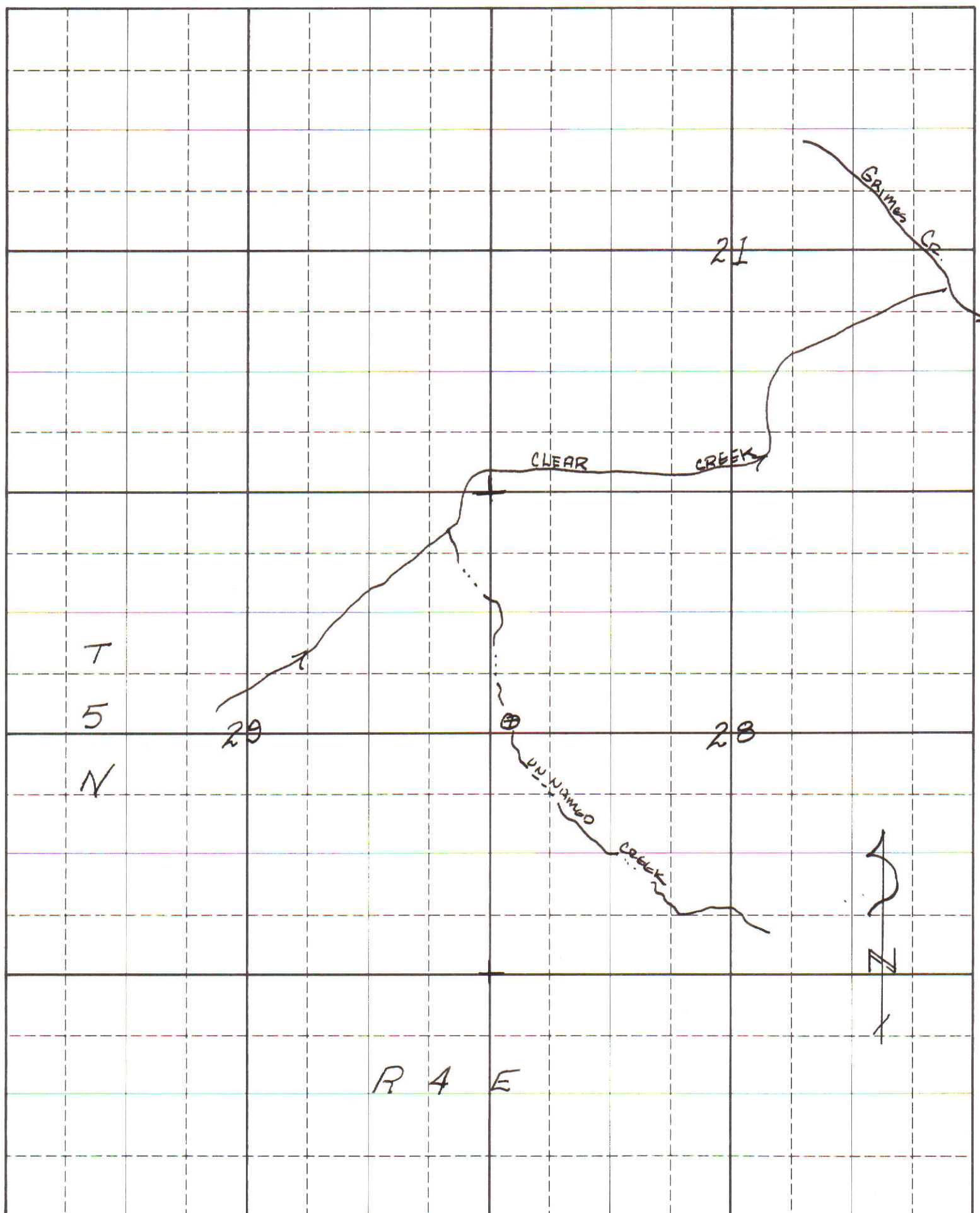


11. Map of proposed project:



Scale: 1/4 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.

Harold R. Smith
(Applicant)

63-7187

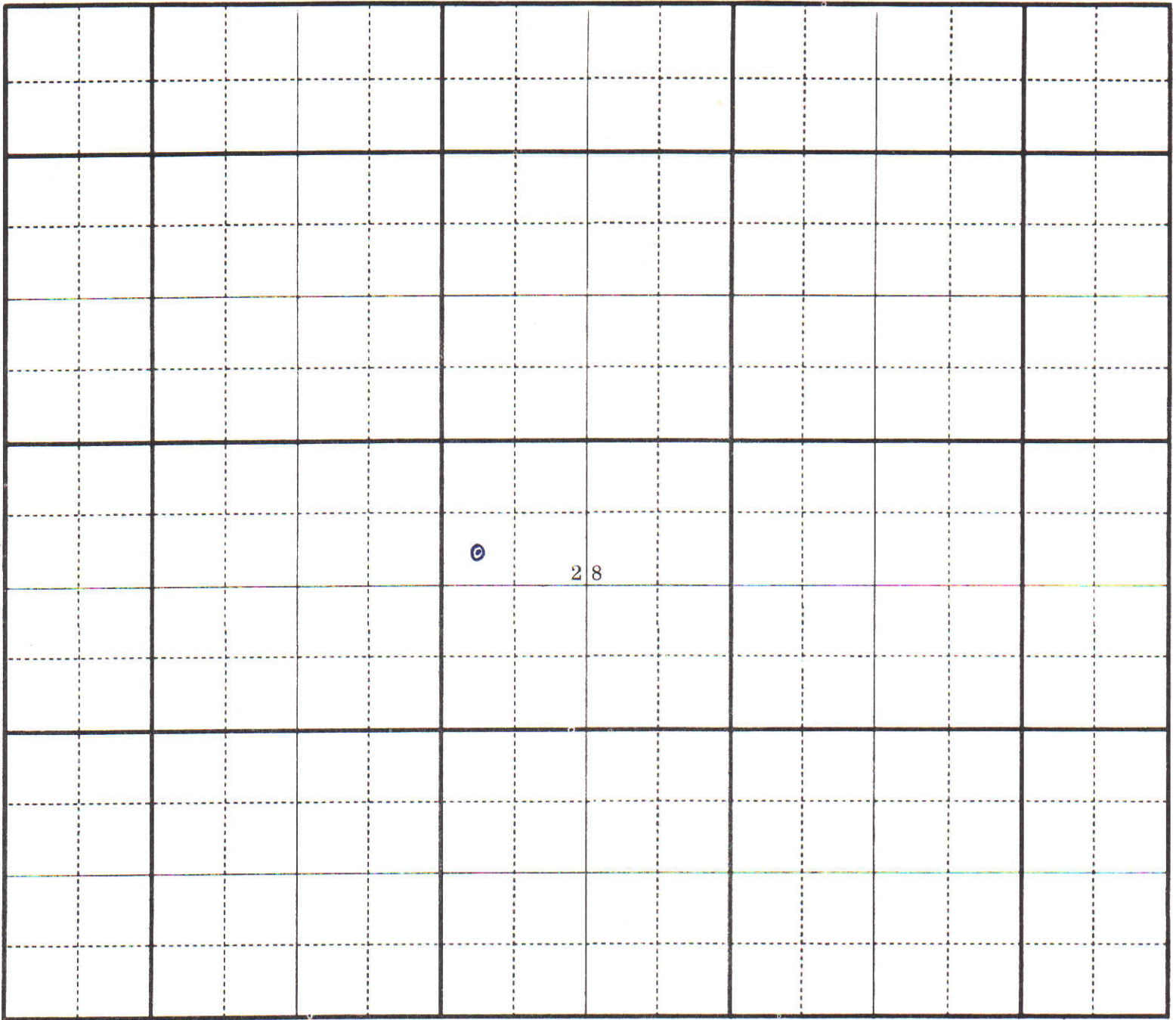
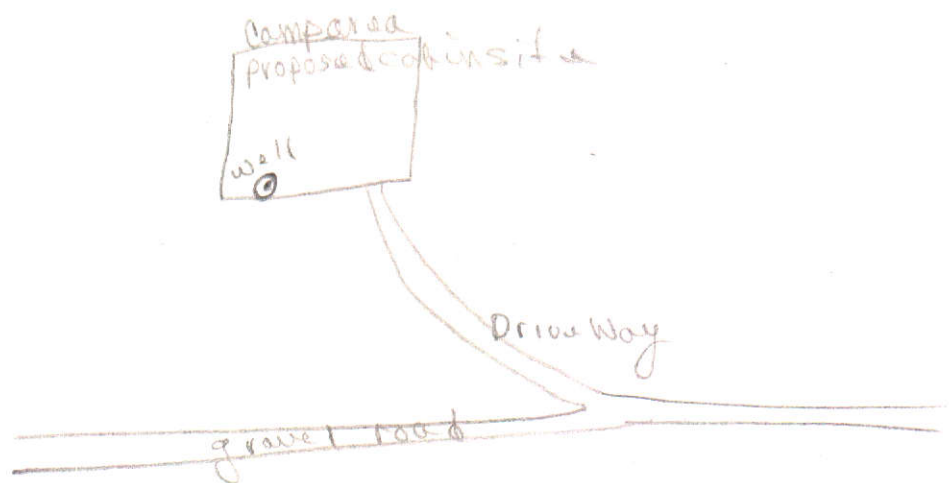
T.
5
N

Diagram of System

HOLD Till Spring 73
4EB



State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 63-7187 Priority Jan. 21, 1969 Amount 0.02 cfs

THIS IS TO CERTIFY, that HOWARD R. SMITH
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-7187 issued pursuant to Application for Permit dated January 21, 1969,
and has submitted proof to the Department of Water Administration on March 17, 1972,
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 0.02 cfs of water from an unnamed stream,
tributary to Clear Creek, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and <u>1.2 acre feet</u>			
_____ from _____ to _____ at _____ cfs and _____			
_____ from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 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
1.2 acre feet per year, said waters to be diverted within the SW¹/₄ NW¹/₄ of Sec. 28,
Twp. 5 N, Rge. 4 E, B. M. in the County of Boise

Description and location of place of use:

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
5 N	4 E	28						X											

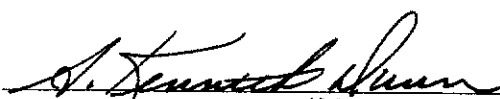
Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10th day of
December, 19 73.

Deputy Director


63 7187

Identification No. 63-7187
Application No. _____

USE ISSUED FOR 22 SEC. FT.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant HOWARD R. SMITH
post office address 4925 Allamar Drive, Boise, Idaho 83704
2. Source of water supply Unnamed Stream which is a tributary of Clear Creek
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 5 N
Range 4 E B.M. Boise County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .02 for Domestic purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Hand pump in creek

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 200.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28 Township 5 N
Range 4 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(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: _____

63-7187

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	

Total number of acres to be irrigated _____

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

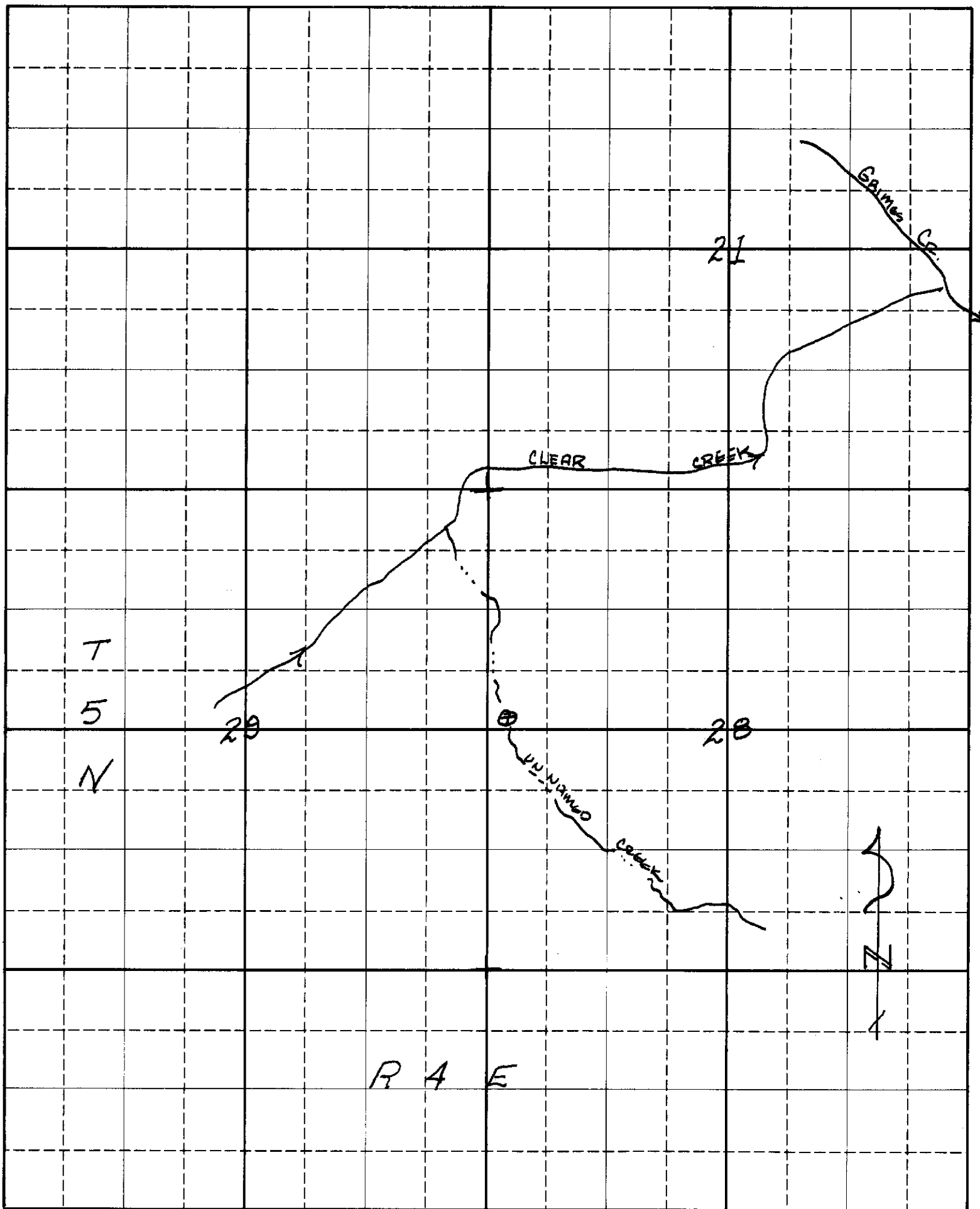
9. a. Who owns the property at the point of diversion Applicant

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 Contract of sale from Clear Creek Corp.

10. Remarks Domestic water supply for Lot 38.

11. Map of proposed project:



Scale: 1/4 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.

Harold R. Smith
(Applicant)

63-7187

Received by OKH Date 1-21-69 Time 1:10 PM
Preliminary check by OKH Fee \$ 10.00
Receipted by ef Date 1-22-69
Publication prepared by W Date 1-30-69
Published in Idaho Star
Publication dates 2-6 & 13-69
Publication approved W Date 2-9-69
Priority reduced to _____ Reason _____

Protests filed by: none 3-21-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by None CH R.H.

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7187, 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 April 1, 19 70.

c. Other: Subject to control by the watermaster of State Water District 12A, Boise, River, if in the opinion of the Department of Reclamation that these sources are tributary the Boise River system.

2. Denial of said application is for the following reasons: _____

Witness my hand this 27th day of March 19 69.

R. Keith Higin
State Reclamation Engineer

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

In the Matter of Permit No. 63-7187)
)
in the name of HOWARD R. SMITH)
)

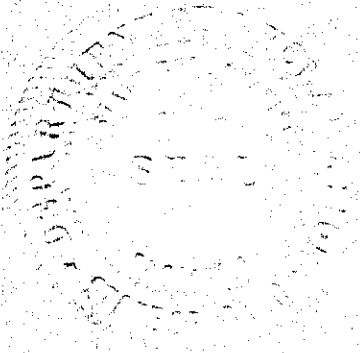
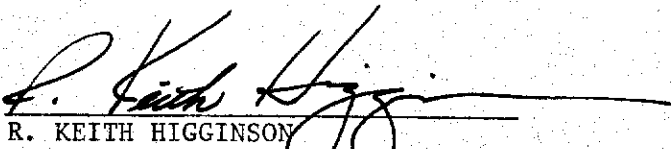
ORDER

Permit No. 63-7187 was issued to Howard R. Smith on March 27, 1969. The Permit provided for diversion of .02 second feet of water from Clear Creek in Boise County, Idaho, for domestic use in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T. 5 N., R. 4 E., B.M. The Permit required that proof of construction of works and application of water to beneficial use be submitted on or before April 1, 1970.

On January 30, 1970, Mr. Smith was notified that the proof of beneficial use was due on April 1, 1970. He contacted this office and was given incorrect information because of a mistake in reference to another permit which he held. He was told that proof was not due for at least another four years. Therefore, he failed to apply for an extension of time to submit the required proof. The Department notified Mr. Smith on April 6, 1970, that the Permit had lapsed due to his failure to submit proper proof. He again contacted the office and applied for an extension of time, which was denied on the grounds that the extension request was not received on or before the proof due date.

Now, therefore, it is hereby ORDERED that Permit No. 63-7187 be and it is hereby REINSTATED with its original priority date, due to the error of the Department of Reclamation in providing Mr. Smith with proper information concerning the requirements of the Permit, and the permit holder is hereby granted an extension of time to April 1, 1972, within which to complete the construction of works and submit proof of beneficial use of the water.

Dated this 5th day of May, 1970.



R. KEITH HIGGINSON
State Reclamation Engineer

63-7187

RECEIVED

FEB 7 1969

Department of Reclamation

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, }
COUNTY OF BOISE, } S.S.
T.R. Adams } being

duly sworn, deposes and says:
That he is the manager and principal clerk of THE IDAHO WORLD a weekly news paper published at Idaho City, in the County of Boise and state of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for TWO consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issues beginning with Feb. 6, 1969, and ending with the issue of Feb. 13, 1969.

Fees \$
T.R. Adams

Subscribed and sworn to before me this 15 day of March

1969
Richard M. Bryan
Clerk District Court
Deputy

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Howard R. Smith, 4925 Allamer Drive, Boise, Idaho, has on January 21, 1969, applied for permit to divert .02 cubic feet per second of water from an unnamed stream, tributary of Clear Creek, under application No. 63-7187. Water will be diverted by a hand pump within the SW 1/4 NW 1/4, Sec. 28, T. 5N., R. 4E., B.M., Boise County, and is to be used from January 1 to December 31 for domestic use in the SW 1/4 NW 1/4, Sec. 28, T. 5N., R. 4E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub. Feb. 6 - 13, 1969

63-7187

WATER RIGHT NUMBER 63-7187

OWNER LAST NAME - SMITH ✓

FIRST NAME - HOWARD R. ✓

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE ✓

STATE - ID ZIP CODE -

SOURCE - UNNAMED STREAM ✓

TRIBUTARY OF - CLEAR CREEK ✓

STAGE - LICENSE

STATUS -

PRIORITY - 01-21-1969 ✓

COUNTY - BOISE ✓

TOTAL DIV. RATE -

.0200 -CFS

TOTAL DIV. VOLUME -

1.20 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWNW 28 05N 04E LOT ✓ REDIV -

272.0 312.0 84.0 17.0 2.0 0.0 0.0 0.0 0.0 0.0 0.4

FROM - 01-01 TO - 12-31 ✓ USE - DOMESTIC ✓

USE DIV. RATE -

.0200 CFS USE DIV. VOLUME -

1.20 AFA

USE - DOMESTIC ✓

PLACE OF USE - TWN 05N R4G 04E SEC 28 ✓ TRACT SWNW LOT ✓ AC

DECREE NAME -

DATE -

TOTAL ACRES ✓ 0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO. 63-7182

WATER RIGHT
DATA ENTRY LOG

[illegible]

December 10, 1973

Re: Permit No. 63-7187

Howard R. Smith
4925 Allamar Drive
Boise, Idaho 83704

Dear Mr. Smith:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

63 7187

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

6

1. Name of permit holder Howard R. Smith
 Post office address 4925 Allamar Drive, Boise, Idaho Phone 375-7891
 Person to contact _____ *Office* 342-2711 Ext 605
 Phone _____

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

3. Water will be used for the following purposes:

Amount 0.02 c.f.s. for Domestic
 _____ AF/Annum (nature of use)

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

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

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

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

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

Other uses: _____

Permit No. 63-7187
 Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.02 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 5 N N/S, Range 4 E E/W, B.M., Section 28, Subdivision SW $\frac{1}{4}$ NW $\frac{1}{4}$, Boise
 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
 County

Other Points of Diversions: _____

Description of diverting works: shallow well with hand pitcher pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$	
5 N	4 E	28							X										-0-

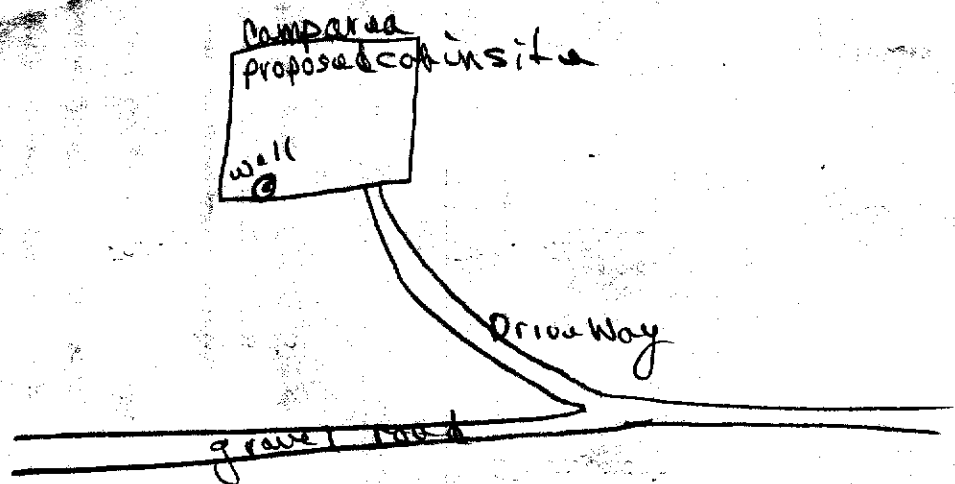
63 7187

TOTAL ACREAGE _____

T
5
N

28

Diagram of System

HOLD Till Spring 73
4EB

DATE OF EXAM 29 June 73

ACREAGE
Found _____
Recommended 0

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= .02 c.f.s. V= .6 AF/Ann. from 1-1 to 12-31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured _____ Method of measurement calculated

Total Q recommended .02 Meter No. _____ Type _____ Condition _____

Total V recommended .6 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:
no way to measure

SYSTEM DESCRIPTION:
2" sandpoint down 18' water diverted w/ pitch pump
used for domestic for vacation area during
summer months

REMARKS:
Pipe in the ground pump is removed
when not in use

Examiner's Signature Ernest Ballou Date 3 July 73
Checked by _____ Date _____
Approved by _____ Date _____

March 31, 1972

C Re: Permit No. 63-7187

Mr. Howard R. Smith
4925 Allamar Drive
Boise, Idaho 83704

C Dear Mr. Smith:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit.

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

Y Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

63 7187

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Howard R. Smith
b) Post Office Address 4925 Allamar Drive, Boise, Idaho
2. Permit Number 63-7187
3. Date of Priority that you are prepared to establish Jan. 21, 1969
4. a) Source from which water was appropriated unnamed stream
b) Location of the point of diversion: SW 1/4 NW 1/4, Section 28
Township 5N, Range 4E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .02 for domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .02 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Estimate
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Shallow well with hand pitcher pump
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well drillers name and address and date the well was completed Applicant drove sandpoint 13½ feet deep

68 7187

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Domestic use for one household

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	4E	28							X	DOMESTIC USE									

Total number of acres irrigated _____

10. Remarks: _____

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

3/17/72
(Date)

Howard R. Smith
(Signature)

State of Idaho)
County of Adair) ss.

On this 17th day of March, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

M. Russell Smith
Notary Public residing at Spice, Idaho

My commission expires Jan 19, 1973

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.



Show to whom, date and address
where delivered



Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

23335

1

2

INSURED NO.

DATE DELIVERED

1-31-72

3

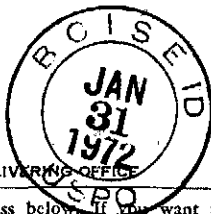
SHOW WHERE DELIVERED (*only if requested*)

Howard R Smith
by Mrs. H R Smith
CC 7187

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



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



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

**RETURN
TO**



**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707**

63 7187

POD Form 3811 Apr. 1969 63-18-71548-11

January 28, 1972

CERTIFIED MAIL

#23335

Re: Permit No. 63-7187

Howard R. Smith
4925 Allamar Drive
Boise, Idaho 83704

Dear Mr. Smith:

One of the conditions of approval of your water Permit No. 63-7187 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

R. Keith

R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

63 7187

APR 30 1970 P.M. IDAHO

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered

☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

21813

1

Mrs. Howard K. Smith

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

MAY 1 1970

3

SHOW WHERE DELIVERED (only if requested)

63-2187

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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



**RETURN
TO**

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. ~~Mosien~~ gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

Dep rtment of Reclamation
Annex # 2 Statehouse
Boise, Idaho 83707

35-16-71345-10

Form 3811 Apr. 1967

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

21846

INSURED NO.

DATE DELIVERED

MAY 7 1970

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

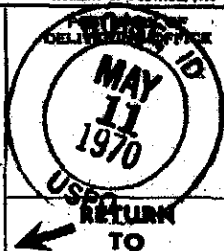
SHOW WHERE DELIVERED (only if requested)

655-16-71548-10 GPO

63-7187

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Department of Reclamation
Annex #2 Statehouse

OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

63-7187

65-16-7149-29

POD Form 3611 Apr. 1967

May 5, 1970

C
O
P
Y
Re: Permit No. 63-7187

Mr. Howard R. Smith
4925 Allamar Drive
Boise, Idaho 83704

Dear Mr. Smith:

Enclosed is an Order reinstating your Permit No. 63-7187 and extending the time for completion of construction of works and submitting proof of beneficial use of water to April 1, 1972.

If you have any further questions regarding this matter, please let me know.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH/jib

Enclosure

Certified Mail # 21846

63-7187

NAME AND ADDRESS OF SENDER **Dept. of Reclamation**

Indicate type of mail
☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

63-7187

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE REMARKS
1	21846 Howard R. Smith, 4925 Allamont Dr.,		30			15			
2	Boise, Idaho 83704								
3									
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TOTAL NUMBER OF PIECES LISTED BY SENDER 1		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid—This Side Up." ² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.			

63-7187

April 30, 1970

Re: Permit No. 63-7187

Mr. Howard R. Smith
4925 Allamar Drive
Boise, Idaho 83704

Dear Mr. Smith:

Enclosed please find a copy of the DENIED application for extension of time in connection with the above referenced permit.

Please be advised that this permit can be reinstated only if proof of beneficial use is received by June 5, 1970.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Copy of denied application for extension of time

CERTIFIED MAIL # 21813

63-7187

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Ada)

Permit No. 63-7187

Howard R. Smith OF 4925 Allamar Dr. Boise Idaho 83704
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 63-7187.

That under the terms and conditions of said permit, work thereunder was required to be completed by April 1, 1970.

That he has heretofore performed the following work described under said permit: _____

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The Clear Creek Corporation - the subdividers of this acreage has not finished surveying the plats and have not furnished a deed. The acreage is small enough that a minor change in property line could conflict with the well site - Work on the well was stopped until situation is settled.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to April 1, 1972.

Subscribed and sworn before me this 14 day of April, 1970.

Howard R. Smith
(signature)

Donald W. Eldon
(notary public)

My commission expires 2-18-1974

ACTION OF THE STATE RECLAMATION ENGINEER

I, C. STEPHEN ALLRED, Deputy, State Reclamation Engineer of the State of Idaho, hereby deny the above application for extension of time for permit No. 63-7187 inasmuch as Sec. 42-204, Idaho Code, provides that extension requests must be received on or before the date beneficial proof is due.

Witness my hand this 29th day of April, 1970.

C. Stephen Allred
State Reclamation Engineer
Deputy

*IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are obtainable through the Department of Reclamation, Statehouse Annex II, Boise, Idaho 83707.

63-7187

RECEIVED

APR 24 1970

Department of Reclamation April 14, 1970

R. Keith Higginson
State Reclamation Engineer
Boise Idaho

Dear Sir:

In reply to your request, I wish to apply for an extension of time for completion on permit 63-7187 for another four years. As stated in your office, I visited your department in March before the April 1 deadline, but due to an error referral was made to permit # 63-7159 which runs for another 4 years. I was told I do not need an extension. Consequently my permit has lapsed.

In addition to lack of property deed as a reason ~~completion~~ for lack of completion, I spent 7 weeks in hospital last fall unexpectedly. I therefore did not have ample time to do the work.

Yours truly

Howard R. Smith

4925 Allamar Dr. Boise, Id.

~~63-7159~~

375-7891

63-7187

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

April 6, 1970

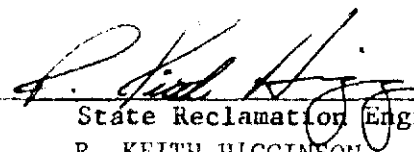
Re: Permit No. 63-7187

Mr. Howard R. Smith
4925 Allamar Drive
Boise, Idaho 83704

Dear Mr. Smith:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, Permit 63-7187 has lapsed.

You are further advised that the department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.



State Reclamation Engineer
R. KEITH HIGGINSON

RKH:DR

Form 7

63-7187

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

21598

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3

FEB 6

1970

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

POSTMARK OF
DELIVERING OFFICE

**FEB
9
1970**

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

Department of Health, Education and Welfare
American Red Cross, American
Boise, Idaho 83707

January 30, 1970

Re: Permit No. 63-7187

Mr. Howard R. Smith
4925 Allamar Drive
Boise, Idaho 83704

Dear Mr. Smith:

One of the conditions of the approval of your permit no. 63-7187 was that proof of application of the water to beneficial use be submitted to this office on or before April 1, 1970.

Enclosed is an affidavit form which must be used to submit this proof. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code Amended.

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

R. Keith Higginson

State Reclamation Engineer

Enc: Proof form
RKH:DR

CERTIFIED MAIL

#21598

63-7187

March 31, 1969

Re: Permit No. 63-7187

Mr. Howard R. Smith
4925 Allamar Drive
Boise, Idaho 83704

Dear Mr. Smith:

We enclose a copy of your approved application for permit 63-7187 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 2560 for \$10.

63-7187

February 26, 1969

Re: Application No. 63-7187
Howard R. Smith

Idaho World
Idaho City,
Idaho

Gentlemen:

As of this date we have not received the affidavit or the certified bill of publication for the above referenced application. Please forward these items to us immediately.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: none

63-7187

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Howard R. Smith, 4925 Allamar Drive, Boise, Idaho, has on January 21, 1969, applied for permit to divert .02 cubic feet per second of water from an unnamed stream, tributary of Clear Creek, under application No. 63-7187. Water will be diverted by a hand pump within the SW 1/4 NW 1/4, Sec. 28, T. 5N., R. 4E., B.M., Boise County, and is to be used from January 1 to December 31 for domestic use in the SW 1/4 NW 1/4, Sec. 28, T. 5N., R. 4E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KETH HIGGINSON
State Reclamation Engineer
Pub. Feb. 6 - 13, 1969

January 30, 1969

Re: Application No. 63-7187
Howard R. Smith

Idaho World
Idaho City,
Idaho

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication 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 of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: legal notice (1)

63-7187

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Howard K. Smith, 4925 Allamar Drive,
Boise, Idaho has on January 21, 1969
applied for permit to divert ~~store/~~ 02 cubic feet per second ~~acre feet,~~
of water from A/E/ an unnamed stream, tributary of NW Clear Creek
under application No. 63-7187. Water will be diverted by A/E/
a hand pump within the SW1/4, sec. 28, T. 5 N,
R. 4 E, B.M., Boise, County
and is to be used from January 1 to December 31 for domestic use
in the SW1/4, sec. 28, T. 5 N, R. 4 E, B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho World, Idaho City, Idaho,
on February 6 and February 13, 1969.

63-7187