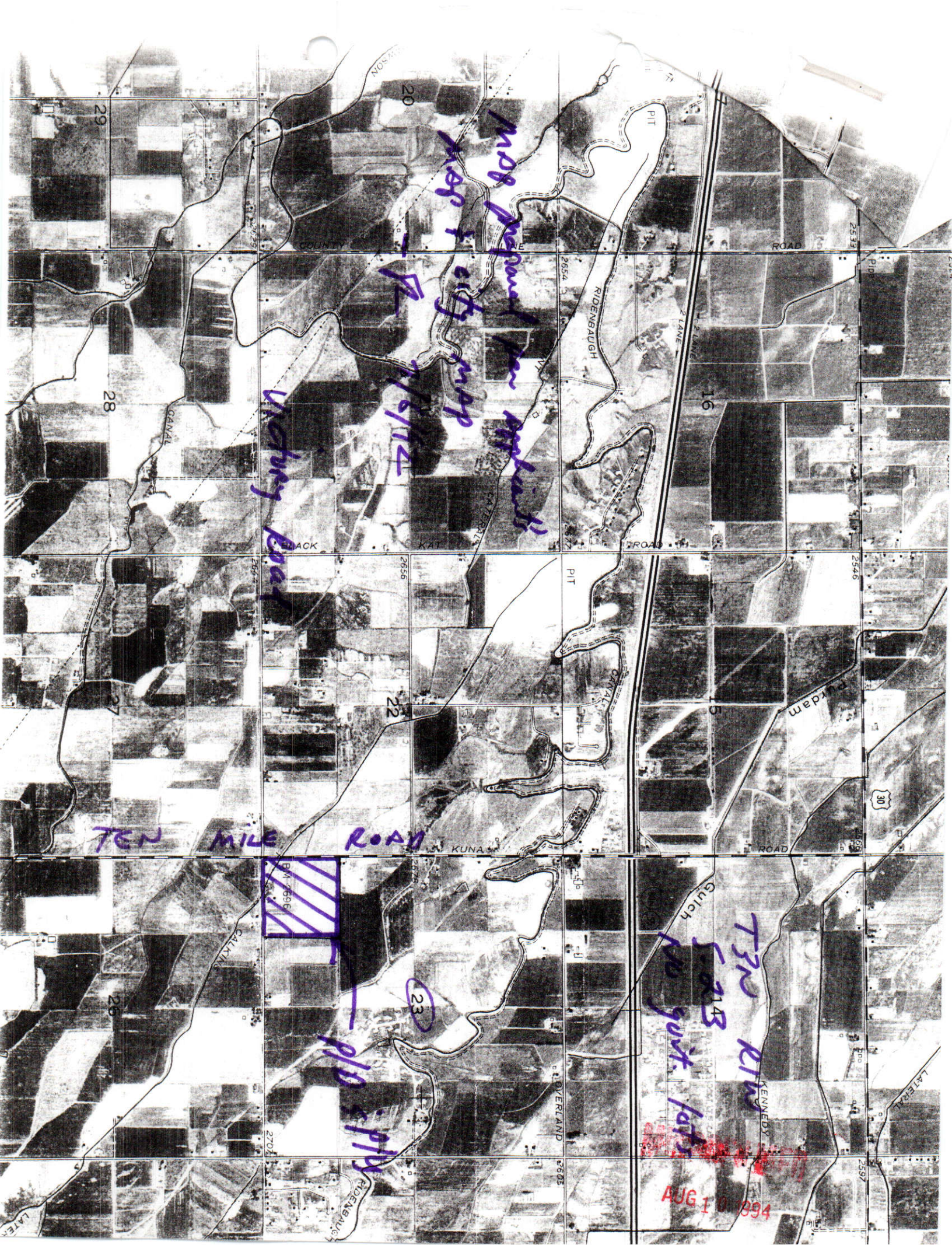




map prepared per applicant's
map + city map
7/6/14

Victory Road

TEN MILE ROAD

23

pld - pld

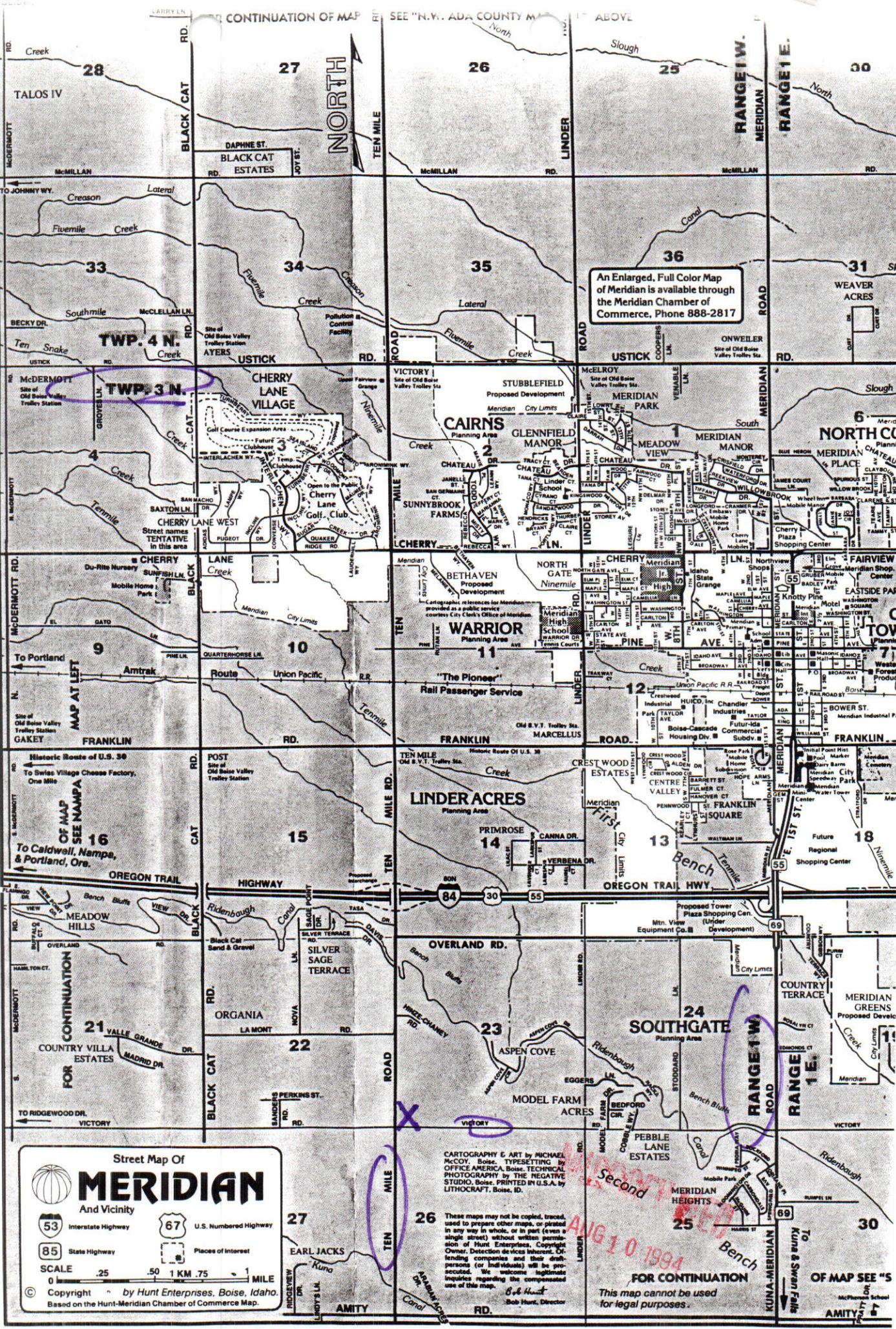
TEN RM
see govt. lots

AUG 10 1994



SHANDEE RD. (A) V-8
SHARON DR. (A) X-11
SHORT RD. (A) N-3
SHORT LINE ST. (K) (K) H-4
SILVER ST. (K) I
SILVER TERRACE RD. (A) R-14
SKYLINE DR. (A) Q-1
SONORA AV. (A) K-4
SORIGO LN. (K) I
SPANGLE DR. (A) V-10
SPRINGFIELD AV. (A) U-15
SPRINGWOOD DR. (A) V-12
SPURIOUS ST. (M) U-11
STANWICH DR. (A) R-11
STAR LN. (A) U-10
STAR RD. (A) L-3, 4
STAR ACRE DR. (A) M-2
STARDUST ST. (A) W-12
STATE ST. (A) L, Q, Q-3
STATE AV. (M) T, U-12
STEWART RD. (A) J-2, 3
STODARD LN. (A) T-14
STONE RD. (A) W-8
STOREY AV. (M) T-11
STRIKE WY. (K) I
STRAITFORD DR. (M) U-13
STROBEL RD. (A) J-4
SUGAR CREEK DR. (M) R-11
SUNFISH LN. (A) Q-11
SUNSHINE LN. (A) P-4
SUSAN DR. (A) H-4
SWAN FALLS RD. (A) H-4
SYRUP CT. (A) (K) I
TAMMICK PL. (A) W-11
TANAPICO PL. (A) K-4
TANA CT. (M) S-11
TANA DR. (A) T-11
TANYA LN. (A) J-1
TASA DR. (A) R, S-13
TAYLOR AV. (M) T, U-12
TEARE AV. (M) U, V-11
TEN MILE RD. (A) (K) (K) M-1
TEN MILE CREEK RD. (A) G-1, 4; N-5; S-9, 12, 15
TERRILL DR. (A) K-2, 3
THORNTON DR. (A) X-13
THURBER CT. (M) T-11
TIFFANY DR. (M) T-11
TIMOTHY ST. (A) V-13
TITAN PL. (K) I
TODD WY. (M) S-11
TOPAZ AV. (A) X-13
TORINO AV. (A) V-13
TORRINGTON CT. (M) N-11
TRACY CT. (M) S, T-12
TRAILWAY CT. (A) T-12
TRESTLEWOOD ST. (A) K-1
TRINI ST. (K) I
TRIPLE A RANCH RD. (A) O-4
TURNBERRY WY. (M) J-11
UNIT ST. (A) L-3
USTICK RD. (A) (M) R, T, W-10
VALLE GRANDE DR. (A) Q-14
VALLEY HEIGHTS DR. (A) K-2
VEEJUR WY. (A) T-10
VENABLE LN. (A) T-10
VENTURE CIR. PL. & ST. (A) X-11
VERBENA DR. (A) T-13
VICTORY RD. (A) Q, S, W-15
VIEW CIR. (A) X-13
VIEW DR. (A) Q-13
VIEW POINT DR. (A) Q-13
VISTA VUE LN. (A) P, Q-4
VUE ESTATES DR. (A) P-4
WALNUT ST. (A) (K) I
WALTER LN. (A) W-9, 10
WALTHAM LN. (A) Q-2
WASHINGTON DR. (M) T-12
WASHINGTON PL. (M) T-12
WASHINGTON SQ. (M) U-12
WASHINGTON ST. (M) U-12
WATERFORD DR. (M) U-11
WEATHERBY DR. (A) V-12, 13
WELLS CR. & ST. (A) W-13
WHITE RIVER DR. (A) W-13
WILLIAMS ST. (M) U-12
WILLOWBROOK DR. (M) U-11
WING RD. (A) L-2
WINGATE LN. (A) V, W-11
WINNEPEG ST. (A) U-15
WINWARD DR. (A) P-4
WOODMONT DR. (M) R-11
YOST AV. (M) T-11
1ST ST. (A) L-3
1ST ST. (K) (K) I
1ST ST. E. (M) J-12, 13
1ST ST. W. (M) U-11, 12
1ST ST. WEST, S. (M) U-12
2ND ST. (A) L-3
2ND ST. (K) (K) I
2ND ST. E. (M) U-12
2ND ST. W. (M) U-12
2 1/2 ST. E. (M) U-12
3RD ST. (A) L-3
3RD ST. E. (M) U-12
3RD ST. W. (M) U-12
4TH ST. E. (M) U-12
4TH ST. W. (M) U-11, 12
5TH ST. E. (M) U-12
5TH ST. W. (M) U-12
6TH ST. E. (M) U-12
6TH ST. W. (M) T-12
7TH ST. W. (M) T-12, 13
8TH ST. W. (M) T-11, 12
10TH PL. (M) U-11
10TH PL. (M) T-11
10TH ST. (M) T-11, 12
11TH ST. N. & NW (M) T-11, 12
12TH ST. N. & S. (M) T-11, 12
13TH ST. (M) T-11, 12
14TH ST. (M) T-11, 12
15TH ST. (M) T-11, 12

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An Enlarged, Full Color Map of Meridian is available through the Meridian Chamber of Commerce, Phone 888-2817

Street Map of
MERIDIAN
And Vicinity

53 Interstate Highway
67 U.S. Numbered Highway
85 State Highway

SCALE 0 .25 .50 1 KM .75 1 MILE

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Based on the Hunt-Meridian Chamber of Commerce Map.

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Bob Hunt
Bob Hunt, Director

FOR CONTINUATION OF MAP SEE "S"

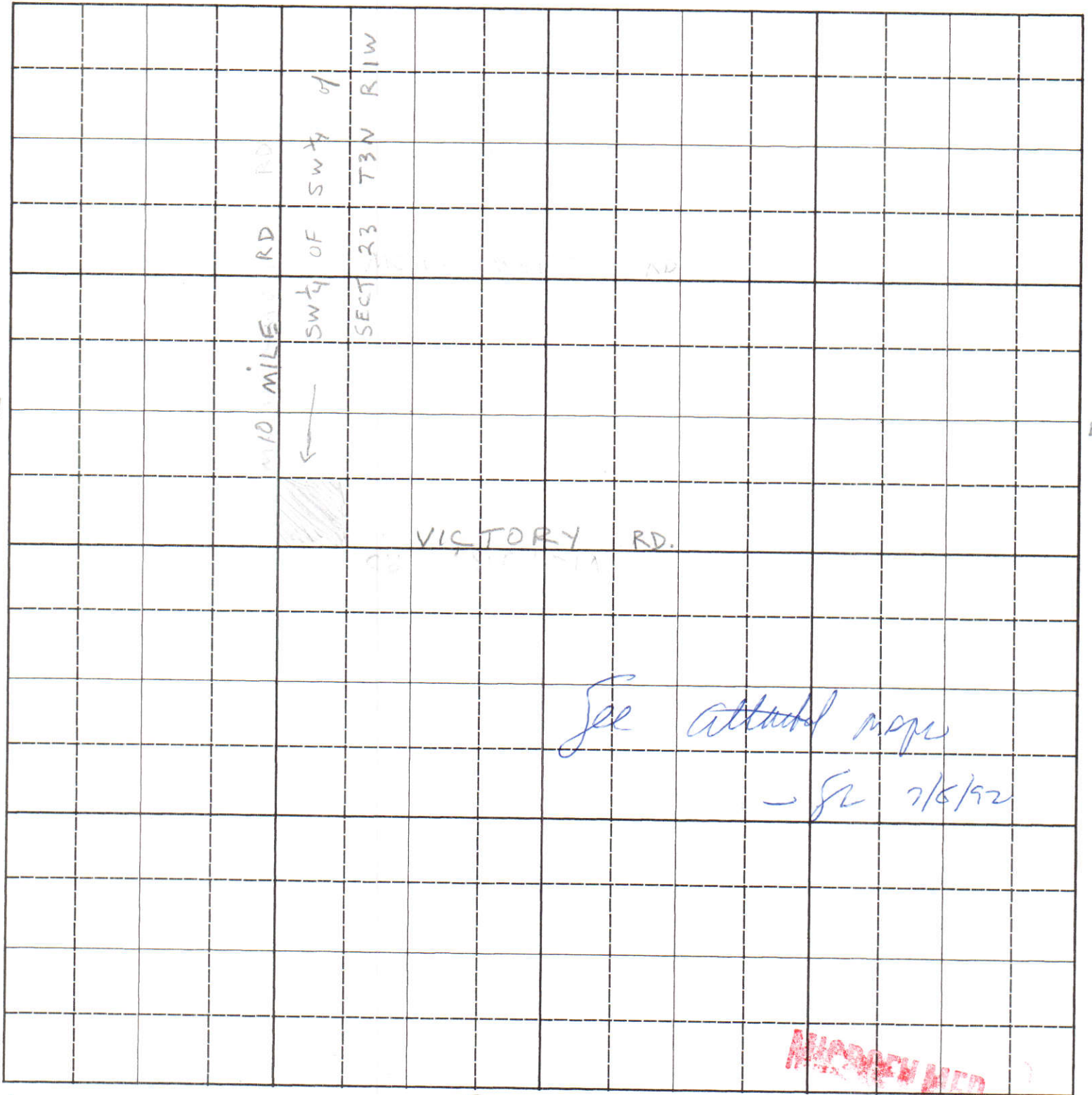
Second

ANG 10 1994

This map cannot be used for legal purposes.

N

13. 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.

S

APPROVED

AUG 10 1994

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.

Frank N. Smartt

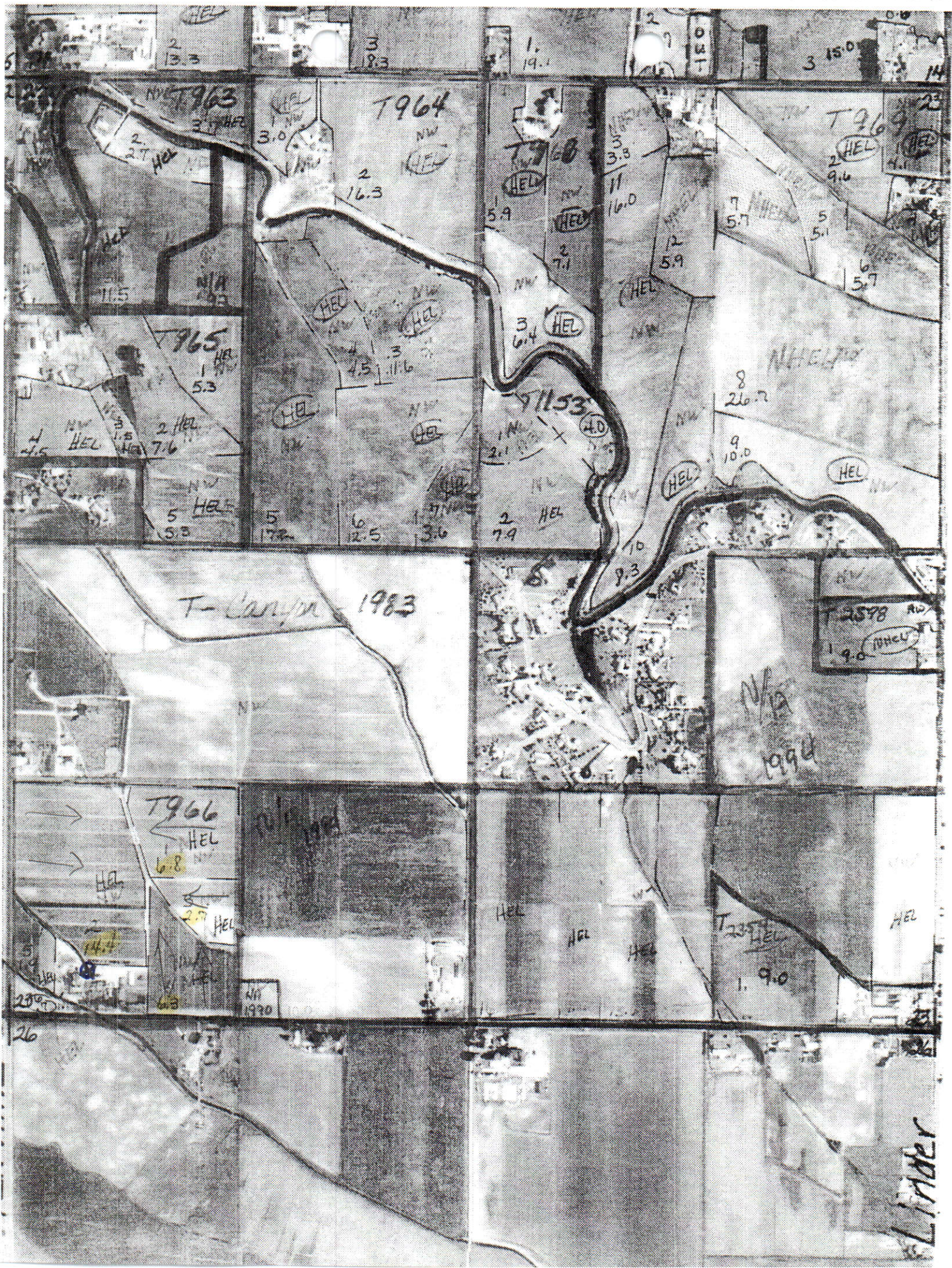
(Applicant)

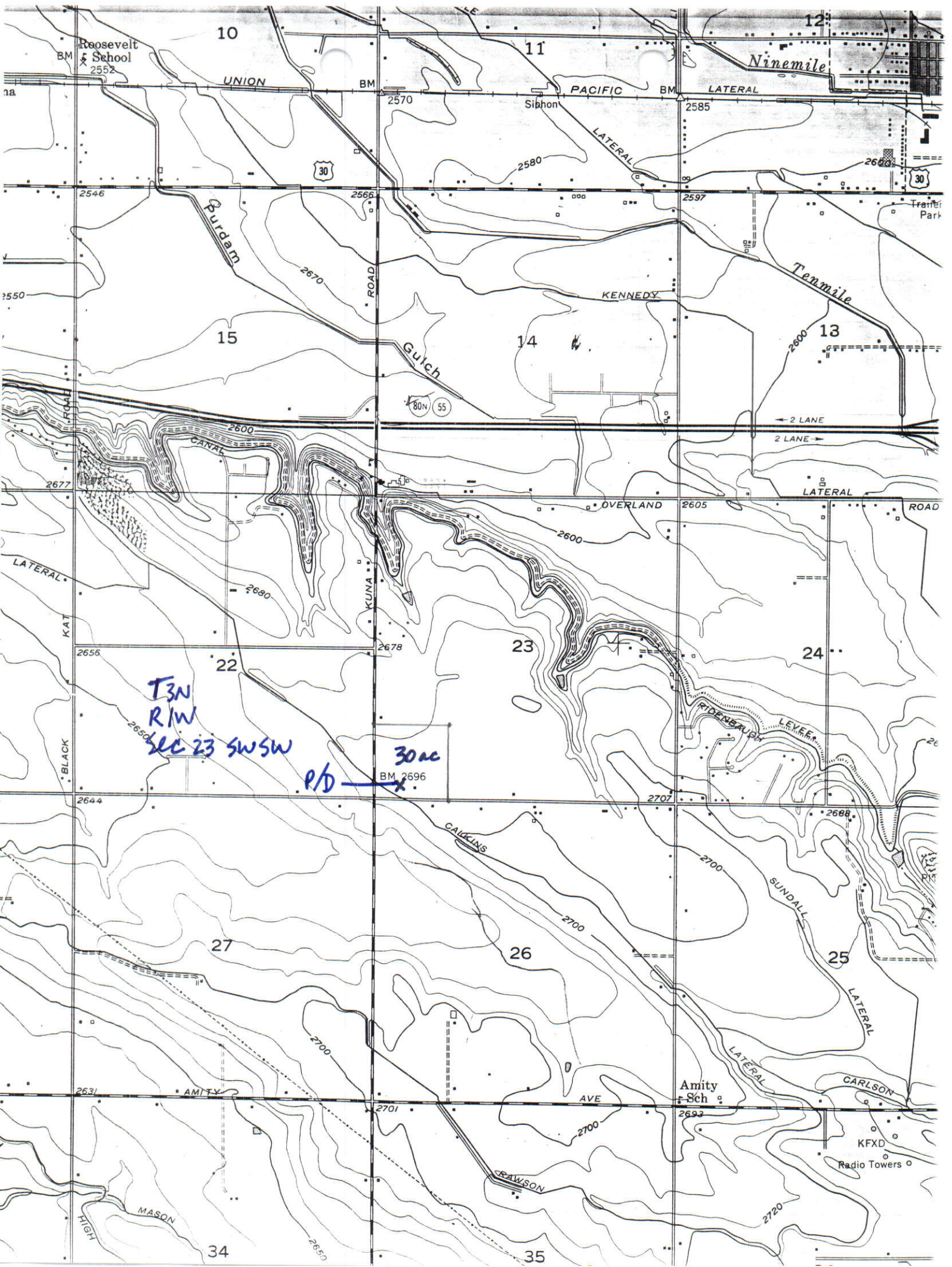
Surface water Irrigation System:



Irrigation water flows
into center drain ditch

Portable 2" pipe and
drip irrigation system
used for ground water







6" well
4 HP submersible pump



FOR OFFICE USE ONLY
 Amt. of Fee \$: 100.00
 Receipt No. 6034891
 Receipt By: JW
 Date Received: 2-26-96

RECEIVED

FEB 26 1996

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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. 63-11896 Telephone No. 887-7845
2. Name(s) of Permit Holder(s): FRANK H SMARTT
3. Mailing Address: 6152 W. VICTORY NAMPA IDA 83687
4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 9 / yr. 92
 - a. Well Driller: HIDDLESTON DRILLING Drilling Permit Number: 3-5-
03 92 W 0528
 - b. **OPTIONAL:**
 Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
 Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
 Irrigation (No. of acres): 40 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 33 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 <u>X</u> or No _____
	Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No _____
8. Fee Enclosed: \$ 100 (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: FRANK H. SMARTT Telephone Number: 887-7845
 Address: 6152 W. VICTORY NAMPA ID 83687
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: Frank H. Smartt Date: 2/22/96
 (include your title, if on behalf of company or organization)

MAR 11 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 63-11896

Proposed Priority: July 2, 1992

Maximum Diversion Rate:

0.33 CFS

This is to certify, that **FRANK H SMARTT**
6152 W VICTORY
NAMPA ID 83687

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.33 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 23, Township 03N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

03N 01W 23

SWSW 40.0

40.0

Total number of acres irrigated:

40.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1996.
2. Subject to all prior water rights.
3. Prior to diversion of water under this right, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to use power records to determine the amount of water diverted from each point of diversion listed under this right.
4. The right holder shall measure and annually report diversions of water and other pertinent hydrologic and system information as required by Section 42-701(5), Idaho Code.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
7. This approval does not authorize the construction of any new well or the deepening or enlargement of any existing well.
8. Failure to comply with any condition of approval is cause for the Director to cancel this right.
9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
10. This permit does not authorize the development and irrigation of land not previously irrigated under prior temporary approval of this application.
11. Water bearing zone to be appropriated is 140 to 183 feet.

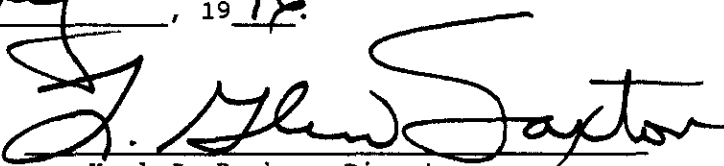
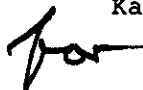
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11896

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

7th day of February, 1996.


Karl J. Dreher, Director



FEB 26 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 63-11896 IN)
THE NAME OF FRANK H SMARTT)
_____)

REINSTATEMENT ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of drought conditions being experienced during the 1994 irrigation season, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. In May 1992, the department issued the above captioned temporary permit (permit) to use ground water during the 1992 irrigation season to offset the effects of the drought and the associated reduced surface water supply. The permit expired on November 15, 1992.

2. The permit was conditioned that the Director of the department retained jurisdiction to reinstate the permit if drought conditions justify resumption of ground water use.

3. Water supply conditions during 1994 justify reinstatement of the permit by the Director.

CONCLUSIONS OF LAW

1. The Director is authorized under Chapter 2, Title 42, Idaho Code, to issue water right permits authorizing the diversion and use of the state's water resources.

2. The Director should reinstate the above captioned permit with certain conditions and limitations.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the above captioned permit is **REINSTATED** with the following conditions and limitations:

1. The permit expires on November 15, 1994.

2. The right to divert water under the above captioned permit is void if the surface water appurtenant to the place of use has been sold, transferred, leased or used on any other place of use without the approval of the department.

AUG 10 1994

3. The permit holder shall use the full allotment of surface water to the extent it is available before diversion is authorized under this reinstated permit.

4. The permit holder shall employ reasonably efficient methods of water application to conserve the water of the state of Idaho.

5. The rate of diversion of water for irrigation under this right and all other rights shall not exceed 0.02 cfs for each acre of land.

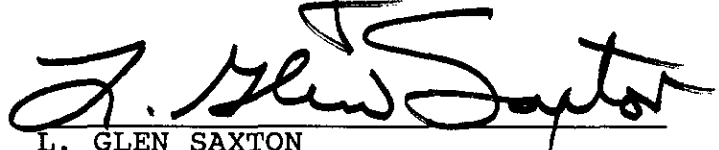
6. This use is subject to all prior water rights.

7. The place of use authorized is only that shown on the permit. Permit holder shall prevent use of this water on land for which it is not authorized.

8. This reinstatement does not authorize the construction of new wells or the deepening of existing wells.

9. Failure to comply with the above conditions and limitations of permit use voids this reinstatement.

Dated this 29th day of July, 1994.


L. GLEN SAXTON
Chief, Water Allocation Bureau


AUG 10 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11896

Proposed Priority: July 2, 1992 Maximum Diversion Rate: 0.33 CFS
This is to certify, that **FRANK H SMARTT**

6152 W VICTORY
Nampa ID 83687

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	03/15 to 11/15	0.33 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 23, Township 03N, Range 01W
ADA 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>
03N	01W	23	SWSW	40		40

Total number of acres irrigated: 40

CONDITIONS/REMARKS:

1. This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.
2. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
3. This right to divert groundwater is void if the surface water right appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
4. The permit holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this permit.
5. The permit holder must employ reasonably efficient methods of water application to conserve the water of the State of Idaho.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.
8. This right is subject to all prior rights.

APPROVED

AUG 10 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-11896

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

19th day of August, 1992.

J. Keith Higginson
for R. Keith Higginson, Director

AUG 10 1994

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6/86

JUL - 2 1992

Department of Water Resources
Western Regional Office

STATE OF IDAHO

Ident. No. 63-11896

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant FRANK H. SMARTT Phone 887-7845
Post office address 6152 W. VICTORY NAMPA IDA. 83687

2. Source of water supply GROUND WATER which is a tributary of N/A

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of $\frac{1}{4}$, Govt. Lot
Sec. 23 Township T3N Range R1W B.M. ADA County; additional
points of diversion if any:

4. Water will be used for the following purposes:

Amount .33 ~~100~~ ^{AF} for IRRIGATION purposes from 4/1 ^{3/15} to 11/1 ^{11/15} (both dates inclusive) *

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

5. Total quantity to be appropriated is (a) 150 GPM ^{cubic feet per second} and/or (b) .33 ^{acre feet per annum} *

6. Proposed diverting works: ($\frac{1}{3}$ CU. FT.)

a. Description of ditches, flumes, pumps, headgates, etc. ELECTRIC PUMP NECESSARY
FOR ABOVE DELIVERY. IRRIGATION METHOD
IS DRIP.

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive.

c. Proposed well diameter is 6 inches; proposed depth of well is 200 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

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

1 yr.

* charges per applicant's info

-82 7/6/92 AUG 10 1994

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8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	1W	23			~~SW¼~~				~~SW¼~~				40						40 ACRES

Total number of acres to be irrigated 40

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

BOISE - KUNA WATER DISTC.

11. a. Who owns the property at the point of diversion? FRANK H. & ERMA E. SMARTT

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

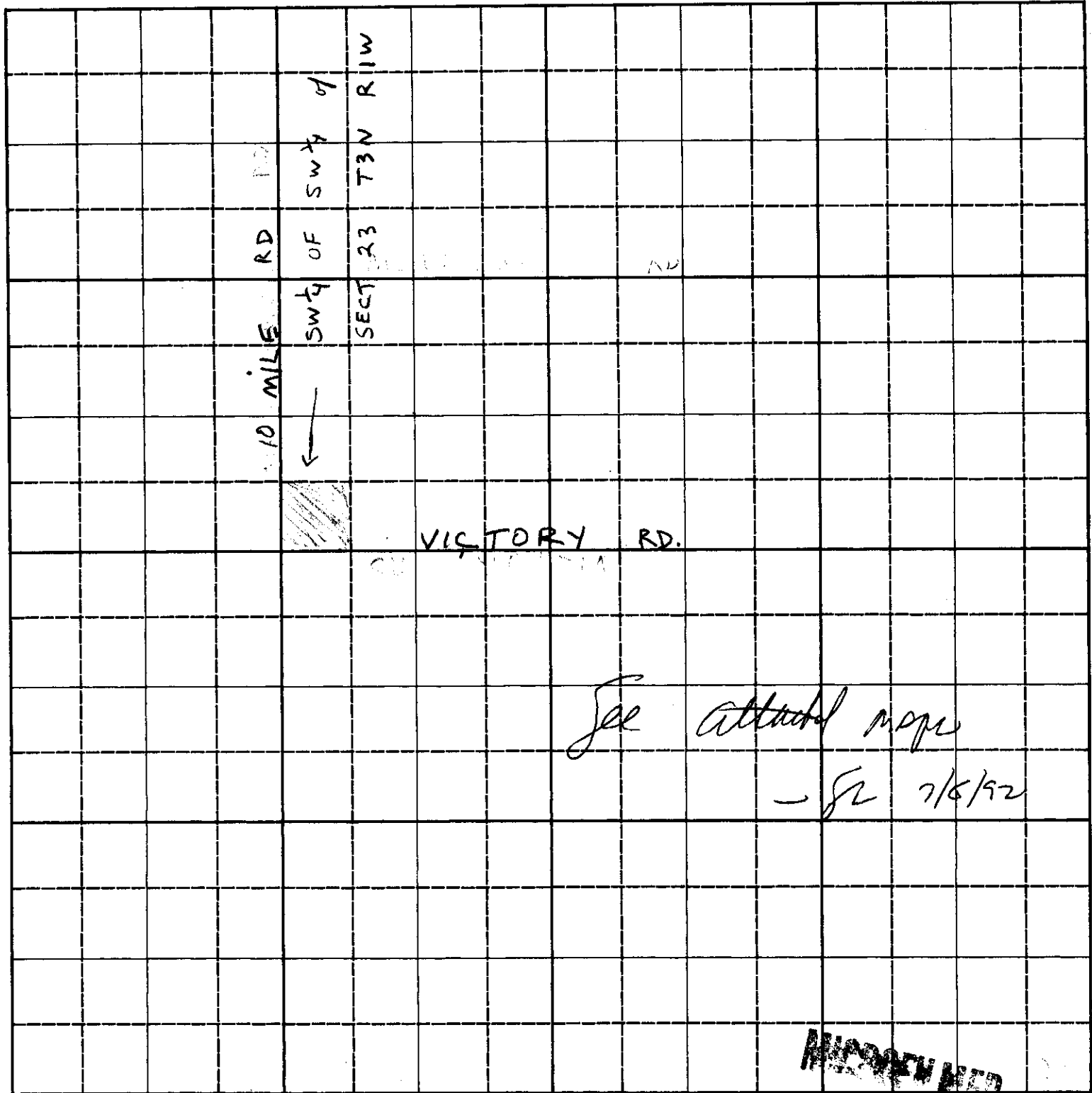
AUG 10 1994

* per applicant's map - confirmed location (per road names) on city map
 § 0.46/acre - 52 7/6/92



N

13. 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.

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AUG 10 1994

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.

Frank X. Smartt
(Applicant)

Received by MM Date 7-2-92 Time 1:21 pm Preliminary check by SR
Fee \$ 45.00 Receipted by JA # W015005 Date 7-2-92
Publication prepared by GG Date 7-25-92 Published in 75.
Publication approved AT Date 8-4-92 8-18-95 7/16 & 7/23/92
ID Statesman

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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AUG 10 1994

Date: 07/19/95
Time: 09:24:22

FIRST PAGE

13. Remarks: Water bearing zone to be appropriated is 50 to 150 feet. _____

(GOLD2=Update)	(GOLD4=Prev Screen)	(GOLD1=Export Remarks)	(Enter=Exit)
(GOLD3=Add Std Rmk)	(GOLD5=Next Screen)	(GOLD7=Import Remarks)	(GOLD8=Cancel)
	(GOLD6=End of Data)		

FL

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

ATTACHED

Y Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Y Aerial Photo Attached (required for irrigation of 10+ acres).

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		5	Submersible		

*Code to correspond with No. on map and serial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Theoretical

E. NARRATIVE/REMARKS/COMMENTS

A 6" well equipped with a 5 hp pump supplies water to 30 acres via 2" pipe and drip irrigation. Applicant has agreed to use power records for determination of water use. Applicant is required to use all his surface water under Boise/Kuna Irrigation District before use of water under this permit for irrigation of the 30 acres. No other rights are used.

Have conditions of permit approval been met? Y yes no

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

$$\frac{5 \times 8.8 \times .7}{85' \times 10 \times 2.31} = .28 \text{ cfs}$$

Horsepower per Hiddleston Drilling (pump installers)

PSI per Applicant (drip system)

Dynamic Head based on 75' static water level per well log

Note: Hiddleston stated the pump was set at 147'

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 30 \times 4.5 = 135$$

$$V_{D.R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .28 \times 260 \times 1.9835 = 144.4$$

$$V = \text{Smaller of } V_{I.R} \text{ and } V_{D.R} = 135$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Annual Volume	
	From	To	Q (cfs)	V (afa)
Irrigation	3/1	11/15	.28	135
Totals:			.28	135

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

I. AUTHENTICATION

Lori Graves—Senior Agent

Field Examiner's Name

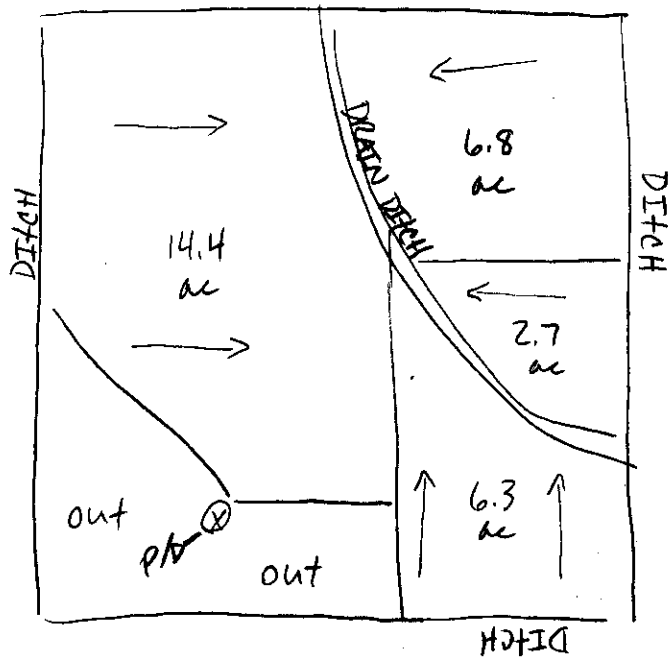
Lori GravesDate 12/14/99

Reviewer _____

Date _____

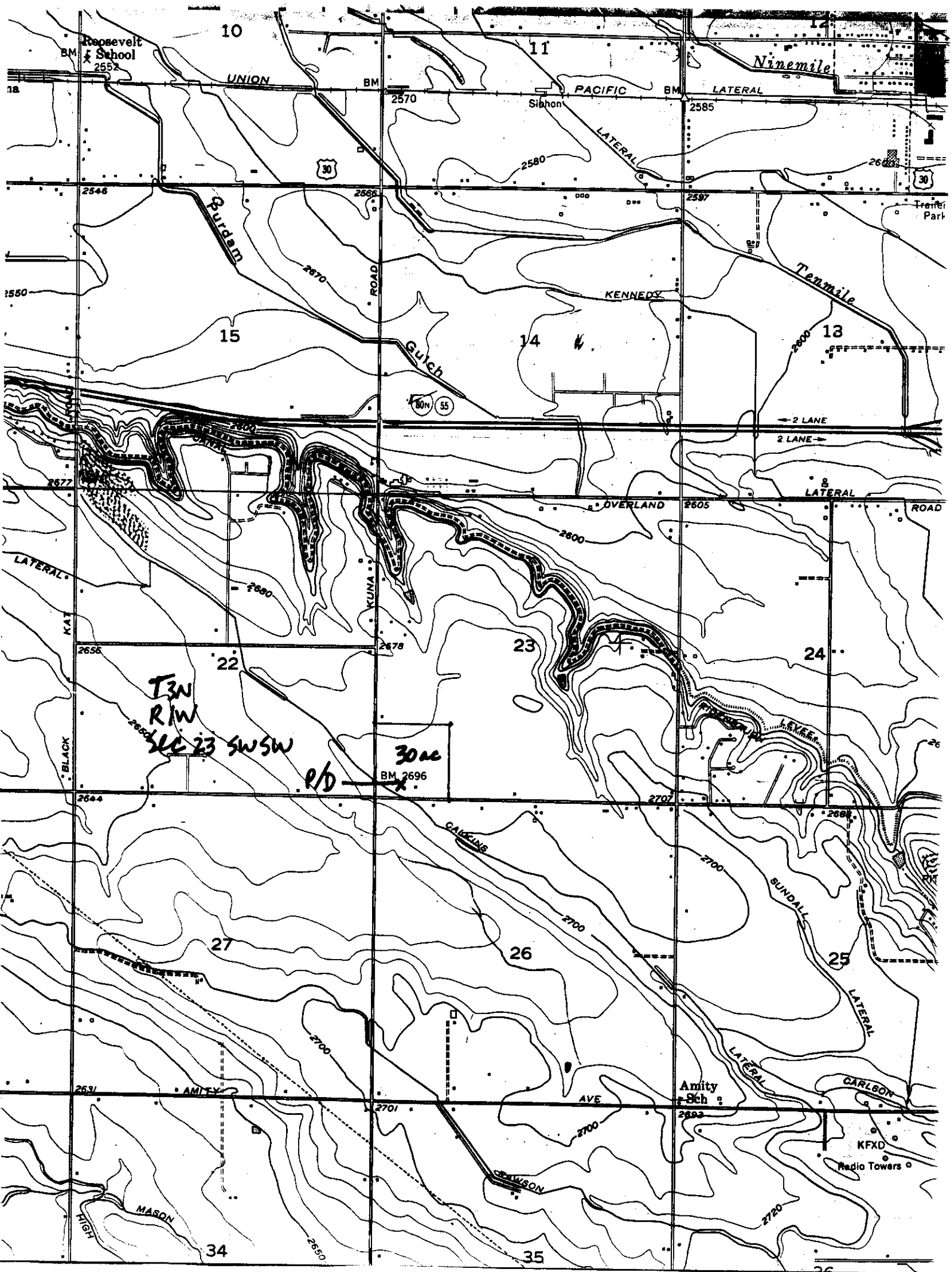
SEAL

Surface water Irrigation System:



Irrigation water flows
into center drain ditch

Portable 2" pipe and
drip irrigation system
used for ground water

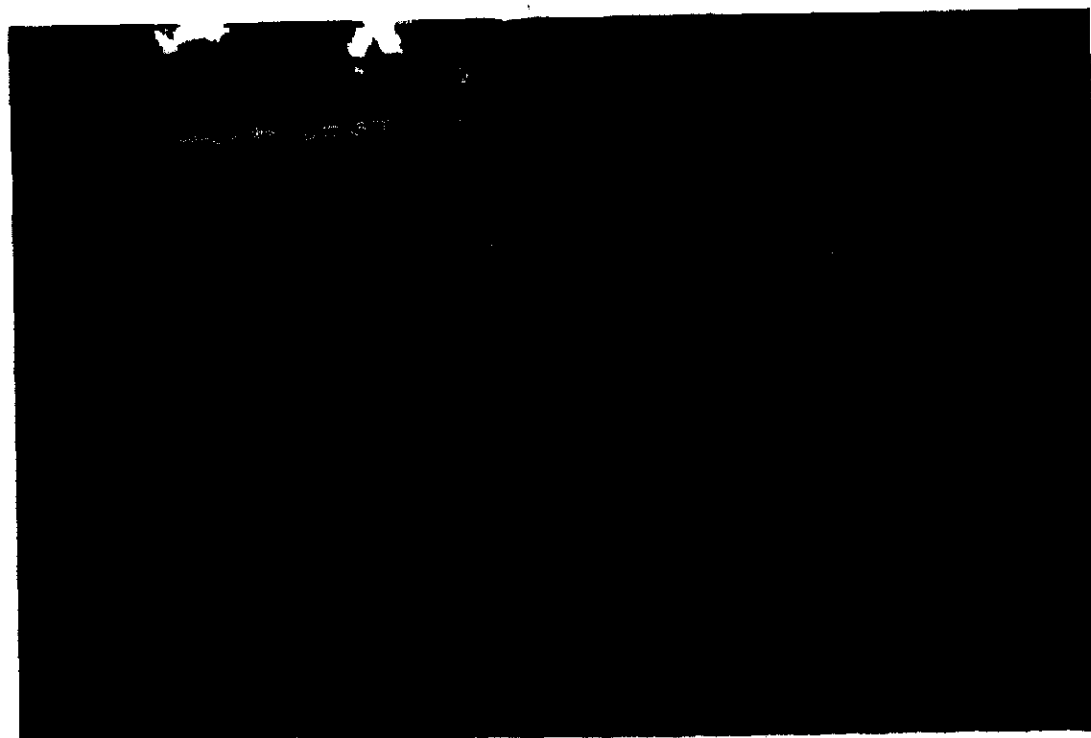


State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]



6" well
4 HP submersible pump





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

July 23, 1996

FRANK H SMARTT
6152 W VICTORY
Nampa ID 83687

RE: Water Right No. 63-11896

Dear Water Right Holder(s):

Early in 1996, the department issued the above referenced permit to you authorizing the diversion of water from a well(s) to be used to supplement the irrigation of land which is primarily irrigated with surface water shares. Most of these permit applications were originally filed in 1992 and are sometimes referred to as "1992 drought permits".

The purpose of this letter is to specifically call to your attention some of the conditions of approval dealing with use of water under your permit(s). Please note the following:

- You are required to measure and annually report to the department the amount of water you have diverted from your well. This includes the amount of water diverted during the 1996 irrigation season.
- You are required to use all of the surface water to which you are entitled each season in connection with use of water under your permit.
- If you sell, transfer, lease or use your surface water rights on any other place of use, the permit issued to you to divert supplemental groundwater is not valid.

The department plans to field inspect use of water under the drought permits to determine compliance with the conditions listed on the permits.

If you have questions, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

cc: IDWR - W. Region

RECEIVED

AUG 21 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-11896 Reviewed by [Signature] Date 3-4-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 63-92-W-0528-000
200- Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
100- Amount Submitted
yes Correct?
yes Required?
no Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

advise of measurement requirement
Proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 2-26-96



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 5, 1996

FRANK H SMARTT
6152 W VICTORY
NAMPA ID 83687

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 63-11896

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.

Please be advised that one of the conditions of your water right permit requires that the permit holder install a measuring device or enter into an agreement with the department to use power records to determine the amount of water diverted from this right (refer to condition #3 of your permit.) If you have any questions regarding the installation of the measuring device or your options, please contact Scott King or Gary Spackman at (208)327-7900.

If you have questions concerning the field examination, please feel free to contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
MAR 11 1996



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

February 7, 1996

53-11896
FRANK H. SMARIT
SUE W. VICTORY
NAME

ID 83687

PERMIT APPROVAL NOTICE

RE: Basin 63 Approved Permit

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is 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 licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Please note that one of the conditions of approval on your permit requires that you install a measuring device or sign an agreement with the department to determine your diversion using power records prior to diverting water. You may choose to install a measuring device, or you may ask the department to review your system to determine whether your diversion can be estimated with power records.

Another condition of approval requires that you measure your diversion and record other important hydrologic and physical features and report them annually to the department. The department will shortly send you further information about measuring devices, flow estimation using power records, and annual reporting forms.

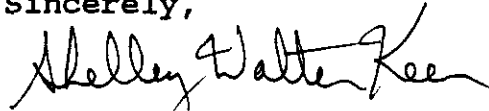
RECORDED

FEB 26 1996

Page 2

If you have questions about the measuring and reporting requirements, please call the department at (208)327-7900 and ask for someone in the Water Distribution Section. If you have questions about other elements of your permit, call me at (208)327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

FEB 26 1996

**BASIN 63 MORATORIUM APPLICATION
STATE OFFICE REVIEW**

by Cindy Zimmerman
Date: 2/2/96

No.: 103-11896

Name: Smartt

Ad OK? ✓ /Gvmt Lts: ✓

Correct Fee? ✓ Receipt #: W015005 Priority: 7/2/92

PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED: - Yes P16 No (if no put in order on hold)

GROUNDWATER SOURCE:

+ 5 acres <POU>

=/- 5 acres <POU>

- ~~066~~-P55, ~~067~~, ~~065~~, ~~068~~
- 066-P55, 067, 065, 057

DRILLING PERMIT

Number

Existing well

- P/D same Yes No (if no show Shelley)
- ~~62~~-92-W-~~0528~~-~~000~~, drilled 9/92
- ~~068~~

LOCATION:

Boise Front LoGeo

Swan Falls Flag

Trust

- 058 (-85° GW temp only)
- B <SEE CODE CHART>
- 051-052-053-P74 (Consumptive Uses), NA

CONDITION CODES:

- ~~069~~, _____

OWNERSHIP: Non-land owner

- 004 (PD/PU) _____

PARAGRAPH CODES:

- _____

STANDARD REMARKS:

- 1) WB8, 2) W06, 3) Water Zone 140' - 183'
50' - 150'

BENEFICIAL USE DUE:

- 6-1-1996

COMMENTS:

- _____

* per well log.

MEMORANDUM

TO: Application for Permit No. 63-11896
FROM: Dave Tuthill *DT*
DATE: January 29, 1996
RE: Review of Application

In accordance with Order Condition No. 3 of the Boise River Basin Amended Moratorium Order dated May 3, 1995, this application has been reviewed and screened by the Department. The review committee consisted of the following personnel:

Mark Slifka, representing well construction concerns.
Janet Crockett, representing water quality concerns.
Shane Bendixsen, representing hydrologic concerns.
Jim Johnson, representing water allocation concerns.
Dave Tuthill, representing reg. office regulatory concerns.

Any additional conditions of approval found to be needed have been added to the supplemental staff analysis sheet which has been prepared and is included in this file.

FEB 26 1996

RE-ADVERTISING FOR SUPPLEMENTAL IRRIGATION RIGHT (MORATORIUM BACKLOG)

APPLICATION NO. 63-11896

FINAL REGIONAL PROCESSING REVIEW

YES NO

✓
✓

Affidavit of publication received:

Application published correctly: If not, record action taken.

[illegible]

Publication dates and paper recorded on application:

Protests received. Final date for protest 8-21-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: *Approve Am*

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

Special post-Morat. conditions

See below for additional information.

Recommended Date or Priority 7/2/1992

Recommended by:

Date 1/29/96

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-11783

LUCKY PEAK PROPERTIES
NORM BROWN
385 S LOCUST GROVE
MERIDIAN, ID 83642

Source: GROUNDWATER
Diversion Pt: LOT 2 (NWNE) Sec 1 T02N R03E In ADA County.
Use: IRRIGATION (0.300 CFS)
STOCKWATER (0.020 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.300 CFS)

Date Filed: 4/10/1992

In: ADA County

T02N R03E S01 NWNE

15.0 ACRES TOTAL

Water bearing zone to be appropriated is 150 to 200 feet.

63-11823

BOISE RESEARCH CENTER
12301 W EXPLORER DR
BOISE, ID 83704

Source: GROUNDWATER
Diversion Pt: NENE Sec 28 T04N R01E In ADA County.
Use: IRRIGATION (1.120 CFS)
Total Diversion: (1.120 CFS)

Date Filed: 5/8/1992

In: ADA County

T04N R01E S28

NENE

NWNE

SWNE

SENE

160.0 ACRES TOTAL

Water bearing zone to be appropriated is 0 to 300 feet.

63-11872

EAGLE HILLS GOLF COURSE
605 N EDGEWOOD LN
EAGLE, ID 83616

Source: GROUNDWATER
Diversion Pt: SWSENE Sec 9 T04N R01E In ADA County.
Use: IRRIGATION (0.930 CFS)
Total Diversion: (0.930 CFS)

Date Filed: 6/19/1992

In: ADA County

T04N R01E S09

NWNE

SWNE

SENE

NESE

S10

NWSE

SWNW

SENW

NESW

NWSW

80.0 ACRES TOTAL

Water bearing zone to be appropriated is 157 to 162 plus 197 to 217 feet.

63-11874

MC KAY, DONNA R
MC KAY, L DARWIN
3220 E LAKE HAZEL RD
MERIDIAN, ID 83642

Source: GROUNDWATER
Diversion Pt: NESE Sec 32 T03N R01E In ADA County.
NWSWSW Sec 33 T03N R01E In ADA County.
SWSWSE Sec 33 T03N R01E In ADA County.
Use: IRRIGATION (0.720 CFS)
Total Diversion: (0.720 CFS)

Date Filed: 6/25/1992

In: ADA County

T03N R01E S33

SWSW

SESW

36.0 ACRES TOTAL

Water bearing zone to be appropriated is 160 to 220 feet.

63-11896

SMARTT, FRANK H
6152 W VICTORY
NAMPA, ID 83687

Source: GROUNDWATER
Diversion Pt: SWSW Sec 23 T03N R01W In ADA County.
Use: IRRIGATION (0.330 CFS)
Total Diversion: (0.330 CFS)

Date Filed: 7/2/1992

In: ADA County

T03N R01W S23

SWSW

40.0 ACRES TOTAL

Water bearing zone to be appropriated is 50 to 150 feet.

63-11910

CATEY, DOROTHY A
CATEY, JOHN A
9900 LOS RANCHITOS
BOISE, ID 83709

Source: GROUNDWATER
Diversion Pt: NENW Sec 14 T03N R01E In ADA County.
Use: IRRIGATION (0.020 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.060 CFS)

Date Filed: 8/4/1992

In: ADA County

T03N R01E S14

NENW

1.0 ACRES TOTAL

Water bearing zone to be appropriated is 232 to 243 feet.

63-12247

QUAIL PARK PARTNERSHIP
PO BOX 2725
BOISE, ID 83701

Source: GROUNDWATER
Diversion Pt: NESE Sec 2 T03N R01E In ADA County.
Use: IRRIGATION (0.090 CFS)
Total Diversion: (0.090 CFS)

Date Filed: 7/11/1995

In: ADA County

T03N R01E S02

NESE

3.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before AUGUST 21, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

2559

Pub. August 3 & 10, 1995

RECORDED

FEB 26 1996

63-11896

SMARTT, FRANK H
6152 W VICTORY
NAMPA, ID 83687

Source: GROUNDWATER

Diversion Pt: SWSW Sec 23 T 03N R 01W in ADA County.

Use: IRRIGATION (0.330 CFS)
Total Diversion: (0.330 CFS)

Date Filed: 7/ 2/1992

In: ADA County
T03N R01W S23 SWSW

40.0 ACRES TOTAL

* Water bearing zone to be appropriated is ¹⁷⁸~~50~~ to ¹⁸³~~150~~ feet.

RECORDED

FEB 26 1996

2N 1W S23 SWSW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: fr DATE: 7/6/92 APPLICATION: 63-11896

REQUIRED INFORMATION

☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume)
☒ Period of use:
☒ Nature of proposed use: (Include description of use)
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated:
☒ Map:
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt:

Gov't. Lots:
N P/D
N P/U

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☐ ☐ Critical groundwater area:
☐ ☐ Groundwater management area:
☐ ☐ 1992 moratorium * See below
☐ ☐ Diversion within interim protected river area
☐ ☐ Send dam safety information:
☐ ☐ Send power requirement letter:
☐ ☐ Send fish farm requirement letter:
☐ ☐ Power residency affidavit:
☐ ☐ Power efficiency form:
☐ ☐ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐ ☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
* ☒ ☐ Request additional information from the applicant

Questions
DATE REQUESTED: 7/6/92
☒ ☐ Additional information on reverse side:

Supplemental to Irr. Dist. 420

RECEIVED
AUG 16 1992

Department of Water Resources

PROCESSING

APPLICATION 1

63-11896

YES NO

☒ ☒
☒ ☒
☒ ☒

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☒ ☒
☒ ☒
☒ ☒
☒ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☒ ☒
☒ ☒
☒ ☒
☒ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☒
☒ ☒

Affidavit of publication received:

Application published correctly: If not, record action taken.

☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒
☒ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest

August 3, 1992

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

Moratorium conditions

See below for additional information

Recommended Date or Priority 7/2/1992

Recommended by: *Q4*

Date 8/13/1992

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

Overlap

P/P - 63-04205 different well (domestic)

Plu - Irrig. Dist.

RESPONSE FORM

Boise River Basin Moratorium Application

RECEIVED

MAY 30 1995

WATER RESOURCES
WESTERN REGION

Name of Applicant: Frank H. Smartt

Address: 6152 W. Victory
Nampa Idaho 83687
(208)-887-7845

Water Right No.: 63-11896

Do you wish to proceed with development of the
water right as proposed in the application?

☒ Yes ☐ No

(If the response is no, please complete
and return the enclosed withdrawal form.)

If the source of water that you propose to 50 ft to 150 ft
appropriate is ground water, what aquifer
level do you propose to develop to obtain water?

Signature: Frank Smartt

Printed Name: FRANK H. SMARTT

Please return this form to:

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

Monmouth

FEB 26 1996



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1995

Distribution: Applicants Whose Water Right Applications Were Held Without Action Under the Boise River Basin Moratorium

Dear Applicant:

As you might be aware, on May 3, 1995 the Director of the Department of Water Resources, Mr. R. Keith Higginson, signed an Amended Moratorium Order which provides for the processing of previously held applications within the Boise River Basin, with certain restrictions. Enclosed for your information is a copy of the Order.

As provided in the Order, this office will resume the processing of these applications in order of priority at a rate of 30 applications per month. Depending on how many applicants wish to proceed with development of their projects, the processing of the 338 presently-held applications could require as much as a year. To enable you to make an estimate as to when your application(s) will be processed, please be advised that 244 of the applications have priority (receipt) dates of 1992; 32 are dated 1993; 37 are dated 1994; and 25 are dated 1995.

As new applications are received, they are sorted into two groups. Those that would not have been held back under the moratorium are processed immediately. To assure fairness in processing, those that would have been held back under the moratorium, such as irrigation applications, are placed at the end of the moratorium processing line.

Note that the Order requires that all applications held under the moratorium will be advertised (or re-advertised if previously advertised), in order to enable neighboring water users to examine the proposed uses in view of water availability information gained during recent drought years. There will be no additional charge to the applicants for this process. For applications that propose use of ground water, the advertisement must include an indication of the depth interval from which the applicant proposes to withdraw water.

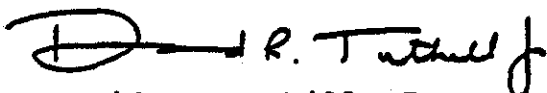
Please find enclosed a Profile Report which provides information from our water rights data base describing each of your moratorium-held applications. In addition we have included one response form for each application, which enables you to indicate whether you wish to proceed with processing of your water right application(s).

May 19, 1995

In case you no longer intend to develop a water use as described on an application, please complete and return the enclosed Withdrawal Form. Because of the time and effort already devoted to researching water availability in the Boise River basin, the Department will not be able to provide refunds of fees for applications that are withdrawn.

If you have questions about this process, or if you need assistance in completing the response form, please feel free to contact this office at (208) 334-2190. Response forms received no later than May 31, 1995, will be used in compiling the applications that will be advertised during June.

Sincerely,



David R. Tuthill, Jr., P. E.
Manager, Western Region Office

Enclosures

Amended Moratorium Order
Profile Report(s)
Response Form(s)
Application Withdrawal Form(s)

RECEIVED

FEB 26 1996



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

July 29, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FRANK H SMARTT
6152 W VICTORY
NAMPA ID 83687

RE: PERMIT NO. M63-11896

REINSTATEMENT OF PERMIT APPROVAL

Dear Reinstated Permit Holder(s):

Enclosed is an reinstatement order **authorizing diversion of water** under the above referenced permit.

The Department has reinstated your permit for the remainder of the 1994 irrigation season and the reinstatement will expire on November 15, 1994. When your permit expires, you must make the pump and motor inoperable, and you cannot operate the pump without approval from the Department of Water Resources. The Director may reinstate the permit again next year if drought conditions persist.

Please remember water diverted under your reinstated permit is only to be used on the lands identified on your permit. You must obtain the approval of the Department before using your water anywhere else.

If diversion from your well causes interference with other wells with an earlier priority, you may be required to cease pumping or compensate the affected party. Idaho law specifically protects groundwater levels for domestic wells which were in use prior to 1978.

If you have any questions please let me know.

Sincerely,

Camila Skaggs

for JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

RECEIVED

AUG 10 1994

DROUGHT RELIEF QUESTIONNAIRE

RECEIVED

JUL 29 1994

Department of Water Resources

If you are not interested in having a 1994 temporary permit reinstatement, or if you did not drill a well in 1992, disregard this questionnaire. No response is necessary.

Please answer the questions below. Your answers will help the department assess the need for use of the wells to complete the 1994 irrigation season and the extent of water use that will occur if the department again authorizes use of the wells.

1. Temporary permit identification number. M63 - 11896
(See cover letter)

2. a) Person responding to this questionnaire

Frank H. Smartt

b) Relationship to applicant? Same

3. Do you expect to use all of your surface water supplies for the land identified on the attached application prior to the end of the 1994 irrigation season? Yes ☒ No ☐

4. What is the source of supply? (Name of Canal)

San Juan Canal

5. What date do you expect this to occur? Aug 29 ±

6. List the type of crop, acreage and volume of water in acre feet (AF) needed under the temporary permit to complete the 1994 irrigation season. List only for the lands included in the land list of the attached application for permit.

CROP	ACRES ✓	ACRE FEET ✓
~~Wheat~~	~~8~~	~~10~~
Tomatoes	4	8
Peppers	$\frac{1}{2}$	1
	4.5	9

This questionnaire needs to be completed and returned to the department by August 1, 1994 in order to be considered as a request to reinstate a temporary permit.

AUG 10 1994

WL 28



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

July 20, 1994

FRANK H SMARTT
6152 W VICTORY
NAMPA ID 83687

RE: Water Right No. M63-11896

Dear Water Right Holder(s):

In 1992, the Department issued you a temporary permit to use groundwater from your well, if you drilled one, to replace depleted storage water supplies. This temporary permit expired on November 15, 1992.

During 1994, since available surface water supplies are again substantially below normal, the department has received a number of requests to re-authorize use of the "1992 drought relief" wells.

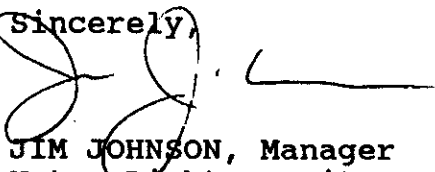
The department is willing to consider reinstating the temporary permits for the remainder of 1994 provided you can show that you used water under the 1992 temporary approval and that water will be used only on the lands identified on the temporary permit. Enclosed is a questionnaire which you must complete and return to the department if you want to be considered for reinstatement in 1994.

Also enclosed, for your reference, is a record of your application for permit.

Please be advised that unless the department specifically reinstates the expired permit, you are not authorized to divert and use the water from the well identified on the temporary permit.

If you have any questions, please feel free to contact me at Ph. 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

AUG 10 1994

March 31, 1994

FRANK H SMARTT
6152 W VICTORY
NAMPA ID 83687

RE: Water Right No. M63-11896

Dear Water Right Holder(s):

In 1992, the Department of Water Resources issued the above referenced permit allowing the diversion of water for the 1992 irrigation season only. The permit included a condition:

This permit to appropriate water expires at the end of the 1992 irrigation season. The Director retains jurisdiction to reinstate the permit if drought conditions justify resumption of groundwater use.

It now appears that 1994 early season water supply and precipitation conditions are such that short-term use of the wells that were drilled under this authority could be beneficial prior to the start of water delivery through the canal systems in the Boise Valley. We have been advised that most of the canals will not be able to deliver water for another 10 to 14 days.

Therefore, you are hereby notified that the permit is reinstated for temporary use during the period April 1 through April 15, 1994 only. All other conditions of the permit continue to apply. One requirement was that the well be disconnected from the power system at the end of the approved period of use, which under this reinstatement is April 15, 1994.

The existing moratorium in the Boise Valley area is not changed by this temporary reinstatement of the 1992 drought well permit. This temporary reinstatement does not authorize the construction of a new well or alteration of an existing well.

If you have any questions, please contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

MAILED

AUG 10 1994

WELL DRILLER'S REPORT

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.

[illegible]



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

August 20, 1992

FRANK H SMARTT
6152 W VICTORY
NAMPA ID 83687

RE: PERMIT NO. 63-11896

LETTER OF TEMPORARY PERMIT APPROVAL

Dear Permit Holder(s):

Enclosed is a copy of your approved permit. Your proposed use of water qualifies for a narrow exception to the Snake River Basin Moratorium established by the Director on May 15, 1992. The exception allows the use of groundwater during the drought to protect agricultural uses which normally have an adequate supply of water. Please carefully review the conditions of approval.

The Department has approved your permit for the 1992 irrigation season. Diversion of groundwater is not authorized after the 1992 season, and the permit expires. The Director may reinstate the permit in a subsequent year if drought conditions persist. You will be responsible for requesting reinstatement during future irrigation seasons.

When your permit expires, you must make the pump and motor inoperable, and cannot operate the pump without approval from the Department of Water Resources.

Your permit is for supplemental use only to augment your surface water supply. If the surface water you own is sold, transferred, leased or used on any other land without the approval of the Department of Water Resources, you automatically lose your right to divert groundwater. You must obtain the approval of the Department before using your water anywhere other than where it has traditionally been used.

In addition, you must fully utilize your available surface water to the extent possible. The surface water need not be fully consumed or diverted prior to use of groundwater. You cannot, however, simply divert token quantities of surface water and rely primarily on your groundwater diversion. Surface water must be your primary source of water.

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AUG 10 1994

If you want to locate your well closer than 500 feet from an existing well, you must obtain the approval of the Department of Water Resources. We realize that under certain circumstances, it may be impossible to locate the well 500 feet away from another well. You must, however, be cognizant of possible interference resulting from pumping of your well.

If diversion from your well causes interference with other wells with an earlier priority, you may be required to cease pumping or compensate the affected party. Idaho law specifically protects groundwater levels for domestic wells which were in use prior to 1978.

If general water levels in the geographical area of your well decline below reasonable levels, the Department may require you to cease diverting from your well.

You must efficiently apply the water to the land and conserve water to the extent possible. Excessive irrigation, delivery systems with substantial losses, and application methods which cause substantial percolation or evaporation are not acceptable.

Sincerely,



JIM JOHNSON
Water Right Supervisor

JJ:cz

Enclosure

AUG 10 1994

Smartt, Frank H.

APPLICANT NAME

For land in SW 1/4 Section 23

63-11896

APPLICANT NO.
(if known)

MORATORIUM EXEMPTION QUESTIONNAIRE

IF YOUR APPLICATION PROPOSES AN IRRIGATION USE, PLEASE COMPLETE AND RETURN THE FOLLOWING:

- Has ALL the land you propose to irrigate been irrigated with surface water in the past?

YES

- Do you seek supplemental well water for the 1992 irrigation season?

YES

- Do you summer fallow any of your irrigated land? If so, how many acres?

YES 8 THIS YEAR

- List the water right(s) you have used to irrigate the land listed on the application. If you have received water from a canal company or water district, please identify the name of the canal or water district.

BOISE KUNA DISTC. CAULKINS & GIVENS CANALS

- During the last ten years, how many years has your surface irrigation water been available for the entire irrigation season?

9 YEARS

- What crops have you grown in the past ten years?

WATERMELONS TOMATOES PUMPKINS

I understand if my proposed diversion of groundwater is approved as a supplemental use, that I can only use my well during periods of drought, when a full supply of water is not available. I also agree that my surface water will be fully used to the extent available, will not be sold or used on other lands, and that a change in use of my surface water may result in revocation of any groundwater right granted pursuant to my application for supplemental water.

Dated this 8th day of JULY, 1992.

(Please sign)

Frank Smartt

RECEIVED

AUG 10 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 7, 1992

Mr. Frank H. Smart
6152 W. Victory
Nampa, ID. 83687

RE: Application for Permit

Dear Applicant:

Your application for permit for a supplemental irrigation well for use on forty acres was received on 7/2/92. Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on 5/15/92 concerning water right applications proposing new consumptive uses of public water.

Supplemental irrigation uses are considered exempt from the moratorium, and such applications can be processed and approved. In order to verify the proposed supplemental use, please complete the enclosed Moratorium Exemption Questionnaire. If you are unsure of the name of the entity delivering surface water to your land, consult your tax notice and/or water billing statement.

Please return the information to me within 10 days. Let me know if you need additional help.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Sr. Water Resource Agent

Enclosure: Questionnaire

A faint, rectangular stamp, likely a "RECEIVED" or "FILED" stamp, with illegible text inside.

AUG 10 1994

RECEIVED
JUL - 2 1992

June 30 1992

Department of Water Resources
Western Regional Office

Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83705

Gentlemen:

you will find enclosed 2 applications
for water permits and the proper fees
enclosed.

my son and I operate "Smartt Farms"
as partners and farm 2 40 acre
farms of which we each own one
farm. We felt you would need
each application under the land
owners name rather than the business.

Sincerely,

Frank Smartt

AUG 10 1992

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$192.00

Account Number 047628		Identification NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates July 16, 23, 1992
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 2636

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JUL 21 1992

LEGAL NOTICE

Department of Water Resources
Western Regional Office

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-11874

MC KAY, DONNA R.
MC KAY, L DARWIN
DBA TURFCO
3220 E LAKE HAZEL RD
MERIDIAN, ID 83642
Source: GROUNDWATER
Diversion Pt: NWSWSW Sec 33 T 03N R 01E in ADA County.
SWSWSE Sec 33 T 03N R 01E in ADA County.
NESE Sec 32 T 03N R 01E in ADA County.

Use: IRRIGATION (.720 CFS)
Total Diversion: (.720 CFS)
Date Filed: 6/25/1992
In: ADA County
T03N R01E S33 SWSW SESW
36.0 ACRES TOTAL

63-11889

STADLER, TIM
STADLER, REBECCA
7624 BASIN WAY
BOISE, ID 83703
Source: GROUNDWATER
Diversion Pt: NENE Sec 25 T 05N R 01E in ADA County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 6/23/1992
In: ADA County
T05N R01E S25 NENE

63-11893

EAGLE WATER CO INC
PO BOX 455
EAGLE, ID 83616
Source: GROUNDWATER
Diversion Pt: SESWSE Sec 10 T 04N R 01E in ADA County.
SWSSE Sec 10 T 04N R 01E in ADA County.
Use: MUNICIPAL (3.340 CFS)
Total Diversion: (3.340 CFS)
Date Filed: 6/26/1992
Place of use within City Limits of Eagle.

63-11890

STADLER, TIM
STADLER, REBECCA
7624 BASIN WAY
BOISE, ID 83703
Source: GROUNDWATER
Diversion Pt: NENE Sec 25 T 05N R 01E in ADA County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 6/23/1992
In: ADA County
T05N R01E S 25 NENE

63-11896

SMARTT, FRANK H
6152 W VICTORY
NAMPA, ID 83687
Source: GROUNDWATER
Diversion Pt: SWSW Sec 23 T 03N R 01W in ADA County.
Use: IRRIGATION (.330 CFS)
Total Diversion: (.330 CFS)
Date Filed: 7/2/1992
In: ADA County
T03N R01W S23 SWSW
40.0 ACRES TOTAL

63-11897

SMARTT, CHARLES F
3030 W VICTORY
MERIDIAN, ID 83642
Source: GROUNDWATER
Diversion Pt: SWSW Sec 21 T 03N R 01W in ADA County
Use: IRRIGATION (.330 CFS)
Total Diversion: (.330 CFS)
Date Filed: 7/2/1992
In: ADA County
T03N R01W S21 SWSW
40.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before August 3, 1992.
R. Keith Higginson, Director
Pub. July 16, 23, 1992

2636

ER

, being duly

That she is the Principal Clerk of The newspaper printed and published at Boise, and having a general circulation therein has been continuously and uninterruptedly during a period of twelve consecutive publication of the notice, a copy of which is notice was published in The Idaho with Section 60-108, Idaho Code as TWO

consecutive daily ☐ single ☐ odd skip

the issue of JULY 16, 1992

of JULY 23, 1992

WILL MAIR

SS.

day of JULY in the year of 1992
ne, a Notary Public, personally appeared ER, known or identified to me by name subscribed to the within instrument, and sworn, declared that the statements therein contained were true and correct.

Public for Idaho
BOISE, ID

Commission expires: 11-27-93

AUG 10 1992

63-11896

SMARTT, FRANK H
6152 W VICTORY
NAMPA, ID 83687

Source: GROUNDWATER

Diversion Pt: SWSW Sec 23 T 03N R 01W in ADA County.

Use: IRRIGATION (.330 CFS)
Total Diversion: (.330 CFS)

Date Filed: 7/ 2/1992

In: ADA County
T03N R01W S23 SWSW

40.0 ACRES TOTAL

0 1994

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 63-92-W-528 OTHER APPLICABLE NO: 63-11896
2. OWNER: Frank Smartt Phone: 887-7845
Address: Nampa
3. WELL LOCATION: Twp 3N, Rge. 1W, Sec. 23, SW 1/4 SW 1/4
County Ada (Provide sketch map and photo on reverse.)
4. DRILLER: Hiddleston Lic. No. 35
When Drilled? 7/29/92
5. WELL CONSTRUCTION:
- Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
- Depth to Static Water 75 ft. Water Temperature cold °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
- | | | |
|---------------------------------------|---|-------------------------------------|
| ☐ Domestic | ☒ Irrigation | ☐ Stock |
| ☐ Test | ☐ Municipal | ☐ Industrial |
| ☐ Abandoned | ☐ Waste Disposal/Injection | ☐ Not Used |
| ☐ Other: _____ | | |

8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemical Contamination? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:**

Ly

Signature of Dept. Representative & Title

12/13/99

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS: