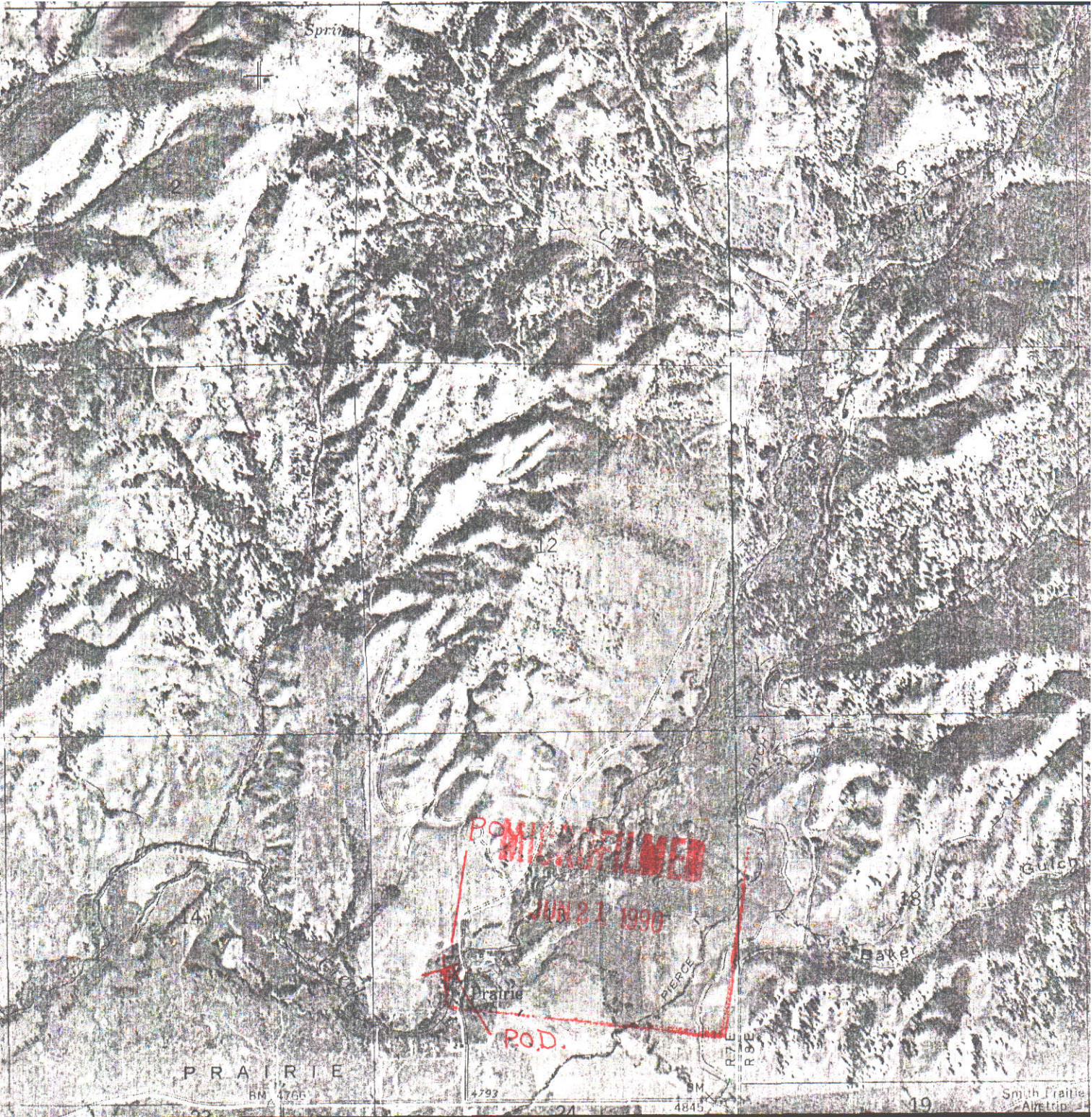




Spring

6

12

11

14

18

POD. FILMED

JUN 21 1996

POD.

PRAIRIE

BM 4766

4793

BM 4845

19

Smith Prairie
Airport

R7E

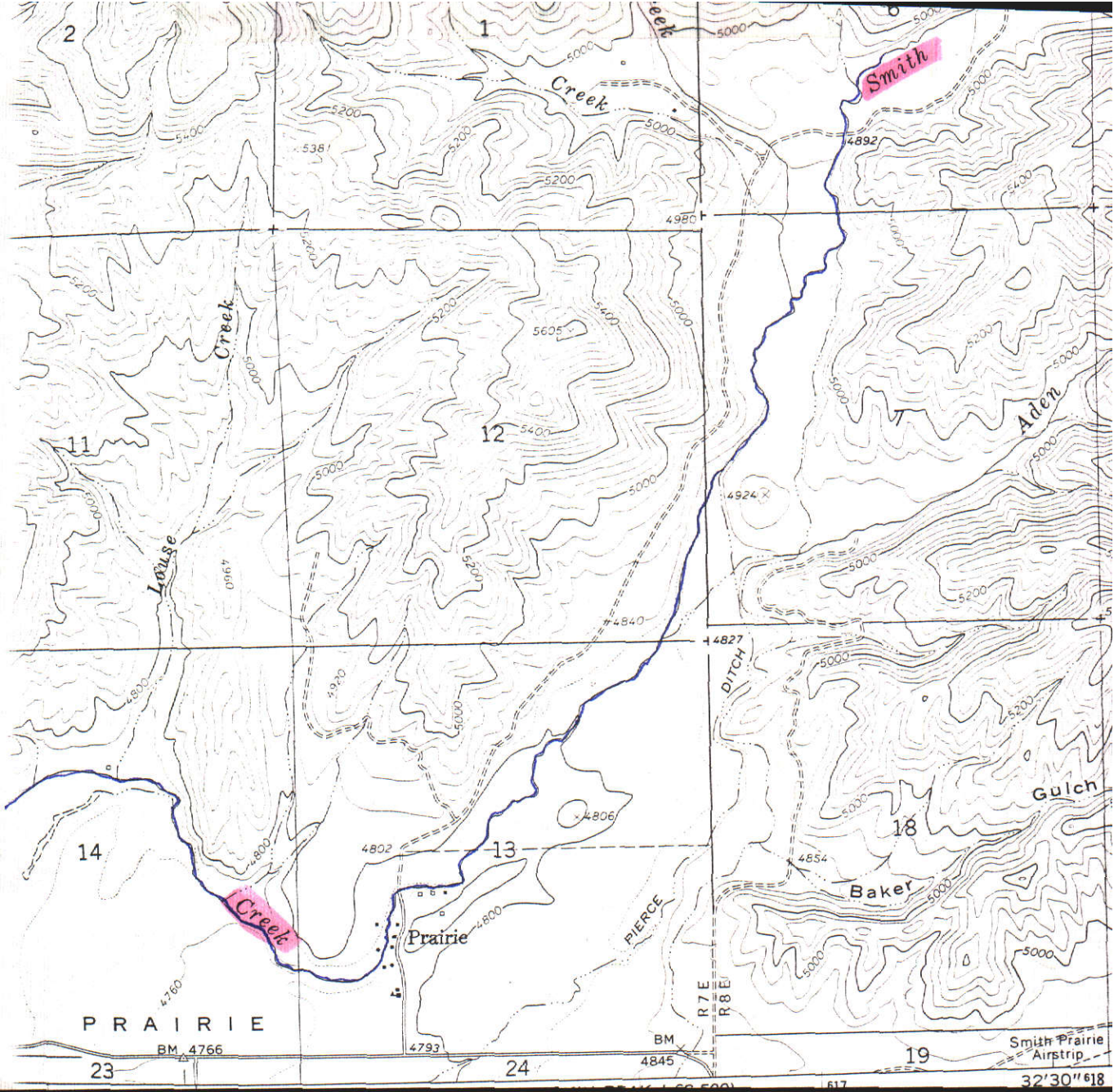
R8E

Duck

Pierce

Baker

Guich



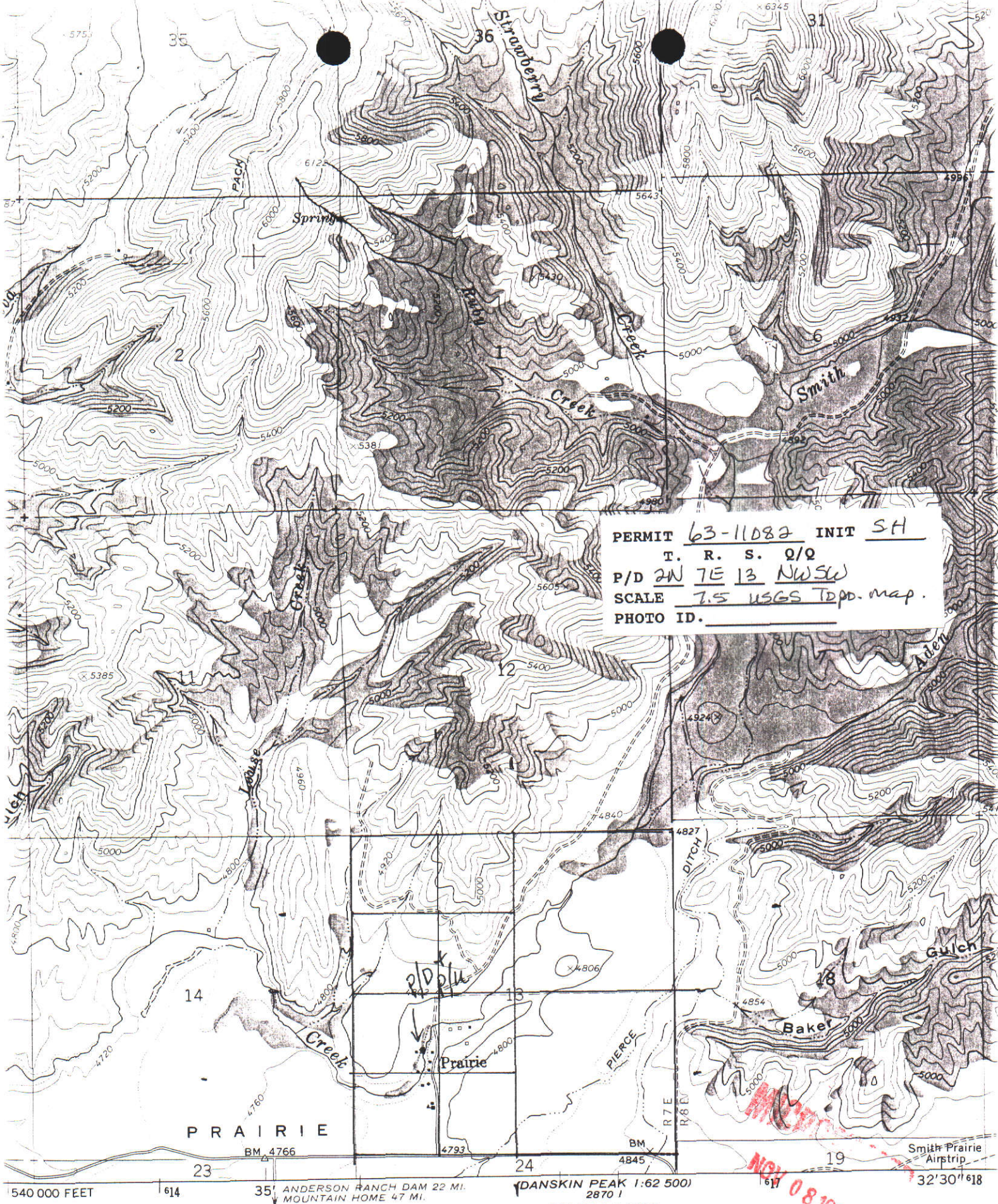
✓ Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Meyers	1	SKC35RN2087X	GE	1 1/4" ABS

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

$$102' \times 150' = \frac{15375}{43560} = .35 = .4 \text{ acre}$$

NOV 08 1995



PERMIT 63-11082 INIT SH
T. R. S. Q/Q
P/D 2N 7E 13 NWSW
SCALE 7.5 USGS Topo. map.
PHOTO ID. _____

PRAIRIE

BM 4766

4793

BM 4845

540 000 FEET

614

35' ANDERSON RANCH DAM 22 MI.
MOUNTAIN HOME 47 MI.

DANSKIN PEAK 1:62 5001
2870'

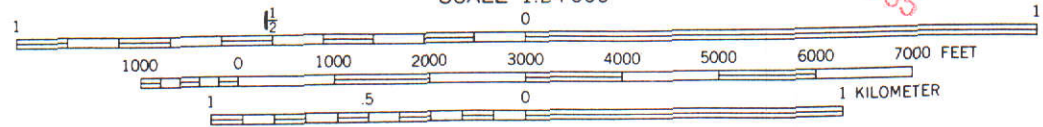
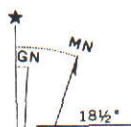
SCALE 1:24 000

NOV 08 1995

19

Smith Prairie Airstrip

32'30" 618



CONTOUR INTERVAL 40 FEET



63-11082
9/12/94 SM.

1 1/4" ABS
black plastic pipe
from Smith Creek

pump:
Myers
serial # GE
SKC 39RN2089X

1 HP



20.6 psi average (20.6 psi)
(20, 21, 22 psi)
opened from nozzles
(1/8" nozzles - rainbirds)
on 3' risers

paced estimate of property
irr. 102.5' x 150' = 15375 =
43560
= .35 acre

1 1/4"
ABS black plastic
pipe underground

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11082

Priority: October 12, 1989

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.8 AF

This is to certify, that ERNEST A QUIER

HC 84 BOX 75

MOUNTAIN HOME ID 83647

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 12, 1989; and has submitted Proof of Beneficial Use on August 17, 1990. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SMITH CREEK

tributary to BOISE RIVER, SOUTH FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	1.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 13, Township 02N, Range 07E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 07E 13	NWSW	0.4		0.4

Total number of acres irrigated: 0.4

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63B.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

NOV 08 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11082

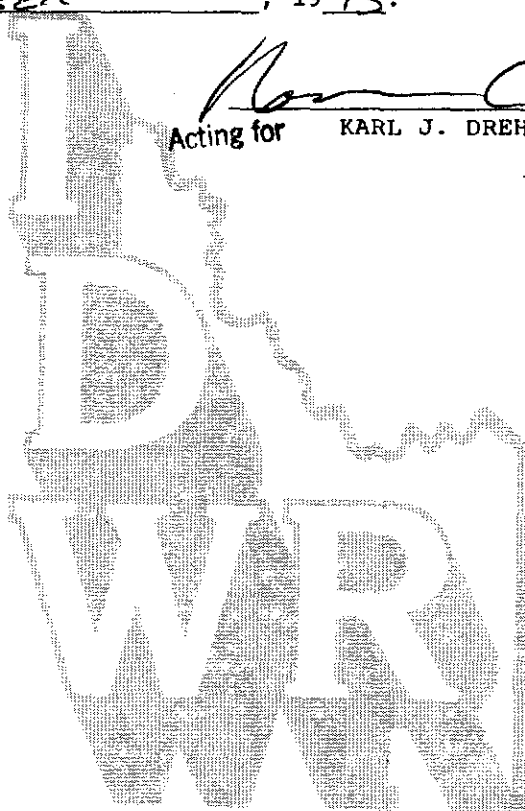
CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than .02 cfs nor more than 1.8 afa for the land described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15TH day of SEPTEMBER, 1995.

Acting for

KARL J. DREHER, Director



63-11082

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NOS.)
63-10761 GERALD D. HERRICK)
63-10786 WISHNEY-ATTORNEY RETIREMENT PLAN)
63-10943 ADA COUNTY HIGHWAY DEPT.)
63-10940 DIAMOND SPORTS INC.)
63-11079 MOUNTAIN HOME ROAD DISTRICT)
63-11082 ERNEST A. QUIER)
63-11152 JANET A. HAHN, WILLIAM C. HAHN)

ORDER

**ORDER REMOVING THE CONDITION OF APPROVAL
FROM PERMITS WITH DIVERSIONS TRIBUTARY TO THE BOISE RIVER**

Each of the above-referenced permits was approved with one of the following requirements:

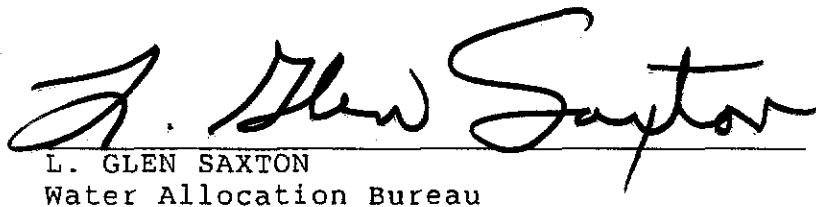
- A. Prior to diverting water under this water right, the water right holder shall submit to the Department and for an augmentation plan to compensate for depletions of the flows of the Boise River. (63-10761)
- B. Twelve acre-feet of storage water shall be leased from the Boise River water supply bank every year prior to diverting water under this right. (63-10786)
- C. Diversion of water under this right is conditioned upon the annual rental of two acre-feet of storage water from the Boise River Water Supply Bank. The Department retains jurisdiction to modify the rental storage requirement if it finds that the water right holder is diverting more or less water than is required presently under this condition. (63-10943)
- D. Authorization to divert water under this right is dependent upon the annual lease of water from the Boise River Water Supply Bank. (63-10940, 63-11080, and 63-11082)
- E. It is the responsibility of the user of this water right to determine when flows are sufficient to satisfy this water right plus all downstream water rights. (63-11152)

The Department has determined that these conditions are not necessary for the distribution of water under these permits.

The Department orders the removal of any one of these conditions from the above-referenced permits.

NOV 08 1995

Dated this 28th day of January, 1992.


L. GLEN SAXTON
Water Allocation Bureau

ORDER - 63-11082

NOV 08 1995

RECEIVED
AUG 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

No \$ received
Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. P63-11082 Telephone No. 868-3230

Name(s) of Permit Holder(s): Ernest A Lurier

Post Office Address: Star Rt A Box 75 Mountain Home

Source of Water: Smith Creek

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation 0.8 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.02 cfs 2.25 acre/feet

Show date water was first diverted and beneficially used under this permit: June-4-1990

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Ernest A Lurier 868-3230
Name Telephone No.

Star Rt A Box 75 Mountain Home Idaho 83647
Address

The above information 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.

MICROFILMED

NOV 27 1990

July 24-90 Ernest A Lurier
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-11082

Proposed Priority: October 12, 1989 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **ERNEST A. QUIER**
STAR RT. A BOX 75
MOUNTAIN HOME, ID 83647

has applied for a permit to appropriate water from:

SMITH CREEK

tributary of **BOISE RIVER, SOUTH FORK**

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	0.02 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SENWSW Sec. 13, Township 02N, Range 07E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	07E	13	NWSW	0.8		0.8

Total number of acres irrigated: 0.8

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1991**.
2. Subject to all prior water rights.
3. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
4. Use of water under this permit is subject to control by the watermaster of State Water District No. 63B.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Authorization to divert water under this right is dependent upon the annual lease of 2.25 acre-feet of water from the Boise River Water Supply Bank.

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

4th day of June, 1990.

RECORDED

JUN 1 1990

[Signature]
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant ERNEST A QUIER Phone 868 -3230
Post office address STAR ROUTE-A, Box 75 MTN. HOME ID. 83647
2. Source of water supply SMITH Creek which is a tributary of SOUTH Fork Boise River
3. Location of point of diversion is SE NW SW Govt. Lot
Sec. 13 Township 02N Range 07E B.M. ELMORE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .02 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. DITCH Pump w/ Sprinkler system
FOR LAWN + GARDEN.
 - 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 _____ inches; proposed depth of well is _____ 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 for beneficial use is
1 years (minimum 1 year).

MICROFILMED

JUN 21 1990

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	
02N 02N	07E	13										.75	.75						.75

Total number of acres to be irrigated .75

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

NONE

11. a. Who owns the property at the point of diversion? Applicant

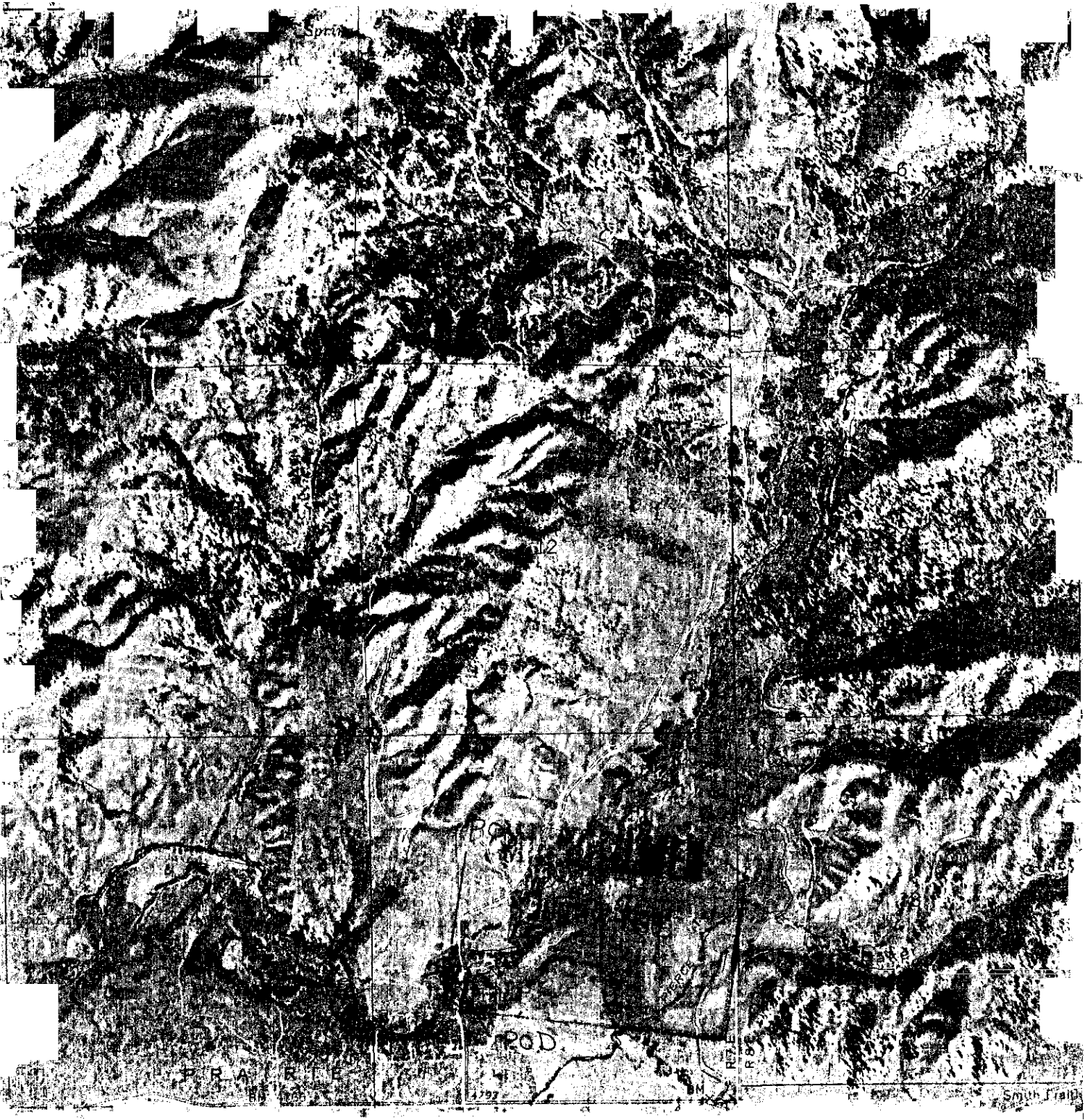
b. Who owns the land to be irrigated or place of use? Applicant

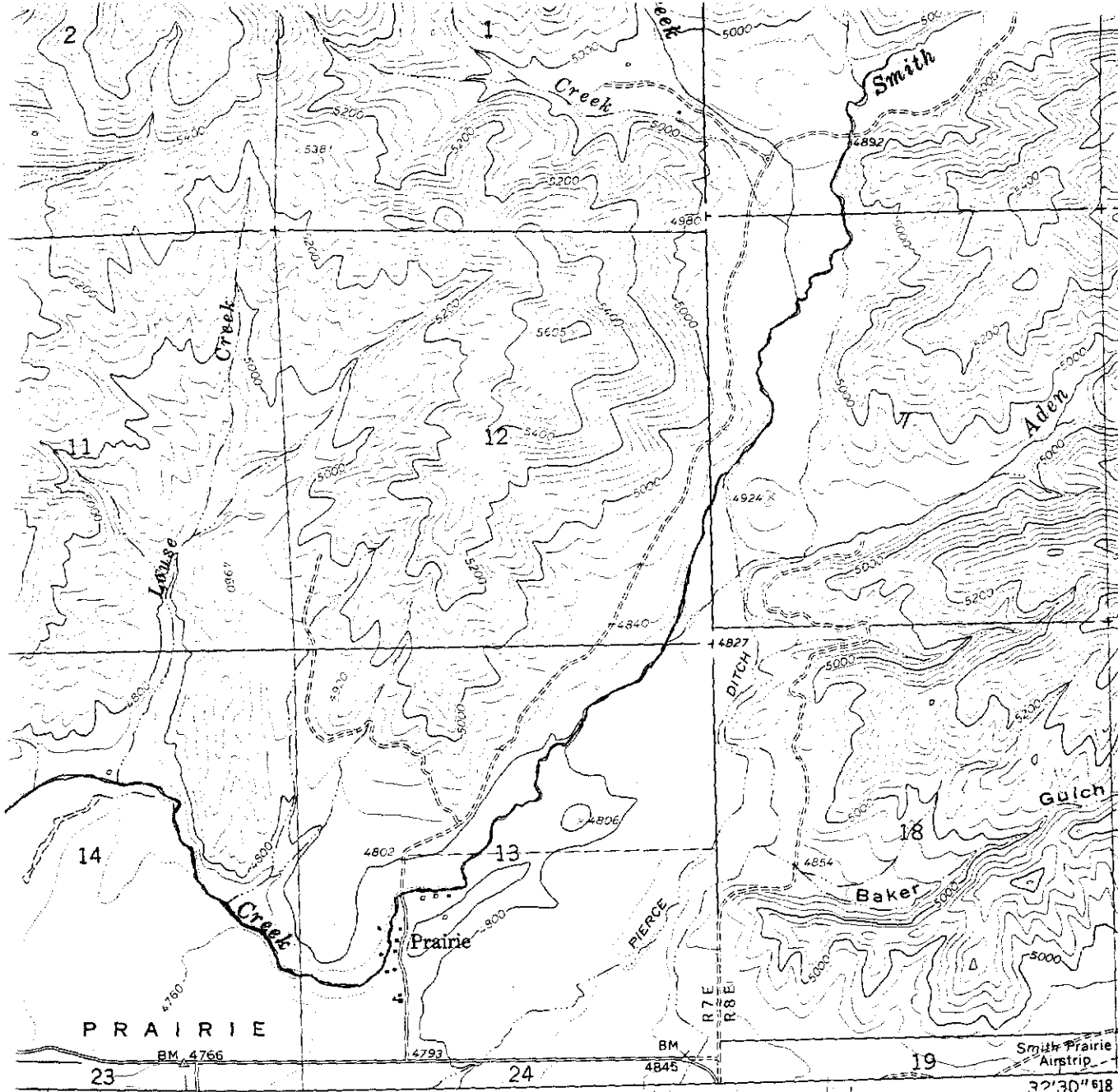
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Applicant is in the process of augmenting water from the water bank - Irrigation Dist #63 to meet requirements of the Boise River

RECORDED

JUN 21 1990





A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of 15 columns and 15 rows, creating a total of 225 small square units. The lines are thin and black, set against a white background. There are no margins, text, or other markings on the page.

Ernest A. Lauer
(Applicant)

MICROFILMED
the public water

JUN 21 1990

Received by JW Date Oct. 12, 1989 Time 11:30 AM Preliminary check by RW
Fee \$ 30.00 Received by JW # W006212 Date Oct. 12, 1989
Publication prepared by GG Date 12-13-89 Published in Mountain Home News
Publication approved SS Date 2/12/90 12/20 & 12/27/89

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:

MICROFILMED

JUN 21 1990



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

September 18, 1995

ERNEST A QUIER
HC 84 BOX 75
MOUNTAIN HOME ID 83647

RE: WATER RIGHT NO. 63-11082

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

NOV 08 1995

M E M O R A N D U M

DATE: August 25, 1995

TO: File 63-11082

FROM: Shelley W. Keen *SWK*

RE: Condition requiring a lockable device on the diverting works

=====

Permit 63-11082 required the applicant to maintain a lockable device on the diverting works. The field examiner reported that no lockable device has been installed. Today I called the right holder, Ernest Quier, to discuss the lockable device requirement with him. He told me that the diverting works consists of a small pump with an on/off switch that the watermaster can turn off any time. However, when I said that we would likely put the lockable device condition on his license, he said he would install a means for locking the switch in the off position.

RECEIVED
NOV 08 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 63-11082 DATE 8-9-95

NAME	☒	Change OK	☐	Or (Address) Change?	Check
PRIORITY DATE	☐	☒	Advance?	<u>NO</u>	Advanced to: _____
			Order to reinstate needed?	_____	
			Incorrect fee for rate recommended?	<u>N/A</u>	
SOURCE	☐	☒	Changes or just clarification of originally intended source?	_____	
			Notice of Intent to Void necessary?	_____	
POINT OF DIV	☐	☒	Amendment needed?	_____	
	☐	☒	Overlaps?	_____	
PLACE OF USE	☐	☒	Amendment needed?	_____	
	☐	☒	Overlaps?	<u>Stat Claim 63-04880</u>	<u>N/A</u>
DIV RATE	<i>Tim says not to reduce these small ones.</i> <u>Sprinkler</u> Permit/fee limits: <u>.02 CFS</u> Meas Q = <u>.024 CFS</u> Theo Q = <u>.05</u> Recommend: <u>(.02)</u> <u>.4 x .02 = .01</u> <u>(pipe flow)</u> <u>.4 acre @ .02 is OK</u> <u>.4 x .03 = .01</u> Combined rates exceed capacity _____				
ANNUAL VOLUME	☐	☒	Volume Limit:	_____	Season: <u>4.5</u> <u>(3-15 to 11-15)</u>
			Calculations:	<u>.4 x 4.5 = 1.8 gpm</u>	
			Flow limit:	_____ cfs x _____	x 1.9835 = _____
			Combined volumes exceed capacity/allowable	_____	
USES	☐	☒	Change in Nature of Use or additional uses?	_____	
			Amendment necessary?	_____	
ADDITIONAL INFO	Supplemental Groundwater _____ PPU Scenario _____ Irr/Dom Combination _____ Shared G/W System _____				
NEW REMARKS	<u>631</u> Multiple p/d(s) in 1/4 1/4? _____ Other _____				
NEW CONDITIONS	<u>R04</u> Watermaster control - District <u>63B</u> <u>Smith Creek</u> <u>R02</u> Measuring/Locking Devices <u>R52</u> Irrigation Overlap Other _____ Water Quality _____ Heat/Cool/Fish verified _____				

COMMENTS: Locking device requirement not removed by the 1-28-92 Order.
Condition 6 on the permit was removed (BOISE RIVER WATER Supply Bank Condition)

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Irrigation</u>	<u>.02</u>	<u>1.8</u>	Adjustment Memo Needed	<u>NO</u>
			LICENSE	☒
			1ST AMEND LETTER	
			2ND AMEND LETTER	

[illegible]

Diagram illustrating a water system layout, likely for a garden or irrigation system, showing various components and dimensions.

Components and Dimensions:

- House:** Located at the top of the diagram.
- 20 PSI Riser:** Indicated on the left side of the main line.
- Garden:** Indicated on the left side of the main line.
- Main Line:** Labeled $1\frac{1}{4}"$ underground line ABS black plastic.
- Pump:** Located on the right side of the main line.
- South Creek:** Indicated at the bottom of the diagram.
- Dimensions:**
 - House to Garden: $41 \times 2.5' (102.5')$
 - House to Pump: $60 \times 2.5' (150')$
 - Garden to Pump: $14 \times 2.5' (35')$
- Calculation:**

$$102.5' \times 150' = 15375 = 35 \text{ acres} / 43560$$
- Meters:**
 - Serial # GE 5K239R2089X HP1
 - Serial # HP1
- Other Notes:**
 - $\frac{1}{8}"$ nozzles (rainbirds) on 3' risers
 - 22 PSI indicated near the pump.

✓ Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Meyers	1	SKC3SRN2087X	GE	1 1/4" ABS

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

$$102' \times 150' = \frac{15375}{43560} = .35 = .4 \text{ acre}$$

APR 08 1995

E. NARRATIVE/REMARKS/COMMENTS

- No lockable device found on system at the time of the exam. Per "Order Removing the Condition of Approval from permits w/ Diversions Tributary to the Boise River", dated 1/28/92 signed by L. Glen Saxton, the "auth. to divert water under this right is dependent upon the annual lease of 2.25 acre-feet of water from the Boise River Water Supply Bank", was removed from the conditions/remarks.
- Water use is for irrigation of .4 acres paved off, consisting of yard + garden.
- The system consists of 35' of 1 1/4" ABS pipe leading from Smiths Creek to a 1 HP pump, + pumping water up 150' of 1 1/4" underground ABS pipe to 3' risers with 1/8" nozzles (rainbirds). A pressure gauge was used to measure the pressure in the nozzles to obtain an average of 22 psi.
- Overlap for place of use was other land +/or other sources.

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

- Per L. Glen Saxton 1/28/92 Condition #3: "a lockable device..." was removed

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway
 04/17/95
 Project: Flow Computation for 63-11082
 Ernest A. Quier
 Given: See Data Table

Compute head losses with the Williams and Hazen Formula:
 $f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.852} / \text{ID}^4.8655 * \text{Length} / 100)$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 10.00 feet
 Pressure Req'd: 22.00 psi *average obtained with pressure gauge from nozzles*
 Required Head: 60.82 feet
 Pump Horsepower: 1.00 horsepower
 Pipe Roughness: 140.00 Note: pvc = 150, smooth and straight pipe = 140
 aluminum - joint length 20' = 125, joint length
 30' = 130, joint length 40' = 132, joint length
 50' = 134, new riveted steel = 100
 old riveted steel = 100, old cast iron = 95,
 old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction
1.00	185.00	65.71	
1.00	0.00	0.00	
1.00	0.00	0.00	
			65.71

Initial Estimate of Rate of Flow: 0.050 CFS

Computation of Rate of Flow: 0.05

Solution is shown in the Computation of Rate of Flow.
 Solution is obtained by entering an initial estimate of rate of flow,
 and by changing this factor until it approximates as closely as possible
 the Computation of Rate of Flow.

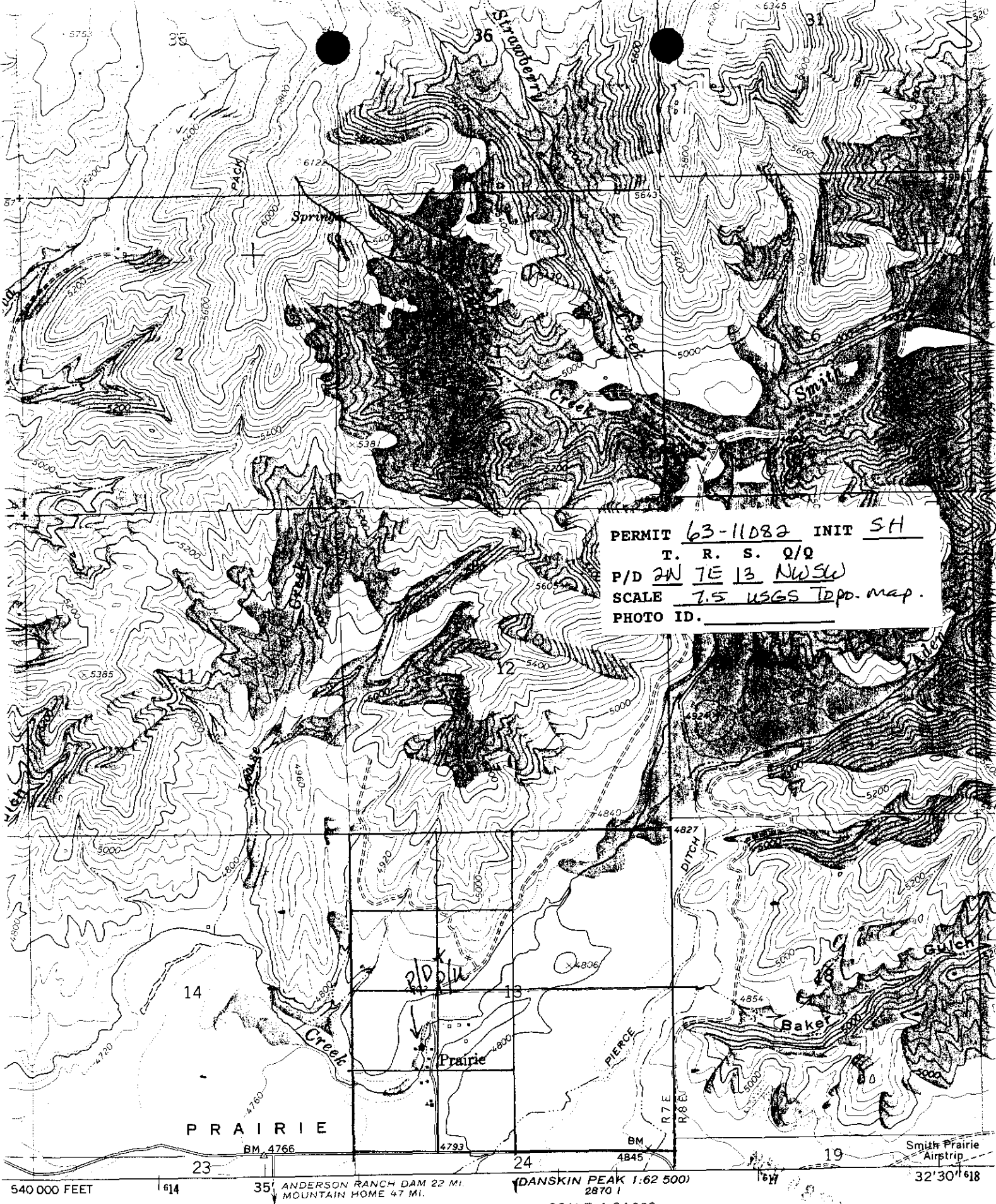
- ① permit .02 cfs 3/15-11/15
- ② B/u fees: 0-.2 cfs no fee req'd - filed prior to 11/1/91
- ③ max allowable:

std: .02 cfs/acre_{5H.} except ≤ 5 acres can be .03 cfs
- ④ method measured:

nozzle measurement = .024 = .02 cfs
 ~~at~~ (on B/u field report)

pumpback computation spreadsheet = .05 cfs
 (attachment)

NOV 28 1991



PERMIT 63-11082 INIT SH
T. R. S. Q/Q
P/D 2W 7E 13 NWSW
SCALE 7.5 USGS Topo. map.
PHOTO ID. _____

PRAIRIE

BM 4766

4793

BM 4845

Prairie

PIERCE

Baker

Smith Prairie
Airstrip

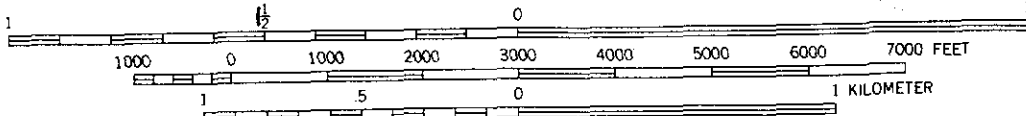
540 000 FEET

ANDERSON RANCH DAM 22 MI.
MOUNTAIN HOME 47 MI.

DANSKIN PEAK 1:62 500
2870'

SCALE 1:24 000

1 MILE



CONTOUR INTERVAL 40 FEET

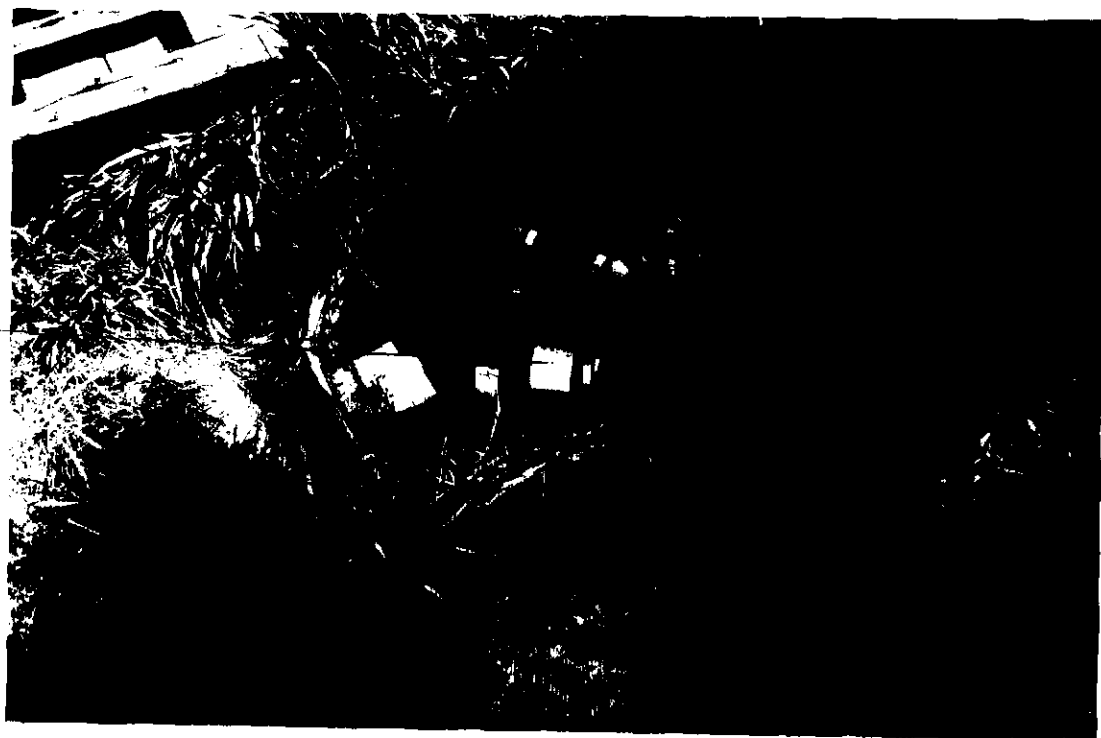


63-11082
9/12/94 SH.

1 1/4" ABS
black plastic pipe
from Smith Creek

pump:
Myers
serial # GE
SKC 3ARN2089X

1 HP



20.6 psi average (22 psi)
(20, 22, 22 psi)
opened from nozzles
(1/8" nozzles - rainbirds)
on 3' risers

Paced estimate of property
irr. 102.5' x 150' = 15375 z
43560
= .35 acre

1 1/4"
ABS black plastic
pipe underground

November 2, 1990

ERNEST A. QUIER
STAR RT. A BOX 75
MOUNTAIN HOME, ID 83647

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-11082

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.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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NOV 27 1990

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

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 4, 1990

ERNEST A. QUIER
STAR RT. A BOX 75
MOUNTAIN HOME, ID 83647

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P63-11082

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Natural flow of the Boise River is fully appropriated except during periods of flood flow. Your permit has been conditioned to require you to obtain storage water to compensate for your diversion of natural flow from the river. The amount of storage which you will be required to obtain is approximately 3 acre-feet per acre of irrigated ground. You will be notified in the future of the necessity to obtain storage water.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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JUN 21 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

JUN 21 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

10/23/89

RECEIVED
NOV 02 1989

Department of Water Resources
Western Regional Office

Mr. Ernest Quier
Star Route A, Box 75
Mountain Home, ID. 83647

SUBJECT: Water Filing

Dear Mr. Quier:

In reference to our phone conversation, we discussed several options that you have concerning filing on the irrigation water from Smith Creek.

Option #1

File an Application for a Permit:

(which you have done on October 12th).

As Smith Creek is a tributary to the South Fork of the Boise River, the water must be augmented by purchasing water from the water bank (Lucky Peak). Water needs to be purchased from Irrigation Dist #63 Boise Project Board of Control, 214 Broadway, Boise ID. 83712; Lee Sisco, Watermaster, phone 344-4121.

Cost: \$30.00 (already paid); plus cost of water from water bank paid annually.

Option #2

File an adjudication claim:

If the water from Smith Creek was used for irrigation on your property prior to May 20, 1971 it could be filed under the "Grandfather right clause."

Nonuse of the water cannot be over 5 years.

No water would have to be purchased from the Boise Project with this option

Cost: \$25.00 (we would refund your \$5.00 already paid.)

Option #3

Withdraw your application (your \$30.00 fee will be refunded.)

Please indicate what option you would like by return mail. I have enclosed a preaddressed envelope for your convenience.

Thank you for your cooperation.

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JUN 21 1990

Sincerely,

John Westra

John Westra

Engineering Specialist

*Mr. Westra
I will*

*with option #1
Sincerely*

Ernest Quier

**NOTICE OF APPLICATIONS
FOR WATER RIGHTS**

The Following applications have been
filed to appropriate the public waters of
the State of Idaho:

63-11079

**MOUNTAIN HOME ROAD DIS-
TRICT**

P.O. BOX 756

MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt: SENW Sec 19 T 02N

10E

Use: INDUSTRIAL (.200 CFS); To

Diversion: (.200 CFS)

Date Filed: 11/29/1989

In: T02N R10E S19 SENW

63-11080

**MOUNTAIN HOME HIGHW.
DISTRICT**

BOX 754

MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt: NWSW Sec 13 T 02N R

07E

Use: INDUSTRIAL (.200 CFS); Total

Diversion: (.200 CFS)

Date Filed: 11/29/1989

In: T02N R07E S13 NWSW

63-11081

ROBERT CLINTON CO. INC.

WAGAHOFF, FRED D.

WAGAHOFF, ELAINE D.

1365 N. ORCHARD

BOISE, ID 83706

Source: FALL CREEK SPRING;

Tributary: BOISE RIVER, SOUTH

FORK FALL CREEK

Diversion Pt: SWNE Sec 16 T 01N

R09E; SENENE Sec 16 T 01N R 09E

Use: DOMESTIC (.040 CFS); Total

Diversion: (.040 CFS)

Date Filed: 12/05/1989

In: T01N R09E S16 NENE

63-11082

QUIER, ERNEST A.

STAR RT. A

BOX 75

MOUNTAIN HOME, ID 83647

Source: SMITH CREEK; Tributary:

BOISE RIVER, SOUTH FORK

Diversion Pt: SENSW Sec 13 T 02N

R07E

Use: IRRIGATION (.020 CFS); Total

Diversion: (.020 CFS)

Date Filed: 10/12/1989

In: T02N R07E S13 NWSW

.7 ACRES TOTAL

63-11083

ELSWOOD, MERRILL C.

ELSWOOD, JACQUELINE

HC87 BOX 210

PINE, ID 83647

Source: GROUNDWATER

Diversion Pt: NENENW Sec 30 T 02N

R 10E

Use: COMMERCIAL (.040 CFS); To-

tal Diversion: (.040 CFS)

Date Filed: 11/24/1989

In: T02N R10E S30 NENW

The permits 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 JANUARY 8,
1990.

R. KEITH HIGGINSON, Director
Published 12/20/1989 & 12/27/1989.

Affidavit of Publication

County of Elmore)

) ss.

STATE OF IDAHO)

I, Mike Thonberry do
solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation published
once a week at MOUNTAIN HOME, IDAHO, that the
notice attached hereto and which is a part of the proof of
publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having
been made on the 20 day of December

19 89, and the last publication having been made on
the 27 day of December 19 89.
every Wednesday issue of the paper during the period
and time of publication and that the notice was published
in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN
HOME NEWS has been continuously and uninterrupt-
edly published in said Elmore County during a period of
78 consecutive weeks prior to the first publication of the
attached notice.

Mike Thonberry
STATE OF IDAHO)

COUNTY OF ELMORE)

On this 10 day of Jan in the year of 1990

before me, a Notary Public, personally appeared

Mike Thonberry, known or identified
to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn,
declared that the statements therein are true, and ac-
knowledgeed to me that he executed the same.

Glenn D. Swan
Notary Public for Idaho.

Residing at Mtn. Home, ID

My commission expires: 2-5-91

63-11082

QUIER, ERNEST A.
STAR RT. A
BOX 75
MOUNTAIN HOME, ID 83647

Source: SMITH CREEK

Tributary: BOISE RIVER, SOUTH FORK

Diversion Pt: SENWSW Sec 13 T 02N R 07E

Use: IRRIGATION (.020 CFS)

Total Diversion: (.020 CFS)

Date Filed: 10/12/1989

In: T02N R07E S13 NWSW

.7 ACRES TOTAL

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JUN 21 1990