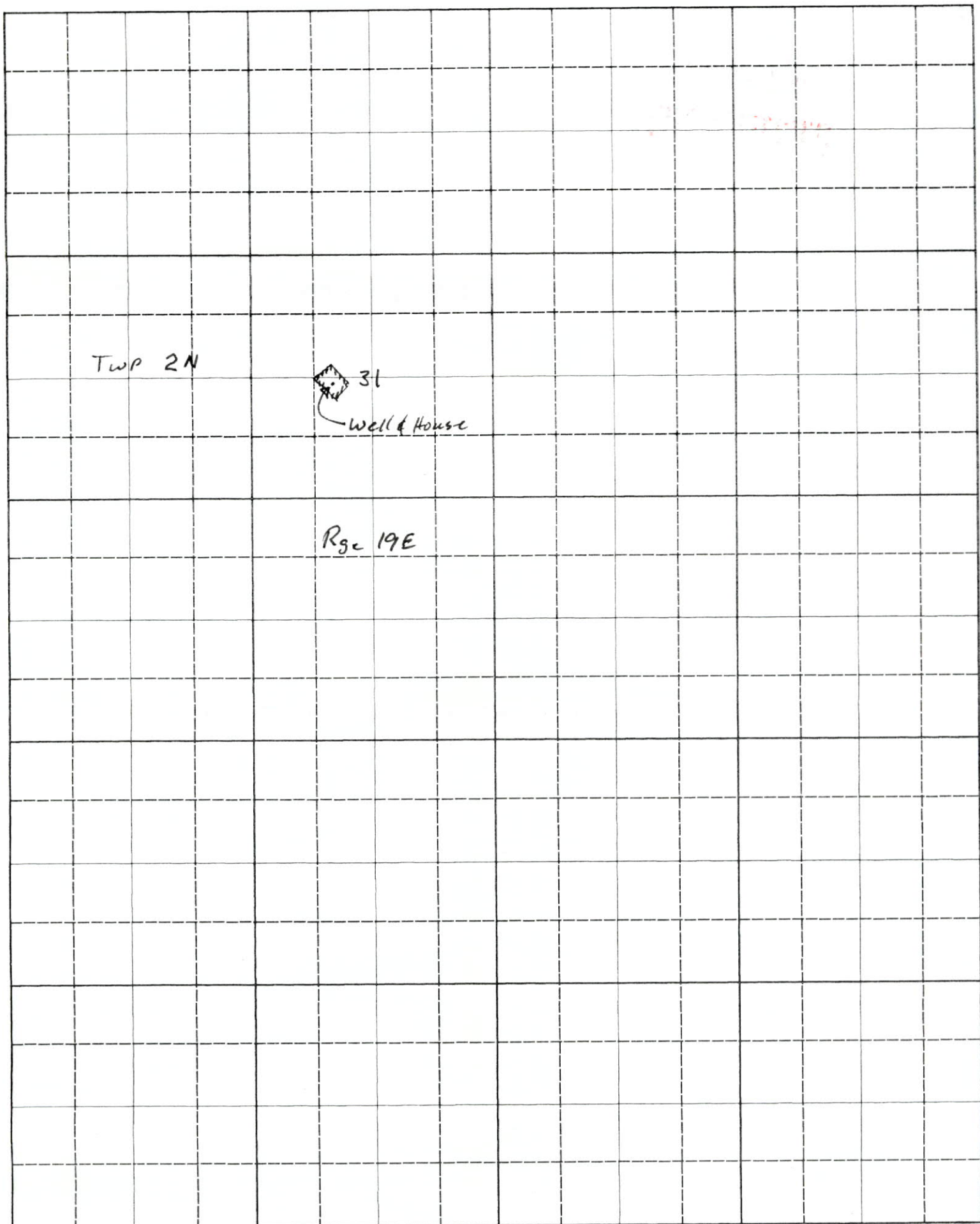


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

MAR 12 1990

Anthony W. Smith
(Applicant)

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 17 day of JAN, 1990, and

the date of the last publication was on the 24 day of JAN, 1990.

Daniel J. Gorham

Subscribed and sworn to before me this 24th day of JAN, 1990.
(SEAL)

Robert W. Fisher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

MICROFILMED

COST OF PUBLICATION

MAR 12 1990

Number of Picas per Line 11
Number of Lines in Notice 34
Number of Insertions 2
Lines tabular at 5.5¢/Pica
Lines straight at 18.70 5.5¢/Pica
Subsequent lines at 14.96 4 3.5¢/Pica
TOTAL COST 33.66

COPY OF NOTICE
(Paste Here)

App. 3708090
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Water Resources (Boise)

BILL TO

Smith seeks trust water right

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08090

SMITH, ANTHONY W.
P.O. BOX 382
BELLEVUE, ID 83313
Source: GROUNDWATER
Diversion Pt: NESW Sec 31 T 02N
R 19E
Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.140 CFS)
Date Filed: 4/13/1983
In: T02N R19E S31 SENW NESW
5.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720, on or before FEBRUARY 5, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal—
January 17 & 24, 1990.

PUBLICATION RATES

As of Oct. 1, 1988

(Idaho Code, Reb. Statutes 1984)

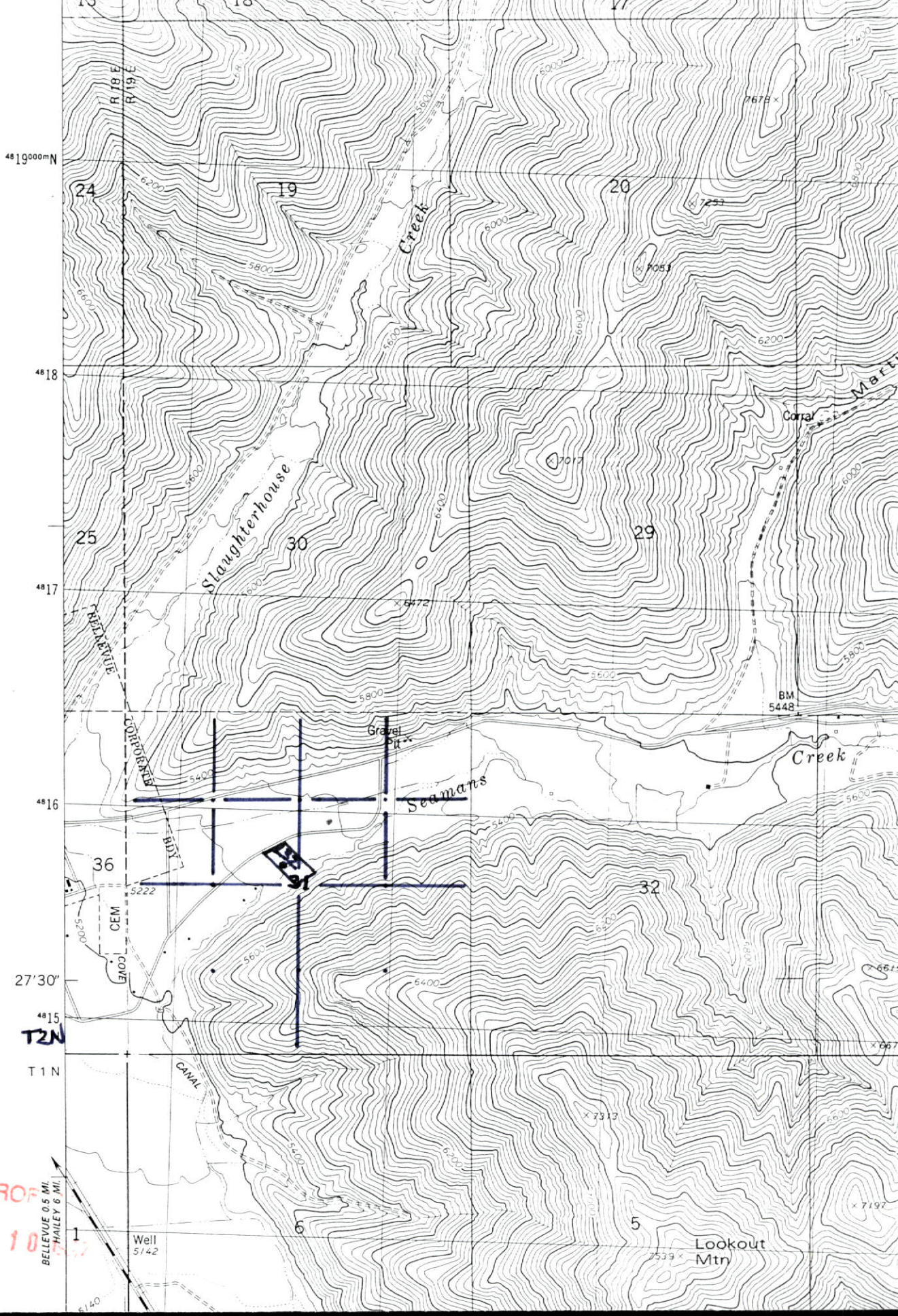
7-8 pt. per line straight....4.5/pica
7-8 pt. per line tabular....5.5/pica
7-8 pt. per line successive
insertion....3.5/pica

6904

3171 W. SE
(HALEY)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

114°15' 723000mE 724 725 12'30" 726
43°30' 4819000mN



R 19 E

MICROF
PR 10
BELLEVUE 0.5 MI.
HALEY 6 MI.

T2N
T1N

Well
5142

Lookout
Mtn

ATTACHMENT "C"

326 BAY HORSE RD.

AKA LOT 32, MULDOON RNCH.
SUBD. #2

SEAMAN'S CRK.
SOUTH FORK.

NO SCALE

1" = 660'
SUBD. PLAT
ONLY

SEAMAN'S CRK. S. FORK

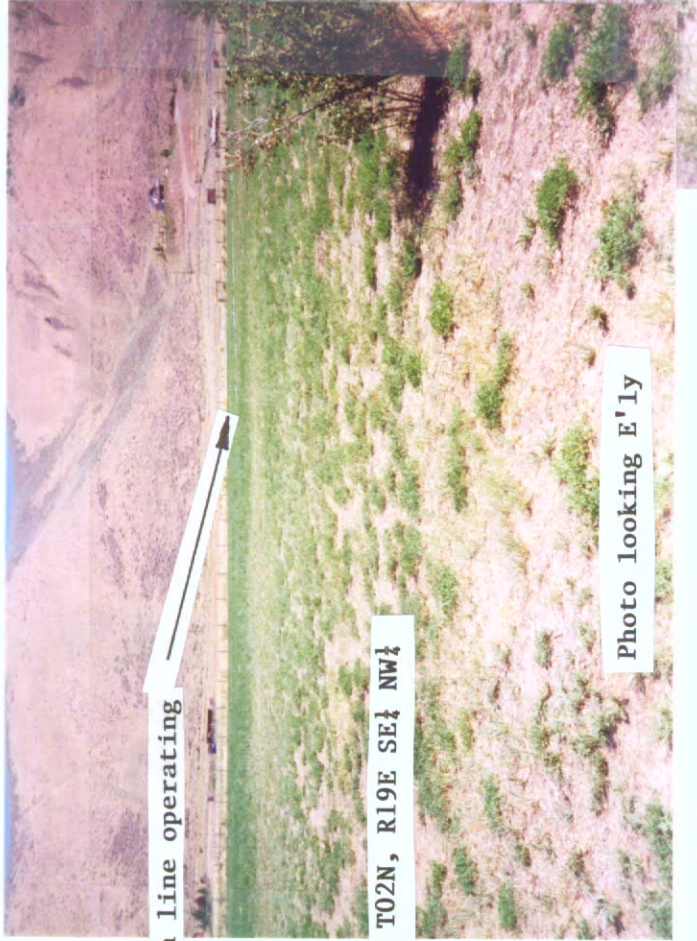
MULDOON RANCH SUBDIVISION NO. 2

MICROFILMED

APR 10 1937

#37-08090

$$\frac{TZN}{T1N}$$



Sprinklers/Main line operating

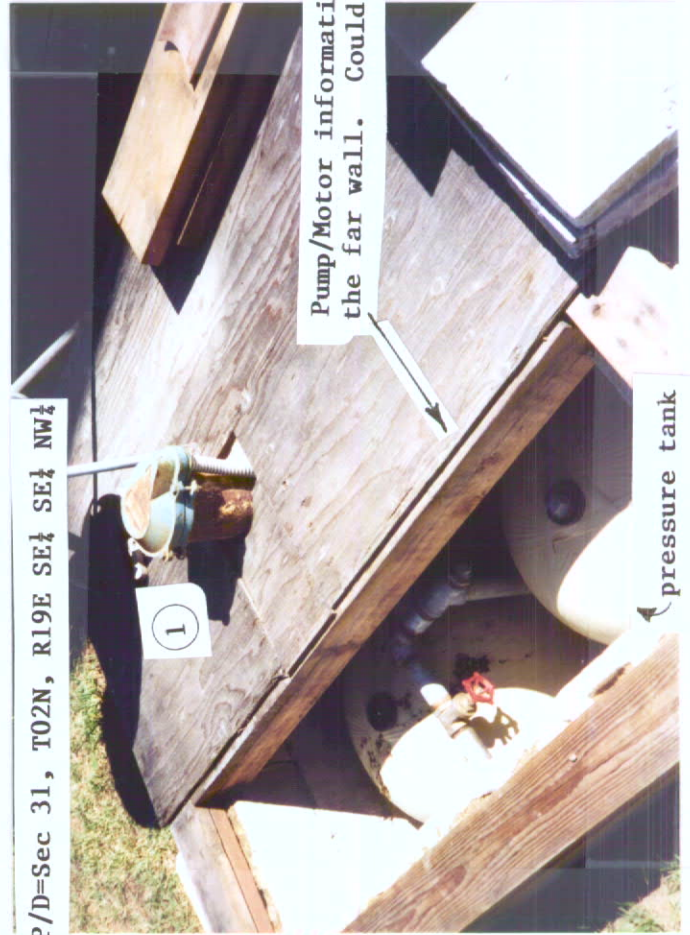
P/U Section 31, T02N, R19E SE¼ NW¼

Photo looking E'ly



1

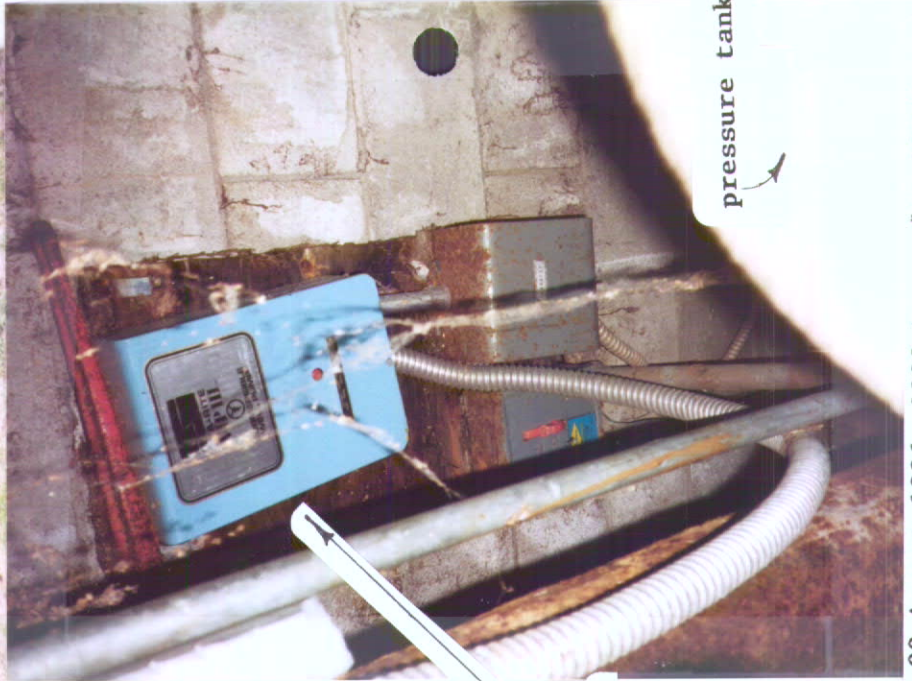
P/D



P/D=Sec 31, T02N, R19E SE¼ NW¼

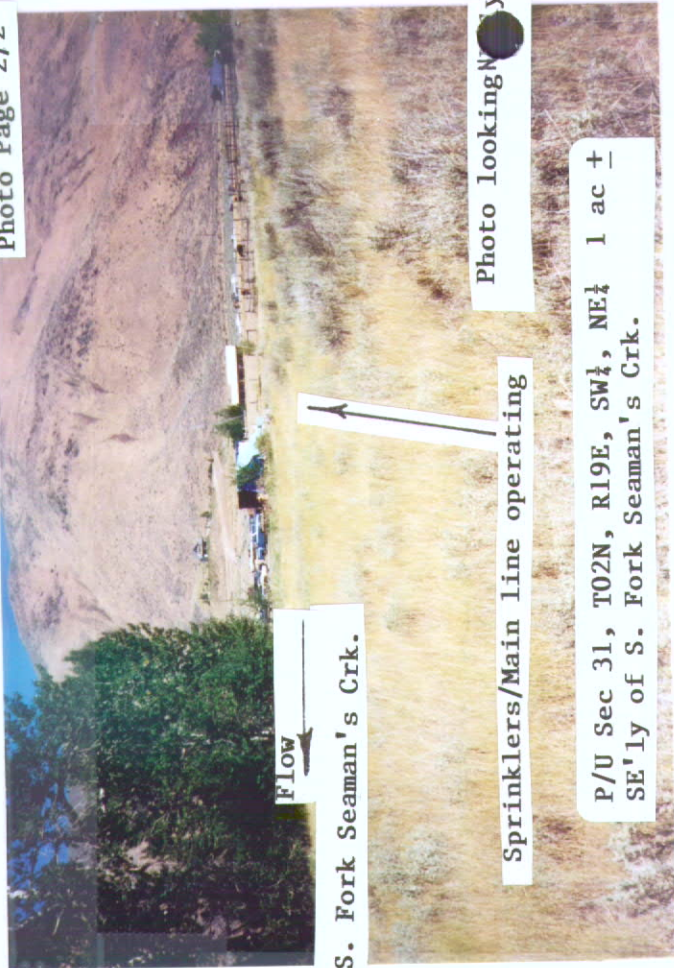
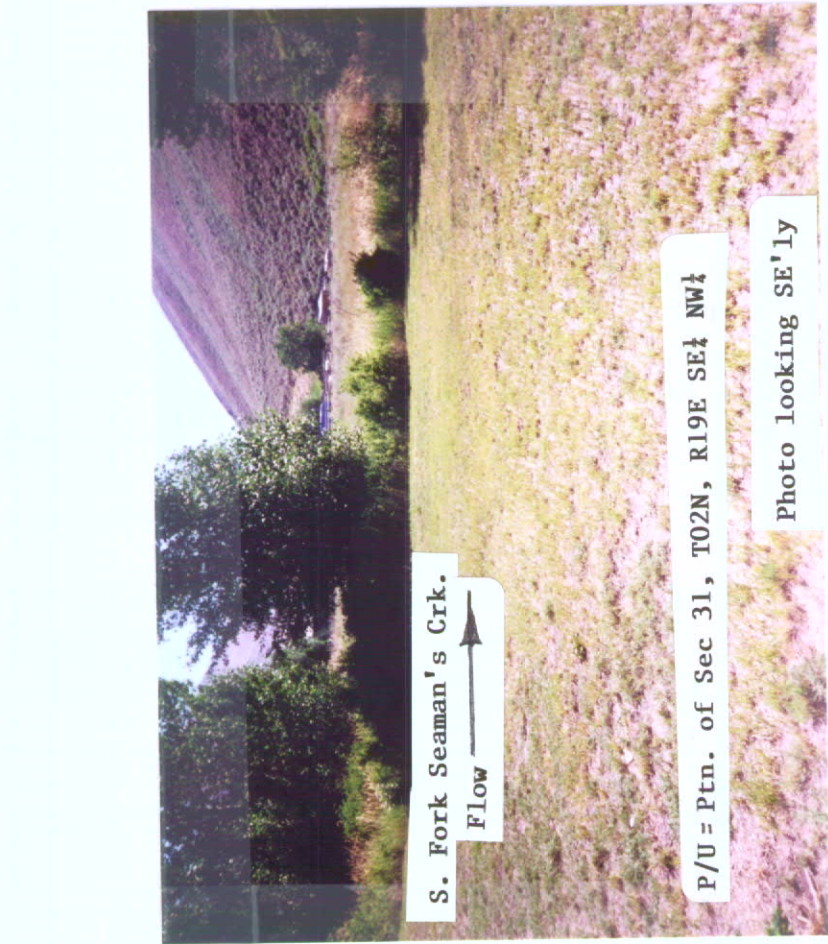
Pump/Motor information underneath and on the far wall. Could not get serial #'s.

pressure tank



pressure tank

APR 10 1997



#37-08090
22 August 1996 1200 hrs.
G. Satterlee

APR 10 1997

RECEIVED

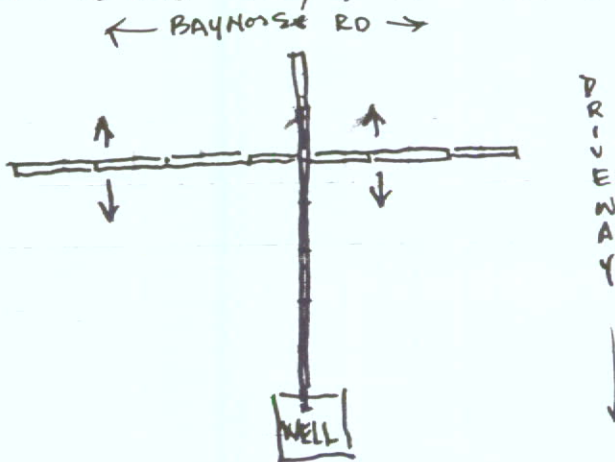
JAN 16 1990

Department of Water Resources

3) 30 DEC 89:

CAN'T FIND A NOTARY TO SIGN THIS, AS IT'S GOT "IDAHO" ON THE FORM. IF IT CAN WAIT 'TIL MARCH, I'LL BE UP THERE TO LIVE & CAN DO IT THEN.

IT MAHATMA'S revenge... :). Been laid up 5 DAYS NOW, so if my writing looks like spider tracks, that probably has a lot to do with it. About the water-witnesses in the neighborhood: I started my system in 1974, with ^{EIGHT} ~~SEVEN~~ rain birds, 2" mainline out to the road, & seven laterals I moved 2x a day.



MICROFILMED

MAR 12 1990

I RAN this from when it thawed in the spring, to when it froze again in the fall & got 3 cuttings, of up to 90 Bales each! Just drag it in the spring & throw some hand-seed out, rent the county sprayer for weeds, & you're set. There were →

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08090

Priority: April 13, 1983

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

14.6 AF

This is to certify, that JUDITH JESSICA TRAGER
KENNETH B TRAGER JR

PO BOX 249

BELLEVUE ID 83313-0249

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 13, 1983; and has submitted Proof of Beneficial Use on October 20, 1994. An examination indicates that the works have a diversion capacity of 0.080 cfs of water from a GROUNDWATER 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	04/15 to 10/15	0.06 CFS	14.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.08 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 31, Township 02N, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

02N 19E 31

SWNE 1

SENW 3

4

Total number of acres irrigated:

4

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre on the lands above.

APR 10 1997

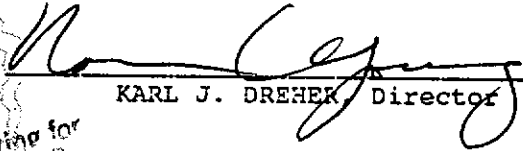
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-08090

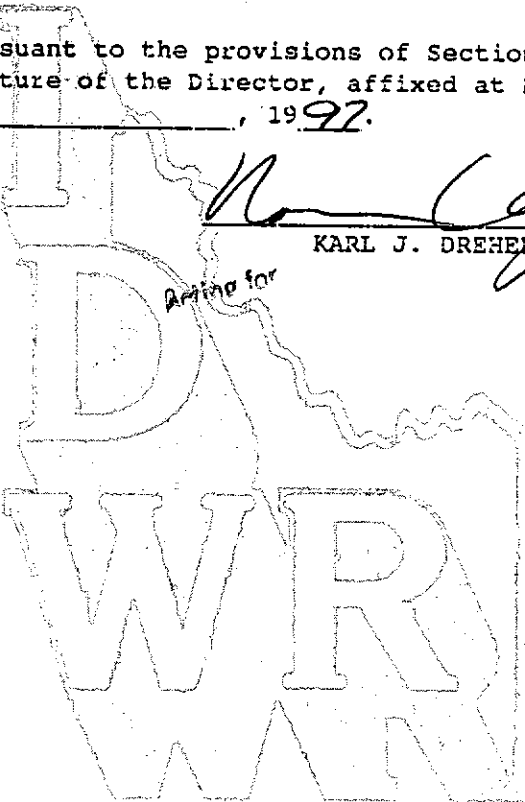
CONDITIONS OF APPROVAL AND REMARKS

6. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for the use of existing rights used for supplemental purposes.
7. Point of diversion and place of use are located within Lot 32, Muldoon Subdivision No. 2.
8. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 31ST day of MARCH, 1997.


KARL J. DREHER Director

Acting for



MICROFILMED

APR 10 1997

RECEIVED

MAR 26 1997

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-08090

Date of Priority: April 13, 1983

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

14.6 AF

Comes now

JUDITH JESSICA TRAGER

KENNETH B TRAGER JR

PO BOX 249

BELLEVUE ID 83313-0249

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho No. 37-08090, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	14.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.08 CFS	14.6 AF

LOCATION OF POINT(S) OF DIVERSION:SENW , Sec. 31, Township 02N, Range 19E
BLAINE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 19E 31	SWNE 1	SENW 3		4
Total number of acres irrigated:				4

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change
will be made at permit holder's own risk.

Signed at Hailey, Id., this 20 day of March, 1997.

MICROFILMED

APR 10 1997

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08090

FOR DEPARTMENT USE ONLY

Preliminary check by Ket Fee = \$50.00 Received by Ket # C038422 Date 3-26-97

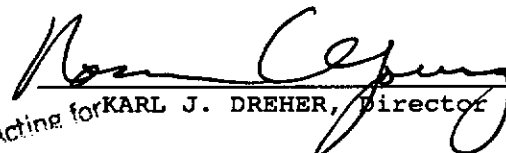
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08090 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for the use of existing rights used for supplemental purposes.
7. Point of diversion and place of use are located within Lot 32, Muldoon Subdivision No. 2.
8. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 31st day of MARCH, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 10 1997

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	37-08090	Anthony W Smith	0.14
Full Assignment	37-08090	Judith J Vogt-Trager	0.14
Full Assignment	37-08090	Kenneth B Trager Jr J. Jessica Trager	0.14

MICROFILMED

JUN 25 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

OCT 20 1994

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08090 Telephone No. 788-2573
2. Name(s) of Permit Holder(s): KENNETH + JESSICA TRAGER
3. Mailing Address: P.O.B. 249 BELLEVUE, IDAHO 83313
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 8? / yr. 1974
- a. Well Driller: KEL SMITH GEORGE ROSSLER Drilling Permit Number? ? - ? - ?
- b. **OPTIONAL:**
Pump Horsepower: 1 1/2 HP. Pressure (psi): 40 to 60 Dynamic pumping level (ft): 128'

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): ONE Stockwater (No. and type of stock):

Irrigation (No. of acres): FIVE Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.14 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes X or No
Has the measuring device been installed? Yes or No X

Flow Measurement Port: Is a flow measurement port required? Yes or No X
Has the measurement port been installed? Yes or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Ken Trager Telephone Number: 788-2573

Address: as above

10. The information given on this form 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.

Signature of permit holder: K.B. Trager Date: Oct 2nd 94
(include your title, if on behalf of company or organization)

NOV 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 29 1992

ASSIGNMENT OF APPLICATION FOR PERMIT Department of Water Resources

I, Judith Jessica Vogt-Trager, hereby assign to Kenneth B Trager Jr. and J. Jessica Trager
of, 326 Bay Horse Rd (Box 249) Bellevue, ID 83313
(Full Address)

☒ All my right, title, and interest in and to Application for Permit
No. 37-08090 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

☐ The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this May 26, 1992 day of May, 1992

Judith Jessica Vogt-Trager
Applicant

State of Idaho)
County of BLAINE) ss

On this 26th day of May, 1992, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

William E. Lamm
Notary Public

My commission expires: 3-5-94

MICROFILMED
JUN 25 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED
FEB 14 1992

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 37-08090

Name(s) of Permit Holder: Judith Jessica Vogt-Trager and

Mailing Address: P.O. Box 249, Bellevue, ID 83313

Date Proof is Due April 1, 1992 Telephone No. (208) 788-2523

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

The previous owner of the property, Anthony Smith, had the whole system up and running for years.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Sometime after Mr. Smith left the property and my husband and I bought it, most of the lines were stolen and we have been unable to replace them.

Permit holder(s) request an extension to April 1, 1995

FEE: \$15.00

Judith Jessica Vogt-Trager
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to April 1, 1995.

MAR 05 1992

Signed this 18th day February, 19 92

Z. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08090

Proposed Priority: April 13, 1983 Maximum Diversion Rate: 0.14 CFS

This is to certify, that JUDITH JESSICA VOGT TRAGER

P.O. BOX 249

BELLEVUE, ID 83313

has applied for a permit to appropriate water from: GROUNDWATER
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	04/01 to 11/01	0.10 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION: NESW Sec. 31, Township 02N, Range 19E
BLAINE 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>
02N	19E	31	SENW 2	NESW 3		5

PLACE OF USE: DOMESTIC

TWN RGE SEC

02N 19E 31 NESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Domestic use is for one home.

MICROFILMED

MAR 12 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08090

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

6th day of March, 1990.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAR 12 1990

State of Idaho
Department of Water Resources

RECEIVED
JAN 16 1990

ASSIGNMENT OF ~~PERMIT~~ APPLICATION

Department of Water Resources

I, Anthony W. Smith, hereby assign to Judith Jessica Vogt-Trager
of Box 249 Bellevue, Idaho 83313
Address

All my right, title, and interest in and to Permit No. 37-8090
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 37-8090 to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

15.75 ACRES, APPROX 5 ACRES IRRIGATED
SINCE AUGUST, 1974. LOCATED SE COR OF SE 1/4, SEC 31, T3N, R18E, B.M.
Lot 32, Muldoon Supd. #2, Bellevue, ID. cu. ft. / SEC. 07 A'.

Made this 16th day of December, 1989.

Anthony Warren Smith
Permit Holder

(N/A) Single
Spouse of Permit Holder

State of Idaho)
County of) ss

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

MICROFILMED

MAR 12 1990

seal

Notary Public residing at

My commission expires: _____

ok to accept
see this
memo of
1-18-89
KW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 37-8090
RECEIVED
MAY 2 1983

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Anthony W. Smith Phone 788-3578

Post office address P. O. Box 382 Bellevue, Idaho 83313

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 2N

Range 19E B.M. Blaine County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10 for irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs ~~or acre-feet per annum~~)

Amount 0.04 for domestic purposes from Jan 1 to Dec 31 (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:

a. 0.14 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

well, pump

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 128 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 2N

Range 19E B.M.

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

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

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

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

MICROFILMED

MAR 12 1990

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	19E	31								2	3								5

Total number of acres to be irrigated 5

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 Place of Use = Lt 32 Muldoon Ranch Subdivision #2

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

The map is drawn on a grid. The following text is written on the grid:

- Twp 2N**: Located on the left side of the grid, spanning approximately 4 rows.
- Rge 19E**: Located in the center of the grid, spanning approximately 4 columns.
- 31**: A small square with the number 31 inside, located at the intersection of the 5th column and 6th row.
- Well & House**: A handwritten label with an arrow pointing to the square containing the number 31.

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.

MICROFILMED

MAR 12 1990

Anthony W. Smith
(Applicant)

Received by manya Date 5/2/83 Time 11:30 a
Date 4/13/83 Time 3:00 p
Preliminary check by T.G. Pfan Fee \$ 30.00 # 27202
Receipted by manya Date 4/13/83
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: none

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

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. Other:

REGISTERED

MAR 12 1980

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

DANIEL J. GORHAM

being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 17 day of JAN, 1990, and

the date of the last publication was on the 24 day of JAN, 1990.

Subscribed and sworn to before me this 24th day of Jan, 1990.
(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

MICROFILMED

COST OF PUBLICATION

MAR 12 1990

Number of Picas per Line 11
Number of Lines in Notice 34
Number of Insertions 2
34 Lines tabular at 5.5¢/Pica
34 Lines straight at 18.70 34.5¢/Pica
34 Subsequent lines at 14.96 4 3.5¢/Pica
TOTAL COST 33.66

COPY OF NOTICE
(Paste Here)

App. 3708090
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Water Resources (Boise)
BILL TO

Smith seeks trust water right

NOTICE OF APPLICATION FOR TRUST WATER RIGHT 37-08090

SMITH, ANTHONY W.
P.O. BOX 382
BELLEVUE, ID 83313
Source: GROUNDWATER
Diversion Pt: NESW Sec 31 T 02N
R 19E
Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.140 CFS)
Date Filed: 4/13/1983
In: T02N R19E S31 SENW NESW
5.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720, on or before FEBRUARY 5, 1990.

R. Keith Higginson, Director
Publish: Wood River Journal--
January 17 & 24, 1990.

PUBLICATION RATES

As of Oct. 1, 1988
(Idaho Code, Reb. Statutes 1984)

7-8 pt. per line straight....4.5/pica
7-8 pt. per line tabular....5.5/pica
7-8 pt. per line successive
insertion....3.5/pica

6904



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

April 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUDITH JESSICA TRAGER
KENNETH B TRAGER JR
PO BOX 249
BELLEVUE ID 833130249

RE: WATER RIGHT NO. 37-08090

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 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 this 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 this 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, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

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ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

10 1997

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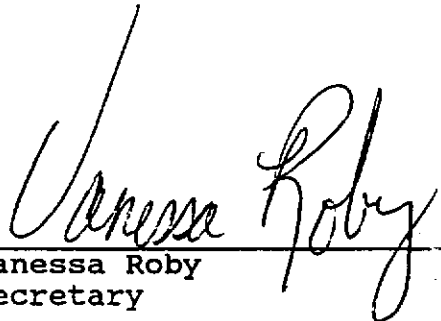
APR 10 1997

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of April, 1997, 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. 37-08090

JUDITH JESSICA TRAGER
KENNETH B TRAGER JR
PO BOX 249
BELLEVUE ID 833130249



Vanessa Roby
Secretary

MICROFILMED

APR 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 6, 1997

JUDITH JESSICA TRAGER
KENNETH B TRAGER JR
PO BOX 249
BELLEVUE ID 833130249

RE: WATER RIGHT NO. 37-08090

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED
APR 10 1997

WR0749NP
No. 37-08090

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/27/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JUDITH JESSICA TRAGER	04/13/1983	IRRIGATION	04/15/10/15	0.060 CFS	14.00 AFA
C	KENNETH B TRAGER JR PO BOX 249 BELLEVUE ID 83313-0249 (208) 788-2573		DOMESTIC	01/01 12/31	0.020 CFS	0.60 AFA
TOTAL DIVERSION:					0.080 CFS	14.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.080 CFS

Point(s) of Diversion: T02N R19E S31 (SENW) BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																																																
NENE		NWNE		(SWNE)		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE																														
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM																													
-----																																-----	-----																											
02N 19E 31 :																																01 :	03 :																											4.0
																																		TOTAL ACRES																										4.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BLAINE

Other Water Rights with Same Point(s) of Diversion and Source:
37-08558

Other Water Rights Listing Overlapping Place(s) of use:
37-01201 37-07710 37-08090 37-08558 37-30006

Conditions of Approval:

- 0.30 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 3.5 afa per acre for the
 - lands above.
- 0.50 - Diversion and use of water under this right is subject to rules
 - that may subsequently be promulgated for the use of existing
 - rights used for supplemental purposes.

Remarks: Point of diversion and place of use are located within Lot 32,
Muldoon Subdivision.
Domestic use is for 1 home and does not include lawn, garden,
landscape, or other types of irrigation.

Dates: App. Received: 04/13/1983 Priority Date: 04/13/1983
Proof Due Date: 04/01/1995 Proof Made Date: 10/20/1994
Exam Made Date: 08/02/1996 Exam Sent to S.O.: 09/10/1996
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

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WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM
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L3708090	T02N R19E S31	GROUNDWATER																																
	:					01								03																:	4			
A3700363G	BIG WOOD R :																													:				
R3700363G	BIG WOOD R :																													:				
3700363H	BIG WOOD R :																													:				
A3700364G	BIG WOOD R :																													:				
R3700364G	BIG WOOD R :																													:				
3700364J	BIG WOOD R :																													:				
A3700577BY	BIG WOOD R :																													:				
A3700577CB	BIG WOOD R :																													:				
A3701198	SPRINGS :	27								15																				:	42			
3701200	SEAMANS CR :	I		I				I																				:						
A3701200	SEAMANS CR :	27								15																				:	42			
3701201	SEAMANS CR :	Campbell																												:				
A3701201A	SEAMANS CR :	Beaudet (L34 06 25A)																												:				
3707710	GROUNDWATE :	Farr																												:				
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A3707843	GROUNDWATE :																													:				
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3708354	GROUNDWATE :																													:				
3708558	GROUNDWATE :	Duggan (L31)																												:				
3708696	GROUNDWATE :																													:				
3708714	GROUNDWATE :																													:				
3708811	GROUNDWATE :																													:				
3708817	GROUNDWATE :																													:				
3730006	BIG WOOD R :	WT Riley																												:				
3730026	BIG WOOD R :																													:				
3730027	BIG WOOD R :																													:				
--86 MAP--	C13Q-Y 25 :	34								16																				:	50			
NO QTRS	MAPPING	Lot04-28																																

B/U FIELD EXAM REVIEW

Cindy Zimmerman

 Permit #: 37-8090 Name: Trager Date: 2/27/97 ✓ Lots —

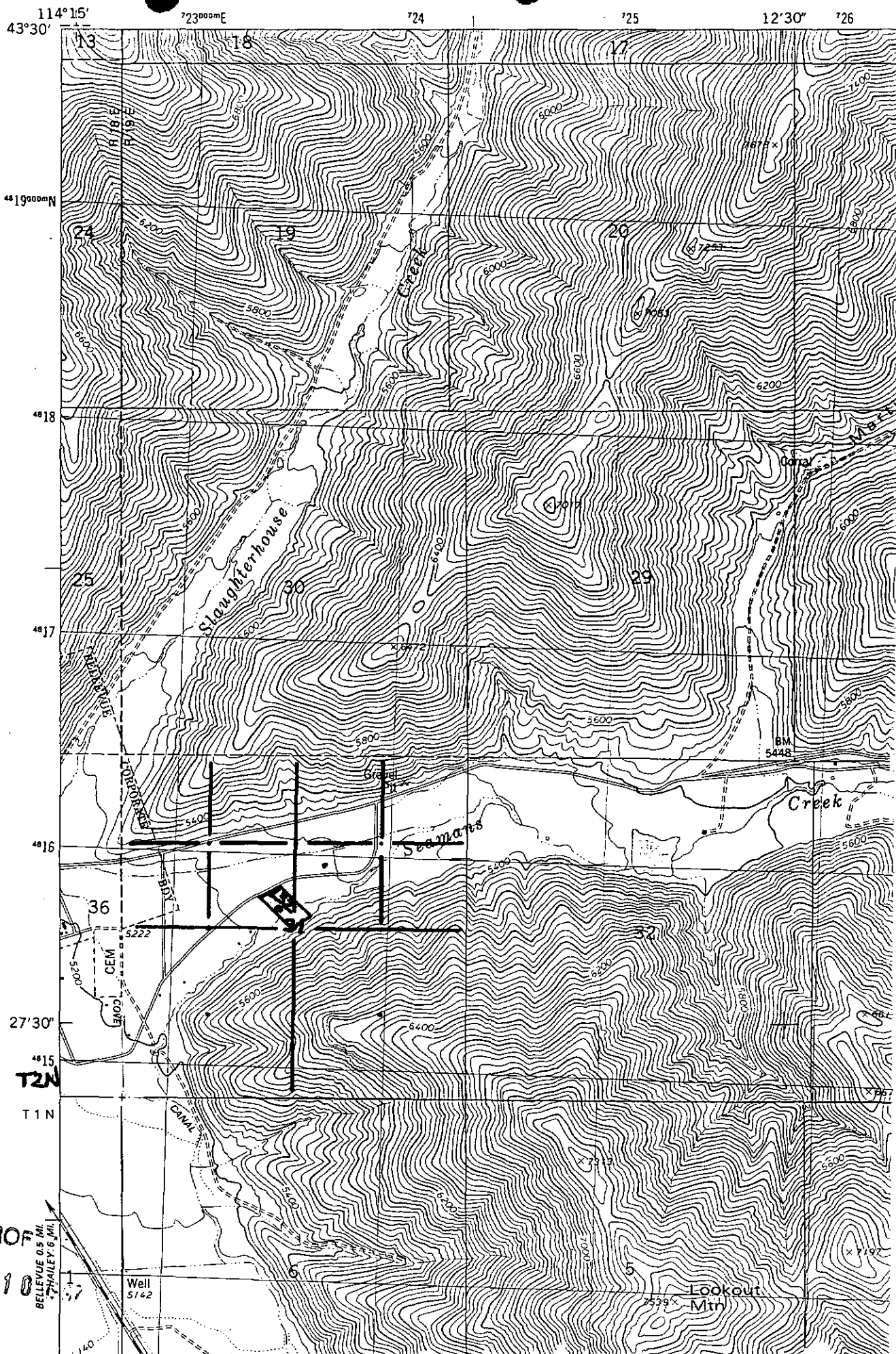
NAME	Chng	Same	Or Address Change?	<u>788-8090</u>
SOURCE		✓	Clarify source	
			Prelim. Order to Void - Source change.	
P/D	✓		Amendment Needed?	<u>SE SENW</u> P39
			Overlap(s)	<u>none</u>
P/U	✓		Amendment Needed?	<u>add SUNE, del NESW,</u> P41
			Overlap(s)	<u>none (GW replaces SW use)</u>
			(Gov't use special T's)	<u>*P/D & P/U Amend? P37</u>
RATE		✓	Permit/proof fee limits	<u>0.14</u> / <u>0.20</u>
		✓	Measured Quantity =	<u>0.08</u> cfs
			Theoretical Quantity =	<u>—</u> cfs
			<u>Polysonic on irr / stopwatch bucket on dom.</u>	
			(HP) $\frac{8.8 \times 0.70 \times}{+ (2.34 \times)} =$ <u>0.06 + 0.02 = 0.08 cfs.</u>	
		✓	Recommended capacity	<u>0.08</u> cfs
		✓	Recommended rate	<u>0.08</u> cfs
VOLUME		✓	Season: (<u>B</u> / <u>3.5</u>)	<u>4/15 - 10/15 = 185</u> days
			Calculations:	<u>(irr = 4.0 x 3.5 = 14.0) + (dom = 0.6) = 14.6</u>
		✓	Flow limit:	<u>0.06 cfs x 184 days/yr. x 1.9835 = 21.9</u> AF
		✓	Recommended volume	<u>14.6</u> AF
USES		✓	Same Nature of Use?	<u>—</u> P46
			Amendment Needed?	<u>—</u>
REMARKS			Multiple p/d's in same 1/4? Use W32	
		✓	<u>① PU, PD/LT32 Muldoon Subd ② WBS/1</u>	
CONDITIONS			Measuring Device (R01) or Lockable Controlling Works (R02)	
			Watermaster Control (R04) - WD #	
		<u>R30</u>	Irrigation rate/annual volume overlap	
		<u>050</u>	GW irrigation replaces surface water (050)	
			GW irrigation supplements surface water (065)	
			Water Quality	
			Other	
PRIORITY	App Rcd	<u>4/13/83</u>	Due	<u>4/1/95</u>
	Receipt#	<u>CO31507</u>	Fee OK?	<u>(Yes) No</u>
	Order to Reinstate Needed?	<u>Yes (No) Done?</u>	Advanced to:	<u>—</u>
	Priority	<u>4/13/83</u>	Examined	<u>8/2/96</u>
COMMENTS:	<u>amend pd & pu; reduce acres, flow limited by capacity.</u>			

USE	CFS	VOLUME
<u>irr.</u>	<u>0.06</u>	<u>14.0</u>
<u>Dom.</u>	<u>0.02</u>	<u>0.6</u>
<u>—</u>	<u>—</u>	<u>—</u>
<u>—</u>	<u>—</u>	<u>—</u>
TOTAL	<u>0.08</u>	<u>14.6</u>

 SRBA Overlap —
 Adjustment Memo —
 LICENSE LTR: P49
 #1 AMEND LTR: P37/P38
 #2 AMEND LTR: P42/P47

3171 III SE
(HALEY)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



R19E

MICROF
PR 10
BELLEVUE 0.5 MI
HALEY 6 MI

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 11 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-08090

1. Owner: JESSICA & KENNETH TRAGER

Phone No. (208) 788-2573

* Current Address: PO BOX 249, BELLEVUE, ID. 83313

2. Accompanied by: JESSICA TRAGER

EXAM DATE: 02 AUG 96

* PROPERTY Address: 326 BAYHORSE RD.

Phone No. _____

Relationship to Permit Holder: SAME

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

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
#1		SE	SE	NW	31	02N	19E	BLAINE	FIELD VERIFICATION, TIE TO SPECIFIC LAND MARKS WITH DISTANCES TO DETERMINE LOCATION P/D & P/U

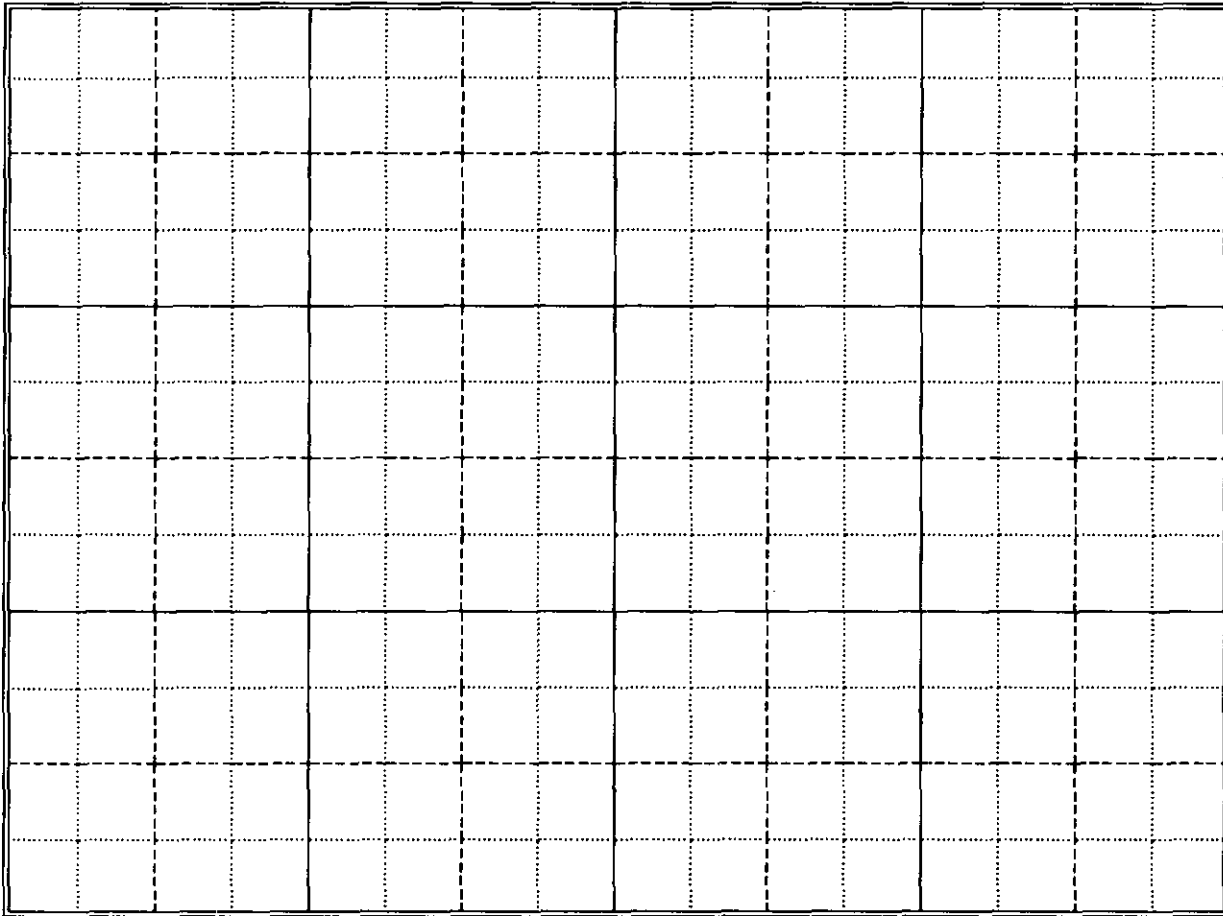
2. Place(s) of Use:

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	
02N	19E	31			1					3									4
"	"	31								D									
																		MICROFILMED	4

APR 10 1997

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)

X Photo of Diversion and System Attached
X S/D PLAT MAP ATTACHMENT "C"

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1		1.5	information from applicant's beneficial use, verified by applicant @ time of field exam.		

*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
FLOWMETER			ISTT-P	26865		4/96

2. Measurements:

5 GAL. BUCKET / STOPWATCH = DOMESTIC
POLYSONIC FLOWMETER = IRRIGATION
SEE MEASUREMENT "ATTACHMENT B"

A T T A C H M E N T "A"

23 August 1996

To: File #37-08090 - Trager, Jessica and Kenneth
From: Georgia Satterlee

On 02 August 1996, I was accompanied by Jessica Trager. The said permit is for one domestic well and 5 acres of irrigation.

I used specific land marks with distances to determine the location of point of diversion and place of use relative to the land marks, i.e. road intersections, water ways, etc. The field examination depicted less acreage and different property descriptions for the point of diversion and the place of use.

The information for the well and pump were in a inaccessible area. Although photos were taken, model and serial numbers were difficult to obtain. There are two Well-Mate pressure tanks next to the well. Mrs. Trager said the horsepower was correct, which the Beneficial Use Form shows 1.5 horsepower.

At the time of the examination, the irrigation was being used. There was a main line from the pump which fed 6 sprinklers. Most of the sprinklers were Rainbird, ranging from 9/64th-11/64th nozzles. There was one Weather Tec, 10/30, and one Nelson with a 5/32nd nozzle. Photo page 1/2, 02 August, show irrigation in the NW'ly portion of property (the majority of the acres). Photo page 2/2, 22 August, show the irrigation of the 1 acre south of the creek. The applicant does not use the water from the creek for any purpose or gain.

The measurement device for irrigation was the polysonic flowmeter. However, measurement for domestic, was a 5 gallon bucket and a stopwatch. See Attachment "B" for measured rates.

RECOMMENDATION/ANALYSIS:

The point of diversion location has been verified in:
Section 31, T02N, R19E, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$

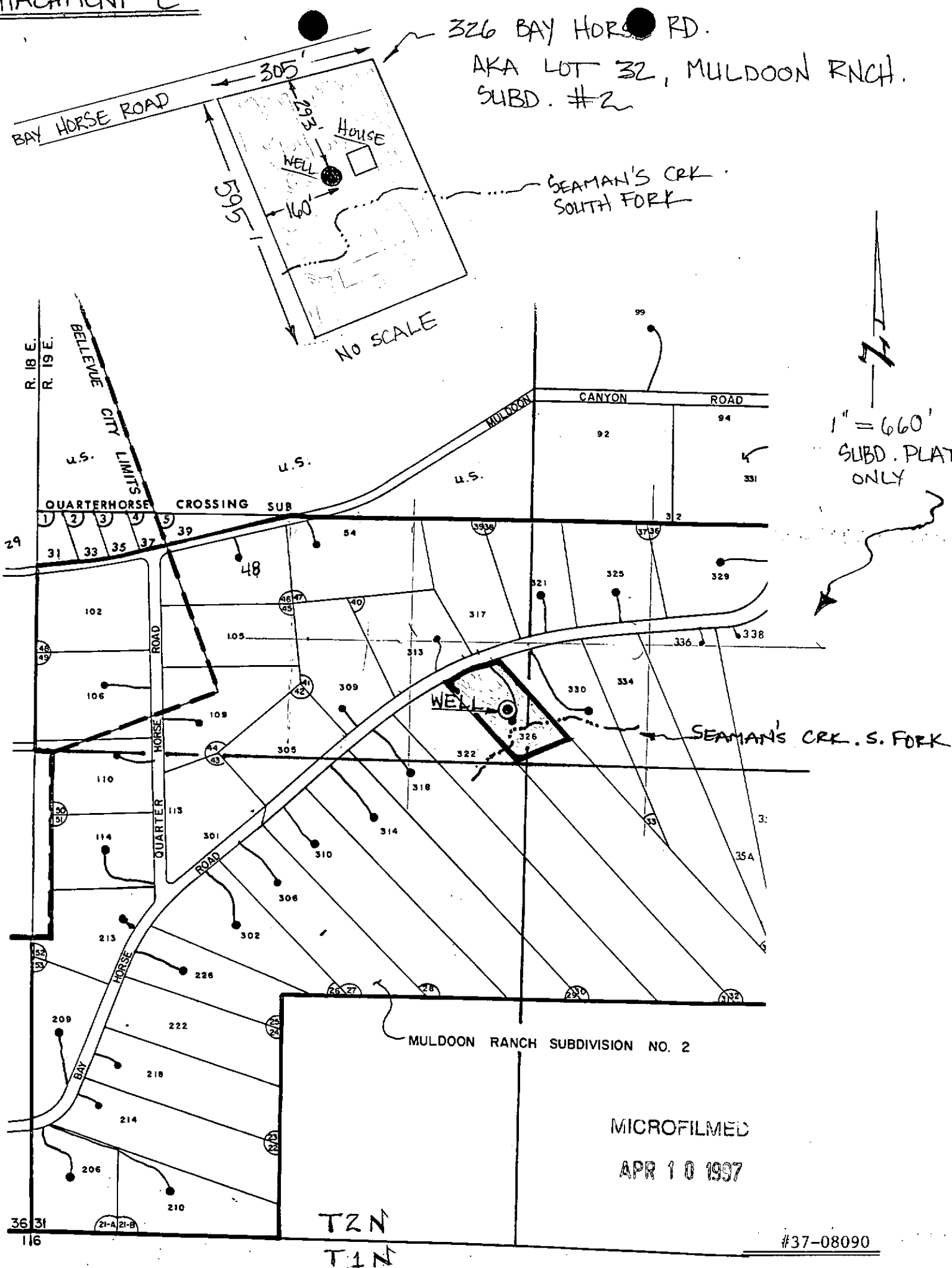
The place of use for irrigation:
Section 31, T02N, R19E, SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre
Section 31, T02N, R19E, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acre
The amount measured shows .75 inch/acre.

DOMESTIC	1-1 TO	12-31	0.02 cfs	0.6 afa
IRRIGATION	4-15 TO	10-15	0.06 cfs	14.0 afa

MICROFILMED

APR 10 1997

ATTACHMENT "C"



ATTACHMENT "B"

PIPE O.D. 3.000 IN
 PIPE WALL THICKNESS 0.046 IN
 PIPE I.D. 2.908 IN
 PIPE MATERIAL ALUMINUM
 PIPE SOUND VELOCITY 10170.604 F/S
 PIPE MATERIAL NONE
 PIPE SOUND VELOCITY 0.000 F/S
 PIPE THICKNESS 0.000 IN
 PIPE ABS ROUGHNESS 0.00015000
 PIPE MATERIAL WATER
 PIPE SOUND VELOCITY 4863.330 F/S
 PIPE VISCOSITY 1.132 cSt
 TRANSDUCER TYPE STANDARD
 TRANSDUCER MOUNTING W
 TRANSDUCER SPACING 4.088 IN
 SIGNAL STRENGTH UP 2.85 (0-10)

$$\frac{\Delta V}{6} = \frac{28.5 \text{ gpm}}{448.8}$$

MEASURED RATE:
 0.06 cfs
 IRRIGATION

FLOW ✓ 28.889 GPM

FLOW ✓ 28.658 GPM

FLOW ✓ 28.621 GPM

38:55 08-02-96

E FACTOR = 0.965
 SET (GPM) = 0.000
 OFFSET = 0.57
 OFFSET = 0.26
 DET. DLY. = 15.77
 IRRIGATION FAC. = 1.00
 IRRIGATION STANDARD/W
 UP DOWN
 DLY = 222.59 222.59
 = 1.86 1.90
 = 0.98 1.06
 = 2.12 2.14
 STG = 5.80 5.77
 ED = 0.00 0.00
 (us) = 224.0 223.0
 TIME (ns) = 57.2
 COUNT = 1011
 = 358
 = 6.05
 ION = 0.000
 (F/S) = 4863.33
 LDS NO. = 26933
 LE FACTOR = 0.9043
 = 28.250 GPM
 = 1.753 F/S
 = 27.004 GPM

800-120
 Goot
 Berlier

↑ MEASUREMENT
 FOR IRRIGATION ↓

BUCKET/STOPWATCH

↙ MEASUREMENT
 FOR DOMESTIC ↘

2 gal.

- ① 12.29"
- ② 13.47"
- ③ 13.23"

$$\frac{9.2 \text{ gpm}}{448.8} = \frac{0.02 \text{ cfs}}{\text{DOMESTIC}}$$

$$\frac{\Delta V}{3} = 13" / 2 \text{ gal}$$

MICROFILMED

APR 10 1997

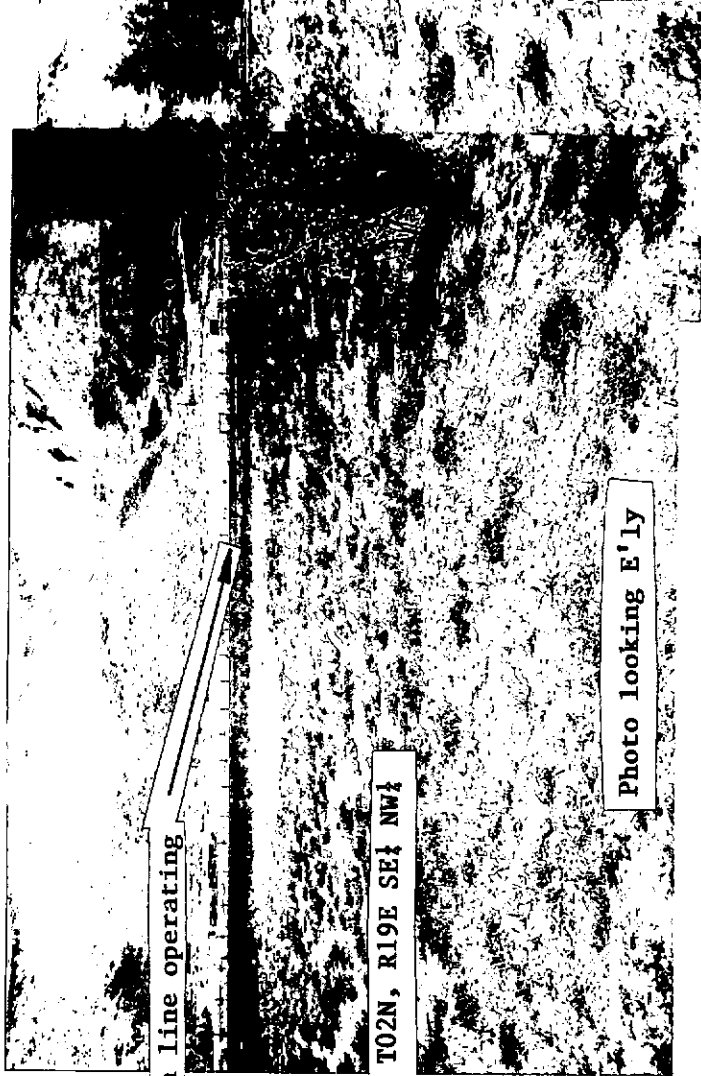
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
 within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>GENE SMITH</u> Address <u>4TH + BURCH, BELLEVUE 10A</u> <u>183313</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>110</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____																																																																																		
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☒ Bailer ☐ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr> <td style="text-align: center;">33</td> <td style="text-align: center;">110</td> <td style="text-align: center;">1</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	33	110	1																																																																												
Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																	
33	110	1																																																																																	
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>6"</td> <td>0</td> <td>4</td> <td>BROWN SOIL + COARSE GRAVEL</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>4</td> <td>12</td> <td>LARGE BOULDERS + GRAVEL</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>12</td> <td>18</td> <td>COARSE GRAVEL</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>18</td> <td>38</td> <td>COARSE GRAVEL + CLAY</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>38</td> <td>68</td> <td>CEMENT GRAVEL</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>68</td> <td>72</td> <td>BROWN CLAY + SAND</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>72</td> <td>84</td> <td>CEMENT GRAVEL</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>84</td> <td>86</td> <td>COARSE GRAVEL</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>86</td> <td>90</td> <td>LARGE BOULDERS</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>90</td> <td>103</td> <td>BROWN CLAY</td> <td></td> <td></td> </tr> <tr> <td>"</td> <td>103</td> <td>129</td> <td>BROWN CLAY + COARSE SAND</td> <td></td> <td>X</td> </tr> <tr> <td>"</td> <td>129</td> <td>150</td> <td>BROWN SAND + GRAVEL</td> <td></td> <td>X</td> </tr> </tbody> </table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	6"	0	4	BROWN SOIL + COARSE GRAVEL			"	4	12	LARGE BOULDERS + GRAVEL			"	12	18	COARSE GRAVEL			"	18	38	COARSE GRAVEL + CLAY			"	38	68	CEMENT GRAVEL			"	68	72	BROWN CLAY + SAND			"	72	84	CEMENT GRAVEL			"	84	86	COARSE GRAVEL			"	86	90	LARGE BOULDERS			"	90	103	BROWN CLAY			"	103	129	BROWN CLAY + COARSE SAND		X	"	129	150	BROWN SAND + GRAVEL		X
Hole Diam.	Depth		Material	Water																																																																															
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4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____																																																																																			
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>250 inches</td> <td>6 inches</td> <td>1 feet</td> <td>150 feet</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18</u> Material used in seal: ☐ Cement grout ☒ Well cuttings ☐ Pudding clay ☒ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☒ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	250 inches	6 inches	1 feet	150 feet													Number	From	To																																																												
Thickness	Diameter	From	To																																																																																
250 inches	6 inches	1 feet	150 feet																																																																																
Number	From	To																																																																																	
6. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name _____ Lot No. _____ Block No. _____ County <u>BLAINE</u> <u>NE 1/4 Sec 31 T. 2 N. R. 19 E. S. 1</u>	10. Work started <u>15 MAY 79</u> finished <u>23 MAY 79</u>																																																																																		
	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. <u>RAY ROESSLER</u> Firm Name <u>WELL DRILLING</u> Firm No. <u>262</u> <u>129 3TH AVE E.</u> Address <u>BLVD 10A 83330</u> Date <u>21 MAY 1979</u> Signed by (Firm Official) <u>Ray Roessler</u> and (Operator) <u>Ray Roessler</u>																																																																																		

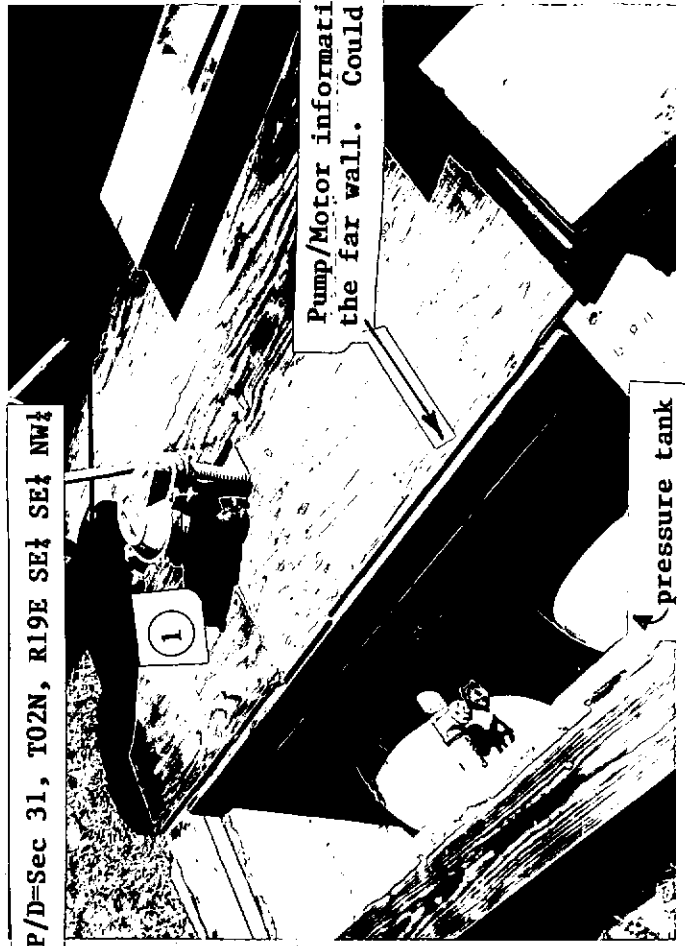
MICROFILMED
 APR 10 1997



Sprinklers/Main line operating

P/U Section 31, T02N, R19E SE1 NW1

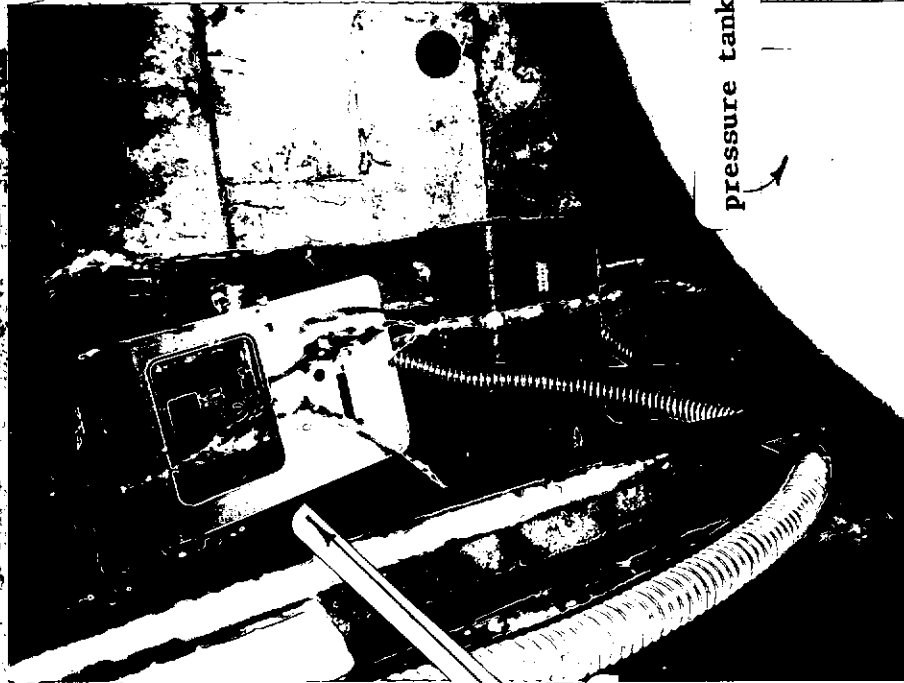
Photo looking E'ly



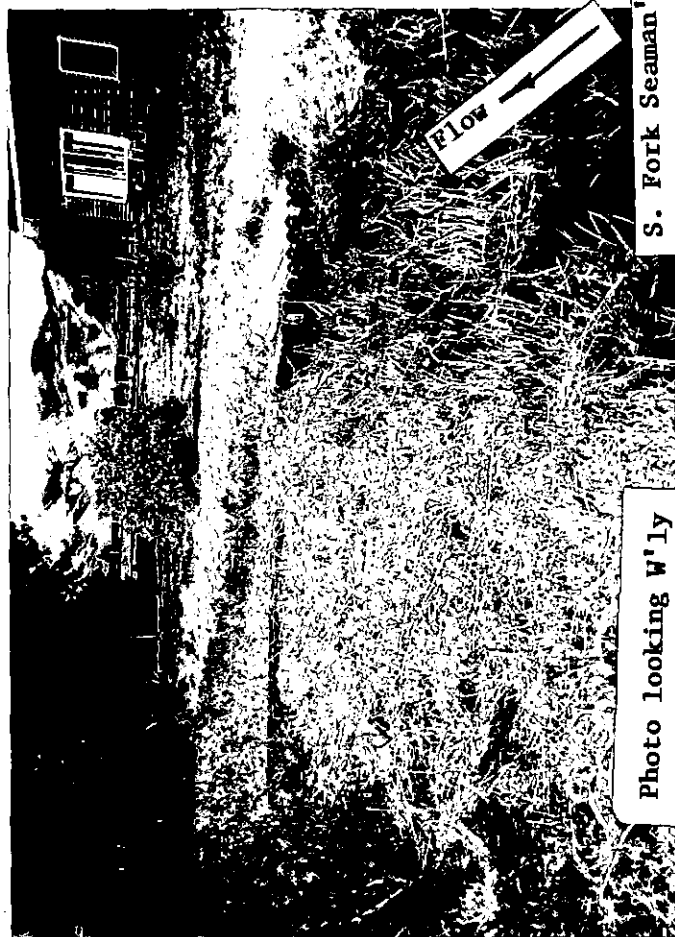
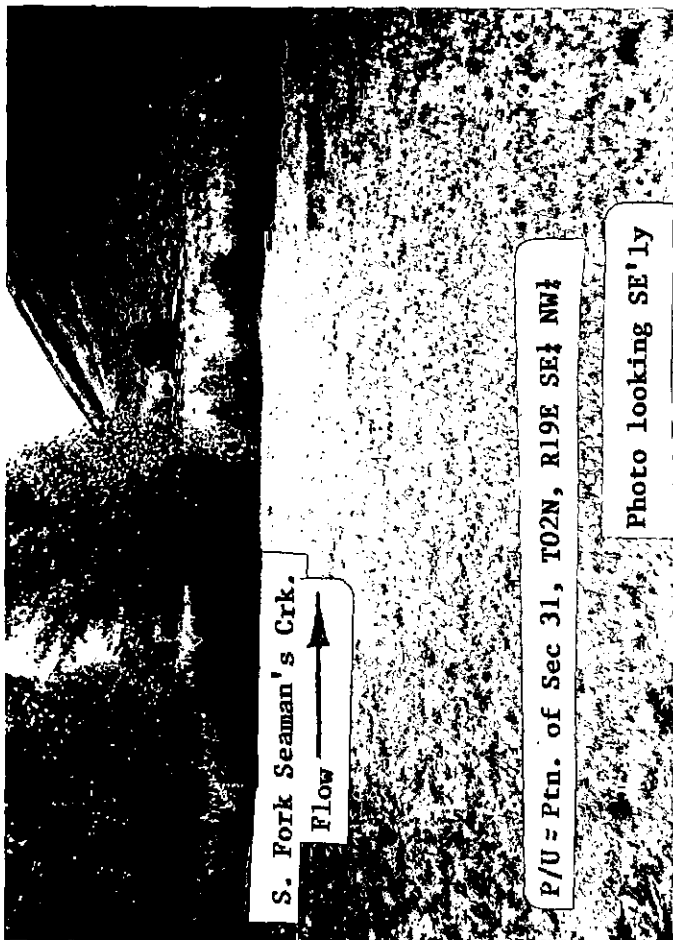
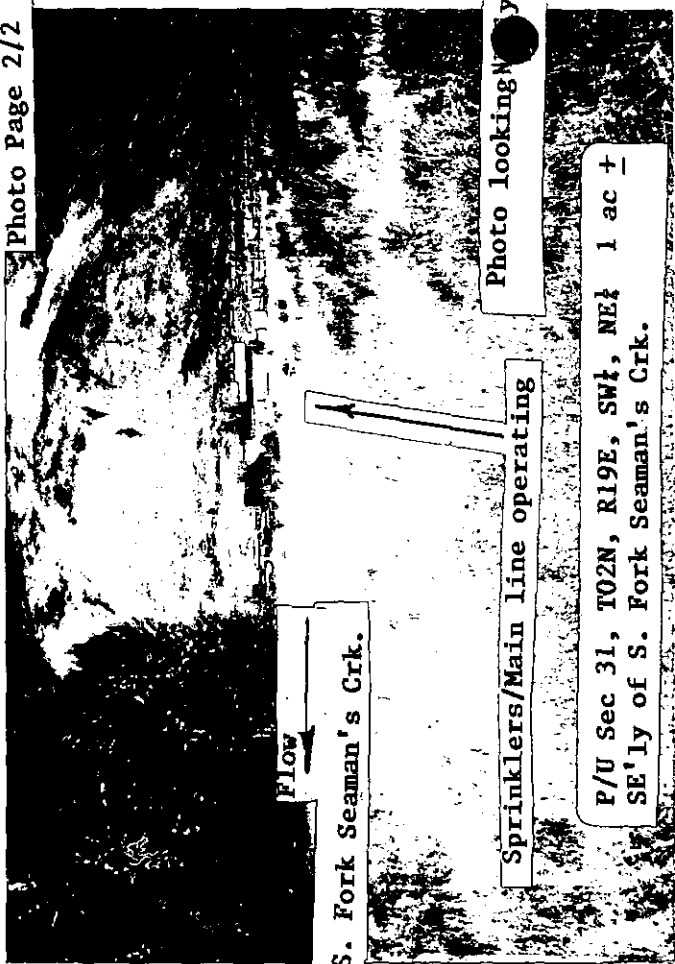
P/D=Sec 31, T02N, R19E SE1 SE1 NW1

pressure tank

Pump/Motor information underneath and on the far wall. Could not get serial #'s.



pressure tank



#37-08090
22 August 1996 1200 hrs.
G. Satterlee

E. NARRATIVE/REMARKS/COMMENTS

SEE ATTACHMENT "A"

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

MICROFILMED

APR 10 1997

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

SEE ATTACHMENT "B"

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4(3.5) = 14$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.06(183)1.9835 = 22$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = V.I.R. = 14$$

2. Volume Calculations for Other Uses:

PERMIT RATE : 0.14 cfs
EXAM FEE LIMIT : 0.20 cfs
MINIMUM RATE : 0.08 cfs

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1-1	12-31	0.02	0.6 AFA
IRRIGATION	4-15	10-15	0.06	14 AFA
Totals:			0.08	14.6 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 P/D & P/U locations
determined by field
examination

I. AUTHENTICATION

Field Examiner's Name

Georgia Satterlee

Date

27 August 96

Reviewer

Date

SEAL

November 2, 1994

JUDITH JESSICA TRAGER
KENNETH B TRAGER JR
PO BOX 249
BELLEVUE ID 83313

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08090

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 SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

NOV 07 1994

Jessica & Kenneth Trager
P.O. Box 279
Bellevue, Id 83313
Oct 11, 1994

Dept. of Water Resources
1301 N. Orchard - Statehouse Mail
Boise Id. 83720-9000

Dear Dept. of Water Resources:

Re: our enclosed proof of beneficial use
for permit # 37-08090

We are unable to locate a drilling permit
number for our well which was drilled in
1974.

Dallas, at the regional office (736-3033)
conducted a physical search of the well log
and microfiche today and was unable to
find that permit number. He suggested
that you contact him if you have further
questions.

Sincerely yours

Jessica Trager

Jessica Trager

NOV 07 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 24, 1992

KENNETH B TRAGER JR
J JESSICA TRAGER
326 BAY HORSE RD BOX 249
BELLEVUE ID 83313

Re: Permit No. 37-08090

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:cz

MICROFILMED

JUN 25 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 19, 1992

Judith Jessica Vogt-Trager
P.O. Box 249
Bellevue, ID 83313

Re: Permit No. 37-08090

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to April 1, 1995. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

MAR 05 1992

January 31, 1992

JUDITH JESSICA VOGT-TRAGER
P.O. BOX 249
BELLEVUE ID 83313

PROOF DUE NOTICE

RE: PERMIT NO. 37-08090

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

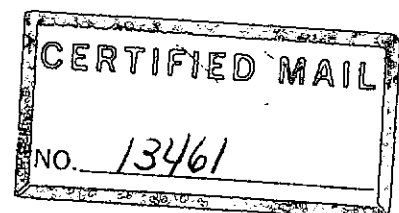
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

MAR 05 1992



Judith J. Vogt-Trager
P.O. Box 249
Bellevue, Idaho 83313

March 2, 1990

Mr. Tim Luke
Dept. of Water Resources
Statehouse Mail
Boise, Id 83720

RECEIVED
MAR 8 1990

Dear Mr. Luke:

Department of Water Resources

Enclosed please find a notarized affidavit by Cathy and Ken Millward affirming knowledge that Tony Smith irrigated his pasture prior to 1984.

I hope that this and the statement from Mr. Jennings will satisfy the requirements to proceed with the application for water rights on our property.

Please let me know if I can be of further assistance to you.

(This is regarding application for permit no. 37-8090).

Very truly yours,

Judith J. Vogt-Trager

Judith J. Vogt-Trager

P.S. In your previous correspondence my name was misspelled. An "h" was added in error to Vogt. Would you be so kind as to check the records? Thanks so much

RECEIVED
MAR 05 1992

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
MAR 8 1990

Department of Water Resources

To Whom it May Concern:

This letter will confirm that I have direct knowledge of the irrigation for pasture land performed by Anthony Smith at his property in Muldoon Ranch legal description Lot 32 Subdivision 2. Said irrigation was performed both prior to and subsequent to October, 1984. I pastured my horse on that property.

Very Truly yours,

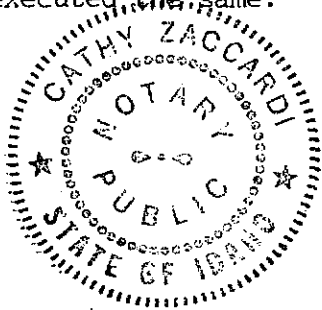
Cathy Millward
Cathy Millward

State of Idaho

County of Blaine) ss

On this 27th day of February, 1990, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he executed the same.

seal



Cathy Zaccardi
Notary Public residing at
Hailey Id

My commission expires:

1-10-93

RECEIVED
MAR 05 1992

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
March 6, 1990

JUDITH JESSICA VOGT-TRAGER
P.O. BOX 249
BELLEVUE, ID 83313

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P37-08090

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the

RECEIVED

MAR 12 1990

permit was approved.

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

MAR 12 1990

MEMORANDUM

TO: FILE/APPLICATION NO. 37-8090

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 2-21-90

=====

This application has come up for review under Swan Falls processing. In response to the department's trust water questionnaire, the present land owner and applicant has submitted one affidavit from an individual familiar with the land (Mr. Grant Jennings) and a written statement from the former landowner and applicant (Mr. Anthony Morse). Review of these statements provide sufficient evidence that the five acres under the application were irrigated prior to October 1, 1984.

Based on the information submitted by the applicant, I recommend that the application be exempt from the review requirements of Section 42-203C. The application may be approved. Trust water conditions are not applicable.

RECEIVED
FILMED

MAR 12 1990

RECEIVED
FEB 21 1990

Judith J. Vogt-Trager
Box 249
Bellevue, Idaho 83313

February 17, 1990

Department of Water Resources

Mr. Tim Luke
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Dear Mr. Luke:

Enclosed is a letter of verification from Grant Jennings regarding his knowledge that Tony Smith, the previous owner of our property irrigated his pasture prior or 1984 as per your request.

If you require additional affidavits please let me know. This is in reference to application for permit no. 37-8090. Also, I believe that this permit should be in both my name and my husband, Kenneth B. Trager's name as I recently changed title on the property, quitclaiming $\frac{1}{2}$ interest to my husband.

Very truly yours,


Judith J. Vogt-Trager

MICROFILMED

MAR 12 1990

Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED

FEB 21 1990

Department of Water Resources

TO WHOM IT MAY CONCERN:

This letter will confirm my knowledge that Anthony Smith formerly of 326 Bayhorse Road, Bellevue, Id. 83313, did irrigate his land for pasture prior to October, 1984.

Very truly yours,


Grant Jennings

State of Idaho)

County of Blaine)

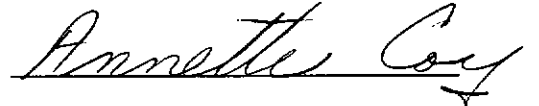
SS

On this 15th day of February 1990, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he executed the same.

seal

My commission expires:

12-30-93


Notary Public residing at
Bellevue, Idaho

RECORDED

MAR 12 1990

Judith J. Vogt-Trager
Box 249
Bellevue, ID 83313

February 11, 1990

Mr. Tim Luke
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
FEB 13 1990

Department of Water Resources

RE: Application for Permit No. 37=8090

Dear Mr. Luke;

This is to keep you informed of my actions regarding the necessary verification of the irrigation of Anthony Smith's property prior to 1984.

I have located two of the men whom Tony said would have such knowledge and they both have said that they would be happy to sign a notarized statement confirming their knowledge. At this time I am waiting to hear from them with their statements. As you know, getting something notarized when you work all day takes some time and planning. One of the men, Grant Jennings lives on a ranch quite some distance from town.

Thank you for your understanding. Please know that I am doing all I can to expedite the process.

Very truly yours,

Judith J. Vogt-Trager
Judith J. Vogt-Trager

MICROFILMED

MAR 12 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 19, 1990

Re: Application for Permit No. 37-8090

Judith Voght-Trager
Box 249
Bellevue, ID 83313

Dear Ms. Voght-Trager:

The department acknowledges the assignment of the above referenced application to you. The former applicant, Mr. Smith, did not have the assignment notarized because he believed it could not be notarized out of state. The department does accept assignments notarized out of state. The department went ahead and acknowledged the assignment since the signature on the assignment matched the signature on the application.

In a related matter, the department has also moved ahead with providing public notice of the application. Notice should appear in the Wood River Journal during the third and fourth weeks of this month. To expedite approval of the application, you should submit the evidence concerning development prior to October of 1984 as soon as possible.

Again, please feel free to contact me if you have any questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

RECEIVED

MAR 12 1990

MEMORANDUM

TO: FILE/APPLICATION FOR PERMIT NO. 37-8090
JIM JOHNSON

FROM: TIM LUKE

RE: ASSIGNMENT OF ~~PERMIT~~ *Application*.

DATE: 1-18-89

=====

The department has received an unnotorized assignment form for this permit. Upon comparison of the signature on both the assignment and the permit, the two appear to match. The department can therefore accept the assignment.

I can write the new permit holders again acknowledging the assignment and informing them to submit the information to cofirm beneficial use prior to October of 1984. We are still waiting for that information. The application is presently being advertised as a trust water right.

RECEIVED

MAR 12 1990

Judith Voat-Trager
P.O. Box 249
Bellevue, ID 83313

Jan 11, 1989

Mr. Tim Luke
Dept of Water Resources
1301 N. Orchard St.
Boise, Id 83720

RECEIVED
JAN 16 1990

Department of Water Resources

Dear Mr. Luke,

I'm sending to you the completed and signed assignment application which you requested. Mr. Smith did not have the application notarized because the form states Idaho notary. Please advise.

Mr. Smith also enclosed a list of people who will be able to verify the water use. I will need time to find these people and secure affidavits. I will send two to you unless you request more.

Please know that I am working on this and thank you for affording me the time necessary to provide you with the information you need to approve the application.

RECEIVED

MAR 17 1990

Very truly yours,
Judith J. Voat-Trager
Judith J. Voat-Trager



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 28, 1989

RE: Application for Permit No. 37-8090

Judith Voght-Trager
Box 249
Bellevue, ID 83313

For your reference

Dear Ms. Voght-Trager:

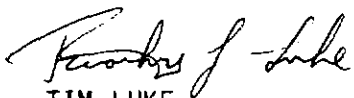
I have received your response to my letter and the department's trust water information questionnaire. I appreciate your cooperation in responding and providing an explanation about the status of the above referenced application.

Before the department can proceed with processing of this application, I must request that you contact the present applicant of record, Anthony W. Smith, and have him complete and return the enclosed assignment form.

I also wish to ask that you and/or Mr. Smith submit to the department any evidence which will confirm the beneficial use of water as shown under the application prior to October 1, 1984. This evidence may include well and/or irrigation records, or affidavits from individuals knowledgeable of your operation prior to October of 1984. If you do not submit this evidence, we will proceed with processing the application and will identify the filing as a trust water diversion. The application can still be approved, but the department will add several conditions not normally attached to public water diversions (see attached listing of conditions). Please inform me at your earliest convenience if you wish to omit the evidence.

Please contact me at this office if you have questions concerning this matter.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosure

RECEIVED

JAN 16 1990

Department of Water Resources

RECEIVED

MAR 12 1990

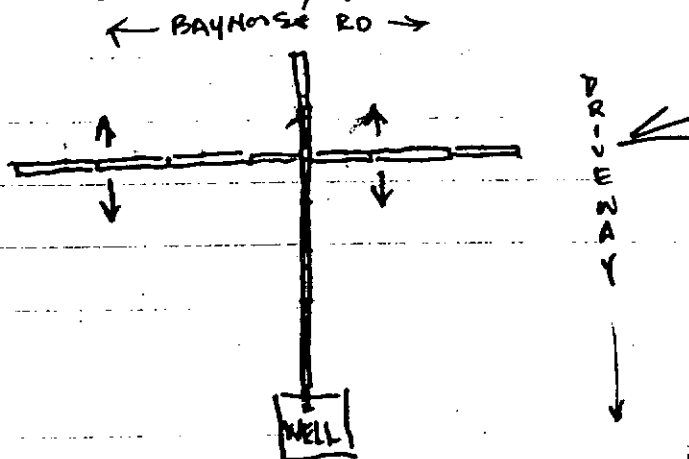
RECEIVED
JAN 16 1990

Department of Water Resources

3) 30 DEC 89:

CAN'T FIND A NOTARY TO SIGN THIS, AS IT'S
GOT "IDAHO" ON THE FORM. IF IT CAN WAIT
'TIL MARCH, I'LL BE UP THERE TO LIVE & CAN
DO IT THEN.

IT MAHATMA'S revenge...? Been laid up 5 DAYS NOW,
SO IF MY WRITING LOOKS LIKE SPIDERTRACKS, THAT PROBABLY HAS
A LOT TO DO WITH IT. About the water-witnesses in the neigh-
borhood: I started my system in 1974, with ⁸⁰⁰⁰ ~~SEVEN~~ rain birds,
2" MAINLINE out to the road, & seven laterals I MOVED 2x A DAY.



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MAR 12 1990

I RAN this from when it thawed in the spring, to when it froze
again in the fall & got 3 cuttings, of up to 90 Bales each!
Just drag it in the spring & throw some hand-seed out, rent
the county sprayer for weeds, & you're set. There were →

(2)

Several people who helped set the system up: Raymond Castle^(crooked) in Gannet, who set the pump with me & showed me what to buy. He bought & delivered the pipe, etc, from Borse area. George Rossler (crook also), dug the well, but never came through with the well log... As far as witnesses who know it's been irrigated, Sam Severe moved in next door in '75 or '76 & saw it irrigated; Kenny & Blumtree used to pasture Coco & buy hay back then... [the letter from DWR, you sent a copy of, says they need corroboration prior to 1984]. Grant Jennings in Bellevue used to cut my hay when Kate lived there & that was 1981-85. Ted Devine (northend of Bellevue) used to cut my hay before that, a couple of times, anyway. Mike Sheffer must have built his place in the late seventies, & he could probably sign an affidavit. The list goes on. I don't know if that's enough, but if not, I can write the DWR or whatever.

RECEIVED

MAR 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

JANUARY 9, 1990

Wood River Journal
Box 988
Hailey, ID 83333

Dear Legal Dept.:

Enclosed you will find legal notices 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 FEBRUARY 5, 1990.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

MAR 12 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08090

SMITH, ANTHONY W.
P.O. BOX 382
BELLEVUE, ID 83313

Source: GROUNDWATER

Diversion Pt: NESW Sec 31 T 02N R 19E

Use: IRRIGATION (.100 CFS)
 DOMESTIC (.040 CFS)
 Total Diversion: (.140 CFS)

Date Filed: 4/13/1983

In: T02N R19E S31 SENW NESW

5.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before FEBRUARY 5, 1990.

R. Keith Higginson, Director

Published 1/18/1990 & 1/25/1990

MICROFILMED

MAR 12 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 28, 1989

RE: Application for Permit No. 37-8090

Judith Voght-Trager
Box 249
Bellevue, ID 83313

Dear Ms. Voght-Trager:

I have received your response to my letter and the department's trust water information questionnaire. I appreciate your cooperation in responding and providing an explanation about the status of the above referenced application.

Before the department can proceed with processing of this application, I must request that you contact the present applicant of record, Anthony W. Smith, and have him complete and return the enclosed assignment form.

I also wish to ask that you and/or Mr. Smith submit to the department any evidence which will confirm the beneficial use of water as shown under the application prior to October 1, 1984. This evidence may include well and/or irrigation records, or affidavits from individuals knowledgeable of your operation prior to October of 1984. If you do not submit this evidence, we will proceed with processing the application and will identify the filing as a trust water diversion. The application can still be approved, but the department will add several conditions not normally attached to public water diversions (see attached listing of conditions). Please inform me at your earliest convenience if you wish to omit the evidence.

Please contact me at this office if you have questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosures

MICROFILMED

MAR 12 1990

RECEIVED

NOV 27 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 37-8090

Department of Water Resources

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☐

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☒ No ☐

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

irrigation of approx 4 acres alfalfa

3. Please state the number of acres you have irrigated under this application since October 1, 1984. approx 4 acres

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete.

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant

Maureen J. Feltz Date Nov 21, 1989

Box 249 Bellevue

Idaho 83313

(208) 788-2819

MICROFILMED

MAR 12 1990

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Nov 21, 1989

Mr Jim Luke:

As per our conversation of today's date I am completing and signing the form as the current owner (Sept 1, 1989), checking off information supplied to me by Mr. Smith.

Should I need to complete additional forms they may be sent to:

Judith J. Vogt-Trager

Box 249

Belleme, Id 83313

(208) 788-2819

Thank you.

MICROFILMED

MAR 12 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 23, 1989

RE: APPLICATION FOR PERMIT NO. 37-8090

DEAR APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development if any, that has already occurred under your application.

Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, the department asks that you complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments and/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water.

Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the department to void the application.

MICROFILMED

MAR 12 1990

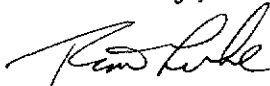
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information should be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

TL:sc

cc: Region

MICROFILMED

MAR 12 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

April 25, 1983

Anthony W. Smith
P.O. Box 382
Bellevue, Idaho 83313

Re: Application for Permit

Dear Mr. Smith:

Enclosed herewith is your application for permit filed in this office April 13, 1983.

Through some oversight, the application was not signed by you.

Please sign the application on the indicated space on the third page and return it to this office for processing.

If you have any questions, please feel free to contact us.

Very truly yours,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

MAR 12 1990