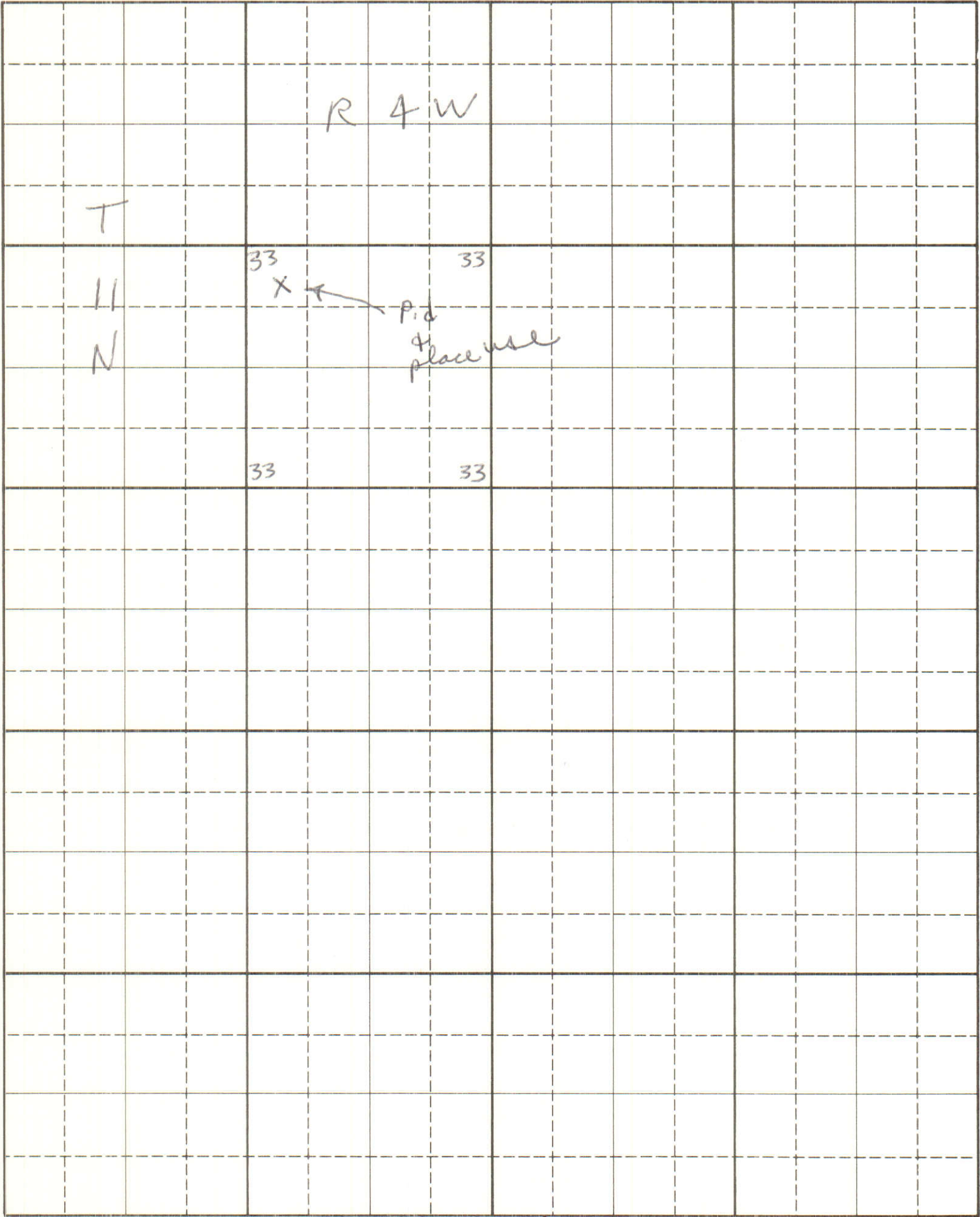


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Richard C. Smith
(Applicant)

No. 784

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Washington }

Dorothy A. Roth, being duly sworn,
deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for 2 consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with
8-16, 1973, and ending
with the issue of 8-23, 1973

Dorothy A. Roth

Fees, \$ 12.50

Subscribed and sworn to before me this 30
day of August, 1973

Notary Public
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 1977

No. 784
NOTICE
OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
RICHARD C. SMITH, Rt. 2,
Box 60, Weiser, Id. has on
Aug. 8, 1973 submitted Ap-
plication No. 67-7159 for a
permit to appropriate 1.0
acre feet per annum of water
from spring, trib. to Weiser
River by means of small
dam within the NW1/4-
NW1/4, Sec. 33, T. 11 N.,
R. 4 W., B. M., Washing-
ton County to be used from
Jan. 1 to Dec. 31 for stock-
water use within the NW1/4-
NW1/4, Sec. 33, T. 11 N.,
R. 4 W., B. M.

If issued, this permit will
be subject to all prior water
rights. Protests against the
granting of the permit must
be filed with the Idaho De-
partment of Water Adminis-
tration, Statehouse, Boise,
Idaho, 83707, on or before
Sept. 4, 1973.

R. KEITH HIGGINSON
Director

Published in the Weiser
Signal, Weiser, Idaho on
August 16, 1973 and August
23, 1973.

44-2s

OK sw
9-5-73

67 7159

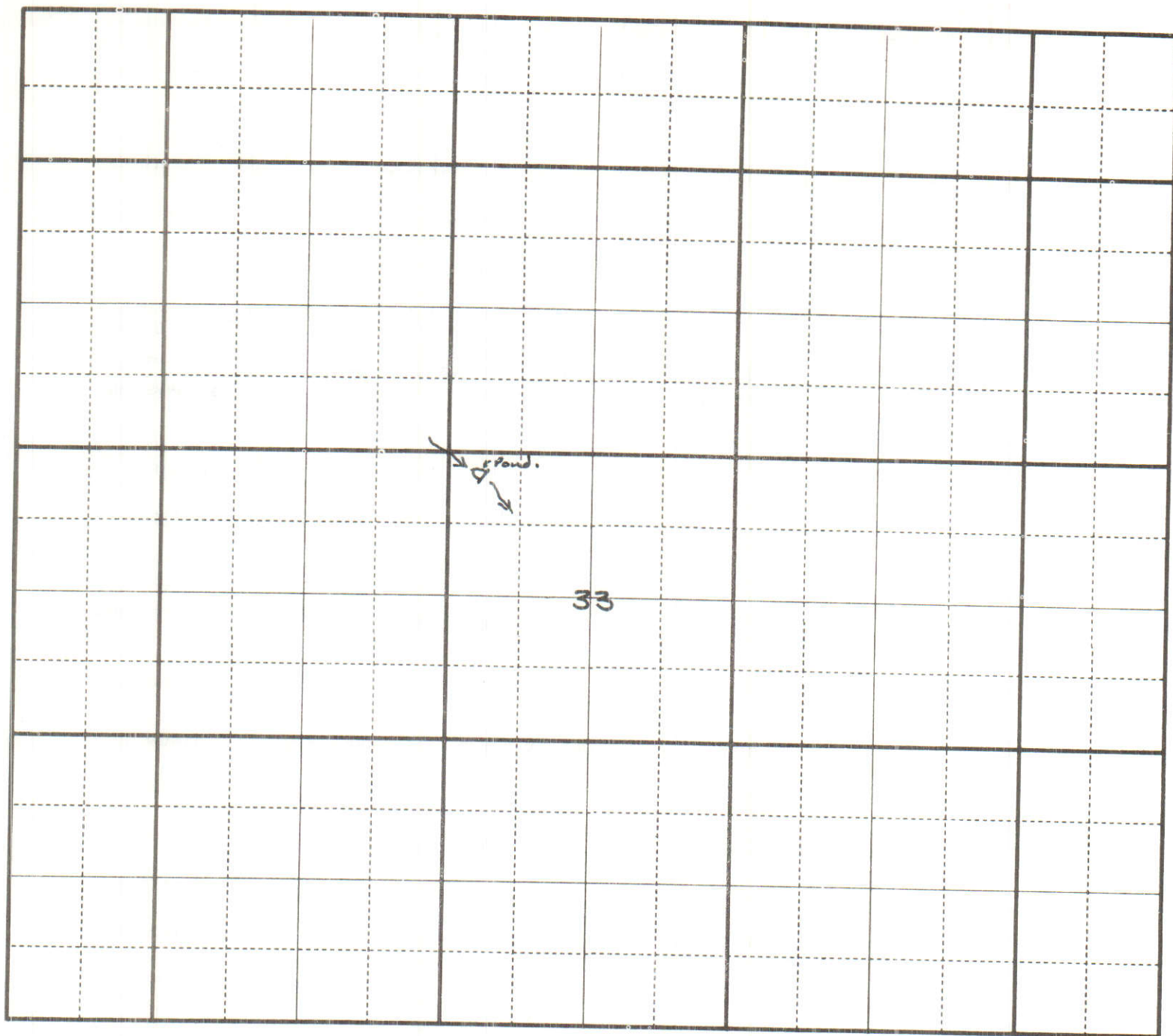


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7159 Priority August 8, 1973 Amount 1.0 acrefeet

THIS IS TO CERTIFY, that RICHARD C. SMITH
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 67-7159 issued pursuant to Application for Permit dated August 8, 1973,
and has submitted proof to the Department of Water Resources on August 19, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the storage of 1.0 acrefeet of water from an unnamed stream,
tributary to the Weiser River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>n/a</u> cfs and <u>1.0 acre feet</u>			
from _____ to _____ at _____ cfs and _____			
from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 1.0 acrefeet of water be stored at any one time, and
that the amount of water so stored and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33,
Twp. 11 N, Rge. 4 W, B. M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 N	4 W	33					X												

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 8 day of
August, 19 75.

Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 67-7159) ORDER
in the name of RICHARD C. SMITH)

WHEREAS, on August 8, 1973, Richard C. Smith applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 1.0 acre feet per annum of water from an unnamed stream, tributary to the Weiser River, within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, Twp. 11N, Rge. 4W, B.M., Washington County, to be used for stockwater purposes; and,

WHEREAS, on September 12, 1973, the Department approved said application and issued Permit No. 67-7159 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before October 1, 1974, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on August 19, 1974, the Department received the required proof of beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit,

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 67-7159.

Dated this 26th day of August, 1974.


A. KENNETH DUNN, Administrator
Operations Division

BDF:JG

MICROFILMED

Identification No. _____

Application No. 67-7159

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR 1 ^{AF} ~~SEC~~ ^{FT}

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

1. Name of applicant Richard C. Smith
post office address Rt. 2, Box 60, Weiser, Ida.

2. Source of water supply Spring ~~Spring~~ Unnamed stream ^{C.S. 1/10/73} which is a tributary of Weiser River

3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 11 N
Range 4 W B.M. Washington 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 1.0 AF for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or

b. 1.0 acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small earth dam

b. Height of storage dam 5 to 6 feet, active reservoir capacity 1.0 acre feet; total reservoir
capacity 1.0 acre feet, materials used in storage dam: Earth fill

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

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$ Project is completed.

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 Approx. 150 head cattle.

(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: _____

67 7159

67 7159

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

[illegible]

Total number of acres to be irrigated_____

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

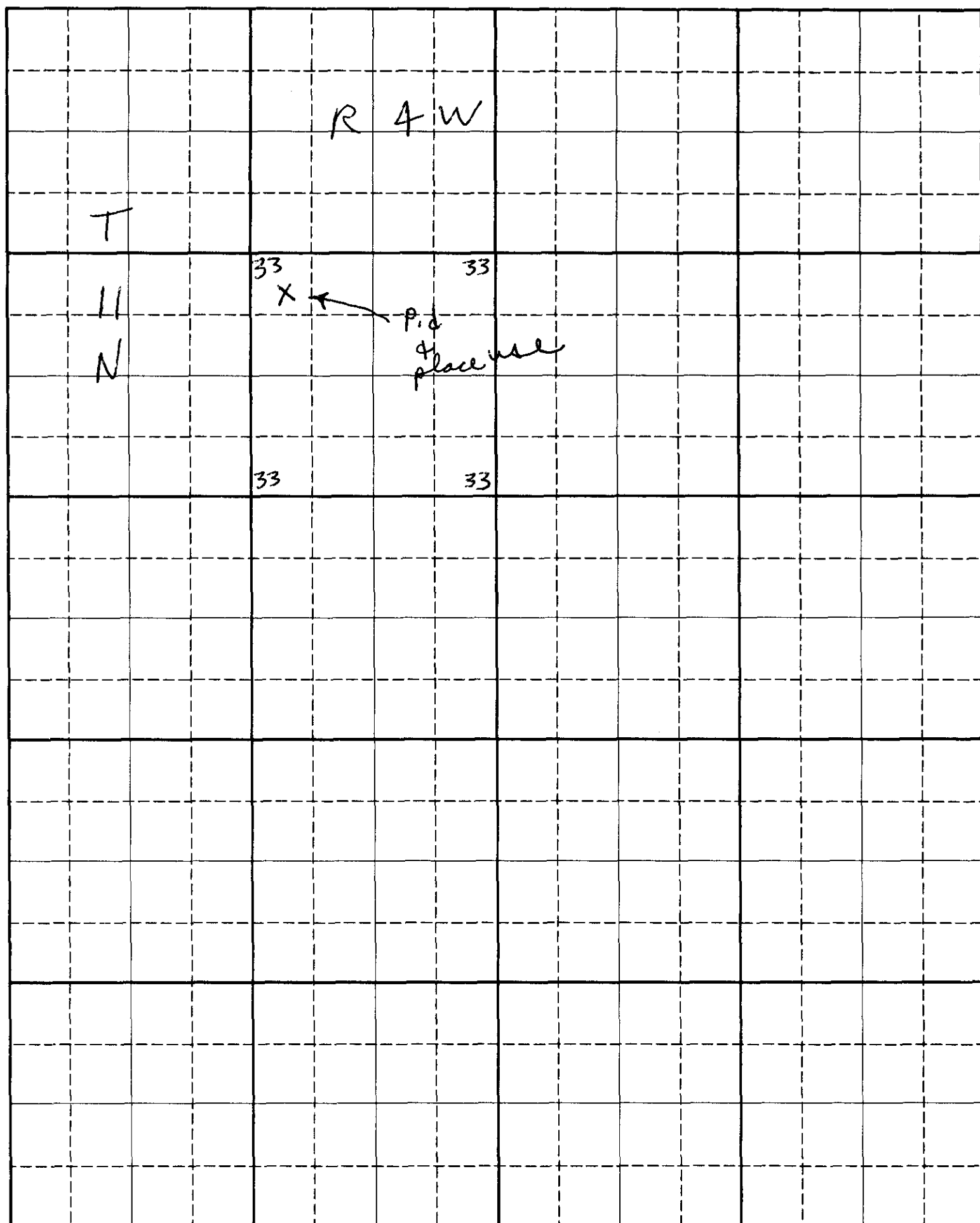
9. a. Who owns the property at the point of diversion ~~XXXX~~. Applicant ACS 8/20/13

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Water has been used for several years. about 1934

10. Remarks Spring is located in SW¹/₄SW¹/₄, Sec. 28, T. 11 N., R. 4 W., B.M.

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Richard E. Smith
(Applicant)

67 7159

Received by ej Date 8/8/73 Time 4:30pm
Preliminary check by BD Fee \$ 10.00
Receipted by ej Date 8-8-73 Rec'd # 11482
Publication prepared by ej Date 8-10-73
Published in Weiser Signal
Publication dates 8-16 & 8-23-73
Publication approved _____ Date _____
Priority ~~reduced to~~ 8-8-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by CAF BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7159, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1974.
 - c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. *See Order remains m.d. 8/26/74*
Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.
2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of September 1973.

A. Kenneth Dunn
DEPUTY Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>CEB</u>	<u>10 Aug 73</u>	Application No. <u>67-7159</u>
(2)			☒ 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
(3)	<u>CEB</u> <u>CEB</u>	<u>10 Aug</u> <u>10 Aug</u>	In form to receipt <u>OK</u> Send Copies to: <u>BLB</u> ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☒ Bureau of Land Management
(4)	<u>CEB</u>	<u>10 Aug</u>	☐ Request Special Use Permit from U.S.F.S. ☒ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>CEB</u>	<u>10 Aug</u>	In form for advertising <u>OK</u>
(6)	<u>KMP</u>	<u>9/7</u>	Located within Water District No. <u>67</u>
(7)	_____	_____	Critical groundwater area: yes _____ no _____
(8)	_____	_____	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(9)	<u>KMP</u>	<u>9/7</u>	Comments: <u>flood water, only 1 AC storage</u> <u>no measuring device</u>
(10)	<u>SW</u>	<u>9-5-73</u>	Affidavit of Publication received (date) <u>OK</u>
(11)	<u>KMP</u>	_____	Final date for protests <u>9/4</u> Protests received: yes _____ no <u>X</u>
(12)	_____	_____	Date and Place of hearing _____ Decision reached at hearing _____
(13)	_____	_____	All requested information received from agencies or applicant yes _____ no _____
(14)	<u>KMP</u>	<u>9/7</u>	Action recommended: ☒ Approve ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☒ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>Western</u>	By <u>Ken Fort</u>	Date <u>9/7/73</u> <u>67-7159</u>

RECOMMENDEDCONDITIONS OF APPROVAL

- ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☒ Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

No. 784

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Washington }

Dorothy A. Smith, being duly sworn,
deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for 2 consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with
8-16, 1973, and ending
with the issue of 8-23, 1973
Dorothy A. Smith
Fees, \$ 12.50

Subscribed and sworn to before me this 30
day of August, 1973
Donna Lee
Notary Public, Residing at Weiser, Idaho.
My Commission Expires 5-1, 1977

No. 784
NOTICE
OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
RICHARD C. SMITH, Rt. 2,
Box 60, Weiser, Id. has on
Aug. 8, 1973 submitted Ap-
plication No. 67-7159 for a
permit to appropriate 1.0
acre feet per annum of water
from spring, trib. to Weiser
River by means of small
dam within the NW1/4-
NW1/4, Sec. 33, T. 11 N.,
R. 4 W., B. M., Washing-
ton County to be used from
Jan. 1 to Dec. 31 for stock-
water use within the NW1/4-
NW1/4, Sec. 33, T. 11 N.,
R. 4 W., B. M.

If issued, this permit will
be subject to all prior water
rights. Protests against the
granting of the permit must
be filed with the Idaho De-
partment of Water Adminis-
tration, Statehouse, Boise,
Idaho, 83707, on or before
Sept. 4, 1973.

R. KEITH HIGGINSON
Director

Published in the Weiser
Signal, Weiser, Idaho on
August 16, 1973 and August
23, 1973.

44-2s

OK sw
9-5-73

67 7159

VERIFIED DJ
5-29-85

WATER RIGHT NUMBER 67-7159

OWNER LAST NAME - SMITH FIRST NAME - RICHARD C. ORIG OWNER -
ADDRESS LINE 1 - RT. 2 BOX 60 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - WEISER STATE - ID ZIP CODE - 83672
SOURCE - UNNAMED STREAM TRIBUTARY OF - WEISER RIVER
STAGE - LICENSE STATUS - PRIORITY - 08-08-1973 COUNTY - WASHINGTON TOTAL DIV. RATE - .0000 -CFS
TOTAL DIV. VOLUME - 1.00 AFA TRFR/AMEND - WATER DIST. - 67 DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NWNW 33 11N 04W LOT REDIV - 272.0 238.0 2.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 3.5
FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0000 CFS USE DIV. VOLUME - 1.00 AFA
USE - STOCKWATER PLACE OF USE - TWN 11N RNG 04W SEC 33 TRACT NWNW LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

9/78

IDENT. No. 67-7159I 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 SWATER RIGHT
DATA ENTRY LOG

<u>Initials</u>	<u>Date</u>	<u>Item</u>
_____	_____	Original form entered
_____	_____	Edit Report Correct
_____	_____	Date Protested
_____	_____	Date of Hearing
_____	_____	Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
_____	_____	Record Verified
_____	_____	Amendment Approved
_____	_____	Extension Approved
_____	_____	Partial Proof
_____	_____	Proof Complete
_____	_____	Field Exam Received
_____	_____	Field Exam Accepted and changes entered
_____	_____	License Signed
_____	_____	Transfer Approved
<u>CLA</u>	<u>12-22-78</u>	<u>KP</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

August 11, 1975

Re: Permit No. 67-7159

Richard C. Smith
Route 2, Box 60
Weiser, ID 83672

Dear Mr. Smith:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enclosure

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Richard C. Smith
Post office address Route #2, Box 60, Weiser, ID 83672 Phone 549 0867
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed stream
(name spring, stream, etc.)
Tributary to Weiser River

3. Water will be used for the following purposes:

Amount 1.0 c.f.s. for stockwater (150 hd. of cattle)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 67-7159
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion _____ cubic feet per second and annual volume 1.0 AF/Annum.

5. Location of Point(s) of Diversion:

Township 11N N/S, Range 4W E/W, B.M., Section 33, Subdivision NW $\frac{1}{4}$ NW $\frac{1}{4}$, Washington
County

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

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

Other Points of Diversions: _____

Description of diverting works: Small earth dam.

Measuring device required: yes ☐ no ☒

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

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	
11N	4W	33				spring stream		Paid X											
														</					

MICROFILMED

TOTAL ACREAGE

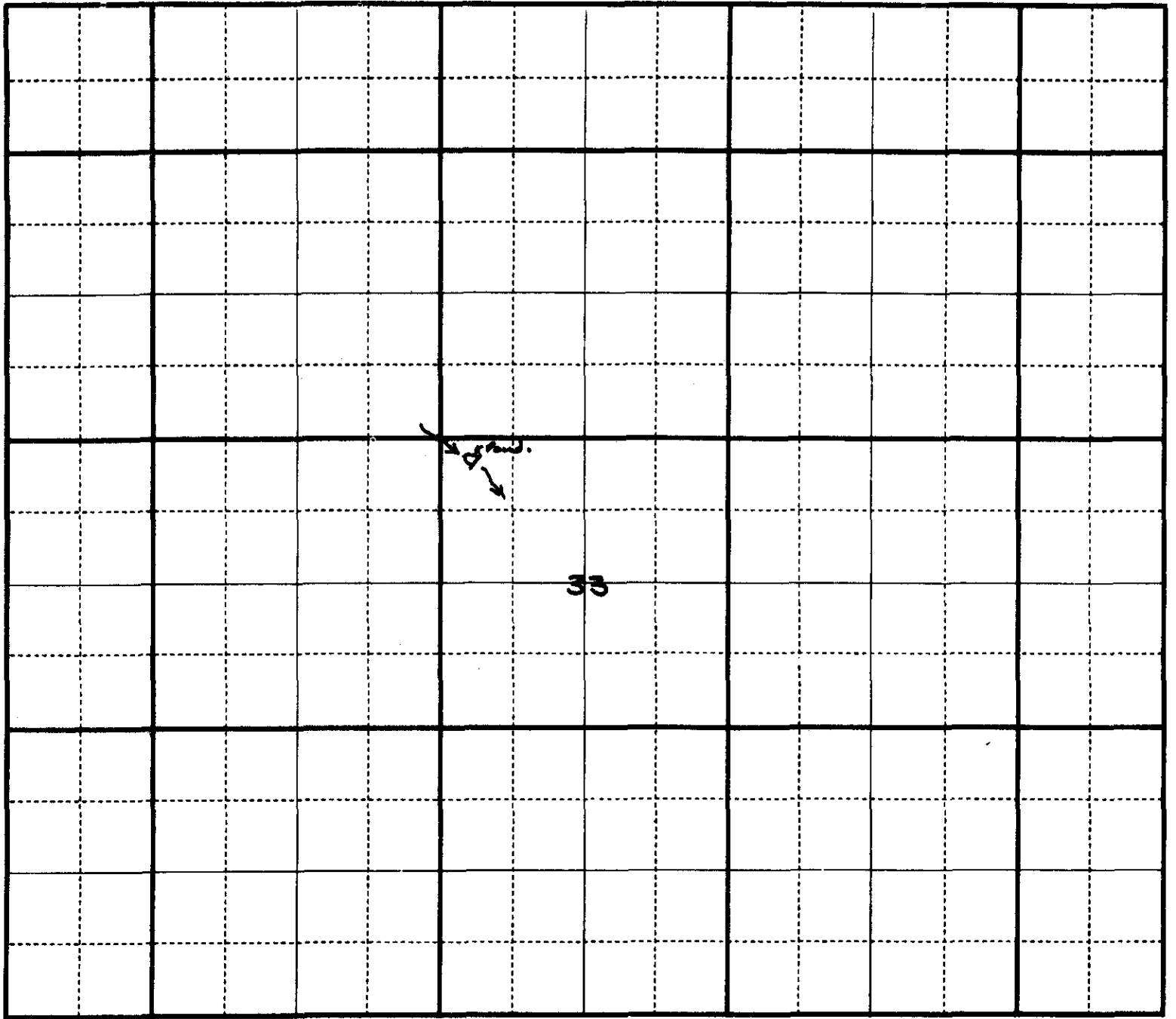


Diagram of System

DATE OF EXAM 7-30-75

ACREAGE
Found _____
Recommended NA

Irrigation Requirement NA Ac Ft/Ac

USE
Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Livestock Q=_____ c.f.s. V=1.0 AF/Ann. from Jan. 1 to Dec. 31

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured _____ Method of measurement est.

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

Total V recommended 1.0 A.F./Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

estimate: pond collects runoff from unnamed stream

SYSTEM DESCRIPTION:

Small pond, approx. 30' across that collects water from an unnamed stream.

REMARKS:

stockwater for 150 head of beef cattle. Same cattle as other stockwater permits. #67-7158, 67-7157.

Examiner's Signature M. Clayton Brown Date 7-30-75

Checked by _____ Date _____

Approved by _____ Date _____

September 3, 1974

Re: Permit No. 67-7159

Richard C. Smith
Route #2, Box 60
Weiser, ID 83672

Dear Mr. Smith:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order which removes the measuring device requirement for this permit.

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

If you have any questions concerning this matter, please contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

RECEIVED

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 19 1974

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Richard C. Smith
b) Post Office Address Rt. #2, Box 60, Weiser, Idaho
2. Permit Number 67-7159
3. Date of Priority that you are prepared to establish 4-1-1934
4. a) Source from which water was appropriated Unnamed Stream
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 33
Township 11N, Range 4W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 1.0 AF for stockwater purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.0 AF cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: estimated
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) _____
b) Describe the type and size of measuring device which you have installed at your point of diversion:
Due to the small size of the project and the source of water, a request for waiver of the measuring device has been made.
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: ± 150 head of cattle.

Exam typed 7/3/74 by 19

MICROFILMED

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

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

Total number of acres irrigated _____

10. Remarks: This dam and use of water was made in
the Spring of 1934

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

8/16/74
(Date)

Richard C. Smith
(Signature)

State of Idaho)
) ss.
County of Ada)

On this 16 day of August, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Gary L. Page
Notary Public residing at Baise

My commission expires 7/29/1975

RECEIVED

AUG 16 1974

WATER RESOURCES DIVISION

Aug. 16, 1974

Re: 67-7159

I request that the measuring device requirement be waived because of the smallness of the flow through this 1.0 AF reservoir and the small size of the overall project.

Since this project is under the control of Clell Williamson, the Watermaster of District 67, we agree to regulate the flow or install devices at his request.

Sincerely,

RICHARD C. SMITH

Richard C. Smith

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)



Show address
where delivered



Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO.

25921

INSURED NO.

DATE DELIVERED

8-2-74

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

3

67-7159

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

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



- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



PS Form 3811
June 1973

**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

MICROFILMED

August 1, 1974 CERTIFIED MAIL

#25921

Re: Permit No. 67-7159

Richard C. Smith
Route #2, Box 60
Weiser, ID 83672

Dear Mr. Smith:

One of the conditions of approval of your water Permit No. ~~67-7159~~ (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before ~~October 1, 1974~~. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

MICROFILMED

September 13, 1973

Re: Permit No. 67-7159

Mr. Richard C. Smith
Route 2, Box 60
Weiser, ID 83672

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Permit No. 67-7159. We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

67 7159

INTER-DEPARTMENT MEMO — 1

DATE August 20, 1973

FROM E. Ballou

TO File #67-7159

SUBJECT Easement

Mr. Richard Smith was in today about letter requesting easement from B.L.M. He explained the spring originate on B.L.M. land, but his point of diversion is on his land after they flow off B.L.M. land approximately 100'. The application was changed and will be readvertised as an unnamed stream.

*Let's not readvertise this since B.L.M did not object earlier
and location within 40 acres has not changed.*

KFF.

SIGNATURE

67 7159

August 13, 1973

Richard C. Smith
Rt. 2, Box 60
Weiser, Idaho 83672

Re: Application for Permit No. 67-7159

Dear Mr. Smith:

During the processing of your Application for Permit, we have noted that your point of diversion is located on Bureau of Land Management land.

Before we can make the final approval of your application, it will be necessary for you to supply this department with a copy of your special use permit granted by the Bureau of Land Management.

If we can be of further assistance in this matter, please feel free to contact this Department.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

67 7159

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 10, 1973

The Weiser Signal
P. O. Box 709
Weiser, Idaho 83672

Re: Claim to a Water Right No. 67-4037 - Smith Land & Livestock Co.
Application for Permit No. 67-7156 - Smith Land & Livestock Co.
67-7157 - Smith Land & Livestock Co.
67-7158 - Smith Land & Livestock Co.
67-7159 - Richard C. Smith

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

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

(signature of claimant)

Sincerely,

*Bill submitted
9-5-73
SW*

67 7159

No. 784
NOTICE
OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that RICHARD C. SMITH, Rt. 2, Box 60, Weiser, Id. has on Aug. 8, 1973 submitted Application No. 67-7159 for a permit to appropriate 1.0 acre feet per annum of water from spring, trib. to Weiser River by means of small dam within the NW1/4-NW1/4, Sec. 33, T. 11 N., R. 4 W., B. M., Washington County to be used from Jan. 1 to Dec. 31 for stock-water use within the NW1/4-NW1/4, Sec. 33, T. 11 N., R. 4 W., B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Sept. 4, 1973.

R. KEITH HIGGINSON
Director

Published in the Weiser Signal, Weiser, Idaho on August 16, 1973 and August 23, 1973.

67 7159

44-2s
— *ord* 8-16-73

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that RICHARD C. SMITH, Rt. 2, Box 60, Weiser, Id.

has on Aug. 8, 1973 submitted Application No. 67-7159
for a permit to appropriate X ~~XXXXXXXXXXXXXXXXXXXX~~ 1.0 acre feet
per annum of water from spring, trib. to Weiser River
by means of small dam
within the NW¹/₄, Sec. 33, T. 11 N., R. 4 W., B.M., Washington County

to be used from Jan. 1 to Dec. 31
for stockwater use

within the NW¹/₄, Sec. 33, T. 11 N., R. 4 W., B.M.,

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Sept. 4, 1973.

R. KEITH HIGGINSON

Director

Published in the Weiser Signal, Weiser, Idaho
on August 16, 1973 and August 23, 1973.

67 7159