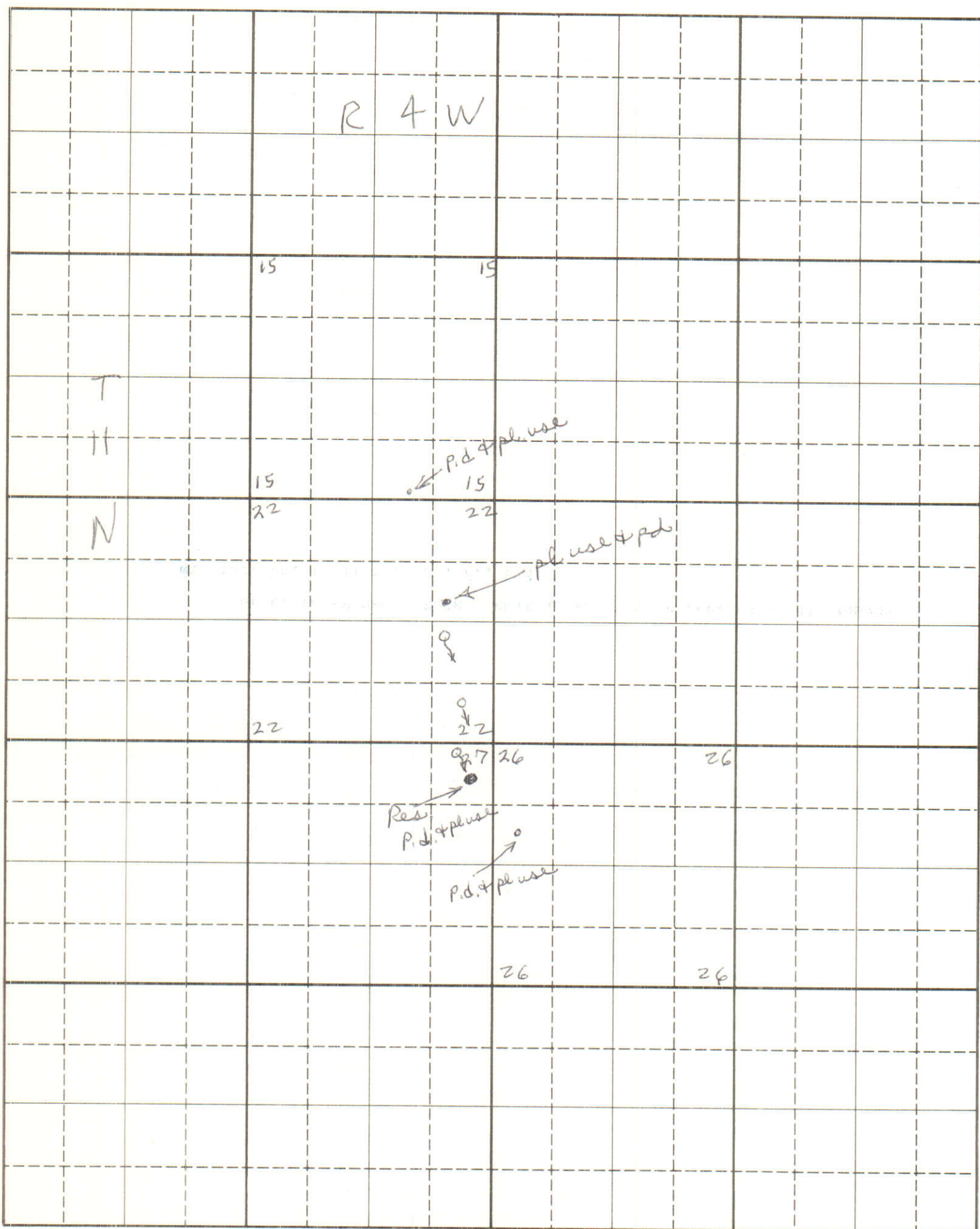


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

X Claude Smith Pres.
(Applicant)

67 7158

Nº 783

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Barth, 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
Aug. 16, 1973, and ending
with the issue of Aug. 23, 1973

Fees, \$ 17.96

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

Flora
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 1977.

RECEIVED

SEP 5 1973

Department of Water Administration

No. 783
NOTICE
OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
SMITH LAND & LIVESTOCK
CO., Rt. 2, Box 60, Weiser,
Id. has on August 8, 1973
submitted Application No.
67-7158 for a permit to ap-
propriate 5.0 acre feet per
annum of water from

springs, trib. to Weiser
River by means of storage
dams and watering troughs
within the NE1/4NE1/4, Sec.
27, SW1/4NW1/4, Sec. 26,
SW1/4SE1/4, Sec. 15,
SE1/4NE1/4, Sec. 22, all in
T. 11 N., R. 4 W., B. M.,
Washington County to be used
from Jan. 1 to Dec. 31 for
stockwater purposes within
the SE1/4NE1/4, Sec. 22,
NE1/4NE1/4, Sec. 27,
SW1/4NW1/4, Sec. 26,
SW1/4SE1/4, Sec. 15, 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 Admin-
istration, 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 Aug-
ust 23, 1973.

44-2s

OK SW
9-5-74
67 7158

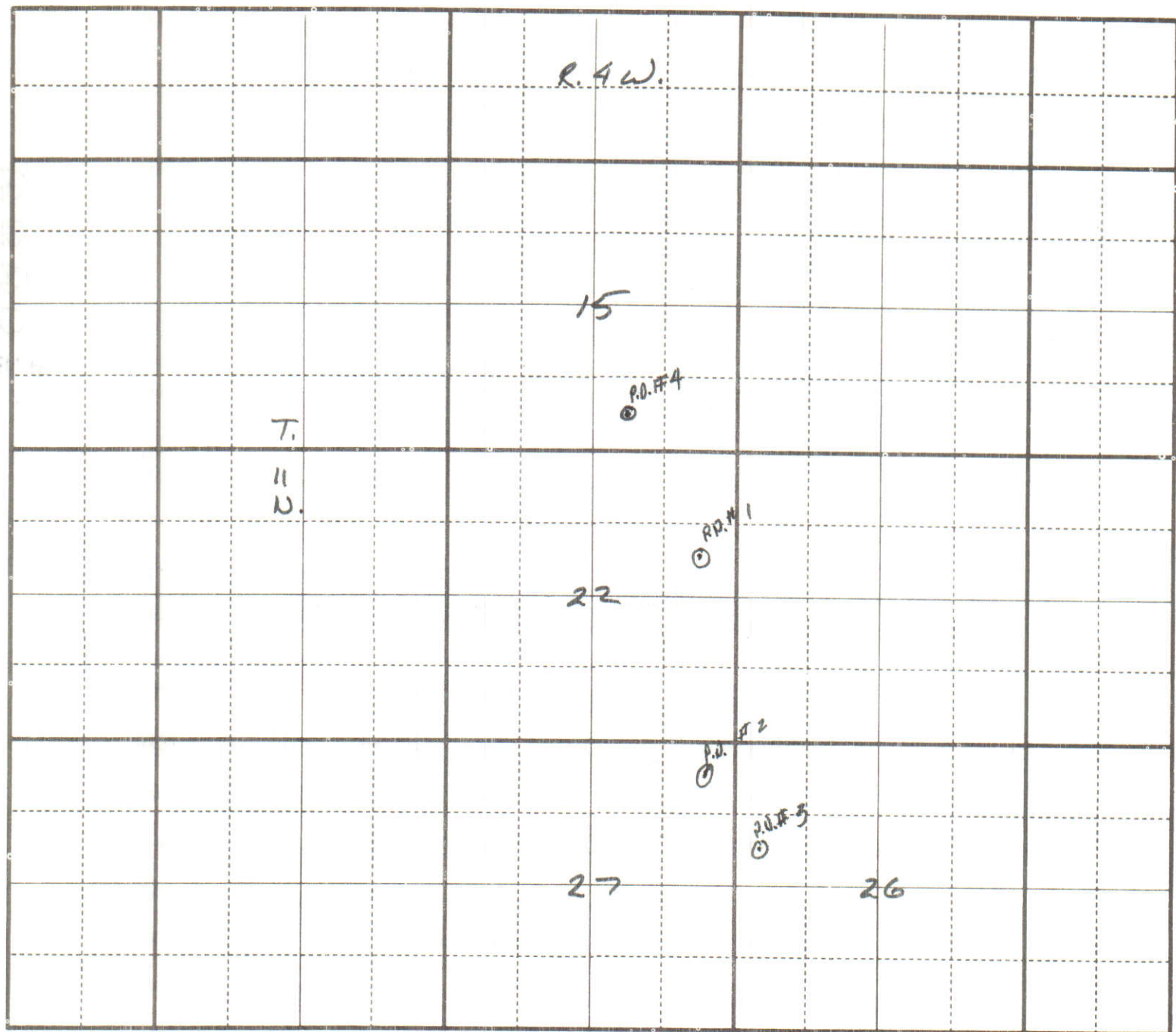


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7158 Priority August 16, 1973 Amount 5.0 acrefeet

THIS IS TO CERTIFY, that Smith Land & Livestock Company
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 67-7158 issued pursuant to Application for Permit dated August 8, 1973,
and has submitted proof to the Department of Water Resources on October 9, 1974 (late proof),
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 5.0 acre feet of water from unnamed springs,
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>5.0 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 5.0 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
5.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15; SE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 22; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27; in the County of Washington
Twp. 11 N, Rge. 4 W, B.M.

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	15																X	
		22				X													
		26							X										
		27	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 PERMIT NO.'S 67-7157 & (67-7158)
in the name of SMITH LAND & LIVESTOCK COMPANY

)
)
)

ORDER OF REINSTATEMENT

WHEREAS, on August 8, 1973, Smith Land & Livestock Company applied to the Department of Water Resources (formerly the Department of Water Administration) for permits to appropriate 0.10 cfs(67-7157) and 5.0 af(67-7158) from springs, tributary to the Weiser River, within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, Twp. 11N, Rge. 4W(67-7157) and in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26; and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, all in Twp. 11N, Rge. 4W(67-7158), B.M., Washington County, to be used for stockwater purposes; and,

WHEREAS, on September 12, 1973, the Department approved said applications and issued Permit No.'s 67-7157 & 67-7158 with the conditions 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,

WHEREAS, on August 1, 1974, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof on the permits; and,

WHEREAS, on October 7, 1974, the Department notified the permit holder that Permit No.'s 67-7157 and 67-7158 had lapsed for failure to submit the required proof of beneficial use; and,

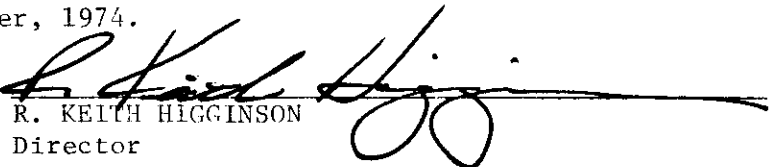
WHEREAS, on October 9, 1974, the Department received the required proofs of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permits should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No.'s 67-7157 and 67-7158 be REINSTATED and the priority for each advanced to August 16, 1973.

Dated this 21 day of October, 1974.


R. KEITH HIGGINSON
Director

JG

MICROFILMED

Identification No. _____

Application No. 67-7158

STATE OF IDAHO

LICENSE ISSUED FOR 5 ^{AF} ~~cfs~~ SEC. FT.
LICENSE FEE: _____

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant SMITH LAND & LIVESTOCK COMPANY
post office address Rt. 2, Box 60, Weiser, Idaho
2. Source of water supply Springs which is a tributary of Weiser River
3. a. Location of point of diversion is NE 1/4 of NE 1/4 of Section 27 Township 11 N
Range 4 W B.M. Washington County; additional points of diversion if any: SW 1/4 NW 1/4, Sec. 26, SW 1/4 SE 1/4, Sec. 15, T. 11 N., R. 4 W., B.M.
SE 1/4 NE 1/4 - Sec 22, T11N, R4W
- b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 5.0 ^{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. 5.0 ^{AF} ~~cubic feet per second~~ and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Small storage dams and watering troughs.

b. Height of storage dam 10 feet, active reservoir capacity 2.7 acre feet; total reservoir capacity 2.7 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: _____ 1/4 of _____ 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 300 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 7158

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

[illegible]

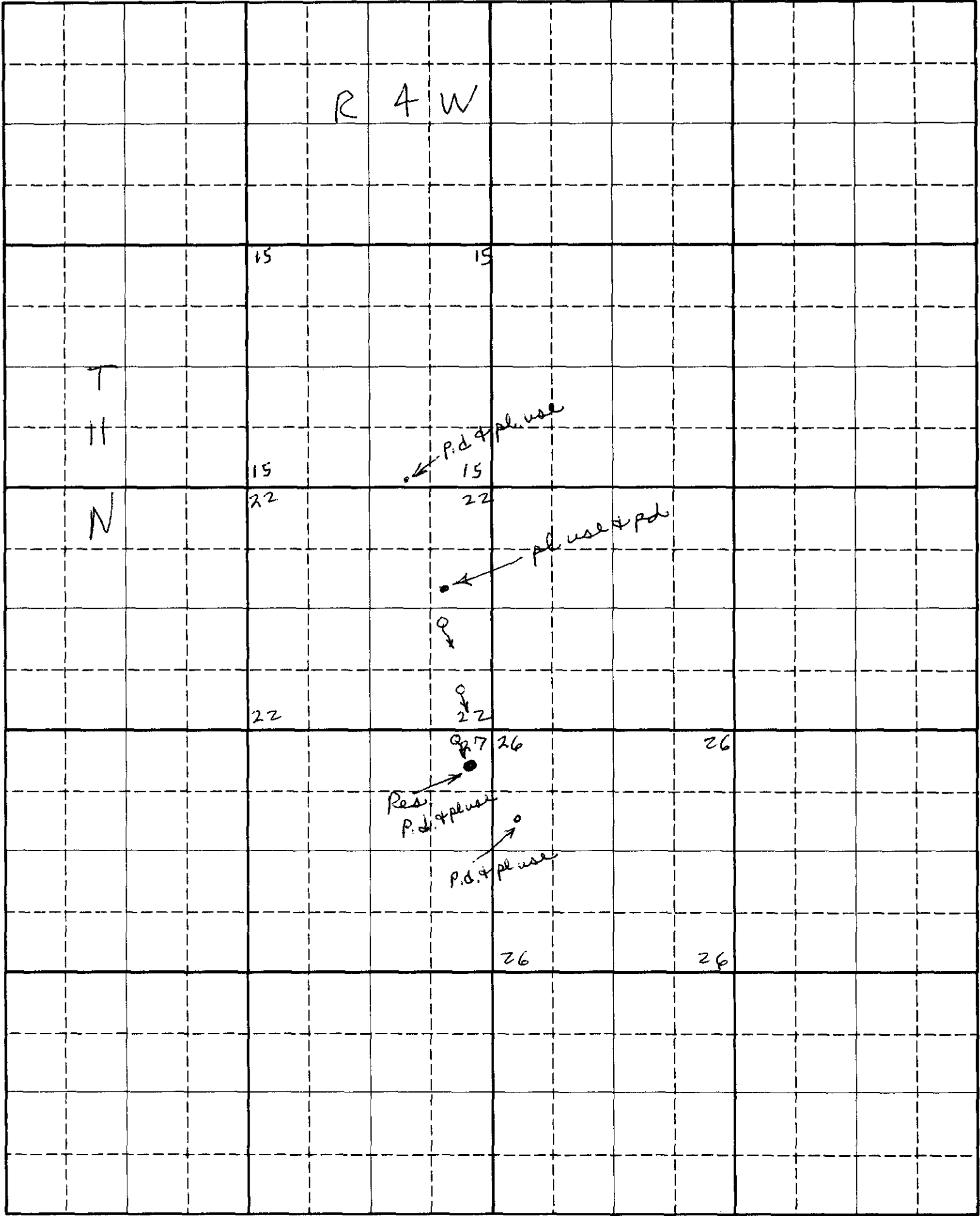
Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Applicant
- 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 _____

10. Remarks Springs arise in SE^1NE^1 , NE^1SE^1 , SE^1SE^1 , Sec. 22, SW^1SE^1 , Sec. 15, NE^1NE^1 , Sec. 27, NW^1NW^1 , Sec. 26, 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.

Claude Smith Pres.
(Applicant)

Received by 27 Date 8-8-73 Time 4:30 pm
 Preliminary check by PS Fee \$ 10.00
 Receipted by 27 Date 8-8-73
 Publication prepared by 27 Date 8-16-73
 Published in Boise Signal
 Publication dates 8-16-73 8-23-73
 Publication approved SW Date 9-5-73
 Priority ~~reduced to~~ 8-8-73 Reason _____

Permit #11482

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by SW

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. 67-7158, 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: 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>67-7158</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>N/A</u> ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>CEB</u>	<u>10 Aug</u>	<u>N/A</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>KAR</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)			Comments: _____
(10)	<u>SW</u>	<u>9-5-73</u>	Affidavit of Publication received (date) <u>OK</u>
(11)	<u>KAR</u>	<u>9/7</u>	Final date for protests <u>9/9/73</u> Protests received: yes ☐ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)			All requested information received from agencies or applicant yes ☐ no ☐
(14)	<u>KAR</u>	<u>9/7</u>	Action recommended: ☒ Approve ☐ Deny ☐ Measuring device required ☒ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District	<u>Western</u>	By <u>9/7/73</u> Date <u>8/8/73</u>

67 7158

RECEIVED
SEP 7 1973
Department of Water

RECOMMENDED

CONDITIONS OF APPROVAL

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

67 7155

Nº 783

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Washington }

Dorothy A. Fisher, 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

Aug. 16, 1973, and ending
with the issue of Aug. 23, 1973

Dorothy A. Fisher
Fees, \$ 17.96

Subscribed and sworn to before me this 30

day of August, 1973

[Signature]
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 1977

No. 783
NOTICE
OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
SMITH LAND & LIVESTOCK
CO., Rt. 2, Box 60, Weiser,
Id. has on August 8, 1973
submitted Application No.
67-7158 for a permit to ap-
propriate 5.0 acre feet per
annum of water from

springs, trib. to Weiser
River by means of storage
dams and watering troughs
within the NE1/4NE1/4, Sec.
27, SW1/4NW1/4, Sec. 26,
SW1/4SE1/4, Sec. 15,
SE1/4NE1/4, Sec. 22, all in
T. 11 N., R. 4 W., B. M.,
Washington County to be used
from Jan. 1 to Dec. 31 for
stockwater purposes within
the SE1/4NE1/4, Sec. 22,
NE1/4NE1/4, Sec. 27,
SW1/4NW1/4, Sec. 26,
SW1/4SE1/4, Sec. 15, 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 Admin-
istration, 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 Aug-
ust 23, 1973.

44-2s

OK SW
9-5-74
67 7158

WATER RIGHT NUMBER 67-7158

VERIFIED DJ

5-29-85

OWNER LAST NAME - SMITH LAND & LIVESTOCK COMPANY FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - RT. 2 BOX 6 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - WEISER STATE - ID ZIP CODE - 83672
SOURCE - SPRINGS TRIBUTARY OF - WEISER RIVER
STAGE - LICENSE STATUS - PRIORITY - 03-15-1973 COUNTY - WASHINGTON TOTAL DIV. RATE - .0000 -CFS
TOTAL DIV. VOLUME - 5.00 AFA TRFR/AMEND - WATER DIST. - 67 DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SWSE 15 11N 04W LOT REDIV - 272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 15.6
SENE 22 11N 04W LOT REDIV - 272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 15.0
SWNW 26 11N 04W LOT REDIV - 272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 14.4
NENE 27 11N 04W LOT REDIV - 272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 14.0
FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0000 CFS USE DIV. VOLUME - 5.00 AFA
USE - STOCKWATER PLACE OF USE - TWN 11N RNG 04W SEC 15 TRACT SWSE LOT AC
USE - STOCKWATER PLACE OF USE - TWN 11N RNG 04W SEC 27 TRACT NENE LOT AC
USE - STOCKWATER PLACE OF USE - TWN 11N RNG 04W SEC 26 TRACT SWNW LOT AC
USE - STOCKWATER PLACE OF USE - TWN 11N RNG 04W SEC 22 TRACT SENE 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 - P FLD EXAM - F COND. OF APPROVAL -
DIVERSION MEANS -

IDENT. No. 67-7158

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]

August 11, 1975

Re: Permit No. 67-7158 & 67-7157

Smith Land & Livestock Co.
Route 2, Box 60
Weiser, ID 83672

Dear Sir:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Smith Land & Livestock Co.
Post office address Route #2, Box 60, Weiser, ID Phone _____
Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount 5.0 c.f.s. for stockwater(300 hd. 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. 67-7158
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion _____ cubic feet per second and annual volume 5.0 AF/Annum.

5. Location of Point(s) of Diversion:

Township 11N N/S, Range 4W E/W, B.M., Section 15, Subdivision SW 1/4 SE 1/4 Washington
County

Township 11N N/S, Range 4W E/W, B.M., Section 22, Subdivision SE 1/4 NE 1/4 Washington
County

Township 11N N/S, Range 4W E/W, B.M., Section 26, Subdivision SW 1/4 NW 1/4 Washington
County

Other Points of Diversions: NE¹/₄NE¹/₄, Sec. 27, T. 11N, R. 4W, B.M.

Description of diverting works: Small storage dams collect springs & spring run-off. One basin fed from springs & other is fed from springs & run-off. One watering trough in Sec. 15 is fed from springs.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

MICROFILMED

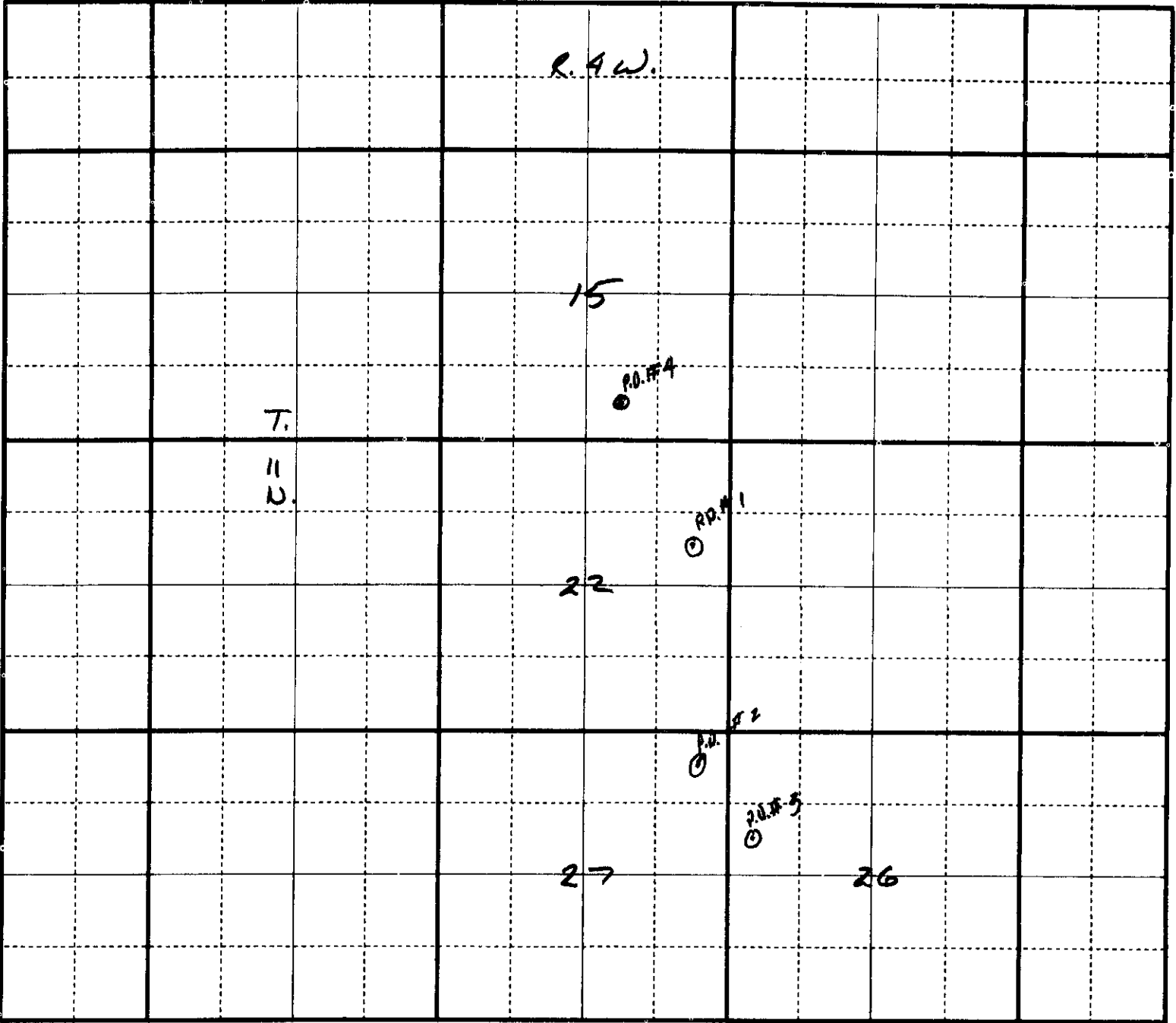


Diagram of System

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= 5.0 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 estimate

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

Total V recommended 5.0 A.F./Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

estimate

SYSTEM DESCRIPTION:

- P.D. #1 Small dug basin that is spring fed.
#2 Dam w/ reservoir. Approx 10' high & 150' across top. Spring fed.
#3 & #4 each has two 8' diameter galvanized watering troughs that are fed from springs above.

REMARKS:

Stockwater for 300 head cattle. Same cattle as permits 67-7157, 65-7159.

Examiner's Signature M. Olaya Barron Date 7-30-75

Checked by _____ Date _____

Approved by _____ Date _____



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 23, 1974

Re: Permit No.'s 67-7157 & 67-7158

Smith Land & Livestock Company
Route #2, Box 60
Weiser, ID 83672

Gentlemen:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits. Enclosed is an Order of Reinstatement; please note that the priority for each permit has been advanced to August 16, 1973.

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

If you have any questions concerning the field exams, please contact our Western District Office in Boise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

Identification No. _____

Permit No. 67-7158

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
OCT 9 1974
John

Department of Water Resources

1. a) Name of Permit Holder Smith Land & Livestock Co.
b) Post Office Address Rt. 2, Box 60, Weiser, ID
2. Permit Number 67-7158
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Springs
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 27
Township 11 N, Range 4 W, Boise Meridian, Other points of diversion:
SW 1/4 NW 1/4, Sec. 26; SW 1/4 SE 1/4, Sec. 15; SE 1/4 NE, Sec. 22; T. 11 N, R. 4 W
5. a) The amount of water and use to which the water has been applied:
Amount 5.0 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 5.0 a.f. cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: none made. SCS Survey gives capacity
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) Small storage dams collects springs and spring runoff.
One basin feed from springs and other is fed from springs and run-off. One
watering trough in Sec. 15 is fed from spring.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

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:
Stockwater for 200 head stock

Exam typed 10/23/74 by 19

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

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

Total number of acres irrigated _____

10. Remarks: _____

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

Oct 9 1974 Smith Land Livestock
 (Date) By Claude Smith Pres.
(Signature)

State of Idaho)
) ss.
 County of Ada)

On this 9th day of October, 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.

Susan A. Whaley
 Notary Public residing at Bowen, Idaho

My commission expires 8-6-78

NOTARY PUBLIC



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 7, 1974

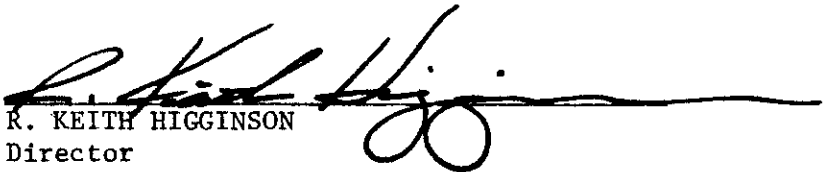
Re: Permit No.'s 67-7157 & 67-7158

Smith Land & Livestock Co.
Attn: Claude Smith, Pres.
Route #2, Box 60
Weiser, ID 83672

Dear Mr. Smith:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No.'s 67-7157 and 67-7158 have lapsed.

You are further advised that the Department cannot reinstate these permits except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RECEIVED

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

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

August 1, 1974

CERTIFIED MAIL

Card in
↓
#25920

Re: Permit No.'s 67-7156, 67-7157 & 67-7158

Smith Land & Livestock Co.
Attn: Claude Smith, Pres.
Route #2, Box 60
Weiser, ID 83672

Dear Mr. Smith:

One of the conditions of approval of your water Permit No.'s 67-7156, 67-7157 and 67-7158(see last page of your approved permits) 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 are affidavit forms which must be used to submit the required proof of beneficial use for these permits.

If you have not fully completed your projects, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable causes 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 on each permit.

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

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:JG

Enc: Proof affidavits (3)

RECEIVED

September 13, 1973

Re: Permit Nos. 67-7156,
67-7157 & 67-7158

Claude Smith, President
Smith Land & Livestock
Route 2, Box 60
Weiser, ID 83672

Dear Mr. Smith:

We are enclosing a copy of the above referenced permits. 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 No. 67-7156. 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 7158

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 7158

No. 783
NOTICE
OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that SMITH LAND & LIVESTOCK CO., Rt. 2, Box 60, Weiser, Id. has on August 8, 1973 submitted Application No. 67-7158 for a permit to appropriate 5.0 acre feet per annum of water from springs, trib. to Weiser River by means of storage dams and watering troughs within the NE1/4NE1/4, Sec. 27, SW1/4NW1/4, Sec. 26, SW1/4SE1/4, Sec. 15, SE1/4NE1/4, Sec. 22, all in T. 11 N., R. 4 W., B. M., Washington County to be used from Jan. 1 to Dec. 31 for stockwater purposes within the SE1/4NE1/4, Sec. 22, NE1/4NE1/4, Sec. 27, SW1/4NW1/4, Sec. 26, SW1/4SE1/4, Sec. 15, 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.

44-2s

Aug 8-16 73

7158

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that SMITH LAND & LIVESTOCK CO., Rt. 2, Box. 60,
Weiser, Id.

has on August 8, 1973 submitted Application No. 67-7158
for a permit to appropriate XXXXXXXXXXXXXXXXXXXX 5.0 acre feet
per annum of water from springs, trib. to Weiser River
by means of Storage dams and watering troughs
within the NE¹/₄NE¹/₄, Sec. 27, SW¹/₄NW¹/₄, Sec. 26, SW¹/₄SE¹/₄, Sec. 15, SE¹/₄NE¹/₄, Sec. 22,
all in T. 11 N., R. 4 W., B.M., Washington County

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

within the SE¹/₄NE¹/₄, SEC. 22, NE¹/₄NE¹/₄, Sec. 27, SW¹/₄NW¹/₄, Sec. 26, SW¹/₄SE¹/₄, Sec. 15,
T. 11 N., R. 4 W., 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 Idaho Depart-
ment 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 7158