATER TO MORROW'S HOME (GARY LEE) PIC. No. 4, THEN ALONG OLD HWY 95 & UPHILL AGAIN TO THE HOOGE S (PIC. No. 3) & THEN TO GARY D. SMITH'S HOME (PIC. No. 2). IRRIGATION IS COMPLETED IN A VARIETY OF WAYS, HOWEVER, MAINLY W/SPRINKLER LINES. SOME IRRIGATION WAS TAKING PLACE, BUT NOT AT ALL 3 HOMES AT THE TIME OF EXAM. 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
	CENTURY	5	NOT READABLE	GOLINO	NOT READABLE

*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
					SWNE 29	23N	1E	IOHIO	TOPOGRAPHIC 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	
23N	1E	29			5														5
																			5

Do not use this space

MAR 17 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
		NONE				

2. Measurements:

NONE MADE - NO M.D. REQUIRED BY PERMIT.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: N/A

2. Alternate Method for Checking Purposes: $\frac{5 \text{ HP} \times .8 \times 8.8}{10' + (45 \text{ ft} \times 2.3)} = \frac{35.2}{113.5} = 0.31 \text{ CFS}$

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \text{ AC} \times 4.0 \text{ AF/AC} = 20.0 \text{ AF/ANN.}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .10 \times 1.98 \times 215 = 42.6 \text{ AF/ANN.}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 20 \text{ AF/ANN.}$

2. Volume Calculations for Other Uses:

N/A

MICROFILMED

MAR 17 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

78-4162 COVERS IRRIGATION FOR GARY D. SMITH'S LAND FOR 3 ACRES. DENNY CREEK WATER IS USED WHEN AVAILABLE BUT MAIN SOURCE IS THE LITTLE SAKHON. COND. NO. R31 WILL BE RECOMMENDED. PERMIT NO. 78-7179 IS ALSO FROM DENNY CK., BUT IT COVERS STOCKWATER USE ONLY. 78-4091 & 4132 ARE FOR LLOYD & MURRAY SMITH FOR DIFFERENT LAND, ALSO 78-7197 WHICH IS RONARD SMITH COVERS LAND UPSTREAM FROM THE BRIDGE. NO OVERLAPPING RIGHTS FROM THE LITTLE SAKHON & THE ONLY RIGHT THAT WOULD AFFECT THIS LICENSE IS 78-4162.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	APR. 1	NOV. 1	0.10 CFS	20 AFA
Totals:			0.10 CFS	20 AFA

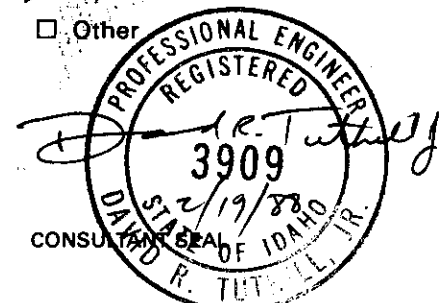
2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name JAN SHURTE
Signature Jan Shurte
Certification Date _____
Field Report Preparation Date 2/4/88



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

COND. NO. R31

reviewed: Royanne McCarthy 1/26/89

MICROFILMED

MAR 17 1989

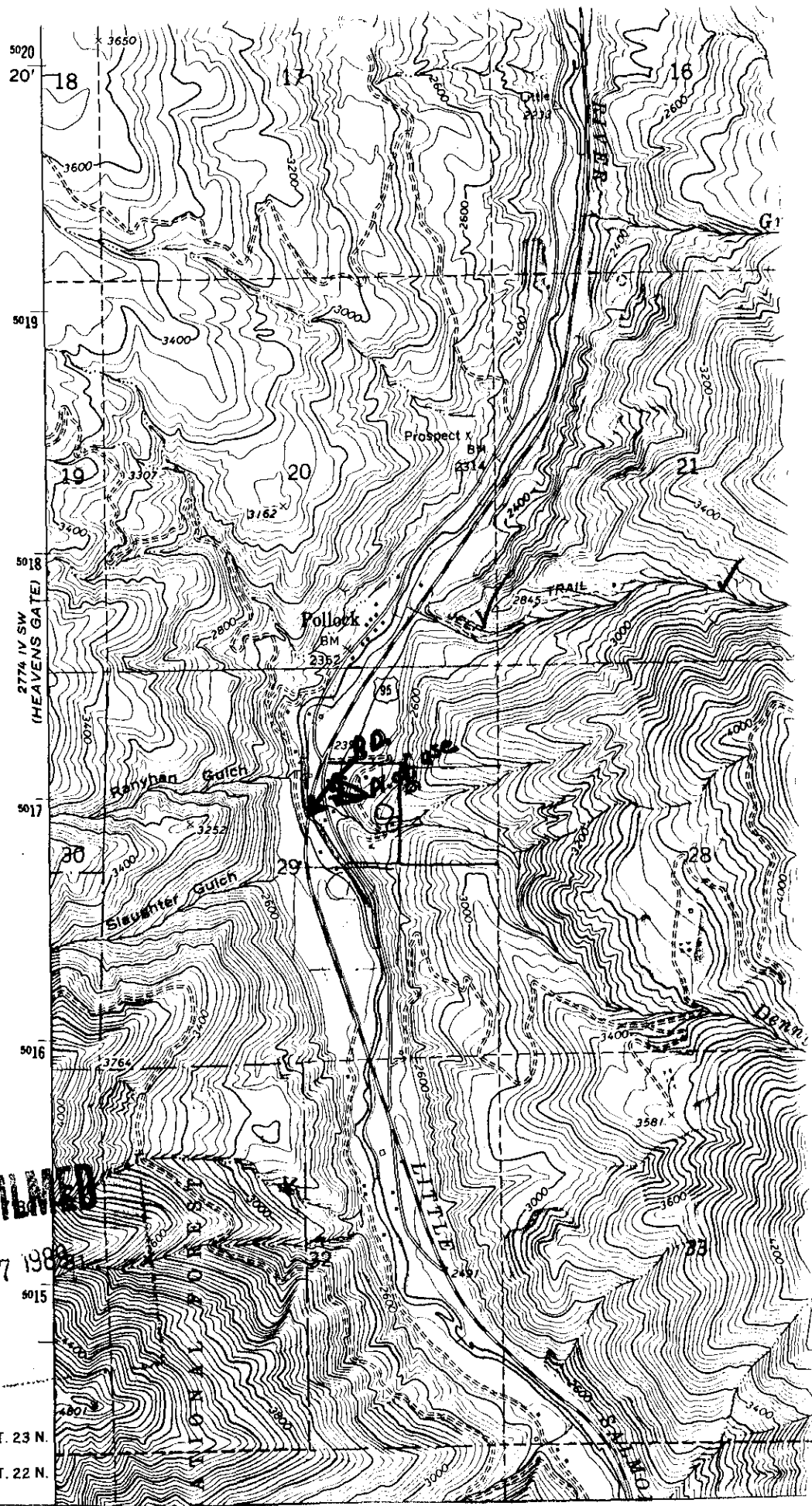
PERMIT 110.
78-7046

T-23 R-1E Sec 29

MICROFILMED

MAR 17 1982

T. 23 N.
T. 22 N.



PERMIT No. 78-7096



PIC. # 1
POINT OF
DIVERSION
FROM THE
LITTLE SALMON
RIVER
LOOKING SOUTH
WEST - NOTE
BRIDGE SUPPORT



PIC # 2
GARY D.
SMITH'S HOME
LOOKING SOUTH
WEST TOWARDS
DENNY CREEK
PASTURE ALSO
LIES NORTH
EAST OF THEIR
HOME.

MAR 17 1989

PERMIT No. 78-7096



PIC. No. 3

ERVIN HODGES
HOME LOOKING
NORTHEAST.

MAK 27 1990



PIC. No. 4

GARY LEE
SMITH HOME
NOW OWNED BY
MORROW'S. Pic
TAKEN LOOKING
~~NORTH~~ SOUTH
WEST TOWARDS
DENNY CREEK.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that GARY D. AND/OR BARBARA SMITH

(Name of Claimant)

P. O. Box 186, Pollock, ID 83547

(Mailing Address)

Telephone No. 628-3489

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1/1/1932

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Denny Creek

tributary to Little Salmon River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.06</u>	Use <u>irrigation</u>	Period of Use From <u>3/15</u>	To <u>12/1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) .06 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ NE ¼, Sec. 29 Twp. 23N Rge. 1E B.M., County of Idaho

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion into pipeline

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23N	1E	29			3														3

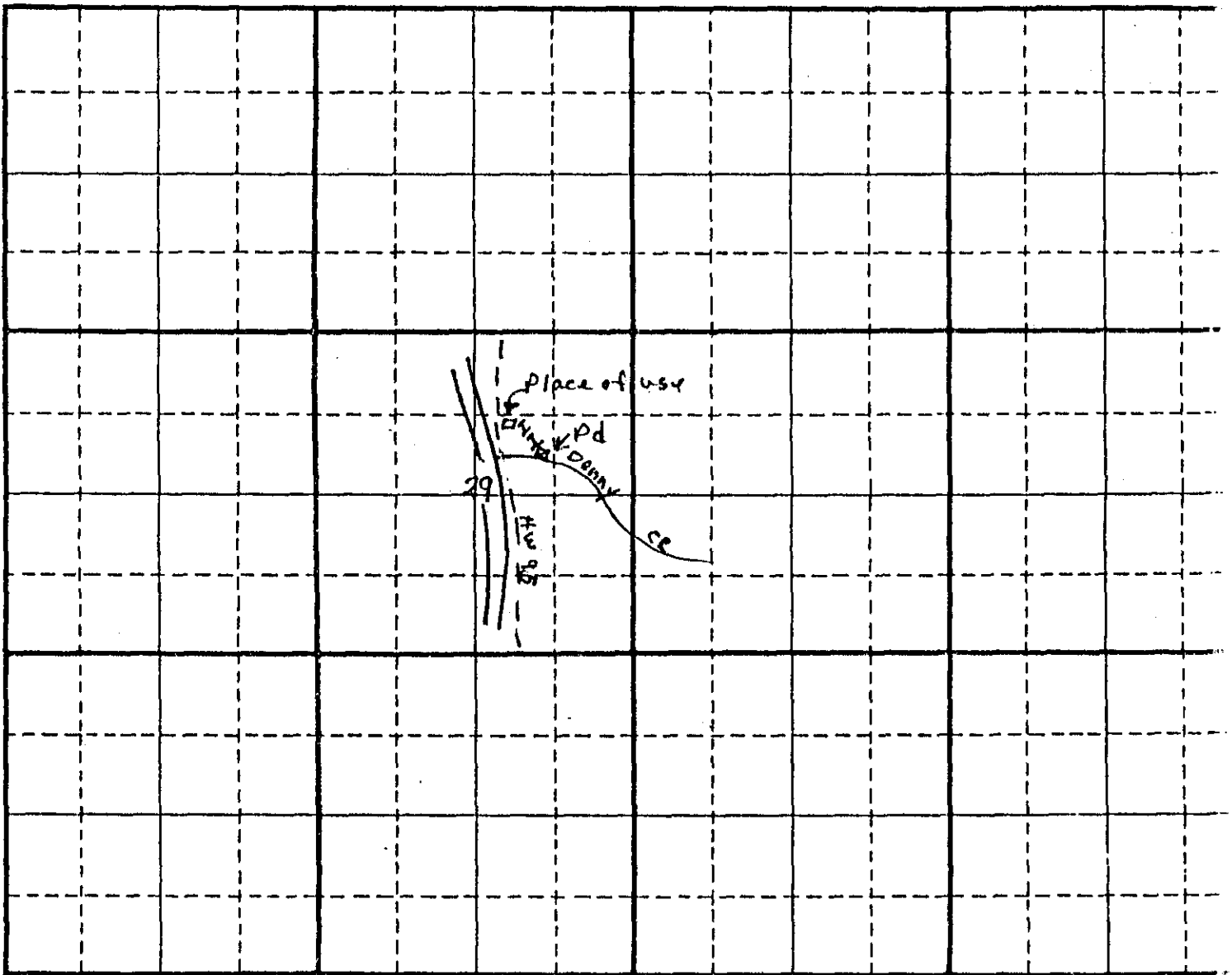
No. of acres 3

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks See Lic. 78-7023, 78-7081



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Barbara J. ...
(Claimant)

Sworn to before me this 16 day of NOV, 19 81.

Nancy M. ...
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by CCB Date 11 NOV 81 Exception filed by: _____
Prelim. check by XG Date 12/1/81
\$20.00 fee received by CCB Date 16 NOV 81 NO 3855
Published in Idaho County ...
Dates 12/24 & 12/31/81 Press

Forwarded to _____ Date _____
claimant by: 12/18



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

September 24, 1987

Barbara Smith
P.O. Box 187
Pollock, ID 83547

Dear Mrs. Smith:

Enclosed is a copy of Claim No. 78-4162 as we discussed Tuesday at your home.

Please note this claim does not include stockwater as a use. You have several choices on how to document this use. The claim can be amended to show the stockwater use with an all year round period of use dating back to the 1932 priority date. We could then relinquish Permit No. 78-7179 to avoid paying a fee on it later during the adjudication. Or, you could add the stockwater use to the claim and keep the permit which will soon become a license and during the adjudication you could include it in your filings. However, the permit shows a 1981 priority date for the stockwater use, which is what it would show in the adjudication, and it should in reality be a 1932 priority date. It may bring some question as to why there is a 1932 and a 1981 priority date for the one use. If you do amend your claim to include stockwater and it is protested during the adjudication, it shouldn't be too difficult to prove the stockwater use because of the affidavits documenting the irrigation use. In 1932, if there was irrigation there would be stock to eat whatever they were irrigating. At that time most irrigation was either for pasture or hay. Once the claim is adjudicated it will be a better water right. A claim is now the word of the claimant as to the water use. If, during the adjudication, the claim is not protested and becomes decreed, then it is considered a verified water right. Even if there was no diversion from the creek to water stock a water right could have been established by the stock drinking directly from the creek. There was a court case deciding that stock drinking directly from a stream does constitute a beneficial use of the water.

I have typed an amended claim form for you to review. If you decide to file it just have your signature notarized and return the claim to me. There is no fee for filing an amended claim. I am also enclosing a relinquishment form for your consideration. I will go ahead and recommend the stockwater use on this permit for licensing and attach a copy of this letter for clarification of your situation.

MICROFILMED

MAR 17 1989

You do not have to relinquish the permit at this time, nor do you ever have to. It won't be a problem until the time comes to re-file during the adjudication, and then the only problem may be with the additional filing fee.

On Permit No. 78-7096 for the Little Salmon, I will be recommending it be licensed for what the permit was issued for with no changes. The state office will send you copies of the licenses once they are issued. In the meantime the permits will remain in good standing until the licenses are issued.

If you have any further questions concerning the amended claim or Permit No. 78-7179, please feel free to contact me.

Sincerely,



JAN SHURTE
Sr. Water Resource Agent

JS:j
Encl.

RECEIVED

MAY 17 1989

4/ **RECEIVED**

APR 29 1987

Department of Water Resources
Western Regional Office

RECEIVED KEYPUNCHED

MAY 26 1987

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received \$50

Date 5-7-87

Receipt # 44819

Receipt by [Signature]

Sent to S.O. 5-22-87

1. Permit No. 78-7096

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: Gary D. Smith +/or Ervin Hodges +/or Gary Lee

3. Post Office Address: Box 186 Pollock, Idaho 83547

Telephone No. 628-3489

4. Source of Water: 4 Salmon River

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 5 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0.10 cfs _____ acre-feet

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

6/22/77

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

Gary D. Smith (Name)

Box 186 Pollock, Idaho (Address)

628-3489 (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.)

MAR 17 1989

Date _____

Signature of Permit Holder (and title, if appropriate) _____

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

78-7096
SMITH, GARY D.
P.O. BOX 187
POLLOCK, ID 83547

138368

April 10, 1987

CERTIFIED MAIL

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 later 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.

RECEIVED
FEB 2 1984

Dear Sir

Department of Water Resources

I sent our card in for
our Water Permit like it said
in the letter you sent & have
not heard anything from you.
I sent it certified Mail on
June 30, 1982. Would you please
let me know when you will
come to see that it is in use.

Thank You

No 78-7096

Gary D. Smith +/or Gary Lee
+/or Ervin Hodges

Box 186

Ballach, Idaho

RECEIVED

MAR 17 1989

Called
w/ Mrs. Smith
on 2/27/84
concerning
field effort
for Gary

RECEIVED

FEB 23 1984

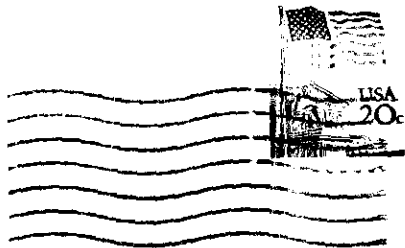
Department of Water Resources
Western Regional Office

Sent copy
of acknowledgment
letter
on 2/27/84

Sary D. Smith

Box 186

Palloek, Idaho 83547



State of Idaho

Department of Water
Resources

Statehouse

Boise Idaho 83720



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

Re: _____

Dear _____:

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,

Judy Pense

Judy Pense
Secretary

DEPARTMENT OF WATER RESOURCES

Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 78-7096.

Name(s) of Permit Holder: Ervin Hodges Gary Smith Gary Lee

Post Office Address: P.O. Box 187

Pollock, Idaho 83547 Tel. No. 628-3222

Source of Water: Salmon River

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 1.6 2.4 1.0 (acres) about 5 acres
☐ Other

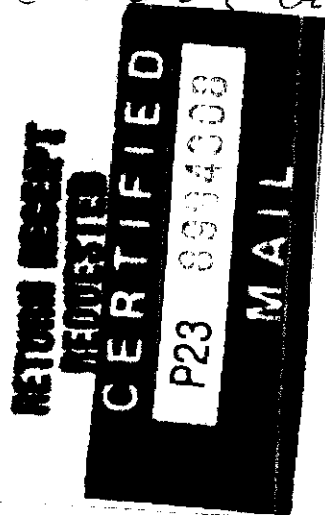
Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

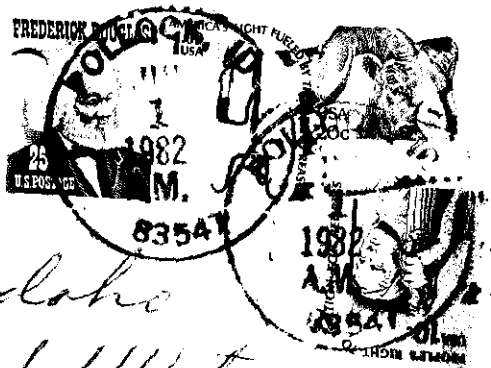
June 28, 1982
Date

Ervin Hodges
Signature of Permit Holder

Sary Smith
Box 18
Bullock Idaho 83547



State of Idaho
Department of Water
Resources
State House
Boise, Idaho 83720



S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

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

HODGES, ERVIN &/OR
SMITH, GARY D. &/OR GARY LEE
P.O. BOX 187
PULLOCK, ID 83547

MAY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 78-7096 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

WATER RIGHT NUMBER 78-7096

WATER RIGHTS EDIT REPORT

PAGE 288

AC1
ION

OWNER LAST NAME - SMITH
OWNER LAST NAME - LIFE
OWNER LAST NAME - HODGES
ADDRESS LINE 1 - P.O. BOX 187

FIRST NAME - GARY D.
FIRST NAME - GARY
FIRST NAME - ERVIN

SOURCE - LITTLE SALMON RIVER
STAGE - PERMIT
DIVERSION POINT - SAME 29 234 DIF

CITY - PULLOCC STATE - ID ZIP CODE - 83547

TRIBUTARY OF - SALMON RIVER

PRIORITY - 06-22-1977 COUNTY - IDAHO TOTAL DIV. RATE - .1000CFS

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE - .1000CFS

USE - IRRIGATION

PLACE OF USE - TWO 234 PFG DIF DEC 29 PRACT NAME

PROOF DUE - 08-01-1982 PERMIT/DENIED - 08-10-1977

AC 01 TRACT SWAP AC 04

DIVERSION MEANS - PUMP & PIPELINE.

IDENT. NO. 78-7096

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 78-7096
Old No. New No.

Record

1. Original Owner: Gary R. Smith, Gary Lee & Erwin Hodges

Present Owner: _____

2. Address: P.O. Box 1873. City: PallockState: IDZip: 835474. A. Source of Water: Little Salmon River

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 6-22-1977D. County: 49E. Total Diversion Rate: .1

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWNE</u>	<u>29</u>	<u>23N</u>	<u>1E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from	<u>4-1</u>	to	<u>11-1</u>	for	<u>A</u>	purposes.	Amount <u>.1</u> (cfs or ~~AC-FT/yr~~)
from	_____	to	_____	for	_____	purposes.	Amount _____
from	_____	to	_____	for	_____	purposes.	Amount _____
from	_____	to	_____	for	_____	purposes.	Amount _____
from	_____	to	_____	for	_____	purposes.	Amount _____
from	_____	to	_____	for	_____	purposes.	Amount _____

8. Use Code: *A*

926 79

TWP.	RANGE	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	
<i>23N</i>	<i>1E</i>	<i>29</i>		<i>1</i>	<i>4</i>														<i>5</i>

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date: *8-1-1982*

B. Date Permit Approved or Denied: *8-10-1977*

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative): *pump & pipeline*

August 11, 1977

Re: Permit No. 78-7096

Gary D. Smith &/or Gary Lee &/or Ervin Hodges
Box 187
Pollock, ID 83547

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 78-7096. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 78-4085

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

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

(1) WMM 6/22/77

In form to receipt

(2) _____

Send Copies to:

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

(3) _____

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

(4) WMM 6/22/77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) WMM OK

Affidavit of Publication received(date) 7-18-77

(12) _____

Final date for protests 7-18-77

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W By JJA Date 7-18-77



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

June 24, 1977

Re: Notice of Claim to a Water Right No. 79-4055 & 79-4056 -- Vernon H. Burns
Notice of Application for Water Permit No. 78-7036 -- Gary D. Smith &/or
Gary Lee &/or Ervin Hodges

Idaho County Free Press
Box 267
Grangeville, ID 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before July 18, 1977.

Sincerely,

Bill Submitted
7-18-77
y

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~SMITH~~ GARY D. SMITH &/or GARY LEE &/or
ERVIN HODGES, Box 187 Pollock, ID
has on June 22, 1977 submitted Application No. 78-7086
for a permit to appropriate 0.10 cubic feet per second ~~acXXXXXXX~~
~~PERXXXXXXXX~~ of water from a Little Salmon River trib. Salmon River
by means of pump and motor
within the SW1/4NE1/4 Sec 29 T23N-R1E B.M., Idaho County

to be used from Apr 1 to Nov 1
for irrigation of 5 acres

within the W1/4NE1/4 Sec 29 T23N-R1E B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Director of
the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho
83705 on or before July 18, 1977.

C. STEPHEN ALLRED

Director

Published in the Idaho County Free Press, Grangeville, Idaho
on June 29, 1977 and July 6, 1977.