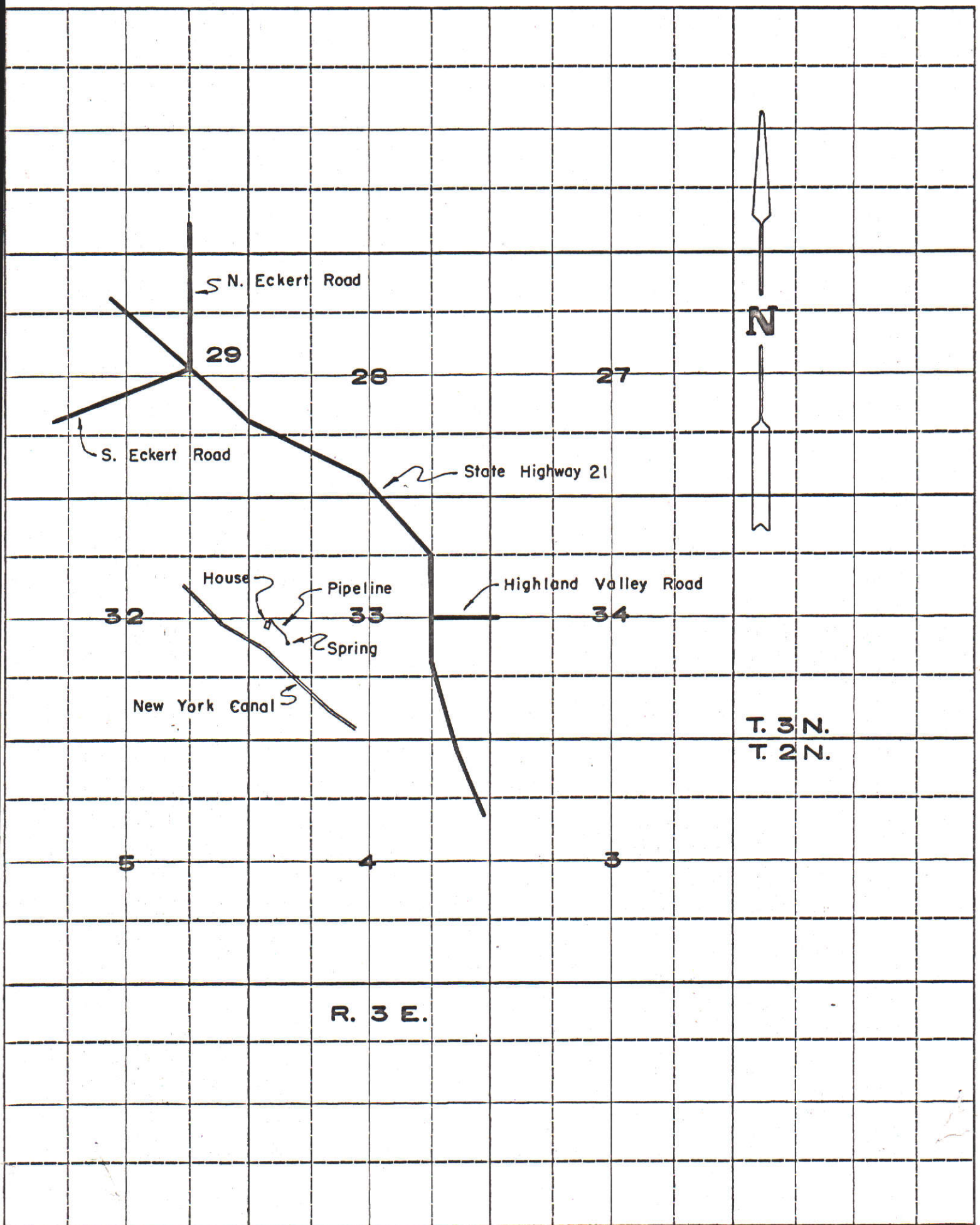


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Marion C. Smith
(Applicant)

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Nancy Smith, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two insertions, beginning with the issue of December 28, 1978, and ending with the issue of January 4, 1979.

Nancy Smith
Subscribed and sworn to before me this 4th day of January, 1979.

Nancy Engstrom
Notary Public for Idaho, Residing at Boise, Idaho

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

63-9196

SMITH, MARION C. &/or BETTY R.
5206 BOND STREET, BOISE, ID 83704.
Source: UNNAMED SPRING.

Date Filed: 12-20-1978.

Amount: 0.05 CFS

Diversion Point: NWSW Sec 33 T 03N R 03E, ADA Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

STOCKWATER (0.01 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 33 T 03N R 03E

Diversion Means: PIPELINE STORAGE RESERVOIR AND PRESSURE PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before JANUARY 15, 1979.

C. STEPHEN ALLRED

Director

Pub. Dec. 28, 1978 Jan. 4, 1979

1275

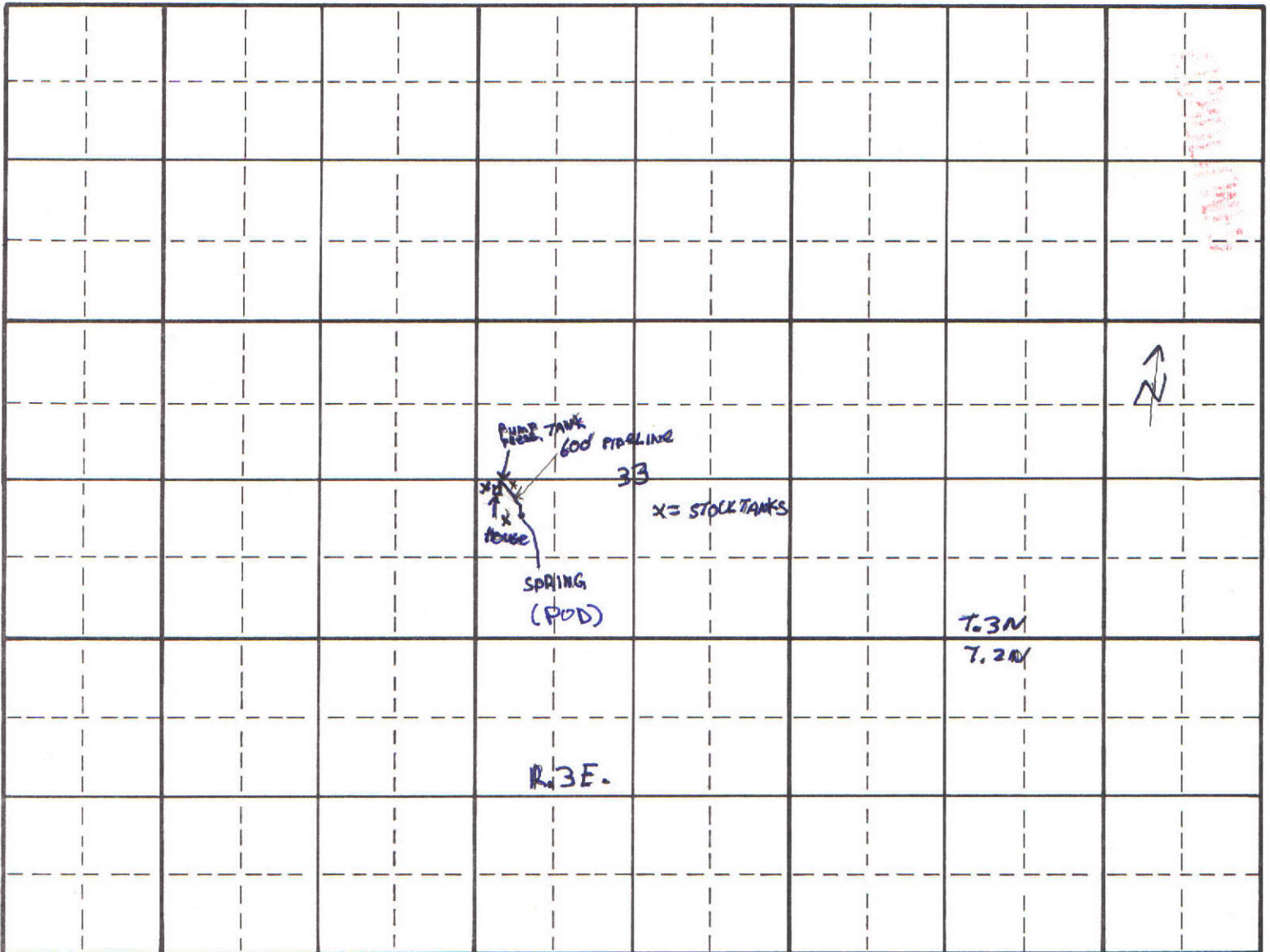
OK-KK
1-12-79

RECEIVED
JAN 5 1979

Department of Water Resources
Western Regional Office

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SPRINGS NW 1/4 SW 1/4 33 3N 3E

Place(s) of Use Same

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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

Examiner's Signature And E Morris

Checked by DBS

Approved by Robyn

Date 7-17-80

Date 7/22/80

Date 7/30/80

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9196 Priority December 19, 1978 Amount .05 cfs

THIS IS TO CERTIFY, that MARION C. &/or BETTY R. SMITH
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-9196 issued pursuant to Application for Permit dated December 19, 1978,
and has submitted proof to the Department of Water Resources on December 14, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .05 cfs of water from an unnamed spring,
tributary to Sinks, 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
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>.01</u> cfs and	<u>.70</u> acre feet
	(both dates inclusive)		

Subject, however, to the condition that no more than .05 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.9 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 3N,
Rge. 3E, B.M. in the County of Ada

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 $\frac{1}{4}$	
3N	3E	33									X								

Total number of acres irrigated _____

CONDITION: Use of water under this license is subject to control by the
watermaster of State Water District No. 63, Boise River.

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 29 day of
August, 19 80.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

63-9196

Ident. No.

DEC 20 1978

APPROVED
Department of Water Resources
Western Regional Office

1. Name of applicant Marion C. Smith and/or Betty H. Smith Phone 343-3797 or 376-6784

Post office address 5206 Bond Street 83704

2. Source of water supply Unnamed Spring which is a tributary of N.A.

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 3N.

Range 3E B.M. Ada County, additional points of diversion if any:

None

4. Water will be used for the following purposes:

Amount 0.04 for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.01 for stock 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. 0.05 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 600 feet of gravity flow

1" pipeline runs to 50 gal. storage reservoir, 1/3 hp pump will pressurize 50

pressure tank, 100 feet of 1" pressure pipe will run to house

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

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 3N

Range 3E B.M.

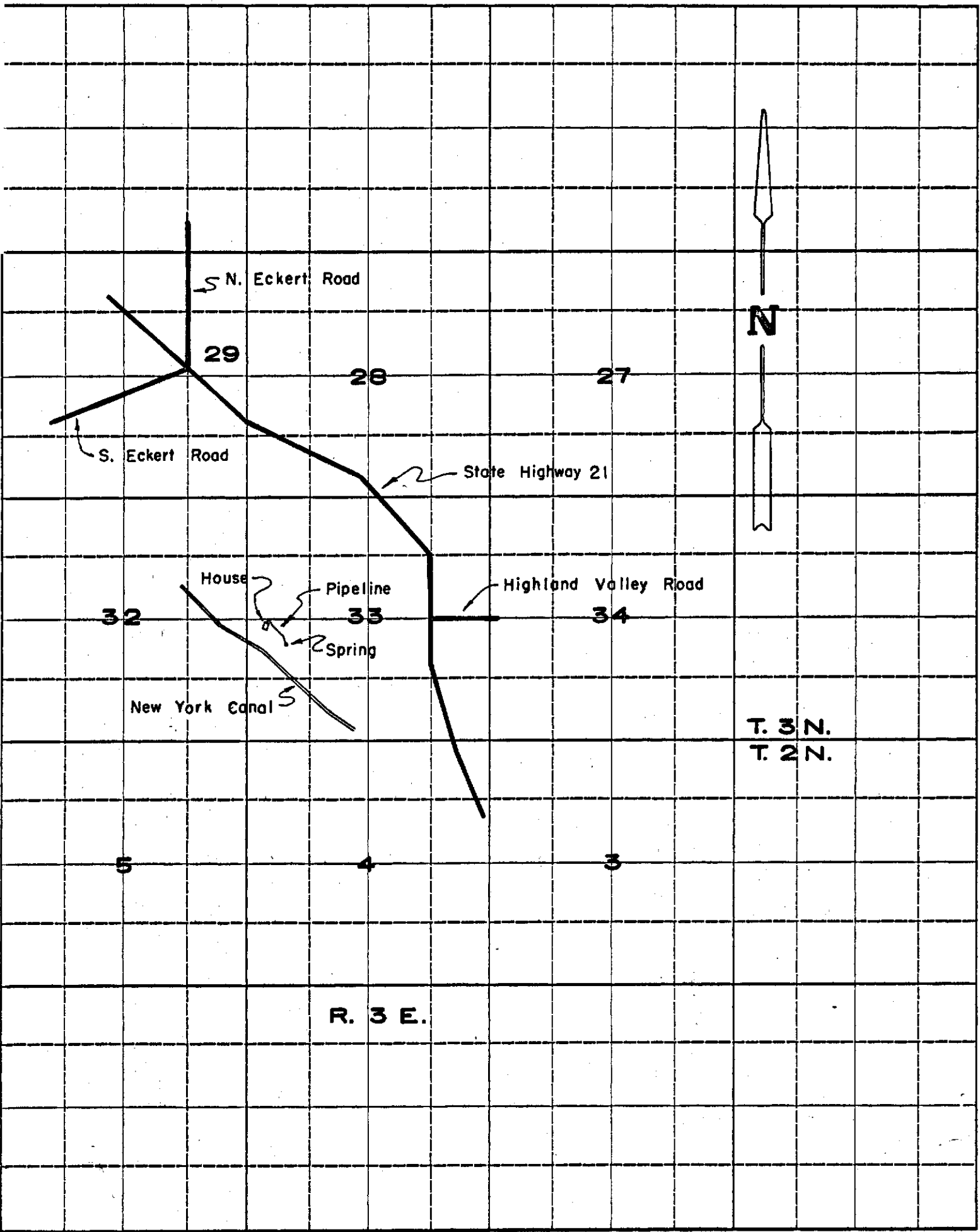
(2) Amount of power to be generated: None horsepower under N.A. feet of head.

(3) List number of each kind of livestock to be watered A varying quantity, however should average 50 head of cattle

(4) Name of municipality to be served None, or number of families to be supplied with domestic water 1

(5) If water is to be used for other purposes describe: None

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.

Marion Smith
(Applicant)

Proposed Priority 12-19-78 DBS 12/20/78 9:45
Received by JB Date 12/19/78 Time 1:55
Preliminary check by DBS Fee \$ 20.00 # 12523 92-6
Receipted by DBS Date 12/20/78
Publication prepared by _____ Date _____
Published in Statesman
Publication dates Dec. 28 + Jan. 4
Publication approved KK Date 1-12-79
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS J.S.

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. 63-9196, 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 February 1, 19 80.
- 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: Use of water under this permit is subject to control by the watermaster of State Water District No. 63, Boise River.

Witness my hand this 22nd day of January, 19 79.

J. Glen Saxton
Chief, Operations Bureau

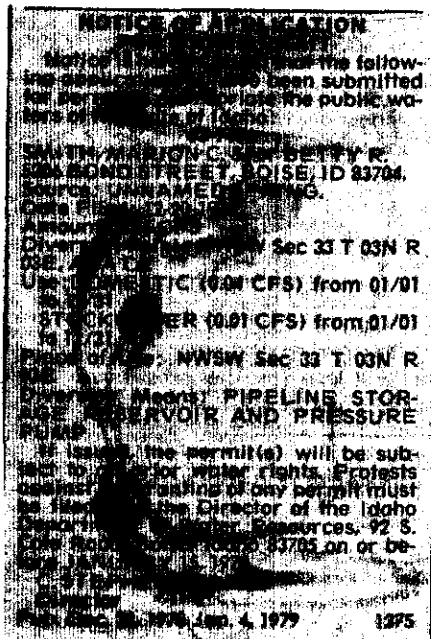
STATE OF IDAH))
)ss.
COUNTY OF ADA)

Nancy Smith, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two insertions, beginning with the issue of December 28, 1978, and ending with the issue of January 4, 1979.

Nancy Smith
Subscribed and sworn to before me this 4th day of January, 1979.

Nancy Engstrom
Notary Public for Idaho, Residing at Boise, Idaho



Department of Water Resources
Western Regional Office

WRD417

WATER RIGHTS PROOF READING REPORT

04/03/80

PAGE 1

WATER RIGHT NUMBER 63-9196

OWNER LAST NAME - SMITH FIRST NAME - MARION C. ORIG OWNER -
OWNER LAST NAME - SMITH FIRST NAME - BETTY R. ORIG OWNER -
ADDRESS LINE 1 - 5206 BOND STREET ADDRESS LINE 2 - STATE - ID ZIP CODE - 83704
ADDRESS LINE 3 - CITY - BOISE
SOURCE - SPRING TRIBUTARY OF - SINKS
STAGE - LICENSE STATUS - PRIORITY - 12-19-1978 COUNTY - ADA TOTAL DIV. RATE - .0500 -CFS
TOTAL DIV. VOLUME - 1.90 AFA TRFR/AMEND - WATER DIST. - 63 BLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NWSW 33 03N 03E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0400 CFS USE DIV. VOLUME - 1.20 AFA
FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0100 CFS USE DIV. VOLUME - .70 AFA
USE - DOMESTIC PLACE OF USE - TWN 03N R4G 03E SEC 33 TRACT NWSW LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE - 50 HEAD OF CATTLE
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 02-01-1980 PERMIT/DENIED - 01-22-1979 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL - R04
DIVERSION MEANS - PIPELINE STORAGE RESERVOIR AND PRESSURE PUMP

IDENT. NO. 63-9196

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 8, 1980

Marion & Betty Smith
5206 Bond St.
Boise, Idaho 83704

Dear Mr. & Mrs. Smith,

RE: License No. 63-9196

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Smith, Marion C / Betty R

P/D NWSW S. 33
T. 3N R. 3E

#63-9196
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ ~~NO~~ Appointment letter mailed:		<i>Cem</i>	~~7-17-80 App. for 32.00~~
☐ Telephone call made: (List Telephone No. used)	7-16 393-3797	<i>Cem</i>	will call back
☐ Appointment scheduled for: (Date, time, location)	7-7-80 11:00	<i>Cem</i>	

EXAMINATION

Date ~~7-17-80~~ Accompanied by _____ Total Q measured _____
If source is surface water, estimate total flow of source 5 gpm
Methods of measurement _____ Meets Permit requirements? _____

Measurement calculations:

From USIS HANDBOOK 50 Head of Livestock $Q = .02 \text{ cfs}$ $V = .7 \text{ AFA}$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1/3	JACUZZI	—	JACUZZI	—	NONE		

System Description 3 STOCK TANKS, 1 house on system. Fed by a small SPRING which is diverted into 1" pipe and runs 600' by gravity. The system is then pressurized and run to the house & tanks

*Code with map on reverse side. Disregard code if only one.

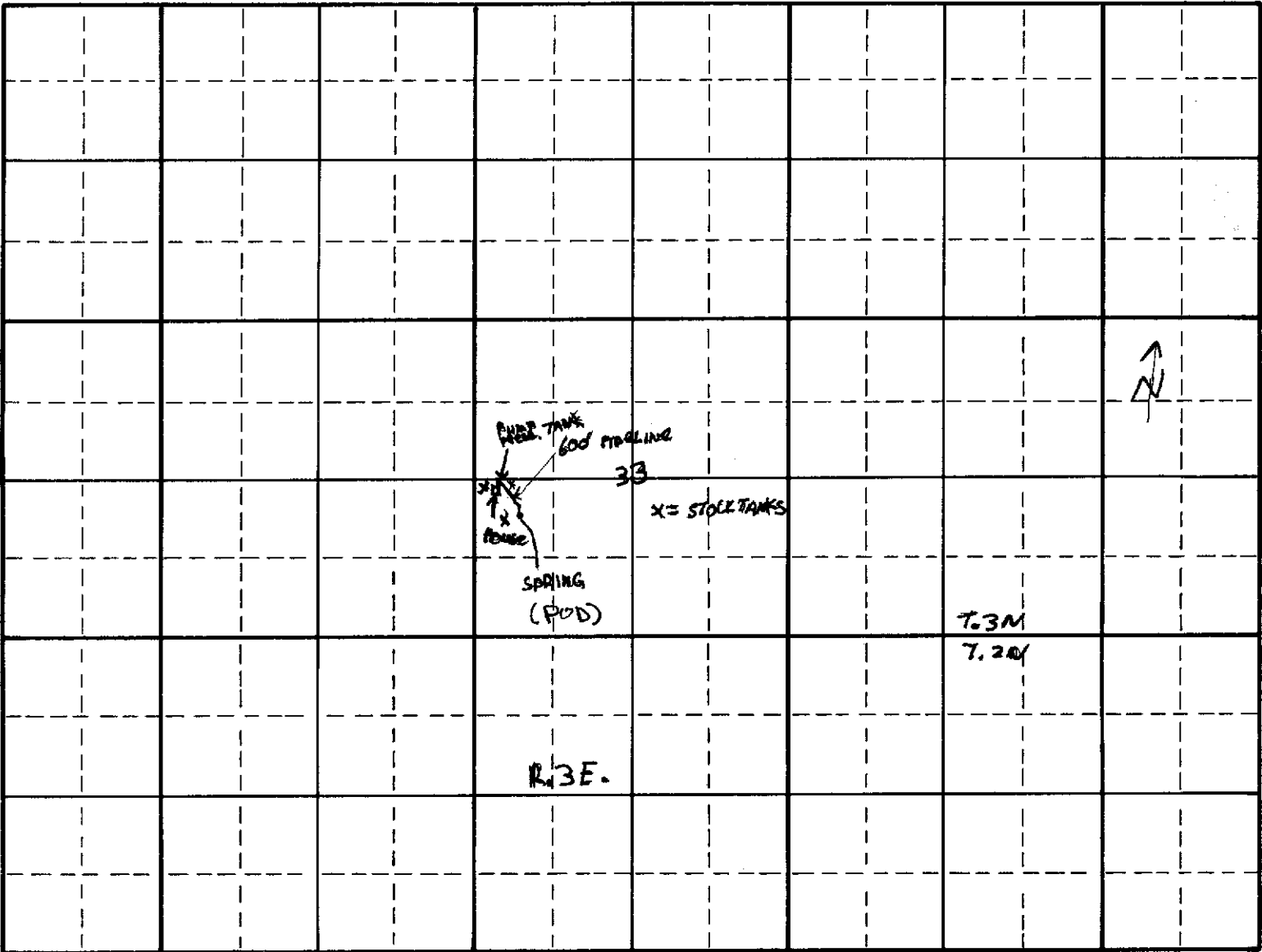
RECOMMENDED AMOUNTS

USE	Irrigation requirement = <u>0</u>		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
STOCK	.04	.70	1/1	12/31
DOMESTIC	.04	1.2	1/1	12/31
Total	.08	1.9	1/1	12/31

Remarks Ownership of Land at P/D is in Question. Smith did not know if he really did own the land at P/D. It is in the process of being surveyed (slowly). Only saw 3 head of stock, but owner claims that he does run up to 50 head at various times.

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SPRINGS NW 1/4 SW 1/4 33 3N 3E

Place(s) of Use Same

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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 _____

Examiner's Signature And E Morris
Checked by DBS
Approved by Robyn

Date 7-17-80
Date 7/22/80
Date 7/30/80

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-9196.

Name(s) of Permit Holder: Marion C Smith and or Betty R Smith

Post Office Address: 5206 Bond St. Boise Ida. 83706

Tel. No. 343-3797-1784

Source of Water: Un named Spring

Extent of Use: ☒ Domestic one (number of households)

☒ Stockwater 50 (number and type of stock)

☐ Irrigation _____ (acres)

☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

DEC 10, 1979

Date

Marion C Smith

Signature of Permit Holder

MICROFILMED

RECEIVED

DEC 14 1979

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Marion C Smith
5206 Bond St
Boise Idaho 83706

HISTORIC PRESERVATION
WEEK



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMITH, MARION C. & BETTY R.
5206 BOND STREET
BOISE, ID 83704

101579

NOVEMBER 30, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-9196 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE FEBRUARY 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

January 23, 1979

Re: Permit No. 63-9196

Marion C. &/or Betty R. Smith
5206 Bond Street
Boise, Idaho 83704

Dear Mr. or Mrs. Smith:

Your approved copy of your Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

63-9196

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. Spr Source
3. ✓ Point of Diversion
4. ✓ Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 1 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

NO Idaho Health Department
7 Idaho Fish & Game Dept.
 Bureau of Land Management

NO U.S.F.S.
 Dept. of Lands
 Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land N/A

N/A Withdrawals of all protests received yes no

Conditions:

ID Power Co. Letter - Snake R. No

ID Power Co. Letter - G.W. & Tribs. Yes

Snake River Condition No

Payette River Letter No

Priority Date 12/19/78

Water Quality #16 No

Water Quality #10 7

intrastate interstate

Meas. Dev. or Sc. Meas. No

Totalizing meter No

Supplemental No

Right-of-Way Cond. No

Watermaster Cond. Yes
 Wtr. Dist No. 63

Meas. Dev. Cond. for apps within
 a Water Dist. No

Jui
 Reviewer
1/19/79
 Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 13-9196

☒ 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

(1) DBS 12/20

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) _____

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

Request Dam Safety Information

(4) _____

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. 63

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) KK 02

Affidavit of Publication received(date) 1-12-79

(12) _____

Final date for protests Jan. 15
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

12-17-78 Proposed Priority

Reason for Reduction

No Measuring device required

See attached sheet for other conditions of
approval

No special conditions for approval

(15) District W

By slm Date 1-15-79

I.P. letter for Condition
RECEIVED
JAN 17 1979

Department of Water Resources

MEMO

SUBJECT: Pre-permit 63-9196

FROM: G. L. Sisco *GLS*

TO: File

DATE: 1/08/79

Mr. Smith and I viewed the small spring in question. It seeps from the steep bank along the North Side of New York canal. The spring was flowing approximately 2 gpm and was already dug out and cribbed with a 2" pipe and valve already in place.

The runoff water flowed into a small slough which meanders across the bottom land adjacent the Boise River. This spring's flow increases slightly with the filling of the canal, but remains steady throughout the year.

Technically this spring is a tributary of the Boise River and the watermaster control clause should be added to the requirements.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

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

DECEMBER 21, 1978

The Idaho Statesman
Box 40
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before JANUARY 15, 1979.

Yours truly,

Sally Trinkaus
Secretary

Encl.

RECEIVED
DECEMBER 21 1978
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION
BOISE, IDAHO 83705

SMITH, MARION C. &/or BETTY R.

5206 BOND STREET, BOISE, ID 83704

Source: UNNAMED SPRING

Date Filed: 12/20/1978

(19) Date changed 1/22/79 J.S.

Amount: 0.05 CFS

Diversion Point: NWSW Sec 33 T 03N R 03E, ADA Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31
STOCKWATER (0.01 CFS) from 01/01 to 12/31

Place of Use: NWSW Sec 33 T 03N R 03E

Diversion Means: PIPELINE STORAGE RESERVOIR AND PRESSURE PUMP

NOTICE OF APPLICATION FOR WATER RIGHT

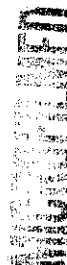
Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before JANUARY 15, 1979.

C. STEPHEN ALLRED

Director

Published 12/28 & 1/4/79.



12/21/78

WATER RIGHTS EDIT REPORT

WATER RIGHT NUMBER 63-9196

760 ✓

ACT
IONFIRST NAME - MARION C.
FIRST NAME - BETTY R.N OWNER LAST NAME - SMITH
N OWNER LAST NAME - SMITH
N ADDRESS LINE 1 - 5206 BOND STREET

CITY - BOISE

STATE - ID ZIP CODE - 83704

PRIORITY - 12-20-1978 COUNTY - ADA

TOTAL DIV. RATE - .0500CFS

N SOURCE - UNNAMED SPRING
N STAGE - APPLICATION
N DIVERSION POINT - NWSW 33 03N 03E ✓USE DIV. RATE - .0400CFS
USE DIV. RATE - .0100CFSN FROM - 01-01 TO - 12-31 USE - DOMESTIC
N FROM - 01-01 TO - 12-31 USE - STOCKWATER
N USE - DOMESTIC

PLACE OF USE - TWN 03N R4G 03E SEC 33 TRACT NWSW

N NON-IRRIG USE - 50 HEAD OF CATTLE
N DIVERSION MEANS - PIPELINE STORAGE RESERVOIR AND PRESSURE PUMP