

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07541

Priority: July 29, 1983

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

4.0 AF

This is to certify, that GEORGE E SMITH
NANCY L SMITH

RT 3 BOX 3050
BURLEY ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 21, 1983; and has submitted Proof of Beneficial Use on June 8, 1989. An examination indicates that the works have a diversion capacity of .030 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	10/01 to 10/31	0.03 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWNE, Sec. 16, Township 11S, Range 23E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11S	23E	16	NWNE 1		1

number of acres irrigated: 1

CONDITIONS/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 volume of water diverted by this right is limited to the amount which can actually be beneficially used. The maximum diversion is subject to more accurately describe the diversion and to the extent accepted standards of diversion are applicable.
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. Irrigation use under this right is authorized only in connection with a domestic use.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor exceed a combined annual diversion volume of 4.0 af for the land above.

RECORDED
FEB 15 1995

State of Idaho
Department of Water Resources

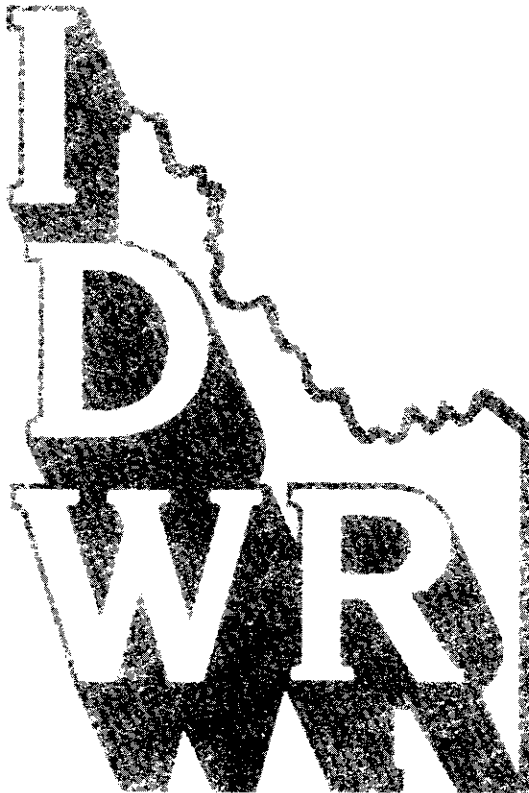
WATER RIGHT LICENSE

WATER RIGHT NO. 45-07541

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 5TH
day of JANUARY, 19 95.

Acting for


R. Keith Higginson, Director



FEB 15 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 45-7541 IN THE)
NAME OF GEORGE E. AND/OR NANCY L. SMITH) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before May 1, 1989; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

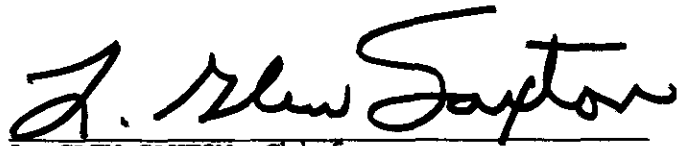
WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 8, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 45-7541 be REINSTATED and the priority advanced to July 29, 1983.

Dated this 30 day of October, 1989.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

NOV 13 1989

RECEIVED
JUN 08 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received 15.00

Date 6/18/89

Receipt # CD 7342

Receipt by R. Young

Reviewed by [Signature]

Sent to region 10

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 45-2541

Name(s) of Permit Holder: George E. and/or Nancy L. Smith

Post Office Address: Route 3 Box 3050 Burley, Idaho 83318

Telephone No. 678-7914

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 1 (acres) Other/Remark MAR 15 - Nov 15

Total rate and/or volume for which proof is submitted 0.03 cts _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 6-21-83

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

Fee enclosed \$ 15.00
(See License Examination Fee Schedule)

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

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

George E. Smith
(Name)

678-7914
(Telephone Number)

Route 3 Box 3050 Burley,
(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

June 6, 1989
Date

[Signature]
Signature of Permit Holder (and title, if appropriate)

NOV 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant George E. &/or Nancy L. Smith Phone 678-7914

Post office address Route #3 Box 3050, Burley, ID 83318

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16 Township 11S

Range 23E B.M. Cassia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.03cfs for Irrigation purposes from Mar 15 to Nov 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:

a. 0.03 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two existing wells & pumps

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

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

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

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

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

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

MICROFILMED

AUG 01 1988

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

[illegible]

Total number of acres to be irrigated 1

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

Burley Irrigation District shares

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

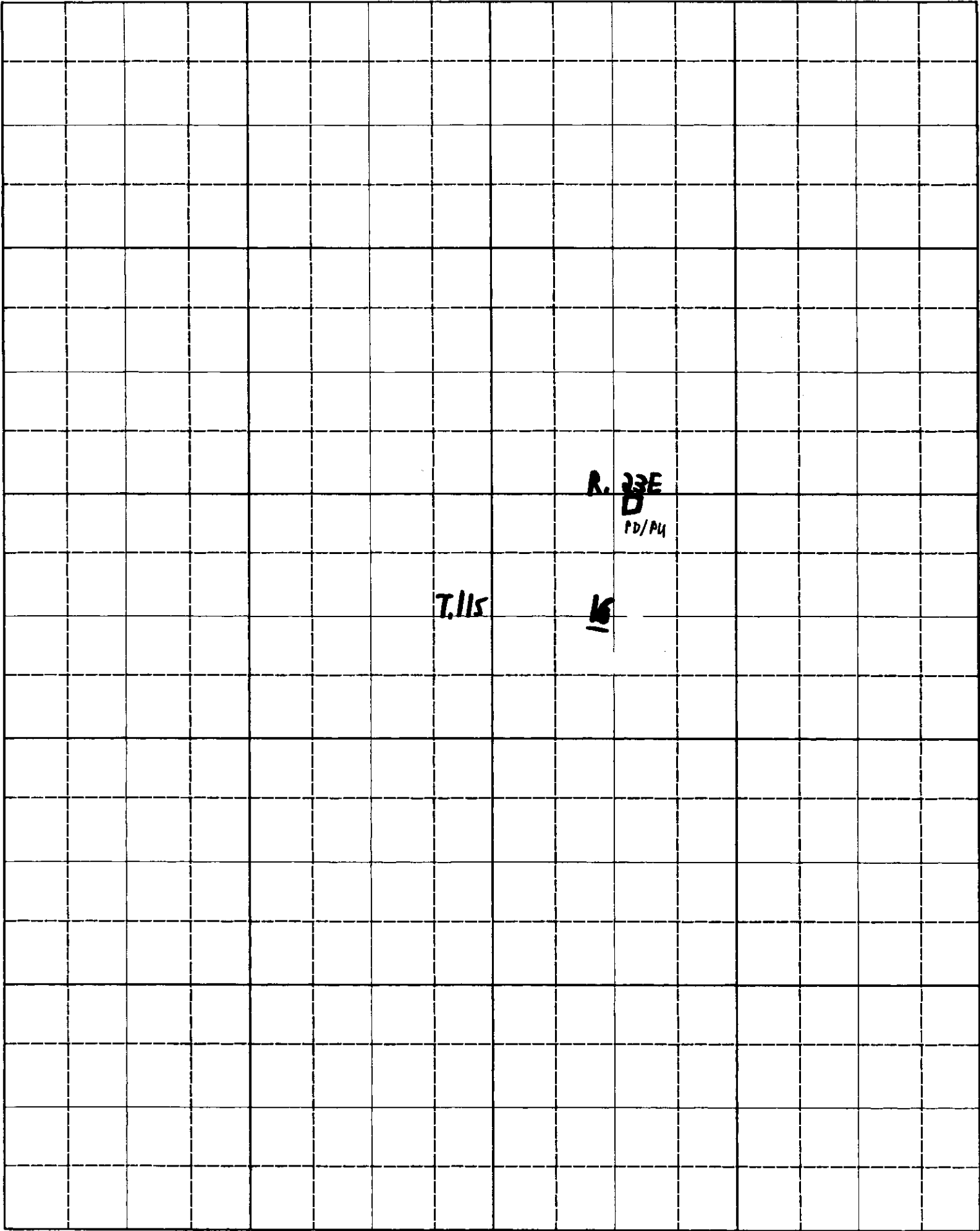
b. Who owns the land to be irrigated or place of use _____ "

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

10. Remarks _____

DISPOSABLE

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

RECEIVED

AUG 01 1988

George E. Smith
(Applicant)

Proposed Priority 6/21/83

Received by JP Date 6-21-83 Time 3:25 pm

Preliminary check by RA Fee \$ 30.00

Receipted by JP Date 6-21-83 # 30367 ← per telecon 4/4/88
W/SS kw

Publication prepared by LW Date 12/31/87

Published in So Id Press

Publication dates 1/21 + 1/28

Publication approved M. Baldwin Date 2/11/88

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM

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. 45-7541, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 89.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: Irrigation use is authorized only in connection with an occupied domestic home.

Witness my hand this 3RD day of May, 1988.

[Signature]
Director

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AUG 01 1988

FLOW CALCULATIONS:

45-7541

known data:

$$hp = 1.5$$

$$press = 50 \text{ psi (estimate)}$$

$$lift = 215 \text{ ft. (owner interview)}$$

$$Q = \frac{8.8 (0.7) (1.5)}{215 + 2.31(50)} = \boxed{0.03 \text{ cfs}}$$



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

R. KEITH HIGGINSON
DIRECTOR

January 26, 1995

GEORGE E SMITH
NANCY L SMITH
RT 3 BOX 3050
BURLEY ID 83318

RE: WATER RIGHT NO. 45-07541

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,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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M E M O R A N D U M

DATE: December 30, 1994

TO: File 45-07541

FROM: Shelley W. Keen *SWK*

RE: Overlap with Surface Water

=====

The database indicates that Burley Irrigation District (BID) water rights are used in the same forty-acre tract as 45-07541. The Beneficial Use Field Report does not, however, address whether surface water is used on the one-acre place of use covered by 45-07541.

Today I called George Smith, the permit holder, at 208-678-7914 to ask him about his use of the BID water. He said that he uses BID water on other lands, but not on the acre covered by 45-07541.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 15 1994

Department of Water Resources

A. GENERAL INFORMATION

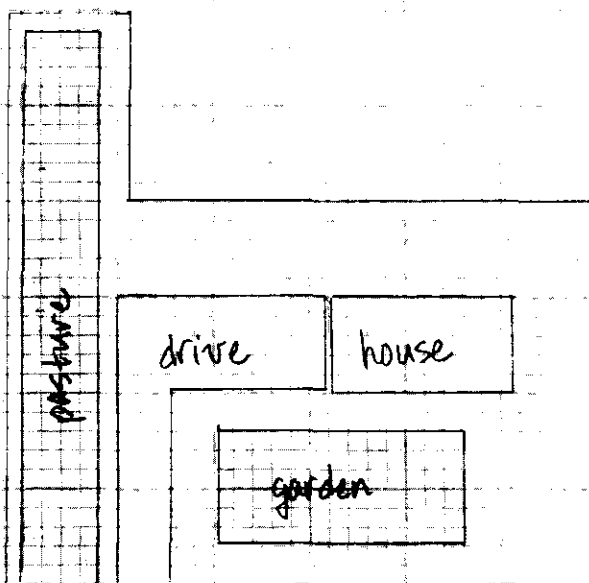
1. Owner: George E. & Nancy L. Smith Permit No. 45-07541
Current Address: Rt. 3 Box 3050 Burley, ID 83318 Phone No. 678-7914
2. Accompanied by: George Smith EXAM. DATE: 7/12/91
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 30'

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well provides water for garden and pasture areas

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1.5	submersible		

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NN	NE	16	11S	23E	Carroll	Quad map / inspection

6. Place(s) of Use:

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	23E	16		1.0															1.0

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes: *horsepower*

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.0 (4.0) = 4.0$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 6.03 (245) (1.9835) = 14.6$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.0$

2. Volume Calculations for Other Uses:

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FEB 15 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

calculated rate closely matches requested rate.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* irrigation	3/15	11/15	0.03	4.0
Totals:			0.03	4.0

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

J. AUTHENTICATION

Field Examiner's Name Brian Block
Signature Brian Block
Certification Date _____
Field Report Preparation Date 8/5/91

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

* See attached explanation memo. BC

RECORDED

FEB 15 1995

MEMORANDUM

TO: File 45-07541 / George E. Smith
FROM: Brenda Chapman
DATE: December 27, 1994
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-01 to 10-31	.03	None listed

The irrigation season dates were adjusted to the currently used Field Headgate Requirement and Season of Use chart.

The volume recommendation is addressed in the remarks based on current supplemental groundwater processing procedures.

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FEB 15 1995

45-07541

P/U →

P/O →



P/U →



RECEIVED

FEB 15 1995



EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

7154
Date 11/01/89
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME:

DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

GEORGE E. SMITH
RT. #3, BOX 3050
BURLEY, ID 83318

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 40 122	1238	8831		PERMIT #45-7541 PER RITA FLECK 10/23/89 15.00	15.00	
TOTAL						15.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

October 30, 1989

George E. and Nancy L. Smith
Rt. 3 Box 3050
Burley, ID 83318

Dear Mr. and Mrs. Smith:

Re: Permit No. 45-7541

This office acknowledges receipt of the proof of beneficial use form submitted to this office on June 8, 1989. Note that the permit has been reinstated by the attached order. The permit lapsed since the proof was submitted after the proof due date.

Along with the proof form, you sent a \$15 filing fee. Since the diversion of water is less than 0.04 cfs, no examination fee is required. I have requested the Fiscal Section to prepare the paperwork for a refund. It takes between two to four weeks before the refund will be mailed.

The next step is for the department to conduct a field inspection to determine the extent of beneficial use. I cannot tell just when this field inspection will be made, but the regional office will contact you to schedule a convenient time.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: Acct. Sec.

ENCLOSURE

NOV 13 1989

MEMORANDUM

DATE: October 23, 1989

TO: ACCOUNTING SECTION - Pearl

FROM: Nina Shields or Rita Fleck

RE: REFUND - Permit No. 45-7541

Please prepare a refund of \$15.00 (receipt No. C007342). Attached is a copy of a letter which explains why the refund is necessary along with the receipt.

Also, please reference the water right identification number on any papers returned to me for the file. Thanks.

Attachments: Letter
Receipt

RECEIVED

NOV 13 1989

May 9, 1989

GEORGE E. SMITH
NANCY L. SMITH
RT. 3 BOX 3050
BURLEY, ID 83318

LAPSE NOTICE

RE: PERMIT NO. 45-07541

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated February 28, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

MICROFILMED

NOV 15 1989

5-10-1989
Peter Fleck

GEORGE E. SMITH
NANCY L. SMITH
RT. 3 BOX 3050
BURLEY, ID 83318

February 28, 1989

138016

PROOF DUE NOTICE

RE: PERMIT NO. 45-07541

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

NOV 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
MAY 19, 1988

SMITH, GEORGE E. & NANCY L.
RT. 3 BOX 3050
BURLEY, ID 83318

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 45-7541

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

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 THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

NOTIFIED

AUG 01 1988

January 4, 1988

Legal Notices To Be Published 1/21 and 1/28

Southern Idaho Press

45-7585
45-7530
45-7529
36-8210
36-8194
01-7080
45-7545
45-7544
45-7542
45-7541
45-7535
45-7533

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AUG 01 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 31, 1987

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

George Smith
RT 3 Box 3050
Burley, ID 83318

Re: 45-7541

Dear Mr. Smith:

The Department of Water Resources has authorization to process Applications for Permit for irrigation of 3 acres or less which were previously held due to pending litigation regarding Swan Falls.

This office will be advertising the above referenced application in the Southern Idaho Press on 1/21 & 1/28. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

LW for Loren Holmes

Loren O. Holmes, P.E.
Southern Region Manager

MAILED

AUG 01 1988

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

MARGE BAREDDREGH being first

duly sworn, deposes and says that he is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2) consecutive weeks, commencing with the issue dated Jan 21 1988, and ending with the issue dated Jan 28 1988

Marge Bareddregh

Subscribed and sworn to before me this 5th day of Feb 1988.

Marge Bareddregh Notary Public

Cost of Publication 20.24
Notary Fee 50
Total Cost 20.74

OK
MB
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AUG 01 1988

FEB 8 1988

Department of Water Resources
Columbia Region Office

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

OK
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2/11/88

....., being first

duly sworn, deposes and says that....he is the

..... of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for consecutive weeks, commencing with the issue

dated 19....., and ending

with the issue dated 19.....

Margy Barndrecht

Subscribed and sworn to before me

this day of

19.....

Margy Barndrecht Notary Public

Cost of Publication

Notary Fee

Total Cost

88-14

NOTICE OF APPLICATION
FOR WATER PERMIT

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

45-7541

SMITH, GEORGE E. & or NANCY L.
RT. 3 BOX 3050, BURLEY, ID 83318

Source: GROUNDWATER

Date Filed: 06-21-1983

Diversion Pt: NWNE Sec 16 T 11S R 23E, 4 miles S. and 1 mile E. of Burley

Use: IRRIGATION (0.03 CFS)

In: NWNE Sec 16 T 11S R 23E FOR 1 ACRES

The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, Idaho 83301 on or before February 8, 1988.

-s-R. Keith Higginson, Director

Published in the South Idaho Press on January 21 and 28, 1988.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 31, 1987

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

South Idaho Press
Box 190
Burley, ID 83318

Re: Attached list

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

LW for Mary Baldwin

Mary Baldwin
Secretary/Office Coordinator

LW

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

45-7541-

SMITH, GEORGE E. &/or NANCY L.

RT. 3 BOX 3850, BURLEY, ID 83319

Source: GROUNDWATER

Date Filed: 06/21/1988

Diversion Pt. NWNE Sec 16 T 11S R 23E 4 miles S. and 1 mile E. of Burley

Use: IRRIGATION (9.93 CFS)

In: NWNE Sec 16 T 11S R 23E FOR 1 ACRES

The permits will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East., Twin Falls, Idaho 83301 on or before February 8, 1988.

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Published 1/21 and 1/28

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INTER-DEPARTMENT MEMO — 1

FROM *JH*

DATE 9/21/87

TO File 45-7541

SUBJECT Processing under SB 1180 contract

This Application can be processed based on the following;

- 1) Total diversion of less than 2 AF/day including Culinary domestic from groundwater not included in the application.
- 2) The P/u is a residential lot of 3 Acres or less

SIGNATURE