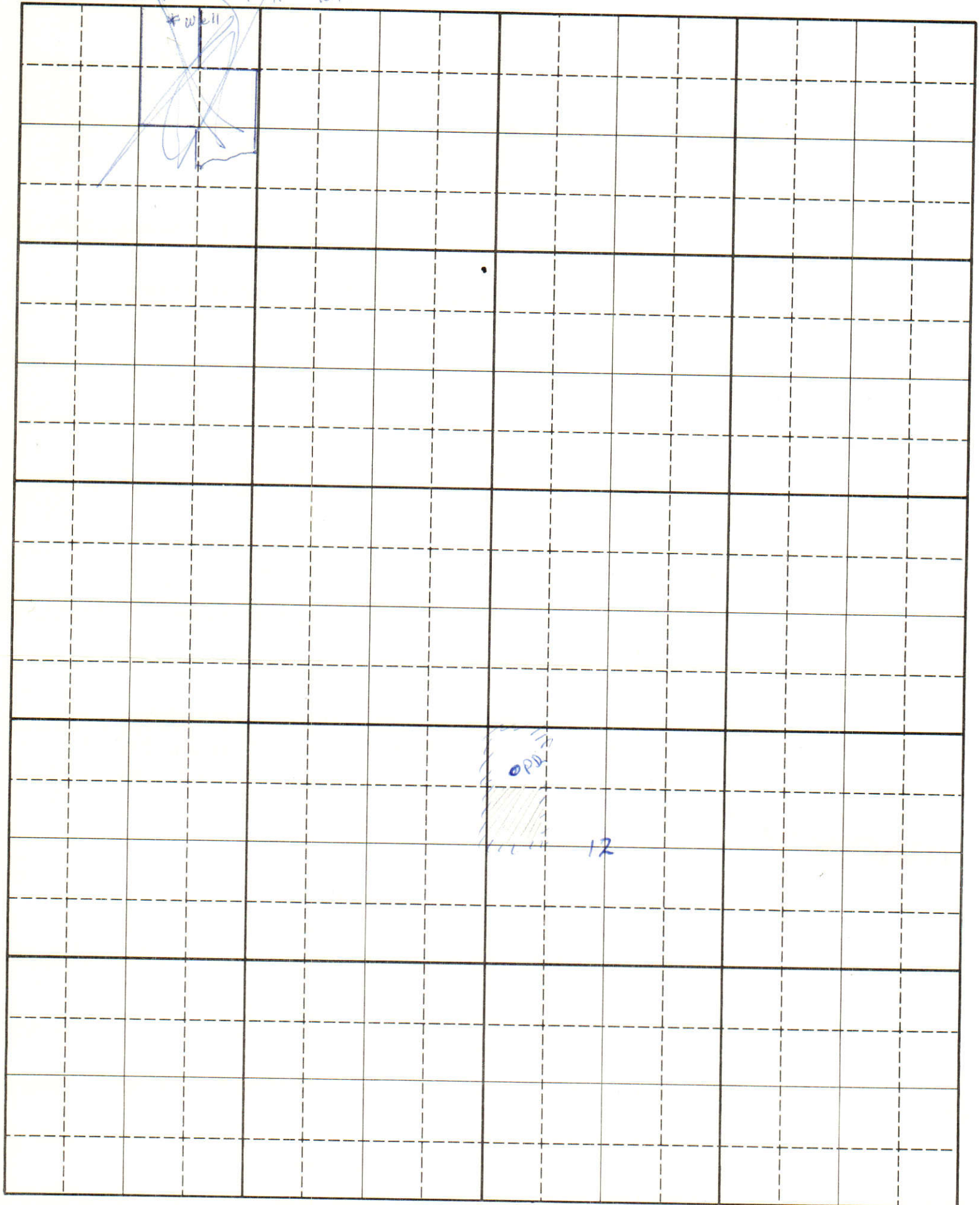


11. Map of proposed project:

Section 12 T11S R17E



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.

Alvin Smoot
(Applicant)

47-7103

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

No 15053

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Alvin Smutny, Route 2, Twin Falls, Idaho, has on June 24, 1970, submitted Application No. 47-7103 to appropriate the public waters of a ground-water source. The proposed uses are domestic (.02 cfs), stock-water (.02 cfs) and industrial (.02 cfs) purposes from Jan. 1 to Dec. 31.

The application proposes a maximum diversion and appropriation of 0.04 cubic feet per second of water to be diverted by well within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T. 11S, R. 17 E.B.M., Twin Falls County, and is to be used within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T. 11S, R. 17 E.B.M. for a dairy.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before September 21, 1970.

R. KEITH HIGGINSON
Director

Published in the Times News,
Twin Falls, Idaho, on September 3
and September 10, 1970.

I, Carolynne Jennings, being first duly sworn upon oath, depose and say that I am print. clerk of the TIMES-NEWS, published daily, except Saturday, 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 Thursdays, commencing with the issue dated Sept. 3, 1970, and ending with the issue dated Sept. 10, 1970.

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, 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.

Carolynne Jennings
Subscribed and sworn to before me this 10th day of September, 1970.

Al Wisting
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Department of Water Administration

47-7103

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7103 Priority August 12, 1970 Amount 0.04 cfs

THIS IS TO CERTIFY, that ALVIN SMUTNY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 47-7103 issued pursuant to Application for Permit dated June 24, 1970,
and has submitted proof to the Department of Water Resources on November 19, 1975 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a ground water 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>	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and	<u>1.2 acre feet</u>	
<u>Stockwater</u>	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and	<u>28.0 acre feet</u>	
<u>Industrial</u> (Dairy)	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and (both dates inclusive)	<u>28.0 acre feet</u>	

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
28.0 acre feet per-year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points) of
Sec. 12, Twp. 11 S, Rge. 17 E, 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 $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 S	17 E	12						X											

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25 day of
March, 19 76.

Director

Receipt # 2683
3-23-76 mef

RECEIVED

MAE

Department of Defense Resources

Permit No. 47-7103

Twin Falls, Idaho, and represents to the Director of
the Idaho Department of Water Resources:

(2 points)

Rge. 17 E, B.M., County of Twin Falls. Other points of diversion:

Amount ^{NO CHANGE} for purposes from to (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)

(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

A 12x12 grid map showing Township 11 S and Range 17 E. The grid is divided into 144 squares. Township 11 S is labeled in the second row from the bottom, and Range 17 E is labeled in the third column from the left. A double asterisk (**) is located in the square at the intersection of the second row and the third column.

Alvin Smutny
(signature)

Director

LICENSE ISSUED FOR 0.04 SEC. FI.
LICENSE PAGE NO. _____

Identification No. 47-7103

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

1. Name of applicant Alvin Smutny
post office address RT 2 Twin Falls, Idaho 83301
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12 Township 11S
Range 17E B.M. _____ County; additional points of diversion if any: Twin Falls County
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stock water purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Industrial purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation: SW
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12 Township 11
Range 17E B.M. _____
(2) Amount of power to be generated: 3 hp under 150' deep feet of head. 35 GAT. 7 Min. max.
(3) List number of each kind of livestock to be watered 700 Dairy Cattle
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.
- (5) If water is to be used for other purposes describe: All uses pertaining to the cleaning & operation of dairy barn

47-7103

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

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

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

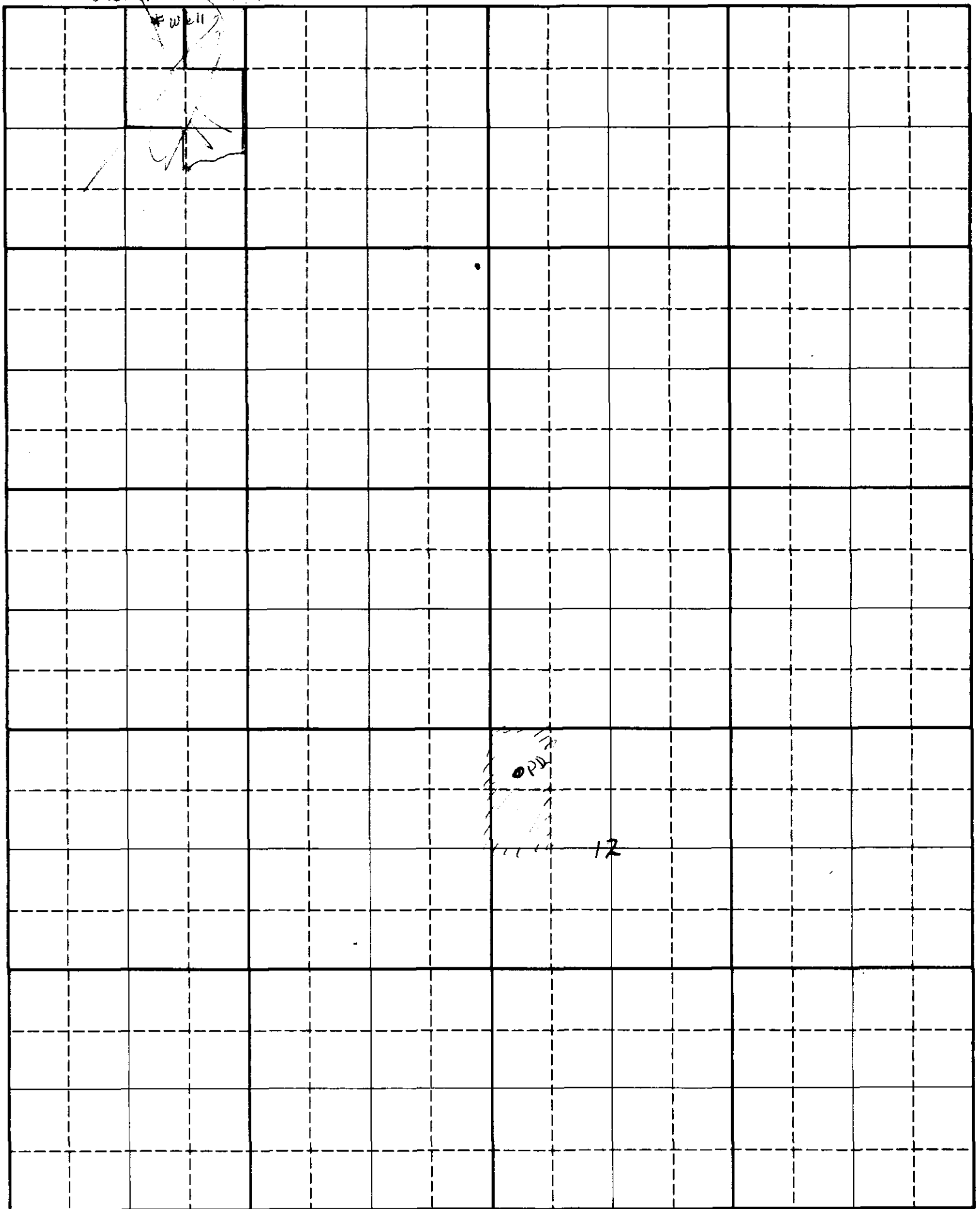
b. Who owns the land to be irrigated or place of use Self

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 Well driller - Blaine Boley

11. Map of proposed project:

Section 12 T41S R17E



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.

Alvin Smutney
(Applicant)

47-7103

Received by Date 6-24-70 Time 9:00 a.m.
Preliminary check by Dr Fee \$ 10.00
Receipted by Date 6-24-70
Publication prepared by dr Date 8-26-70
Published in Times News
Publication dates 9-3 & 9-10, 1970
Publication approved Date 9-16-70
Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7103, 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 October 1, 1975.
- c. Other:

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

Witness my hand this 8th day of October 19 70.

R. Keith Higin
State Reclamation Engineer

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 47-7103)

IN THE NAME OF ALVIN SMUTNY)

ORDER OF REINSTATEMENT

WHEREAS, on June 24, 1970, Alvin Smutny filed with the Department of Water Resources (formerly the Department of Water Administration) an application for permit to appropriate 0.04 cubic feet per second of groundwater to be diverted from a point within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 11S, Rge. 17E, B.M., Twin Falls County, to be used for domestic, stockwater and industrial purposes; and,

WHEREAS, on October 8, 1970, the Department approved said application and issued Permit No. 47-7103 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before October 1, 1975; and,

WHEREAS, on August 1, 1975, the Department notified the permit holder by certified mail that proof of beneficial use of water was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on October 6, 1975, the Department notified the permit holder that Permit No. 47-7103 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, on November 19, 1975, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 47-7103 be REINSTATED and the priority be advanced to August 12, 1970.

Dated this 23 day of December, 1975.


A. KENNETH DUNN
Administrator, Operations Division

RECEIVED
DEC 23 1975
Jfr

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

No. 15053

NOTICE OF APPLICANT
FOR PERMIT TO DIVERT WATER
FROM A WATER SOURCE
TO ANOTHER SOURCE

Notice is hereby given that Alvin Smutay, Route 2, Twin Falls, Idaho, has on June 34, 1970, submitted Application No. 47-7103 to appropriate the public waters of a ground-water source. The proposed uses are domestic (.02 cfs), stock-water (.02 cfs) and industrial (.02 cfs) purposes from Jan. 1 to Dec. 31.

The application proposes a maximum diversion and appropriation of 0.04 cubic feet per second of water to be diverted by well within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T. 11S, R. 17 E.B.M., Twin Falls County, and is to be used within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T. 11S, R. 17 E.B.M. for a dairy.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before September 21, 1970.

R. KEITH HIGGINSON
Director

Published in the Times News, Twin Falls, Idaho, on September 3 and September 15, 1970.

I, Carolynne Jennings, being first duly sworn upon oath, depose and say that I am Finance Clerk of the TIMES-NEWS, published daily, except Saturday, 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 Wednesdays, commencing with the issue dated Sept. 3, 1970, and ending with the issue dated Sept. 10, 1970.

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, 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.

Carolynne Jennings
Subscribed and sworn to before me this 10th day of

September, 1970.

Al Wisting
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

47-7103

March 26, 1976

Re: Permit No. 47-7103

Mr. Alvin Smutny
Route # 2
Twin Falls, Idaho 83301

Dear Mr. Smutny:

Enclosed is a copy of the approved application for amendment along with receipt No. 2683 for \$10.00 covering the fee.

Also enclosed is a copy of the Water License issued on your permit.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr

Enc: Copy of amend
Receipt #2683
Copy of license

March 3, 1976

Mr. Alvin Smutny
Route # 2
Twin Falls, Idaho 83301

Dear Mr. Smutny:

A representative of this Department has made an examination of the works covered by your Permit No. 47-7103 and has found the following:

Quantity of water diverted: 0.04 cfs Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 0.04 cfs

The maximum quantity diverted shall not exceed 28 acre feet per year.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points), Sec. 12, Twp. 11 S, Rge. 17 E, B. M., Twin Falls County

Beneficial use: Domestic, stockwater & industrial (dairy) purposes within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, Twp. 11 S, Rge. 17 E, B. M.

Priority established: August 12, 1970

Our exam report indicates that there are two wells in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, whereas your permit lists only one well in the NW $\frac{1}{4}$ NW $\frac{1}{4}$. Therefore, it will be necessary for you to amend the permit before a water right license is issued. Enclosed is a partially completed application for amendment for your use in this matter.

Please sign the application and return it to this office along with a \$10.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: App for amend

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

DEC 31 1975

Route 2, Twin Falls, ID 83301

Phone 733-7148

Person to contact

Phone

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

3. Water will be used for the following purposes:

Amount 0.02 c.f.s. for Domestic (1)
AF/Annum (nature of use)

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

Amount 0.02 c.f.s. for Stockwater (700 dairy cattle)
 AF/Annum (nature of use)

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

Amount 0.02 c.f.s. for Industrial (Dairy operation)
 AF/Annum (nature of use)

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

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11S N/S, Range 17E E/W, B.M., Section 12, Subdivision NW 1/4 NW 1/4, Twin Falls
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____

County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: water pumped by 3 hp submersible pump, well

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

DATE OF EXAM 1-6-75

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE

Irrigation Q=	_____ c.f.s.	V=	_____	AF/Ann. from	_____	to	_____
Domestic Q=	<u>0.02</u> c.f.s.	V=	<u>0.6</u>	AF/Ann. from	<u>Jan 1</u>	to	<u>Dec 31</u>
Livestock Q=	<u>0.02</u> c.f.s.	V=	<u>14.45</u>	AF/Ann. from	<u>Jan 1</u>	to	<u>Dec 31</u>
Industrial Q=	<u>0.02</u> c.f.s.	V=	<u>14.45</u>	AF/Ann. from	<u>Jan 1</u>	to	<u>Dec 31</u>

Is water co-mingled? yes _____ no ✓

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

Exchange? yes _____ no ✓

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

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

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

Total Q measured ✓ Method of measurement ✓

Total Q recommended 0.04 c.f.s. Meter No. ✓ Type — Condition ✓

Total V recommended 28.91 Ac.Ft./ANN. (see Remarks)

Recommended Amendments:

P.D. ✓ 2 wells
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

Domestic = 0.02 c.f.s. Amount Applied for.
.6 AcFt/Ann
Livestock = 0.02 c.f.s. Amount Applied for.
14.45 AcFt/Ann. = (0.02 c.f.s.) (365 days) (1.98 ^{Ac.Ft.} c.f.s./day)
Industrial = 0.02 c.f.s. Amount Applied for.
14.45 AcFt/Ann = (0.02 c.f.s.) (365 days) (1.98 ^{Ac.Ft.} c.f.s./day)

SYSTEM DESCRIPTION:

Franklin Electric 3Hp #2821022 201 Submersible pump. 220 gal/pressure tank.
Lucuzzi 3/4 Hp # 232811 Submersible. 120 gal pressure Tank.
Systems tie into each other.

REMARKS:

Total for Volume is derived from the figures
(0.04 c.f.s Maximum Applied for) (1.98 ^{Ac.Ft.} c.f.s./day) (365 days) = 28.91 AcFt/Ann.
Mr. Alvin Smutny was present during Exam.

Examiner's Signature Larry Lunderburg Date 1-7-76

Checked by Al Manti Date 1-7-76

Approved by Michael Stahl Date 1-9-76

December 24, 1975

Re: Permit No. 47-7103

Alvin Smutny
Route 2
Twin Falls, ID 83301

Dear Mr. Smutny:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to August 12, 1970.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell when this examination will be made, but our examiner will try to contact you at the time of the exam in order that you may show him your system.

If you have any questions regarding the field exam, please contact our District Office in Twin Falls.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Enclosure

RECEIVED

DEC 4 1970

Department of Water Resources

Identification No. 47-7103

Permit No.

RECEIVED

NOV 19 1970

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Alvin Smutny
- b) Post Office Address RT. 2 Twin Falls, Idaho 83301
2. Permit Number 47-7103
3. Date of Priority that you are prepared to establish July 25, 1970
4. a) Source from which water was appropriated Ground WATER
- b) Location of the point of diversion: NW 1/4 NW 1/4, Section 12
 Township 11 S, Range 17 EBM Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount _____ for _____ purposes from <u>JAN</u> to <u>Dec</u> incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
- b) Total amount appropriated _____ cfs and/or acre-feet per annum
- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Domestic well used for home & dairy operation (water pumped by 3 HP submersible)

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 - a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 - b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) _____
- b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
- c) Give well driller's name and address and the date the well was completed: Boley Henech, Weech
Murtaugh Idaho

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Dairy Operation & Home

Exam for 12-17-75

1443

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

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

10. Remarks: _____

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

11- 17- 75
(Date)

Alvin Smutney
(Signature)

State of Idaho)
County of Blaine) ss.

On this 3rd day of December, 1975, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Corinne Stafford
Notary Public residing at Kimberly, Idaho

My commission expires June 15, 1976

November 21, 1975

Re: Permit No. 47-7103

Alvin Smutny
Route 2
Twin Falls, ID 83301

Dear Mr. Smutny:

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

However, we cannot process your proof affidavit unless your signature is notarized. Therefore, we are returning the proof affidavit.

Please return the notarized affidavit on or before December 5, 1975, or your permit will be cancelled and will be of no further force or effect.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

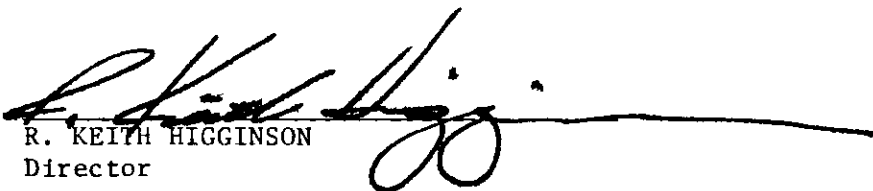
October 6, 1975

Mr. Alvin Smutny
Route 2
Twin Falls, Idaho 83301

Dear Mr. Smutny:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 47-7103 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jg

RECEIVED

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and
show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and
show to whom, date, and address of
delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

27011

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

Greg Smutney

4.

DATE OF DELIVERY

8-2-75

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

M.P.

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

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



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

August 1, 1975

CERTIFIED MAIL

27011

Re: Permit No. 47-7103

Alvin Smutny
Route 2
Twin Falls, Idaho 83301

Dear Mr. Smutny:

One of the conditions of approval of your water Permit No. 47-7103 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECEIVED
AUG 1 1975
IDAHO DEPT. OF LAND
TWIN FALLS, IDAHO

October 13, 1970

Re: Permit No. 47-7103

Mr. Alvin Smutny
Route 2
Twin Falls, Idaho 83301

Dear Mr. Smutny:

Enclosed is a copy of your approved Application for Permit No. 47-7103. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

C. Stephen Allred
Deputy Director

CSA:kh

Enclosures: Copy of Permit
Receipt No. 4809 for \$10
1 informational letter

47 7103

47-7603

**NOTICE OF APPLICATION
FOR PERMIT TO APPROPRIATE
THE PUBLIC WATERS OF
THE STATE OF IDAHO**

Notice is hereby given that Alvin Smutny, Route 2, Twin Falls, Idaho, has on June 24, 1970, submitted Application No. 47-7103 to appropriate the public waters of a ground-water source. The proposed uses are domestic (.02 cfs), stock water (.02 cfs) and industrial (.02 cfs) purposes from Jan. 1 to Dec. 31.

The application proposes a maximum diversion and appropriation of 0.04 cubic feet per second of water to be diverted by well within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T. 11S, R. 17 E.B.M., Twin Falls County, and is to be used within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T. 11S, R. 17 E.B.M. for a dairy.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before September 21, 1970.

R. KEITH HIGGINSON
Director

Published in the Times News,
Twin Falls, Idaho, on September 3
and September 10, 1970.

47-7103

August 26, 1970

Re: Application for Permit No. 47-7103
Alvin Smutny

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

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

Bill submitted 9-16-70 By dv

47-7103

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Alvin Smutny, Route 2, Twin Falls, Idaho,

has on June 24, 1970,

submitted Application No. 47-7103 to appropriate the public waters of
a ground-water source

The proposed uses are domestic (.02 cfs), stockwater (.02 cfs) and industrial
(.02 cfs) purposes from Jan. 1 to Dec. 31

The application proposes a maximum diversion and appropriation of 0.04
cubic feet per second ||||| acre feet of water to be diverted by well
within the NW~~1~~4 Sec. 12,
T. 11S, R. 17E, B.M., Twin Falls, County,

and is to be used within the SW~~1~~4 Sec. 12, T. 11S, R. 17E, B.M. for a dairy

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Water Adminis-
tration on or before September 21, 1970.

R. KEITH HIGGINSON
Director

Published in the Times News, Twin Falls, Idaho,
September 3 on September 10, 1970 and

47-7103

282
Rt. # 2
Twin Falls, Idaho 83301
August 7, 1970

Re: Application for Permit No 47-7103

R. Keith Higginson, Director
Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Sir:

The location of the well is - NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T. 11S
R. 17 E, B.M. The well is not for irrigation. It is a domestic
well to be used for a dairy.

Yours truly,

Alvin Smutny
Alvin Smutny

47-7103

July 1, 1970

Re: Application for Permit No. 47-7103

Mr. Alvin Smutny
Route #2
Twin Falls, Idaho 83301

Dear Mr. Smutny:

In reviewing your application for permit, we find that the place of use you have listed does not correspond with your map. You have listed the place of use as being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 12, T. 11 S, R. 17 E, B. M. Your map indicates that your lands to be irrigated lie in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, T. 11 S, R. 17 E, B. M.

As soon as you verify where the place of use will be, we will continue to process your application.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

47-7103