

13. 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.

Gubrey E. Smith
(Applicant)

Reservation Form

NOV 10 1988
MICROFILMED

- Main Salmon River
- ☐ Fishing
 - ☐ Hiking
 - ☐ Photography
 - ☐ # of Days
 - ☐ Floating
 - ☐ Hunting

☐ Visa ☐ M/C ☐ Discovery

Exp. / /
Signature _____
\$ _____ per night x _____ = \$ _____

Deposit -200.00

Balance Due \$ _____

How did you hear about us? _____
Special Service Requested _____

Name _____
Address _____
City/State/Zip _____
Date of Arrival _____
Approx. Time _____
Party _____

LOCATION

If you are flying you can schedule a flight to any of the following cities:

Boise, ID..... 160 air miles to Salmon
Missoula, MT..... 141 air miles to Salmon
Idaho Falls, ID..... 160 air miles to Salmon

SALMON AIR TAXI provides chartered air service to Salmon from any of these cities.

If you are flying your own plane, Salmon has a good airport with:

Altitude: 4,045 ft.
Length of runway: 5,150 ft., 75 ft. wide.

Automatic lighting

Blacktop strip: latitude 45 degrees, 7 minutes;
Longitude 113 degrees, 53 minutes.

Rental cars available.

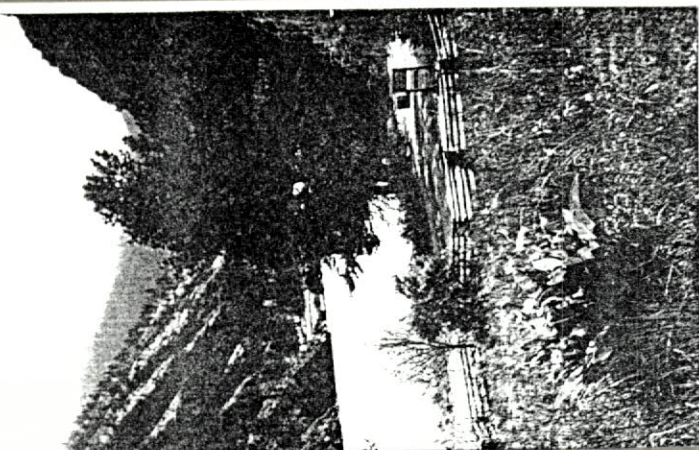
If you are driving from BOISE: take I-84 east to second Mountain Home exit. Turn left, follow road to Sun Valley turn off. Turn left & follow scenic route along the Salmon River into Salmon. Take Hwy 93 N to North Fork. Turn left on F.S.#30 & follow the river approx. 32 miles. Driving time from North Fork is about one hour.

From MISSOULA: take Hwy 93S over Lost Trail Pass into Idaho. Pass thru Gibbonsville to North Fork, turn right on F.S.#30. Take directions from North Fork above, and you are there!

From IDAHO FALLS: take I-15 to Hwy 28 junction. Pass thru Mud Lake, Tenjoy into Salmon. Continue north to North Fork following directions from there above.

Two lane, paved road ends about one mile before Shoup townsite, where there is gas, cafe, small grocery store, and post office. Remaining road is an improved gravel bed and easy to travel but slow due to many curves and sometime rocks. You will cross four (4) bridges before reaching SMITH'S GUEST HOUSE. We are just around the bend from Ramshead Lodge/Cafe, with a worm fence and sign at roadside.

Take your time and enjoy the ride. Watch out for our wildlife, please!!



49 Salmon River Road
Shoup, Idaho 83469
(208) 394-2121

*Smith's House
Guest House*

YOUR DREAM VACATION.....

Come and share a little bit of heaven near quiet, scenic SHOUUP, IDAHO. With only a magpie or meadowlark to interrupt the echo of the Salmon River, an early morning stroll through the orchard before breakfast is just the start of a unique stay at SMITH'S GUEST HOUSE.

Built and decorated with you, the discriminating vacation renter, in mind. Three bedroom, two bath home with spectacular view of river, garden and surrounding mountains. Sleeps 10--- one king, one double, two singles, one queen sleeper/sofa, & two cots. All linens provided.

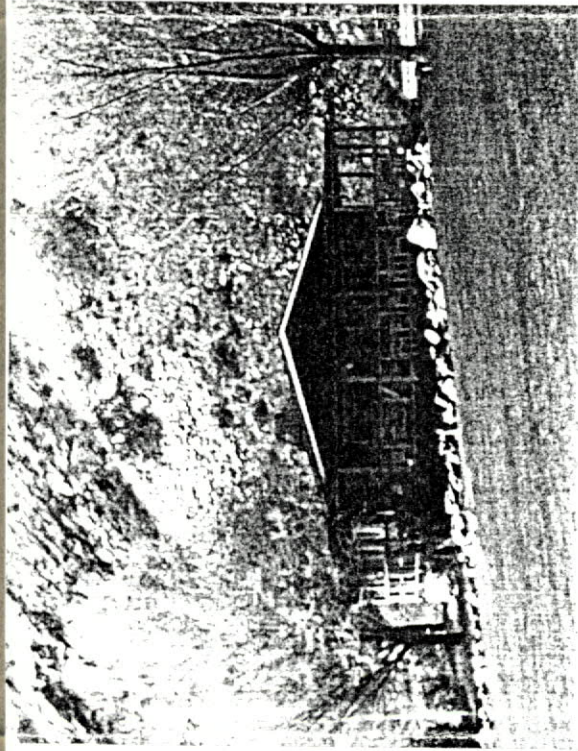
Fully equipped with color TV, VCR, dishwasher, washer and dryer, barbecue, books and games also Hammond organ.

Formerly operated as a B&B but due to requests from guests, have converted to a private guest house with all the comforts of home. Due to our remote location, a 2 night minimum will give you time to enjoy the peaceful and pristine surroundings.

Free Continental plus breakfast. For other meals, bring your own and cook in or dine at one of the cafes downriver. Shoup Cafe is closed on Thursday; Ramshad Cafe is closed on Wednesday and advance reservations are needed at Salmon River Lodge.

FOR RESERVATIONS call

1-208-394-2121 (7-10 MT)



WHAT TO DO.....

The Salmon River - largest designated wilderness area in the continental US, is located in central IDAHO. The crystal clear streams divide towering rock walls that soar from the river's edge to form North America's second deepest canyon. You can see ancient Indian writings and pass by where trappers and prospectors once homesteaded. All ages excite to touring a real GOLD MINE.

If you end a Middle Fork float, make shuttle arrangements so you can stop here for a couple days on your way out - or in for those starting trips at Corn Creek.

There are hot springs, fly fishing, hunting, hiking, birding, floating, photography...whatever you hanker to try, you have found the right spot!

Reservation, Deposit, & Cancellation Policy

We know that plans can go astray, however, in our remote location we rely mainly on advance reservations and cancellations can not readily be filled. To be fair to all parties, please observe the following:

1. A deposit of \$200. is required to hold your reservation. It can be done by personal check or credit card. Balance due at check-in, please.
2. No refund will be made because of failure of any appliance. We will make every effort to have repairs made immediately.
3. Deposit will be refunded minus a \$10.00 processing fee IF NOTICE is given at least two (2) weeks before arrival. If we cannot re-rent, your deposit will be forfeited.
4. An additional \$15.00 spray fee for pets.

Check In After 3:00 PM
Check Out By 11:00 AM

2 NIGHTS ADD'L WFEK
\$236.00 \$100.00 \$826.00
Basic rate: \$59. per person double occupancy shown for 2 people.
Each additional person \$13.00 each plus 7% state tax.

Children and one housepet welcome.
Smoking outdoors only, please.



335-4 1)
LONG TOM

END OF SALMON RIVER ROAD 13 MI.
EBENEZER BAR CAMPGROUND 0.9 MI.

17'30''

T
23
N
RITE

75-07495

MICROFILMED
10 1992

1 of 3

POINT OF
DIVERSION



PLACE OF
USE



RECORDED
DEC 10 1999

PERMIT
NUMBER

75-67495

2 of 2



PLACE OF
WE



PLACE OF
WE

MICROFILMED
DEC 10 1999

PERMIT
NKMBE2

75-07495

3 of 3



PLACE OF
USE



PLACE OF
USE

MICROFILMED
DEC 10 1999

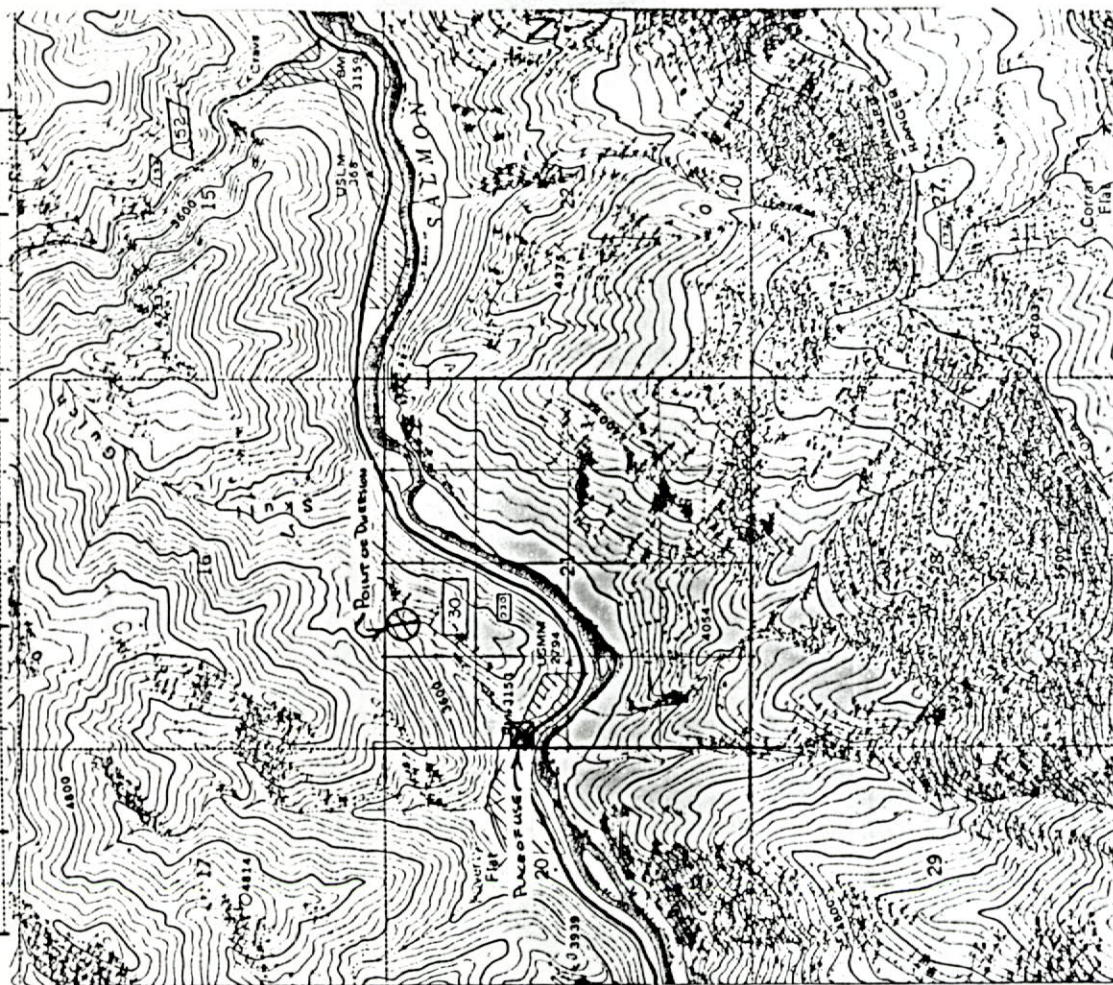
PERMIT
NUMBER

75-07495

75-7146

NAME OF APPLICANT Aubrey E. Marsha Smith

Form No. 8



75-7146

Draw Plus in Ink.

MicroFILMED
MAR 15 1990

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 75-07495

Priority: August 3, 1989

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:

11.6 AF

This is to certify, that AUBREY E SMITH
MARSHA A SMITH

49 SALMON RIVER RD

SHOUP ID 83469

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 3, 1989; and has submitted Proof of Beneficial Use on September 7, 1990. An examination indicates that the works have a diversion capacity of 0.260 cfs of water from:

SALMON RIVER

tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.10 CFS	11.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 21, Township 23N, Range 17E
LEMHI 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	17E	20	SENE	2		2
		21	SWNW	1.3		1.3

Total number of acres irrigated: 3.3

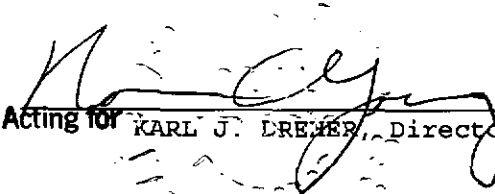
CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 29th day of OCTOBER, 1999.

MICROFILMED

DEC 10 1999

Acting for  KARL J. DREHER, Director

RECEIVED
SEP 7 1990

For Office Use Only
Amt. of Fee \$ 50.00
Date 9/7/90
Receipt No. 2018251
Received by J. Johnson

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 75-07495 Telephone No. (208)394-2121

Name(s) of Permit Holder(s): AUBREY E. & MARSHA A. SMITH

Post Office Address: 49 SALMON RIVER ROAD, SHoup, ID 83469

Source of Water: SALMON RIVER,

If ground water, well driller's name: N/A Date drilled: _____

Extent of Use:

Domestic _____ (No. of households)

Irrigation 8.3 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 0.10 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 10 JULY 90

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

AUBREY SMITH (208)394-2121
Name Telephone No.

49 SALMON RIVER RD, SHoup, ID 83469
Address

MICROFILMED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

9-5-90
Date

Marsha A. Smith
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 75-07495

Proposed Priority: August 3, 1989

Maximum Diversion Rate:

0.10 CFS

This is to certify, that **MARSHA A. SMITH**
AUBREY E. SMITH
49 SALMON RIVER RD.
SHOUP, ID 83469

has applied for a permit to appropriate water from:

SALMON RIVER

tributary of **SNAKE RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	05/01 to 10/01	0.10 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SWNW Sec. 21, Township 23N, Range 17E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
23N 17E 20	SENE 2			2
21	SWNW 1.3			1.3

Total number of acres irrigated: 3.3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1991**.
2. Subject to all prior water rights.
3. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
5. The maximum rate of diversion for irrigation purposes under this permit shall not exceed 0.10 cfs.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

17th day of January, 1990.

MICROFILMED

MAR 15 1990

[Signature]
for R. Keith Higginson, Director

75 74965

Form 202
6/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No.
RECEIVED
AUG 03 1989

To appropriate the public waters of the State of Idaho

Department of Water Resources
Western Regional Office

1. Name of applicant Aubrey E. & Marsha A. Smith or Marsha A. Smith Phone 24F23 (Op. Assist.)
Post office address 49 Salmon River Road, Shoup, ID 83469

2. Source of water supply Main Salmon River which is a tributary of Snake River

3. Location of point of diversion is SW NE ¼ of NW ¼ of _____ ¼, Govt. Lot _____
Sec. 21 Township 23N Range 17E B.M. Lemhi County; additional
points of diversion if any: None

4. Water will be used for the following purposes:

Amount .10 ^{*} 20 for Irrigation purposes from May 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.10 20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 4 H.P. pump with 2" in and out
approx. 155 gpm, 2" plastic pipe for distribution

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? no

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

MAR 15 1990

* maximum allowable per acres in item 9. 82 8/4/89

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
28N	17E	21					38	103											3.3 103
		20				20													20

Total number of acres to be irrigated 3.3

10. Describe any other water rights used for the same purposes as described above. ##75 7146

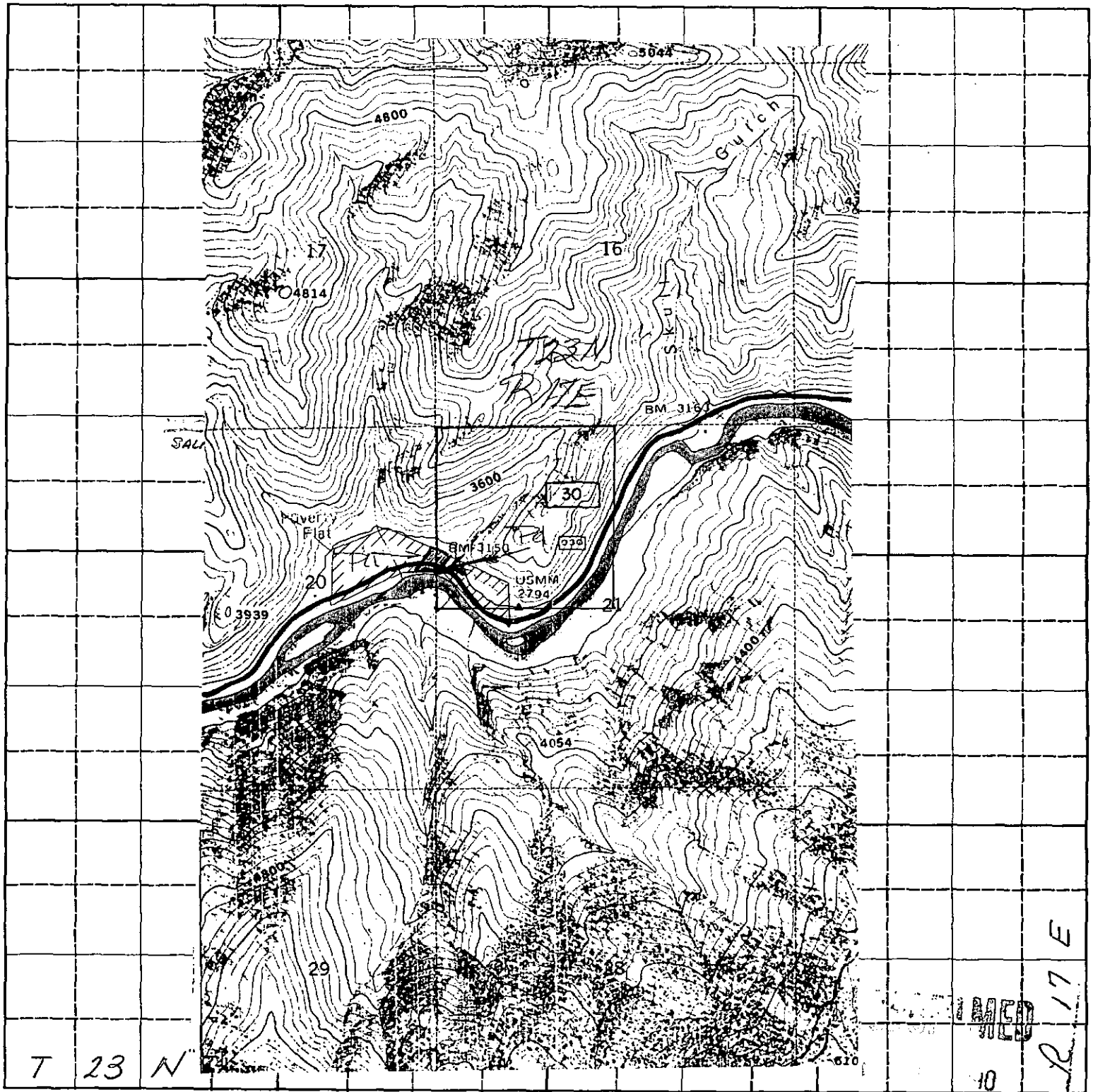
- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Id and PCL modified to reflect Mr. Smith's note and the map.
30 Oct 1989 dms.

MICROFILMED

MAR 15 1990

13. 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.

Andrew E. Smith
(Applicant)

Received by st Date 8-3-89 Time 11:10 am Preliminary check by DMD
Fee \$ 30⁰⁰ Received by JH # W004020 Date 8-3-89
Publication prepared by RB Date 12-7-89 Published in Recorder-Herald
Publication approved ew Date 12-20-89

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. _____, and said application is hereby _____.

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 _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

MAR 15 1990

NOTICE OF APPLICATION
FOR WATER RIGHT

The following application(s)
have been filed to appropriate the
public waters of the State of Idaho:

74-07273

CHURCH OF JESUS CHRIST OF
LATTER DAY SAINTS
REAL ESTATE DIVISION

12th FLOOR

50 E. N. TEMPLE ST.

SALT LAKE CITY, UT 84150

Source: GROUNDWATER

Diversion Pt: NWNE Sec 33 T 16N
R 26E

Use: IRRIGATION (.090 CFS)

HEATING (.180 CFS)

COOLING (.180 CFS)

Date Filed: 9/19/1989

In: T16N R26E S33 NWNE

3.0 ACRES TOTAL

75-07495

SMITH, AUBREY E.

SMITH, MARSHA A.

49 SALMON RIVER RD.

SHOUP, ID 83469

Source: MAIN SALMON RIVER

Tributary: SNAKE RIVER

Diversion Pt: SWNW Sec 21 T
23N R 17E

Use: IRRIGATION (.100 CFS)

Date Filed: 8/03/1989

In: T23N R17E S20 SENE S21
SWNW

3.3 ACRES TOTAL

75-07496

MCDONALD, M. L.

MCDONALD, ILLA

HC 61, BOX 17

SALMON, ID 83467

Source: UNNAMED CREEK

Tributary: SINKS

Diversion Pt: LOT 2 (SWNWNE)
Sec 1 T 19N R 21E

Use: IRRIGATION (.060 CFS)

STOCKWATER (.020 CFS)

Date Filed: 9/18/1989

In: T19N R21E S01 Lot 2 (NWNE)

3.0 ACRES TOTAL

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Eastern Region,
150 Shoup Avenue, Suite 15,
Idaho Falls, Idaho 83402 on or
before DECEMBER 26, 1989.

R. KEITH HIGGINSON,
Director

Published 12/07/1989 & 12/
14/1989.

12-7-2tc

Affidavit of Publication

STATE OF IDAHO

ss.

County of Lemhi

Depositor

Resources

Eastern District Office

RICKY G. HODGES

being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights 74-07273,

75-07495, 75-07496

, a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for 2 consecutive issues, commencing with the issue
dated Dec. 7, 19 89 and ending with the issue dated Dec. 14, 19 89.

STATE OF IDAHO

ss.

COUNTY OF LEMHI

On this fourteenth day of December in the year of 19 89,
before me, A Notary Public, personally appeared
known or identified to me to be the person whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he
executed the same.

Sheila K. Nodges

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-95

Publication Fee \$ 68.04

NOT RECORDED

MAR 15 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 1, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

AUBREY E SMITH
MARSHA A SMITH
49 SALMON RIVER RD
SHOUP ID 83469

RE: WATER RIGHT NO. 75-07495

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

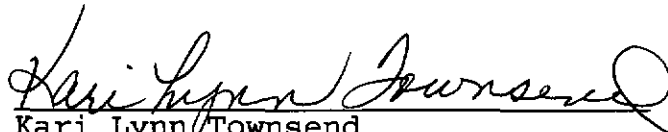
MICROFILMED
DEC 10 1999

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of November, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 75-07495

AUBREY E SMITH
MARSHA A SMITH
49 SALMON RIVER RD
SHOUP ID 83469


Kari Lynn Townsend
Secretary

MICROFILMED
DEC 10 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

DEC 10 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

DEC 10 1999

MEMORANDUM

TO: File 75-07495

FROM: Sharla

DATE: October 27, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 75-07495 are as follows:

A. GENERAL INFORMATION

3. Source: Salmon River tributary to Snake River

H. RECOMMENDATIONS

Irrigation	3/15 – 11/15	0.10 cfs	11.6 af
------------	--------------	----------	---------

The Salmon River is tributary to the Snake River.

The standard irrigation season for this area is 3/15 – 11/15.

Exam Date: July 2, 1996
Examiner: Don Simpkins

MICROFILMED

DEC 10 1999

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 10-29-99

Permit No. 75-07495

BU Fee Pd \$ 50⁰⁰

Name/Address: ☒ OK ☐ CHANGE

Govt Lots ☒ n/a ☐ plat copy attached

AREA OF CONCERN: No/Yes S/C Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

developed - moratorium issued

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-079
Supp irr (+ other uses) - 100-101
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permit)

SURFACE WATER: (✓Flow Chart)

~~In Above MSE~~ - WB9
~~WD~~ - R04 (WD#)
≤ 0.20 cfs/others - R02- 01P or No MD
> 0.20 cfs - R43

LOCATION:

Trust - R55 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

PD Change - P39/P47 - feds(P40)
PD Add - P45/P42

RIVER BASINS: (SW special considerations)

~~Snake R (01)~~ - W22, N/A
(02,03) - WB9 if above Weiser
~~Payette R (65)~~ - 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
~~Weiser R (67)~~ - 086-087

PU Change - P41/P47 - feds(P43)
PU Add - P41/P42

USES:

~~STORAGE~~ - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 081
FISH PROP - 029 (70's only)-042-081
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077

USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Lawn/garden included - W01

ADVANCE PRIORITY? ☐ Yes ☒ No

MISC CONDITIONS/REMARKS:

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - C/tire shop
Non-consumptive - 027
Water Quality - 081-R07
Mitigation - 121 (if on permit)
PPU acre limit - W27

OVERLAP ANALYSIS/RATES/VOLUMES:

~~PD overlap rights~~ - W35-W36 Right #
~~PU overlap rights~~ - WB7-W31 (<1 ac)
~~GW replaced SW~~ - 050

Permit Rate 0.10 cfs Fee Limit 0.20 cfs
Measured cfs Theoretical 0.210 cfs

Use	Rate	Volume
<u>01</u>	<u>0.10</u> cfs	<u>3.3 x 3.5 =</u> af
<u> </u>	<u> </u> cfs	<u> </u> af
<u> </u>	<u> </u> cfs	<u> </u> af
TOTALS	<u> </u> cfs	<u>11.6</u> af

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed ☐ Yes ☒ No

If no, is a claim required: ☐ Yes ☒ No

AMENDMENTS REQUIRED ☒ Yes ☐ No

Adjustment Memo Needed ☒ Yes ☐ No

If yes, paragraph codes:

Season 3/15 - 11/15

*Season
trib = Snake R.*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 16 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 75-07495

1. Owner: MAKSHA A. SMITH, AUBREY E. SMITH Phone No. (208) 394-2121

Current Address: 49 SALMON RIVER RD., SHOUPT, IDAHO 83467

2. Accompanied by: AUBREY EXAM DATE: 7/2/96

Address: _____ Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: SALMON RIVER tributary to COLUMBIA RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: SPRING - DOMESTIC USE

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	21	23N	17E	Lemhi	ON SITE

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	17E	20				2													2
		21							1.3										1.3
																			3.3ac

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Scale: 1" = _____

_____ Copy of USGS 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)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Briggs & Stratton	5	—	—	—

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: lift 30-50' from River to top of IRRIGATION

DEC 10 1999

E. NARRATIVE/REMARKS/COMMENTS

Diversion From Salmon River consists of a suction hose to 5hp
Briggs & Stratton portable pump with 2" diameter discharge to
mainline (2" black Plastic) to pop up sprinklers and drip irrigation
system

Have conditions of permit approval been met? ☐ yes ☐ no

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F. FLOW CALCULATIONS☒ Additional Computation Sheets Attached

Measured Method:

$$Q_{\text{THEORETICAL}} = 0.26 \text{ cfs}$$
$$Q_{\text{LIMITED BY PERMIT}} = 0.10 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.3 (3.5) = 11.6 \text{ afa}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.10 (183) 1.9835 = 36.3$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 11.6 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	0.10 cfs	11.6 afa
Totals:			0.10 cfs	11.6 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

I. AUTHENTICATIONField Examiner's Name DON SIMPKINS Date 7-2-1996Reviewer Kurt Cullen Date 2/10/98

SEAL

MICROFILMED

DEC 10 1999

Reservation Form

DEC 01 2001

Phone

Name

Address

City/State/Zip

Date of Arrival

Approx. Time

Party

- ☐ Fishing
- ☐ Hiking
- ☐ Photography
- ☐ # of Days
- ☐ Floating
- ☐ Hunting

Main Salmon River

- ☐ Discovery
- ☐ M/C
- ☐ Vis

Exp.

Signature

\$ per night x \$ =

Deposit -200.00

Balance Due

How did you hear about us?

Special Service Requested

LOCATION

If you are flying you can schedule a flight to any of the following cities:

Boise, ID..... 160 air miles to Salmon
Missoula, MT..... 141 air miles to Salmon
Idaho Falls, ID..... 160 air miles to Salmon

SALMON AIR TAXI provides chartered air service to Salmon from any of these cities.

If you are flying your own plane, Salmon has a good airport with:

Altitude: 4,045 ft.

Length of runway: 5,150 ft., 75 ft. wide.

Automatic Lighting

Blacktop strip: latitude 45 degrees, 7 minutes; longitude 113 degrees, 53 minutes.

Rental cars available.

If you are driving from BOISE: take I-84 east to second Mountain Home exit. Turn left, follow road to Sun Valley turn off. Turn left & follow scenic route along the Salmon River into Salmon. Take Hwy 93 N to North Fork. Turn left on F.S.#30 & follow the river approx. 32 miles. Driving time from North Fork is about one hour.

From MISSOULA: take Hwy 93S over Lost Trail Pass into Idaho. Pass thru Gibbonsville to North Fork, turn right on F.S.#30, Take directions from North Fork above, and you are there!

From IDAHO FALLS: take I-15 to Hwy 28 junction. Pass thru Mud Lake, Tendency into Salmon. Continue north to North Fork following directions from there above.

Two lane, paved road ends about one mile before Shoup townsite, where there is gas, cafe, small grocery store, and post office. Remaining road is an improved gravel bed and easy to travel but slow due to many curves and sometime rocks. You will cross four (4) bridges before reaching SMITH'S GUEST HOUSE. We are just around the bend from Ramshead Lodge/Cafe, with a worm fence and sign at roadside.

Take your time and enjoy the ride. Watch out for our wildlife, please!!



49 Salmon River Road
Shoup, Idaho 83469
(208) 394-2121

Smith's House
Guest House

YOUR DREAM VACATION....

Come and share a little bit of heaven near quiet, scenic SHOUP, IDAHO. With only a magic or meadowlark to interrupt the echo of the Salmon River, an early morning stroll through the orchard before breakfast is just the start of a unique stay at SMITH'S GUEST HOUSE.

Built and decorated with you, the discriminating vacation renter, in mind.

Three bedroom, two bath home with spectacular view of river, garden and surrounding mountains. Sleeps 10---one king, one double, two singles, one queen sleeper/sofa, & two cots. All linens provided.

Fully equipped with color TV, VCR, dishwasher, washer and dryer, barbecue, books and games also Hammond organ.

Formerly operated as a B&B but due to requests from guests, have converted to a private guest house with all the comforts of home. Due to our remote location, a 2 night minimum will give you time to enjoy the peaceful and pristine surroundings.

Free Continental plus breakfast. For other meals, bring your own and cook in or dine at one of the cafes downriver. Shoup Cafe is closed on Thursday; Ramshad Cafe is closed on Wednesday and advance reservations are needed at Salmon River Lodge.

FOR RESERVATIONS call

1-208-394-2121 (7-10 MT)

REPROFILMED
DEC 10 1999



WHAT TO DO....

The Salmon River - largest designated wilderness area in the continental US, is located in central IDAHO. The crystal clear streams divide towering rock walls that soar from the river's edge to form North America's second deepest canyon. You can see ancient Indian writings and pass by where trappers and prospectors once homesteaded. All ages excite to touring a real GOLD MINE.

If you end a Middle Fork float, make shuttle arrangements so you can stop here for a couple days on your way out - or in for those starting trips at Corn Creek.

There are hot springs, fly fishing, hunting, hiking, birding, floating, photography...whatever you hanker to try, you have found the right spot!

Reservation, Deposit, & Cancellation Policy

We know that plans can go astray, however, in our remote location we rely mainly on advance reservations and cancellations can not readily be filled. To be fair to all parties, please observe the following:

1. A deposit of \$200. is required to hold your reservation. It can be done by personal check or credit card. Balance due at check-in, please.
2. No refund will be made because of failure of any appliance. We will make every effort to have repairs made immediately.
3. Deposit will be refunded minus a \$10.00 processing fee IF NOTICE is given at least two (2) weeks before arrival. If we cannot re-rent, your deposit will be forfeited.
4. An additional \$15.00 spray fee for pets.

Check In After 3:00 PM
Check Out By 11:00 AM

2 NIGHTS	ADD'L	WEEK
\$236.00	\$100.00	\$826.00
Basic rate: \$59. per person double occupancy shown for 2 people.		
Each additional person \$13.00 each plus 7% state tax.		

Children and one housepet welcome. Smoking outdoors only, please.



FIELD EXAM NOTES

EXAM # 75-07495

DATE OF EXAM 7/2/96

PERMITEE NAME AMBREY E. SMITH

OTHER WATER RIGHTS SAME POD _____

OTHER WATER RIGHTS SAME POU _____

PUMP #1 HP 5 MAKE 321665 + STATION SERIAL # - at River Edge.
 COLOR AND DESCRIPTION _____
 OUTPUT DIAMETER 2" SYSTEM PRESSURE _____ PSI WELL DEPTH _____
 STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
 PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

PUMP #2 HP Left 30-50' from River to Top of Well. MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____
 OUTPUT DIAMETER _____ SYSTEM PRESSURE _____ PSI WELL DEPTH _____
 STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
 PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
 COLOR AND DESCRIPTION _____

CIRCLE PIVOT [Y] [N] NUMBER OF TOWERS _____ PIVOT LENGTH _____
 PRESSURE [H] [L]

Most of system in pop-up hose / and drops irrigation

HAND LINES (Y) [N] NUMBER OF LINES _____ LENGTH OF LINES _____

RAIN BIRDS PER LINE 19 NOZZEL DIAMETER Varies

SURFACE WATER TYPE OF MEASUREING DEVICE _____

AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH _____ / _____

RECORDED
 JUL 10 1999

(2") ^{Plastic} black main line then 1" lateral into
yard

1/2 + 3/4 days irrigation to garden + trees

MICROFILMED
DEC 10 1999

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{5}$$

$$Eff = \text{Efficiency} = \underline{76\%} \quad (\text{Usually } 70\%)$$

Lift: (Static Level + Assumed Draw down)

Static Water Level = _____ ft.

Assumed Draw down = + _____ ft.

Lift = 50 + 30 psi

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = _____ psi

$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{6.7}{Eff} \right] \div \left[\frac{50}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

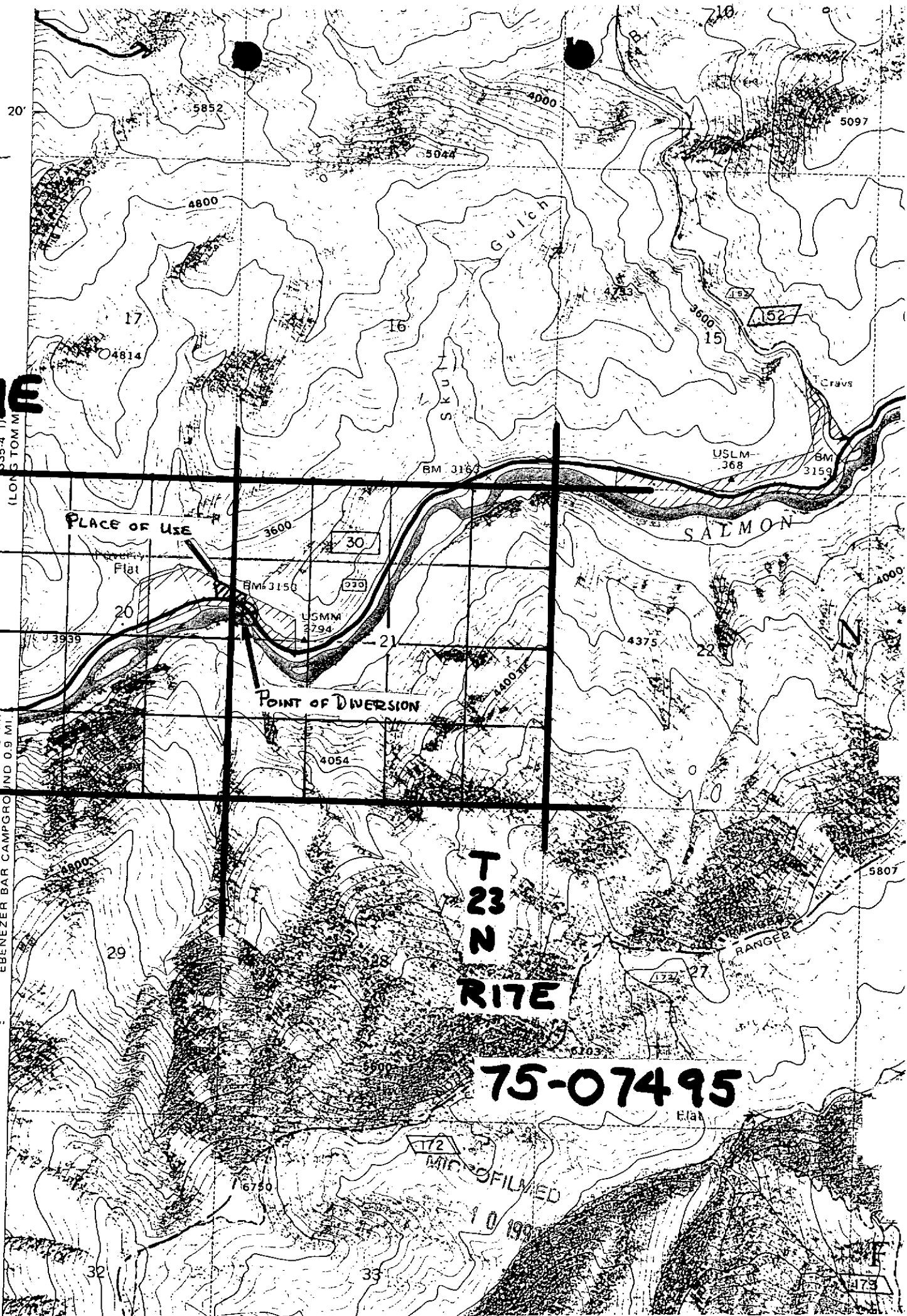
$$Q_{cfs} = \left[\underline{36.8} \right] \div \left[\underline{119.24} \right]$$

$$Q_{cfs} = \underline{0.26} \text{ cfs}$$

MICROFILMED
JUL 10 1999

PERMIT NO. 75-7495

T
23
N
R17E



T
23
N
R17E

75-07495

172
MICROFILMED
10 198

1 of 3



POINT OF
DIVERSION



PLACE OF
USE

MICROFILMED
DEC 10 1999

PERMIT
NUMBER

75-67495

2 of 2



PLACE OF
WE

7 2'96



PLACE OF
WE

7 2'96

MICROFILMED
DEC 10 1999

PERMIT
NUMBER

75-07495

3 of 3

PLACE OF
USE

PLACE OF
USE

PERMIT
NUMBER

75-07495

MICROFILMED
DEC 10 1999

December 17, 1990

MARSHA A. SMITH
AUBREY E. SMITH
49 SALMON RIVER RD.
SHOUP, ID 83469

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 75-07495

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JAN 17 1991

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 75-7495

Date: 12-13-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change ☐ If yes, prepare a data entry
☒ Proof received timely
☒ Reinstated

Source of Water:

- ☒ Surface water
☐ Groundwater
1. well log in file
2. drilling permit
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☐ Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority date	_____	+
NEW PRIORITY DATE	_____	=

SEND FILES TO *LB* DATA ENTRY AND THEN TO MICROFILM

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) 327-7900
January 18, 1990

MARSHA A. SMITH
AUBREY E. SMITH
49 SALMON RIVER RD.
SHOUP, ID 83469

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P75-07495

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
MAR 15 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

Dist. for staffing 8-10-89 RB
Submitted for advertising 10-30-89 HLC

INITIAL REVIEW BY Dennis McVinn DATE 19 October 1989 APPLICATION NUMBER 75-74905
Aubrey Smith

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) 75-07146 (Possibly)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT copy of map sent to the Smiths

Date Requested 19 Oct 1989
DEC 28 1989

Department of Water Resources

ADDITIONAL INFORMATION

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 75-07146

Priority: July 24, 1979 Amount: 0.02 CFS 4.2 AFA

This is to certify, that AUBREY E. SMITH
MATSHA SMITH

RT. 2 BOX 49
SHOUP, ID 83469

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated July 24, 1979, and has submitted proof to the Department of Water Resources on July 9, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to SINKS

source and that a water right has been established as follow:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
IRRIGATION DOMESTIC	05/01 to 10/15	0.02 CFS	3.0 AFA
	01/01 to 12/31	0.02 CFS	1.2 AFA
	Totals	0.02 CFS	4.2 AFA

LOCATION OF POINT OF DIVERSION(S):

NEW, Sec. 21, Township 23N, Range 17E
LEMMI County

PLACE OF USE: IRRIGATION	ACRES	ACRES	TOTAL
TWN RGE SEC			
23N 17E 21	SW 1/4	1	1

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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.

RECORDED

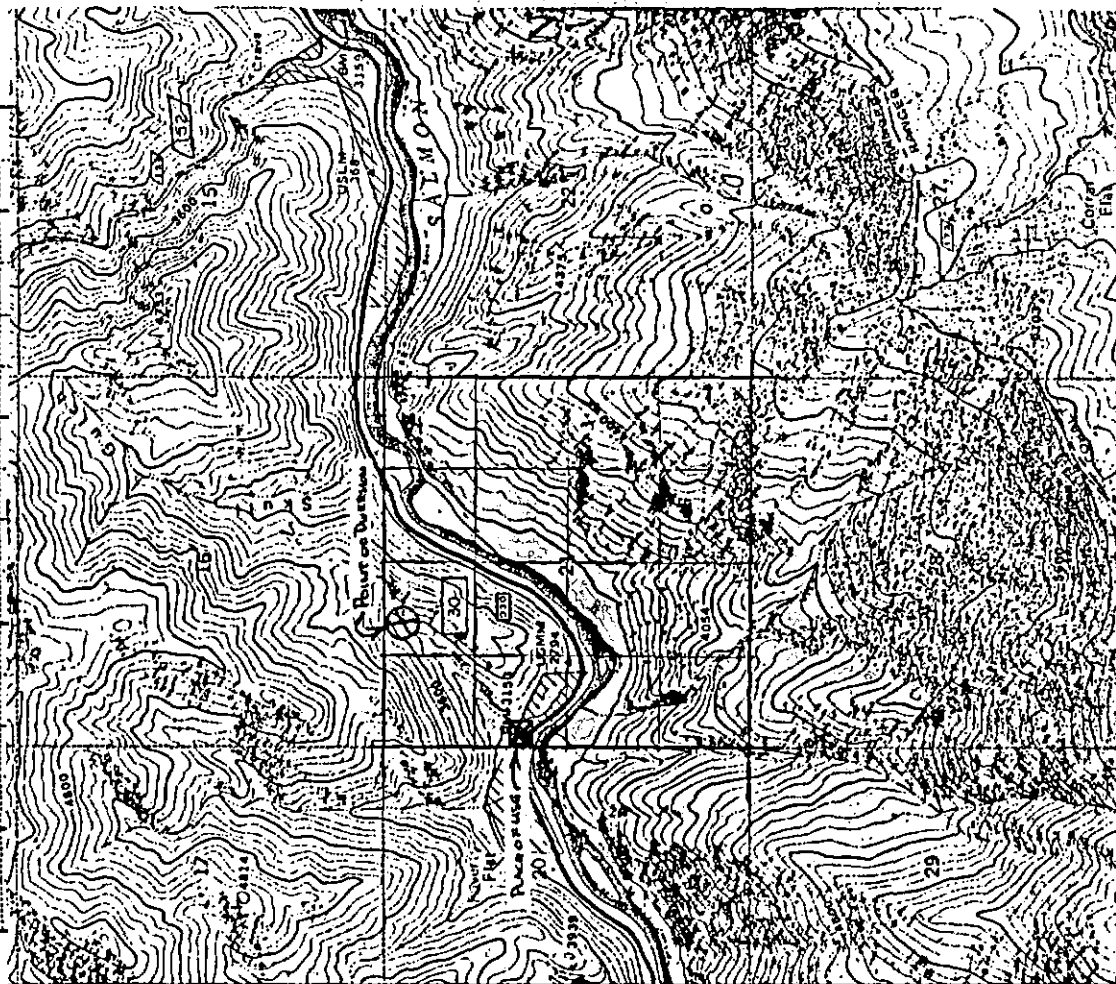
MAR 15 1990

75-7146

Aubrey E. Marsha Smith

Form No. 9

NAME OF APPLICANT



1354-11
(LONG TOM MTN)

RITE

T 23 N

END OF SALMON RIVER ROAD 13 MI.
EUREKA BAR CAMPGROUND 0.9 MI.

1730'

RECORDED

MAR 15 1990

Draw Plan in ink

75-7146



United States
Department of
Agriculture

Forest
Service

Salmon
National
Forest

P.O. Box 729
Salmon, ID 83467

Reply to: 2540

Date: December 19, 1989

Idaho Department of Water Resources
ATTN: Ernest Carlsen
150 Shoup Avenue
Idaho Falls, ID 83402

Dear Mr. Carlsen:

We are writing in regard to a recent Notice of Application for a Water Right published in the Recorder Herald for Application No. 75-07495 for Aubrey and Marsha Smith.

The proposed point of diversion in the SW NW Sec. 21, T23N, R17E is located on National Forest land. Prior to your final approval of this water right application the Smith's need to contact the North Fork Ranger District of the Salmon National Forest to apply for a Special Use Permit for their proposed water diversion. We have some concerns over this proposal as the pipeline or ditch will have to cross the Salmon River Road to reach their property.

Sincerely,

JOHN E. BURNS
Forest Supervisor

RECEIVED

MAR 15 1990

RECEIVED

DEC 21 1989

Department of Water Resources
Eastern District Office



29-Nov-1989

Aubrey Smith
49 Salmon River Rd.
Shoup, ID 83469

RE: Application for Permit No. 75-7495

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Recorder-Herald. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

MAR 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

NOVEMBER 28, 1989

RECORDER-HERALD
P.O. BOX 310
SALMON, ID 83467

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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before DECEMBER 26, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

Microfilmed

MAR 15 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

RECORDED

MAR 15 1990

75-07495

SMITH, AUBREY E.
SMITH, MARSHA A.
49 SALMON RIVER RD.
SHOUP, ID 83469

Source: MAIN SALMON RIVER

Tributary: SNAKE RIVER

Diversion Pt: SWNW Sec 21 T 23N R 17E

Use: IRRIGATION (.100 CFS)

Date Filed: 8/03/1989

In: T23N R17E S20 SENE
S21 SWNW

3.3 ACRES TOTAL

RECORDED

MAR 15 1990

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before DECEMBER 26, 1989.

R. KEITH HIGGINSON, Director

Published 12/07/1989 & 12/14/1989

RECORDED

MAR 15 1990

ACTION REQUIRED

RECEIVED

FROM: DENNIS M DUNN

OCT 25 1989

Department of Water Resources
Eastern District Office

TO: Aubrey and Marsha Smith

Please mark the point of diversion from the Salmon River and the place of use that you have applied for. Return the map to me.

Sincerely

Dennis M Dunn

RECEIVED

MAR 15 1990

Idaho Dept. of Water Resources
150 Shoup, Suite 15
Idaho falls, Idaho 83401

Dennis: I believe the grid separating 20 + 21 runs thru my property where the water will be utilized. The point of diversion is planned for SE corner of property as indicated by the arrow on map.

Aubrey Smith