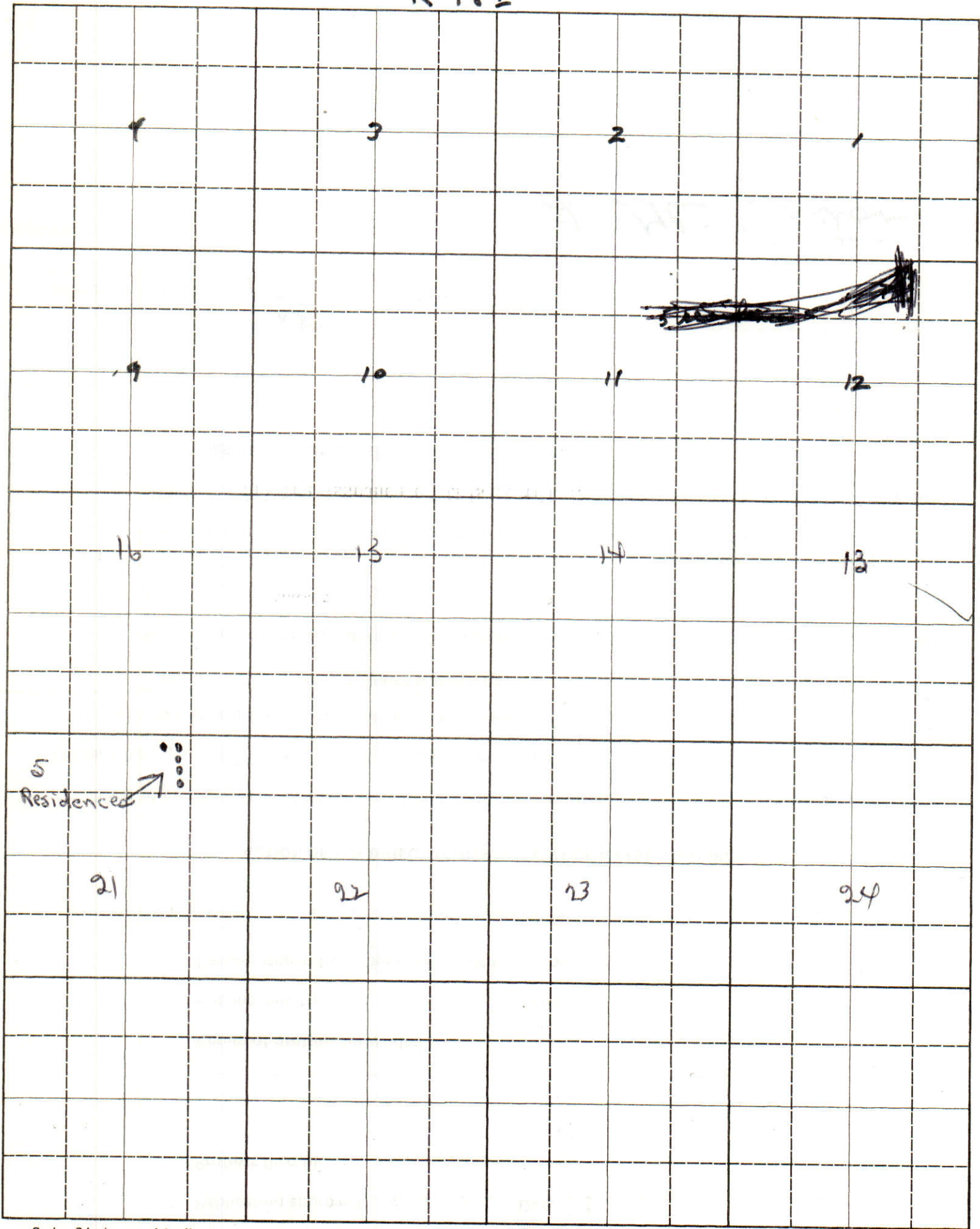


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 18 E



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.

J. H. Smith
(Applicant)

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

Nº 9188

47-7639
SMITH, J.H.
RT. 1 BOX 162 KIMBERLY,
ID 83341
Source: GROUNDWATER
Date Filed: 03/06/1980
Amount: 0.05 CFS
Diversion Point: NWNE Sec
21 T 10S R 18E, TWIN
FALLS Co.
Use: DOMESTIC (0.05 CFS)
from 01/01 to 12/31
Place of Use: NWNE Sec 21
T 10S R 18E
Diversion Means: WELL,
PUMP & PIPELINES

*of Joseph
4/21/80*

RECEIVED

APR 21 1980

MICROFILM
Department of Water Resources
Southern District Office

I, Linda Capps McGuire being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for two
consecutive Weeks, commencing with the issue dated
April 3, 1980, and ending with the issue dated
April 10, 1980.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under said names in said city and county continuously and
uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday,
until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week
has been designated as the day on which legal notice by law or by order of any court of com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that at the head of the editorial column of said combined newspapers, and in each issue ther-
of, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McGuire
Subscribed and sworn to before me on this 16 day of

April, 1980.

Melba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7639 Priority March 6, 1980 Amount 0.05 cfs

THIS IS TO CERTIFY, that J. H. SMITH
of Kimberly, Idaho, has complied with the terms and conditions of Permit
No. 47-7639 issued pursuant to Application for Permit dated March 6, 1980,
and has submitted proof to the Department of Water Resources on May 16, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .05 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(5 units)</u>	from <u>January 1</u> to <u>December 31</u> at	<u>0.05 cfs</u> and	<u>3 acre feet</u>
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 0.05 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, Twp. 10S,
Rge. 18E, B.M. in the County of Twin Falls

Description and location of place of use:

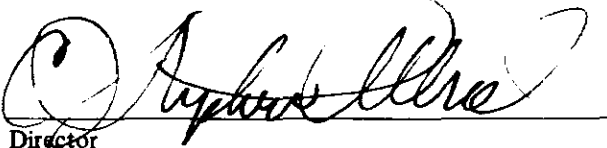
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	18E	21													

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26 day of
January, 19 81.


Director

RECEIVED
MAR 6 1980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 47-7639

APPROVED

Department of Water Resources
Southern District Office

To appropriate the public waters of the State of Idaho

1. Name of applicant J. H. Smith Phone 423 5834

Post office address Route 1 Box 162 Kimberly, Idaho 83341

2. Source of water supply groundwater which is a tributary of Snake River

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 10S

Range 18E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .05 cfs for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .05 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pressure tanks, and pipe distribution to 5 residences.

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 8 inches; proposed depth of well is 315 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21 Township 10S
Range 18E 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 12 cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 5.

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

COPIED

[illegible]**Total number of acres to be irrigated**

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

15 shares Twin Falls Canal Co water is used for irrigating land occupied by residences.

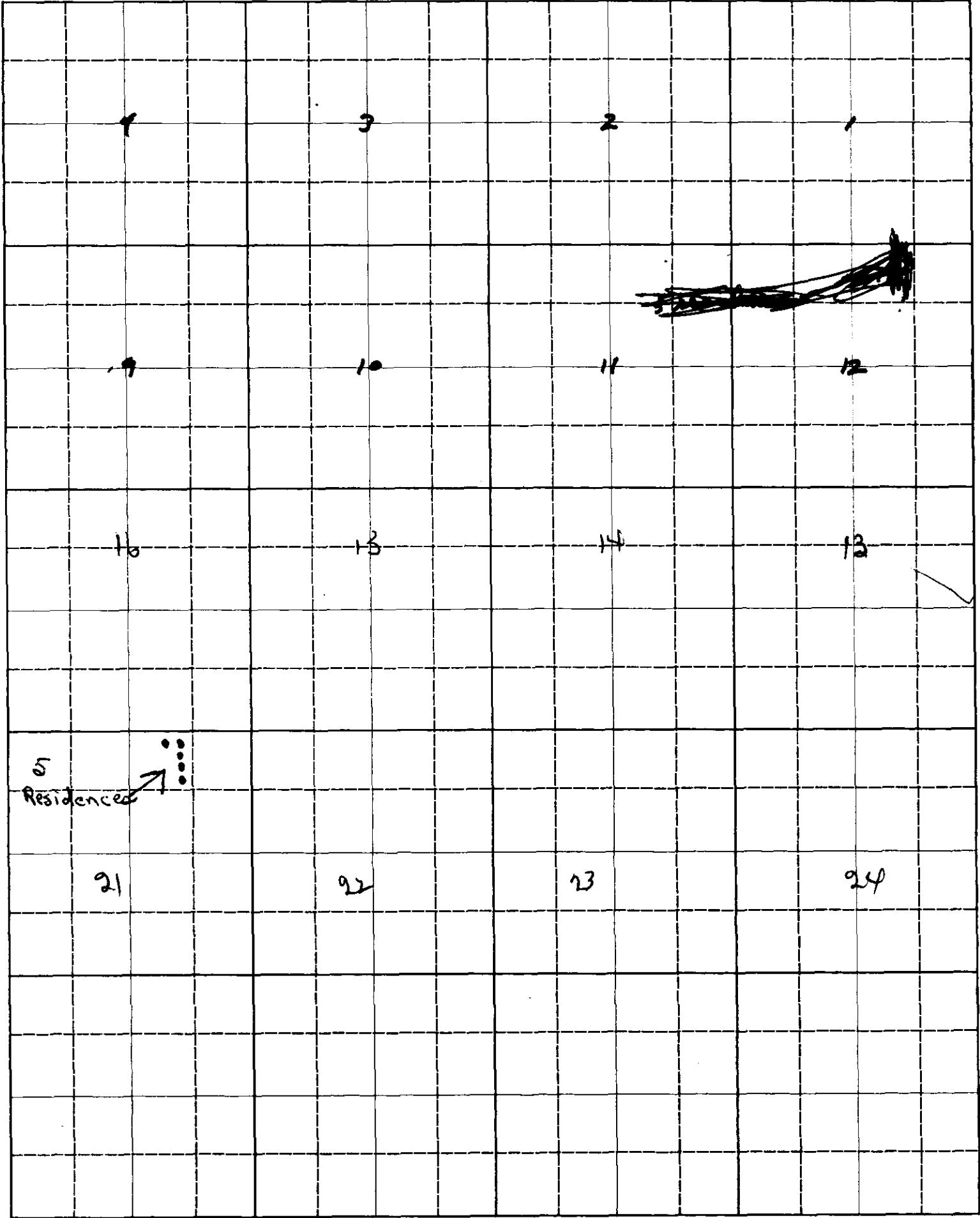
9. a. Who owns the property at the point of diversion J. H. Smith and Kirma J. Smith
 b. Who owns the land to be irrigated or place of use Steven and Patti Higgins, James and LaRae Wright,
Allan and Adele Humpherys, David and Virginia
Carter and J. H. and Kirma J. Smith.
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
 applicant to make this filing N.A.

10. Remarks This application is for an existing system. The well drilling was completed on October 25, 1965 and the well has been supplying water since March 1966 to the existing subdivision.

The water system is operated as CHS Well Trust.

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

R 18 E



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.

J. H. Smith
(Applicant)

Proposed Priority 3/6/80

Received by Lois Date 3/6/80 Time 2:20 PM

Preliminary check by J. Sandberg Fee \$ 20.00

Receipted by Mary Date 3/13/80 # 17146

Publication prepared by ADM Date 3/17/80

Published in Times News

Publication dates 4/3 + 4/10/80

Publication approved Mary Date 4/3/80

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date, _____

Recommended for approval denial by Lt

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. 47-7639, 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 June 1, 19 81.
- 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: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 1st day of May, 19 80.

L. Glen Saxton
Director

Affidavit of Publication

STATE OF IDAHO,)
COUNTY OF TWIN FALLS) ss.

Nº 9188

I, Linda Capps McQuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive Weeks, commencing with the issue dated April 3, 1980, and ending with the issue dated April 10, 1980.

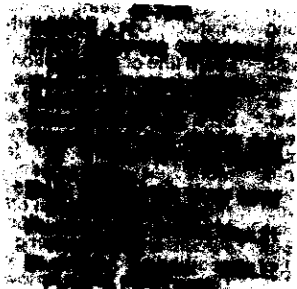
And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McQuire
Subscribed and sworn to before me on this 14 day of

April, 1980

Melba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho



Handwritten signature or initials, possibly 'M. C. McQuire'.

MACRI



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

January 27, 1981

J. H. Smith
Route 1, Box 162
Kimberly, Idaho 83341

Dear Mr. Smith,

RE: License No. 47-7639

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

47-7637

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 5-16-80 Accompanied by J. H. Smith Total Q measured
If source is surface water, estimate total flow of source
Methods of measurement none Meets Permit requirements? ✓

Measurement calculations:
Five houses at $0.02 \text{ cfs/house} = 0.10 \text{ cfs}$, allow 0.05 cfs amount applied for
" at $0.6 \text{ AF/Acre} = 3.0 \text{ AF/Acre}$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	3	Franklin Electric Co.						submersible pump

System Description Well, pump, 3 110-gallon storage tanks, 1 1/2" plastic pipes to five houses, no irrigation of lawns, etc. tanks & motor in buried concrete well house.

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
domestic	0.05	3.0	1-1	12-31
Total	0.05	3.0		

Remarks Proof card filed at time of field exam.

MICROFILMED

MAP (Attach Aerial Photo)

[illegible]

SCHEMATIC DIAGRAM OF SYSTEM

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

✓ Point(s) of diversion: NW/NE Sec. 21 T.10S R.21E

Place(s) of Use

[illegible]

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date 5-23-80

Date 6-2-80

Date 1/15/81

T. 10S R. 18E

27 16

20 21

202

120-E

B 8.7

119-E

A 7.1

118-E

E 2.4

B 4.4

C 10.0

C 11.0

A 11.8

121-E

122-E

C 11.2

B 15.4

C 8.1

D 6.4

B 7.1

D 4.5

B 4.4

123-E

D 7.4

C 5.1

B 18.4

D 5.7

325-E

B 5.1

C 5.7

E 10.1

F 2.0

125-E

B 9.4

F 6.5

124-E

E 9.5

F 16.0

B 9.0

H 15.1

I 11.4

B 8.2

126-E

C 18.1

S 5.7

20 27

29 28

175-E

176-E

E 2.7

C 12.0

B 12.0

A 28.3

177-E

October 6, 1980

B. H. Smith
Route 1, Box 162
kimberly, ID 83341

Dear Mr. Smith:

Re: Permit No. 47-7639

This office acknowledges receipt of the statement of beneficial use submitted on the above-referenced permit.

Also, a field examination of your water distribution has been completed by a representative of our Northern Regional office. The results of that examination will be forthcoming.

Sincerely,

RITA FLECK
Sr. Secretary

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 47-7639.

Name(s) of Permit Holder: J. H. Smith

Post Office Address: Route 1 Box 162, Kimberly, Id

Tel. No. 423-58

Source of Water: groundwater

Extent of Use: ☒ Domestic 5 (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other

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

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

May 16, 1980
Date

J. H. Smith
Signature of Permit Holder

RECEIVED

MAY 16 1980

Department of Water Resources
Southern District Office



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

JUN 17 1980

RECEIVED

PLACE
TEN CENT
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMITH, J. H.
RT. 1 BOX 162
KIMBERLY, ID 83341

MAY 14, 1980

RE: PERMIT NO. 47-7639

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 "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

April 23, 1980

Mr. Alex Schaefer
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 36-7896, 47-7639, 37-7820

Dear Mr. Schaefer:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

MARCH 20, 1980

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 21, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

4Z-2639-

SMITH, J. H.

RT. 1 BOX 162, KIMBERLY, ID 83341

Source: GROUNDWATER

Date Filed: 03/06/1980

Amount: 0.05 CFS

Diversion Point: NWNE Sec 21 T 10S R 18E, TWIN FALLS Co.

Use: DOMESTIC (0.05 CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 21 T 10S R 18E

Diversion Means: WELL, PUMP & PIPELINES.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before APRIL 21, 1980.

C. STEPHEN ALLRED

Director

Published 4/3 & 4/10/80.

MICROFILM

47-7830

SMITH, J.H.
RT. 1 BOX 162, KIMBERLY,
ID 83341

Source: GROUNDWATER

Date Filed: 03/06/1980

Amount: 0.05 CFS

Diversion Point: NWNE Sec
21 T 10S R 18E, TWIN
FALLS Co.

Use: DOMESTIC (0.05 CFS)
from 01/01 to 12/31

Place of Use: NWNE Sec 21
T 10S R 18E

Diversion Means: WELL,
PUMP & PIPELINES

*de
manga
4/3/80*