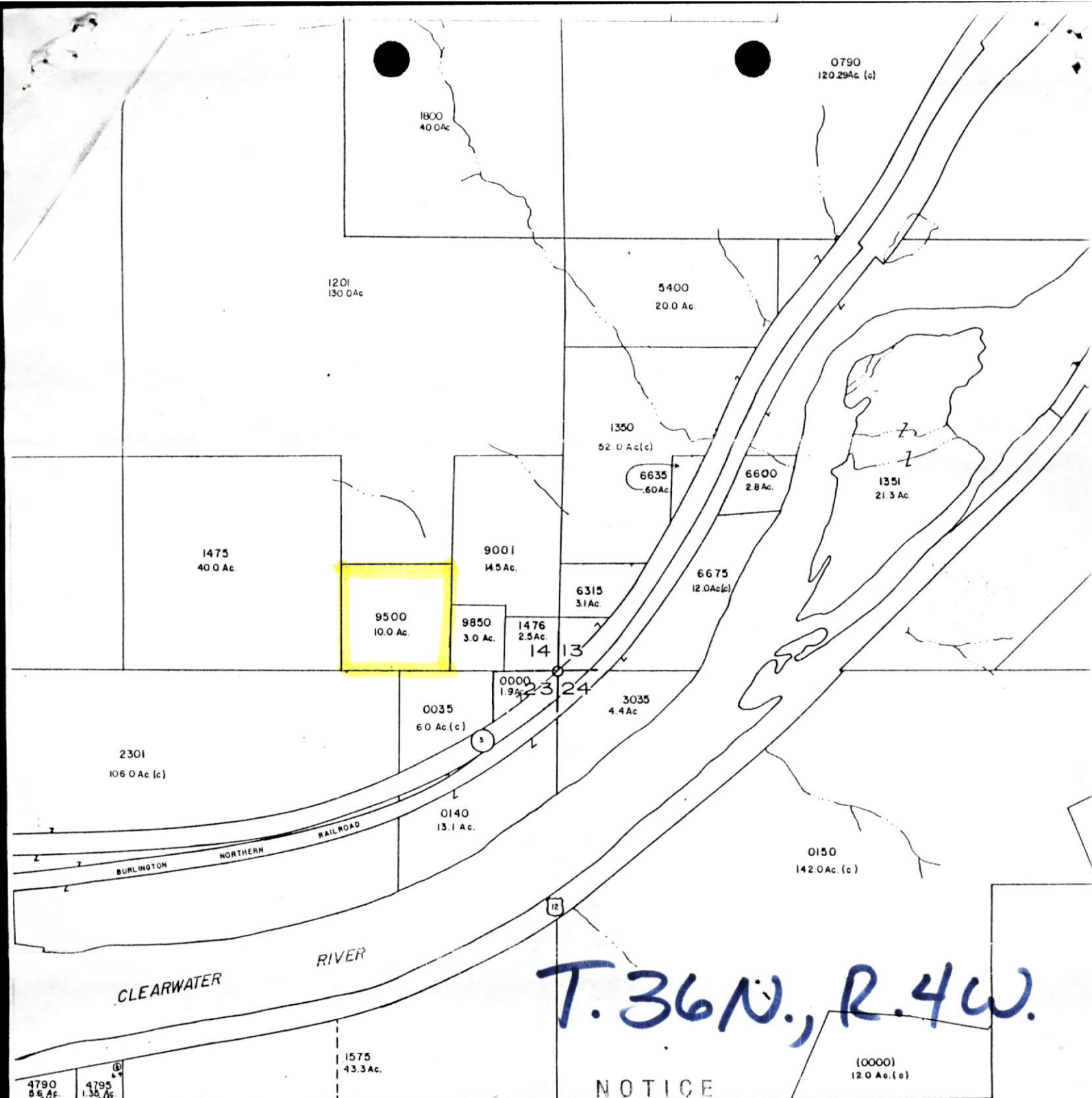




This sketch is furnished as a courtesy only, by First American Title Insurance Company, and it is not a part of any title commitment or policy of title insurance.

This sketch is furnished solely for the purpose of assisting in locating the premises and does not constitute a warranty as to the location or dimensions of the property and no liability is assumed for the correctness thereof.

SEE MAP
35-0733-0-623-04
1"=100'

JUN 30 1995

50'

513

2677 III
514 (MOSCOW 1:62 500)

515

47'30"

R. 4 W 240 000 FEE

Catholic

Creek

Howard

86-7340

T36N
R.04W

No Govt lots
6/20/95 c.2

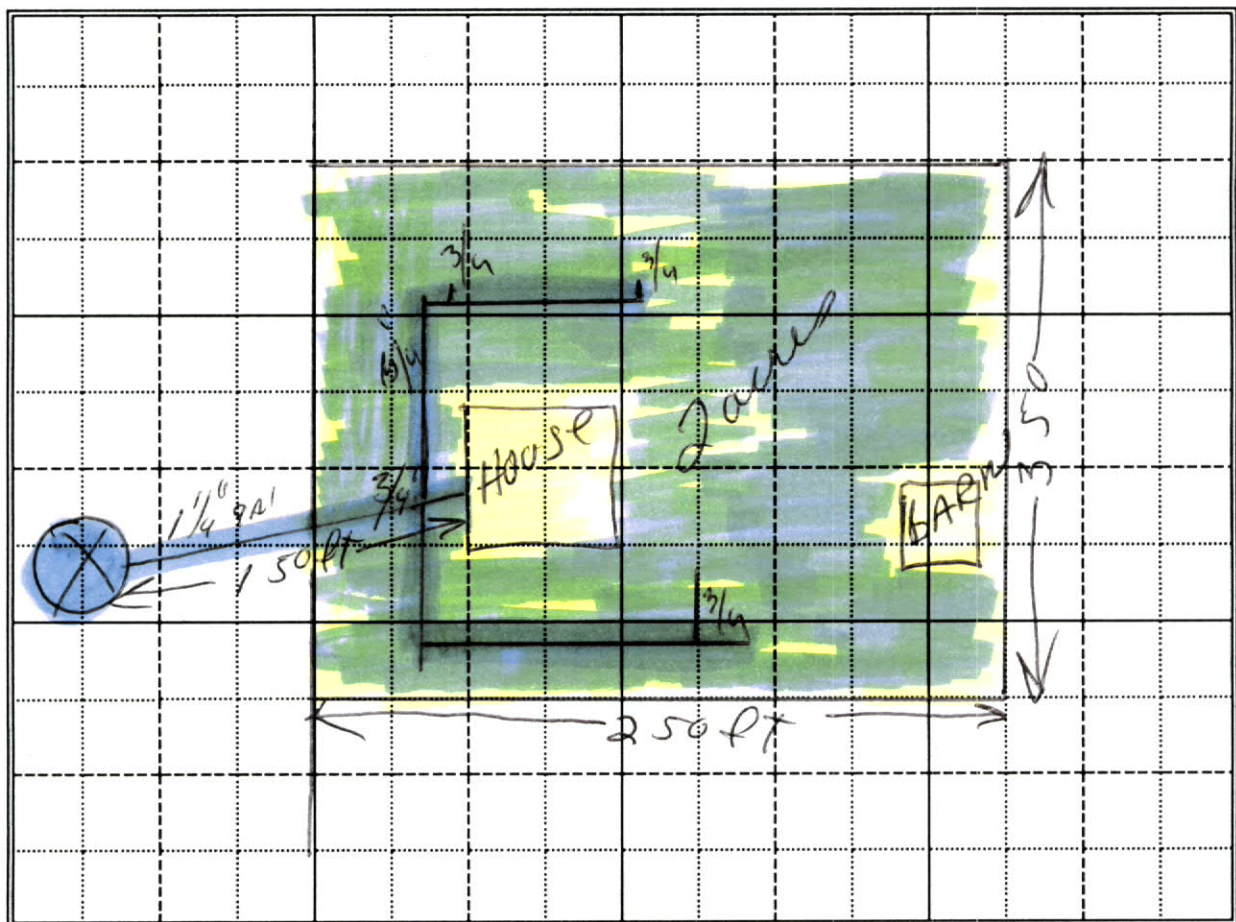
P/4
H/D

RECORDED
JUN 9 0 1995

NEZ PERCE HISTORICAL PARK
(Spalding Area)
Cem 22
Spalding

24

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

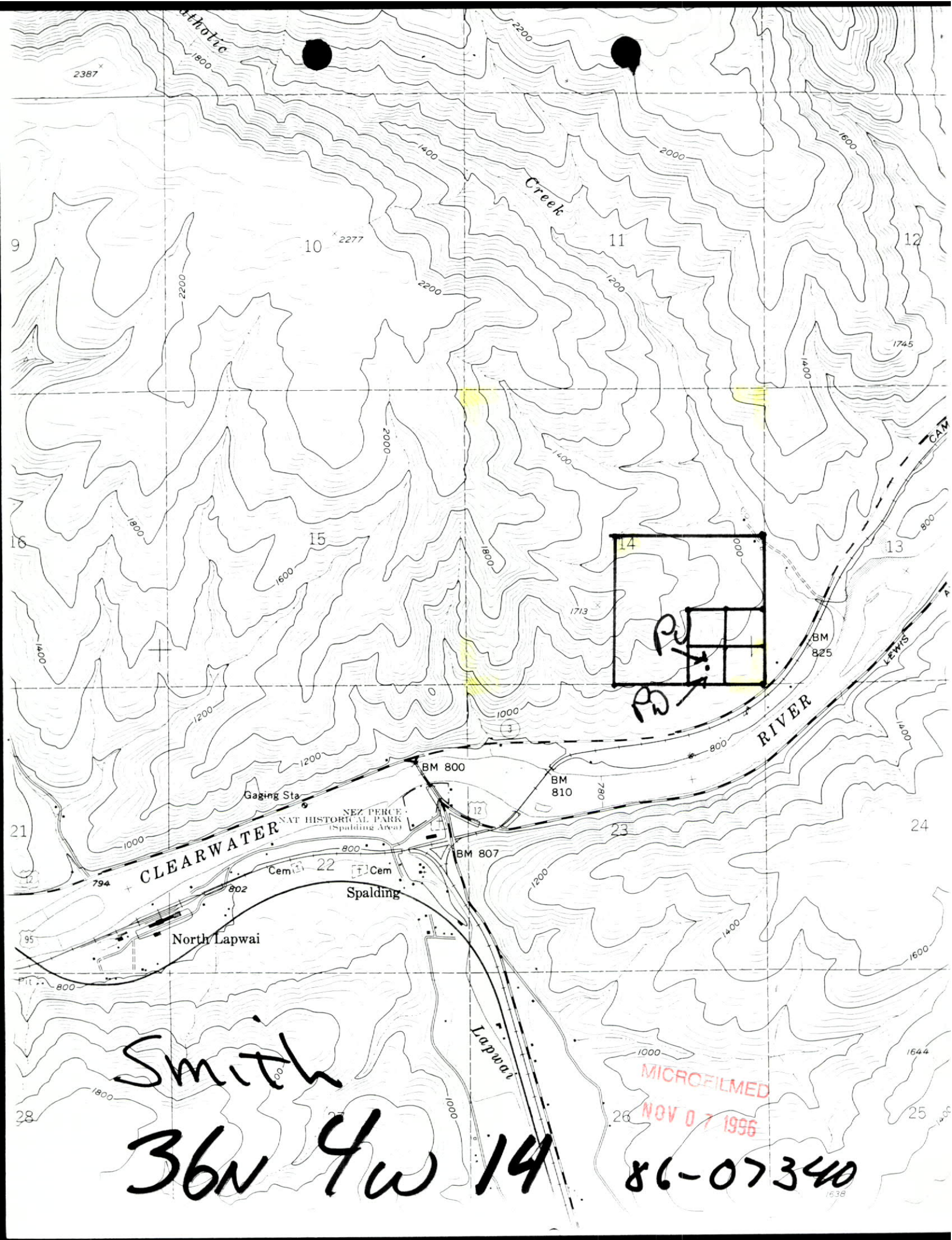
1.

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

2. Measurements: _____

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NOV 07 1996



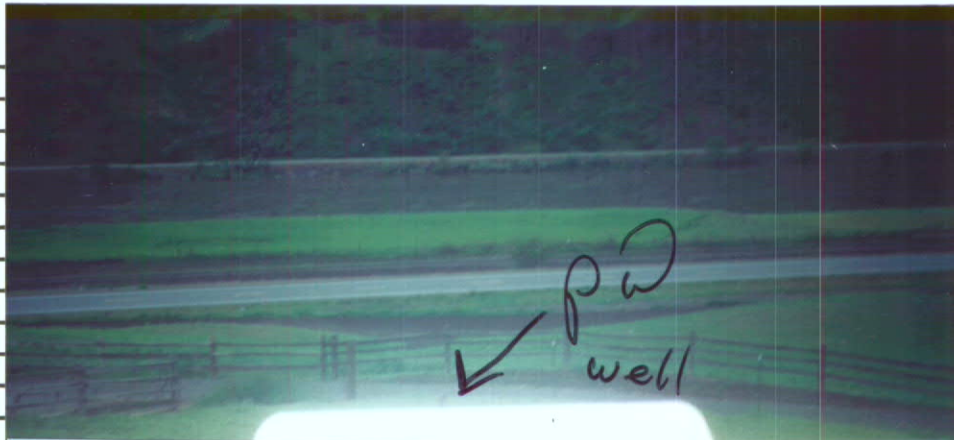
Smith
36N 4W 14

MICROFILMED
NOV 07 1996

86-07340

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS



MICROFILMED
NOV 17 1996

86-07390

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 05/25/95 INVOICE NO. 532223
Account No. 964750
Description 532223NOTICEOFCORRECTI
Times 2 Lines 26

LEGAL ADVERTISING INVOICE

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'AL ID 83814

Tab. Lines _____

\$ 0.00



NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

532223
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT
APPLICATION FOR PERMIT NO. 86-
07340 in the name of William H. Smith,
Jr., and Sheryl J. Smith, Rt. 1 Box 59,
Julietta, ID 83535, was incorrectly
advertised on 4/20 and 27/95.
The Place of Use was incorrectly ad-
vertised as T36N, R04W SESE, where-
as correctly it should read T36N R04W
SEC. 14, SESE.
(For additional information concerning
the property location, call the Northern
Regional Office at 769-1450.)
Any protests against the approval of
the above-referenced correction must
be filed with the applicant and with the
Director, Dept. of Water Resources,
1910 Northwest Blvd., Suite 210, Coeur
d'Alene, ID. 83814, together with a
protest fee of \$25.00 on or before
JUNE 5, 1995.
R. KEITH HIGGINSON, Dir.
Published in the Lewiston Morning
Tribune on 05/18 and 25/95.

Karen Lewis, being duly sworn, deposes and says, I am
the Legal Clerk of the Tribune Publishing Company, a corporation
organized and existing under and by virtue of the laws of the
State of Idaho, publishers of the LEWISTON MORNING TRIBUNE,
a newspaper of general circulation published at Lewiston, Nez Perce County,
Idaho; That the said Lewiston Morning Tribune is an established newspaper
and has been published regularly and issued regularly at least once a day
for more than 21 consecutive years next immediately preceding the first
publication of this notice, and has been so published uninterrupted for
said period; that the 532223NOTICEOFC attached hereto and which is made
a part of this affidavit was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on 05/18, or once a WEEK
for 2 consecutive WEEK, the first publication thereof being on
the 05/18/95, and the last publication thereof being on
the 05/25/95, and said 532223NOTICEOFC was so published in the
regular and entire issue of said newspaper and was not in a supplement
thereof and was so published in every issue and number of the said
paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 26

day of May 1995

NOTARIAL SEAL

JUN 30 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/97

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 05/25/95INVOICE NO. 532223Account No. 964750Description 532223NOTICEOFCORRECTITimes 2Lines 26**LEGAL ADVERTISING
INVOICE**

Tab. Lines _____

\$ 0.00

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'AL ID 83814



NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

532223
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 86-07340 in the name of William H. Smith, Jr., and Sheryl J. Smith, Rt. 1 Box 59, Juliaetta, ID 83535, was incorrectly advertised on 4/20 and 27/95. The Place of Use was incorrectly advertised as T36N, R04W SESE, whereas correctly it should read T36N R04W SEC. 14, SESE.
(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)
Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID. 83814, together with a protest fee of \$25.00 on or before JUNE 5, 1995.
R. KEITH HIGGINSON, Dir.
Published in the Lewiston Morning Tribune on 05/18 and 25/95.

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 532223NOTICEOFC attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 05/18, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 05/18/95, and the last publication thereof being on the 05/25/95, and said 532223NOTICEOFC was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1995

MICROFILMED

JUN 30 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'AL ID 83814

Date 04/27/95INVOICE NO. 529622Account No. 964750Description 529622NOTICEOFAPPLICATTimes 2Lines 35

Tab. Lines _____

\$ 39.38**RECEIVED**

MAY 01 1995

NORTHWEST REGION
IDWR

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

⁵²⁹⁶²²
NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

86-07340
SMITH, WILLIAM H, JR.
SMITH, SHERYL J
RT 1 BOX 59
JULIAETTA, ID 83535
Source: GROUNDWATER
Diversión Pt: SWSESE Sec 14 T 36N
R 04W in NEZ PERCE
County

Use: IRRIGATION (0.200 CFS)

Total Diversión: (0.200 CFS)

Date Filed: 4/11/1995

In: NEZ PERCE County

T36N R04W SESE (Sec 14)
10.0 ACRES TOTAL

For additional information concern-
ing the property location, call the
Northern Regional Office at (208) 769-
1450.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Idaho
83814, together with a protest fee of
\$25.00 on or before MAY 8, 1995.

R. KEITH HIGGINSON, Director
Published: 4/20/1995 & 4/27/1995

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and says, I am
the Legal Clerk of the Tribune Publishing Company, a corporation
organized and existing under and by virtue of the laws of the
State of Idaho, publishers of the LEWISTON MORNING TRIBUNE,
a newspaper of general circulation published at Lewiston, Nez Perce County,
Idaho; That the said Lewiston Morning Tribune is an established newspaper
and has been published regularly and issued regularly at least once a day
for more than 21 consecutive years next immediately preceding the first
publication of this notice, and has been so published uninterrupted for
said period; that the 529622NOTICEOFA attached hereto and which is made
a part of this affidavit was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on 04/20, or once a WEEK
for 2 consecutive WEEK, the first publication thereof being on
the 04/20/95, and the last publication thereof being on
the 04/27/95, and said 529622NOTICEOFA was so published in the
regular and entire issue of said newspaper and was not in a supplement
thereof and was so published in every issue and number of the said
paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28day of APRIL 1995

Ray Paul
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/97

JUN 30 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-07340

Priority: April 11, 1995

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

6.0 AF

This is to certify, that WILLIAM H SMITH JR
SHERYL J SMITH

RT 1 BOX 59

JULIAETTA ID 83535

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 11, 1995; and has submitted Proof of Beneficial Use on July 20, 1995. An examination indicates that the works have a diversion capacity of 0.040 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	03/15 to 11/15	0.04 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 14, Township 36N, Range 04W
NEZ PERCE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

36N 04W 14

ACRES

SESE 2

ACRES

ACRES

TOTAL

2

Total number of acres irrigated:

2

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 that 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.

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NOV 07 1996

State of Idaho
Department of Water Resources

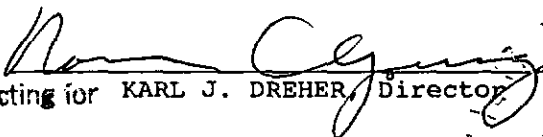
WATER RIGHT LICENSE

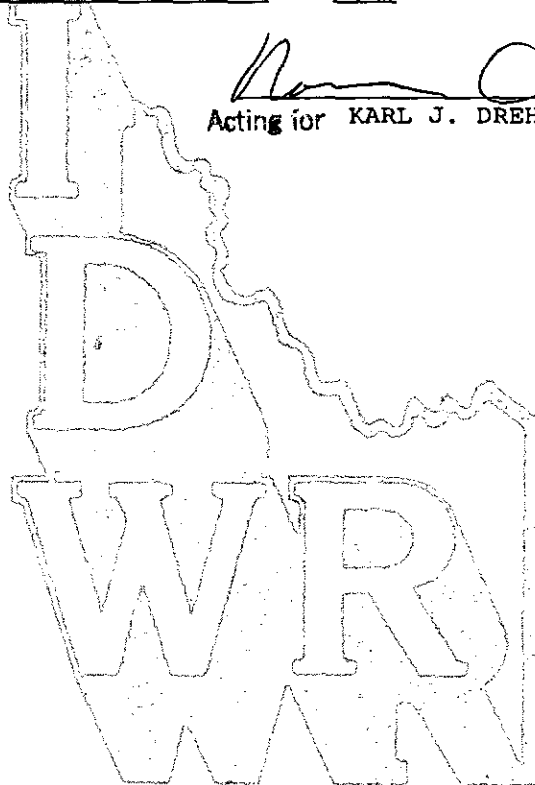
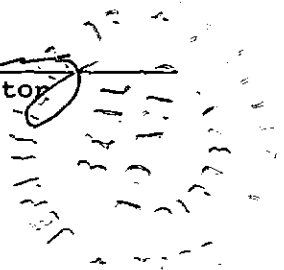
WATER RIGHT NO. 86-07340

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands 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 3rd day of AUGUST, 1996.


Acting for KARL J. DREHER, Director



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NOV 07 1996

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JUL 03 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

No

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 86-07340 Telephone No. (208) 843-2140
2. Name(s) of Permit Holder(s): William Smith Jr + Sheryl Smith
3. Mailing Address: Rt 1 Box 59 Juliaetta ID 83535
4. Source of Water: well If GROUNDWATER (well), Date Drilled: mo. 04 / yr. 73
 - a. Well Driller: Burns + Witt Drilling Permit Number: - - - - -
 - b. **OPTIONAL:**
Pump Horsepower: 1 1/2 Pressure (psi): 40 Dynamic pumping level (ft): 113
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 2 cattle
Irrigation (No. of acres): 2 Other: - - - - -
6. Total rate of diversion and/or volume for which proof is submitted: 1.20 cfs OR - - - - - acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u>-</u>	or	No <u>/</u>
	Has the measuring device been installed?	Yes <u>-</u>	or	No <u>/</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u>-</u>	or	No <u>/</u>
	Has the measurement port been installed?	Yes <u>-</u>	or	No <u>/</u>
8. Fee Enclosed: \$ - - - - - (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Sheryl Smith Telephone Number: 208 843 2140 Home
208 746 1383 Work
Address: Rt 1 Box 59 Juliaetta, ID. 83535
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

William H. Smith Jr Date: 6-30-95
(include your title, if on behalf of company or organization)

AUG 28 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 86-07340

Proposed Priority: April 11, 1995 Maximum Diversion Rate: 0.20 CFS

This is to certify, that WILLIAM H SMITH JR
SHERYL J SMITH
RT 1 BOX 59
JULIAETTA ID 83535

has applied for a permit to appropriate water from: GROUNDWATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 14, Township 36N, Range 04W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
36N 04W 14	SESE 10.0			10.0

Total number of acres irrigated: 10.0

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1996.
2. Subject to all prior water rights.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Construction of the well must comply with Idaho well construction standards.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

21st day of June, 1995

NOTED

JUN 30 1995

Karl J. Dreher
for Karl J. Dreher, Director

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JUN 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 86-7340

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant WILLIAM H. SMITH JR., AND SHERYL J. SMITH Phone (208) 843-2140
Post office address Rt. 1 Box 59 Juliaetta ID, 83535
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 14 Township 36N Range 04W B.M. Nez Perce County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .20 for Irrigation purposes from 03/15 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) .20 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well pump. 2 H.P sub-pump
184 ft. deep.
 - 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 85°F being sought? N/A
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 yr years (minimum 1 year).

RECEIVED
JUN 30 1995

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	
36N	04W	14																10	10

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. SNAKE RIVER BASIN ADJUDICATION CLAIM FOR DOMESTIC & STOCK PURPOSES

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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JUN 30 1995

JUN 30 1995

3. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by WILLIAM H. SMITH, JR. and SHERYL J. SMITH,
husband and wife

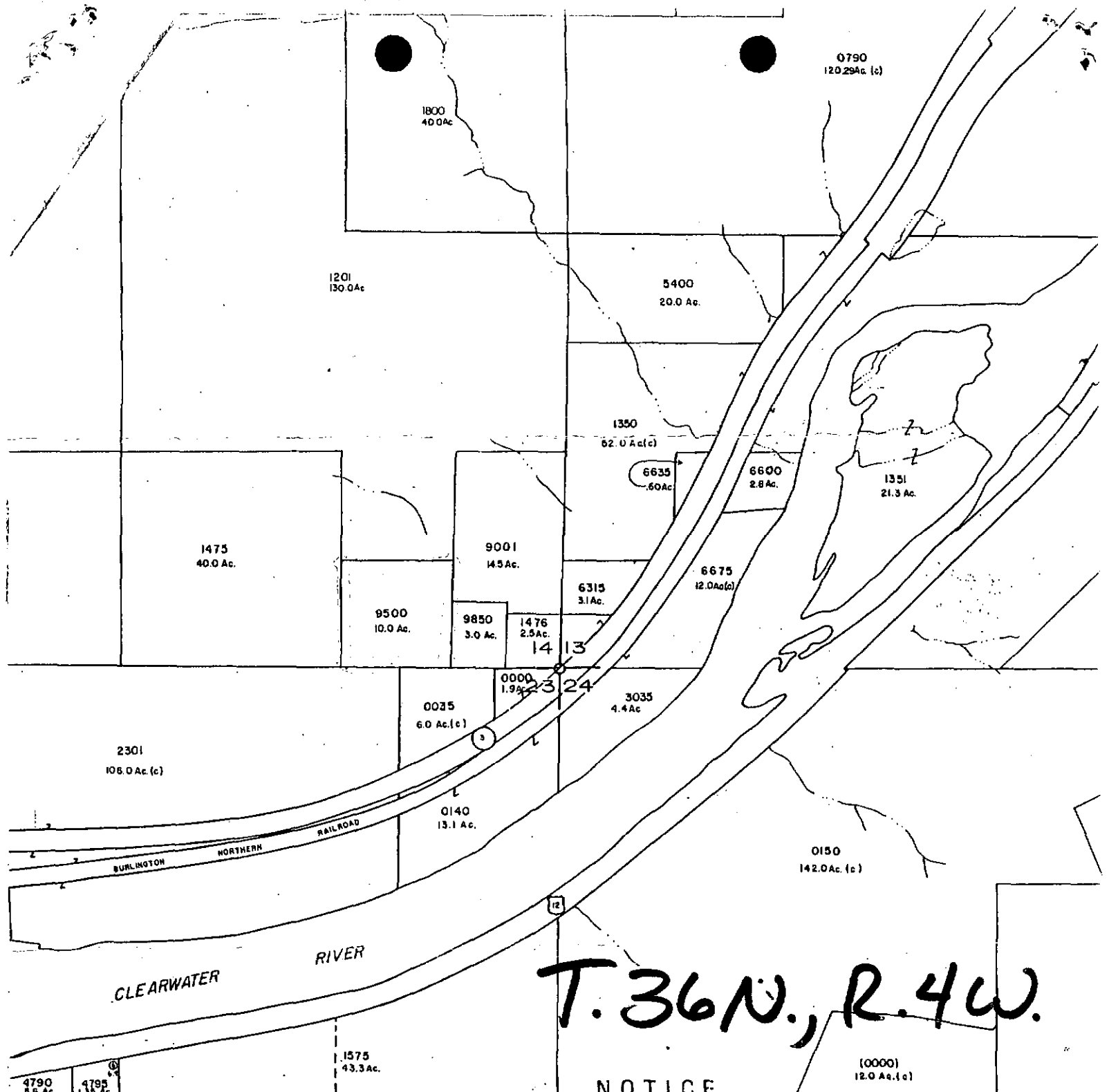
4. The land referred to in this Commitment is described as follows:

Situate in the County of Nez Perce, State of Idaho, to-wit:

The Southwest Quarter of the Southeast Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 14, Township 36 North, Range 4 West of the Boise Meridian.

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JUN 30 1995



T.36N., R.4W.

NOTICE

This sketch is furnished as a courtesy only, by First American Title Insurance Company, and it is not a part of any title commitment or policy of title insurance.

This sketch is furnished solely for the purpose of assisting in locating the premises and does not show all highways, roads or easements affecting the property. No reliance should be placed upon this sketch for the location or dimensions of the property and no liability is assumed for the correctness thereof.

SEE MAP
35-0733-0-623-04
P. 100

RECORDED
JUN 30 1995

This image shows a full page of graph paper with a uniform grid of squares. In the lower right-hand corner, there is a rectangular stamp. The stamp contains the word "MICROFILMED" in a bold, sans-serif font, slanted upwards from left to right. Below this word, the date "JUN 30 1968" is printed in a smaller, similar font, also following the same upward slant. The rest of the page is empty graph paper.

RECEIVED
JUN 30 1995

X William M. Sauer, Jr.
(Applicant)

Received by db Date ^{4/11/95} 4/4/95 Time _____ Preliminary check by _____
Fee \$ 50.00 Received by db # N008760 Date 4/4/95
Publication prepared by db Date 4/2/95 5/1/95 Published in Lewiston Trib. 4/20 + 27/95
Publication approved db Date 5/31/95 5/18 + 5/25/95

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:

APPROVED
JUN 30 1995

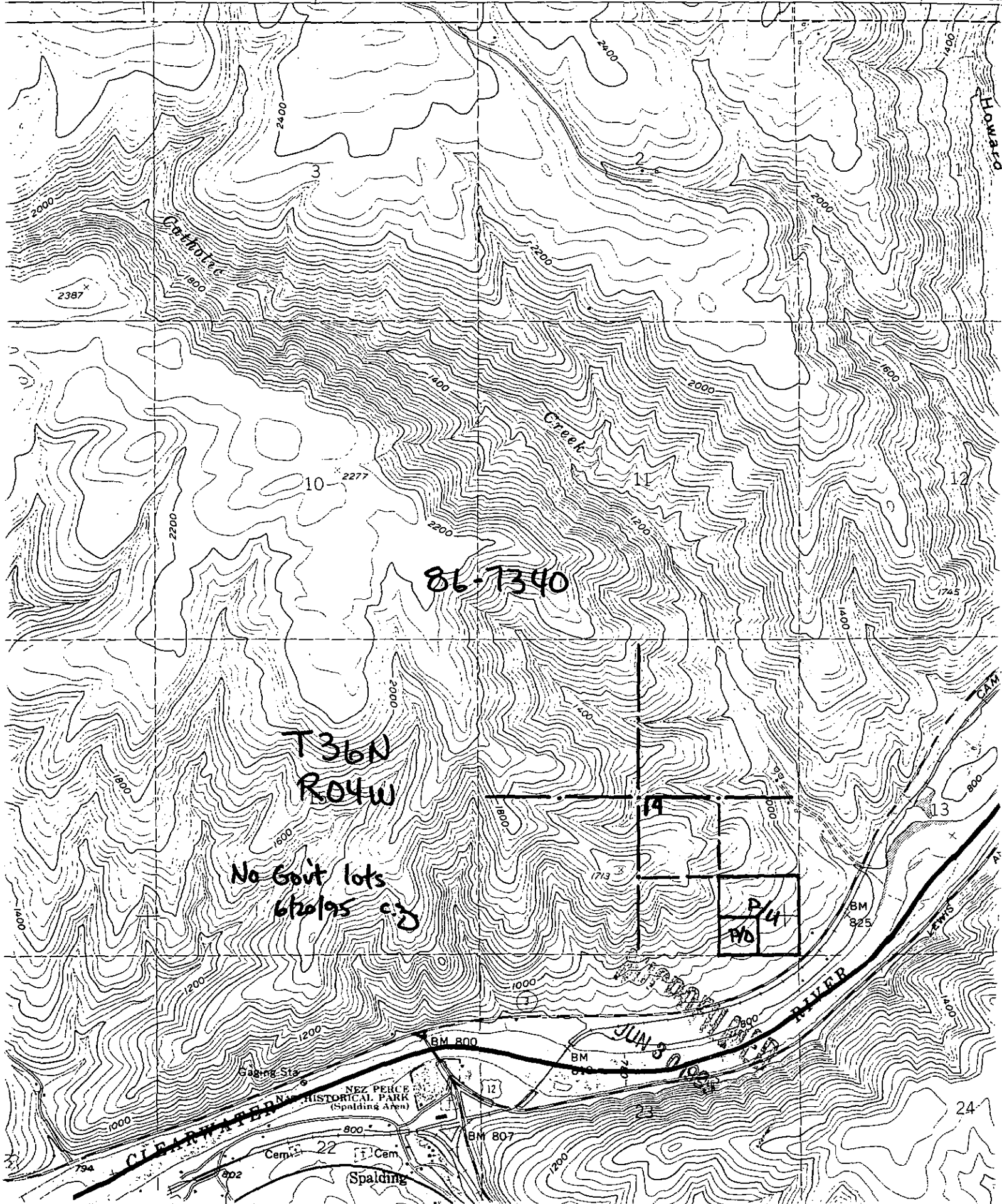
50' 513

2677 III
514 (MOSCOW 1:62 500)

515

47'30"

R. 4 W. 240 000 FEE



86-1340

T36N
R04W

No Govt lots
6/20/95 c.d.

P/U

NEZ PERCE HISTORICAL PARK
(Spalding Area)
Spalding
Cem. 22
Cem. 23
Cem. 24



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

August 5, 1996

WILLIAM H SMITH JR
SHERYL J SMITH
RT 1 BOX 59
JULIAETTA ID 83535

RE: WATER RIGHT NO. 86-07340

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 ten (10) days of receipt of this license.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:ph

Enclosure

MICROFILMED
NOV 07 1996

MEMORANDUM

TO: File 86-07340

FROM: Sharla

DATE: July 31, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 86-07340 are based on the following:

H. RECOMMENDATIONS

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3/15 - 11/15	0.04 cfs	6.0 afa

The application was filed for irrigation only. As indicated on the application, an SRBA claim has been filed for the domestic and stockwater use from the well (No. A86-11773). The license will be issued for irrigation purposes only.

Examiner: Wayne Baldwin
Exam date: May 15, 1996

MICROFILMED
NOV 07 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 86-07340

DATE 7/31/96

REVIEWER: S H A R L A

NAME Change OK Address Change NO
 SOURCE Change OK Is change clarification of originally intended source? NO
 If not, prepare Notice of Intent to Void NO
 POINT OF DIV Change OK Amendment required NO
 PLACE OF USE Change OK Amendment required NO

Does map agree with written description? yes no

350' x 250' = 2.0 ac
w/ home & barn

OVERLAPS Change OK P/D P/U

RATE OF DIV

Permitted Rate .20 cfs
 Fee limit .20 cfs \$50.00
 Measured .04 cfs
 Theoretical .04 cfs

3/4" pipe = .02 cfs, 1 1/4" pipe = .04 cfs (at diversion)
 Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/ NATURE OF USES

Use Dr. Volume Calculation 2 x 3.0 = 6.0 af
_____ af
_____ af
_____ af
 SUBTOTAL 6.0 af

SRBA claim covers
stock/dom AB6-11773

Flow rate .04 cfs X 245 days X 1.983 = 19.4 af
 Total volume recommended 6.0 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS Watermaster Control WD#
GW Measurement/Measuring Device
R29 Overlap
Use-specific conditions

Advancement of Priority Date Required yes no

SRBA Claim Filed NA
 Adjustment Memo uses

1st Amend Letter NA
 2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 22 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 86-07340
1. Owner: William H & Sheryl J Smith Phone No. (208) 843-2142
Current Address: RT 1 Box 59 Sulphur Bl. 83535
2. Accompanied by: William Smith EXAM DATE: 5-15-96
Address: same as above Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

- Other water rights with the same place of use: _____
- Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					14	36N	04W	NE Perce	U.S.G.S. 7.5 min QUAD

2. Place(s) of Use:

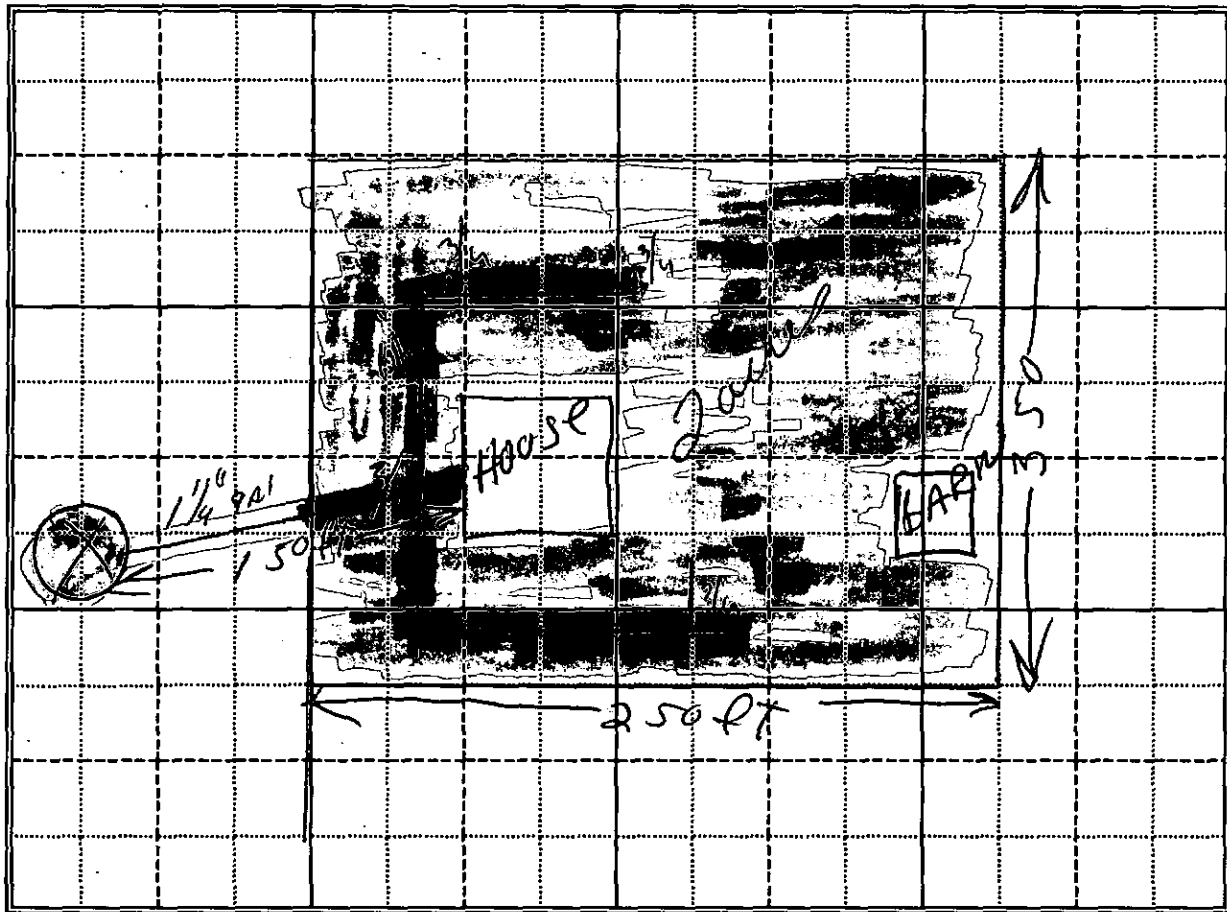
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	04E	14																0	
																		02	
																		5	

MICROFILMED

JUL 27 1996

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

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NOV 07 1996

E. NARRATIVE/REMARKS/COMMENTS

The irrigation system consist of $1\frac{1}{4}$ to $3\frac{1}{4}$ ^{GAL.} Portable sprinklers hooked to the system with $\frac{3}{8}$ hose completes the system.

Domestic irrigation included in irrigation. Domestic annual volume reflects this.

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

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NOV 07 1996

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Theoretical

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 3 = 6$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 = .04 \times 245 \times 1.9835 = 19.4$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6$$

2. Volume Calculations for Other Uses:

Stock Water 12 gpd x 4

$$\frac{48 \times 365}{325,850} = .053$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>01-01</i>	<i>12-31</i>	<i>.04</i>	<i>.6</i>
<i>Irrigation</i>	<i>03-15</i>	<i>11-15</i>	<i>.04</i>	<i>6</i>
<i>Stock Water</i>	<i>01-01</i>	<i>12-31</i>	<i>.02</i>	<i>.1</i>
Totals:			<i>.04</i>	<i>6.7</i>

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

Wayne Baldwin Date *5-22-96*

Reviewer

Date

SEAL

MICROFILMED

NOV 07 1996

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 86-07340

DATE: 21-MAY-96

COMPLETE BY: WAYNE BALDWIN

HORSEPOWER = 1.5

PUMP EFFICIENCY = 70%

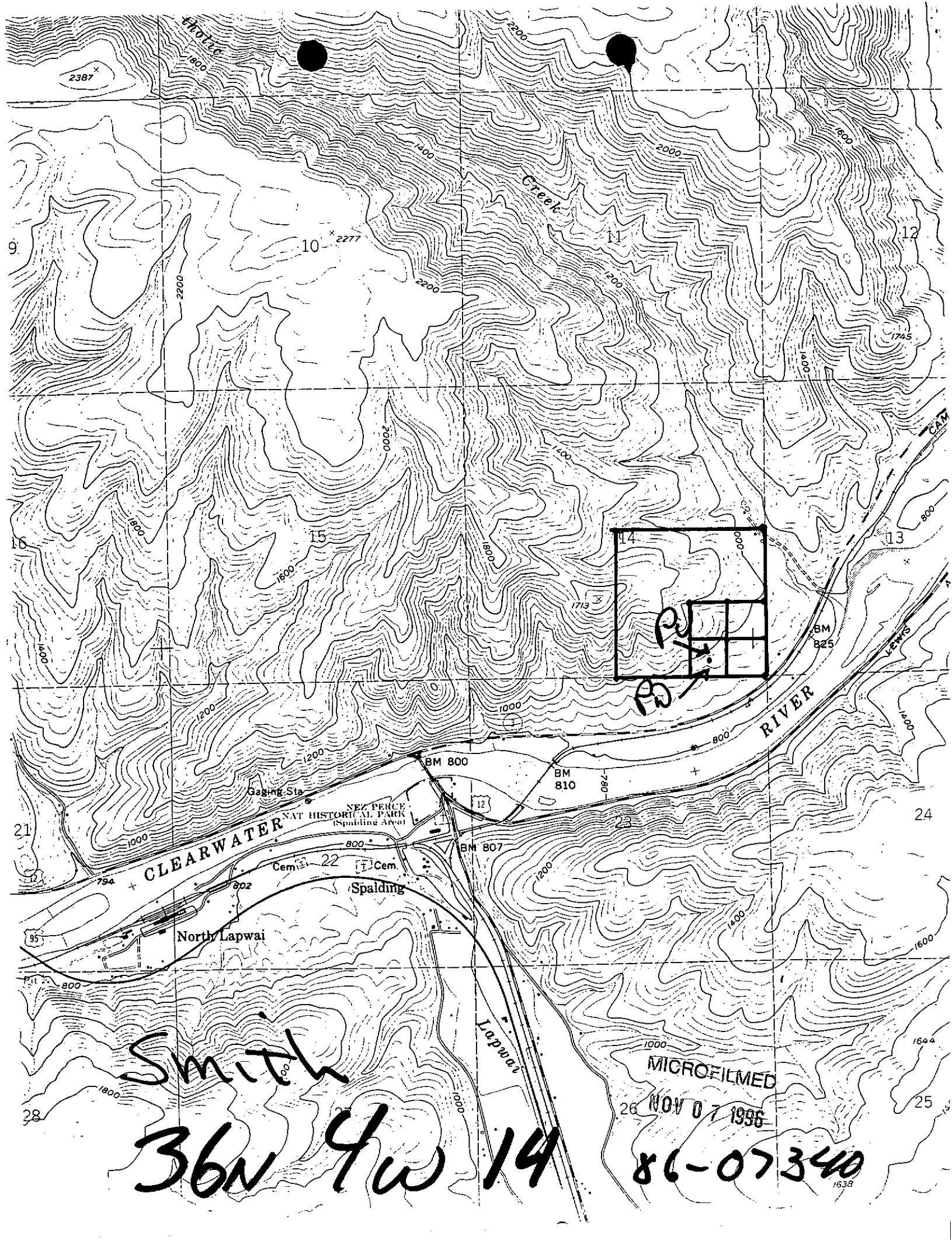
DYNAMIC LIFT = 113 FEET

SYSTEM PRESSURE = 40 PSI

QUANTITY = 0.04 CFS

MICROFILMED

NOV 07 1996



Smith

36N 4W 14

MICROFILMED

NOV 07 1996

86-07340

PERMIT # _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS



MICROFILMED
NOV 07 1996

86-07340

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 86-07340 Reviewed by CM Date 7-7-95

GENERAL CONSIDERATIONS

yes Name same as permit?

Yes Address same as permit?

yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Dom, Jr.

Correct Uses? yes

SOURCE OF WATER

Surface water source

☒ Ground water source

no Drilling permit required?

____ Copy in the file? Drilling Permit No. _____

	Amount paid for permit
--	------------------------

Well log in the file?

Correct?

LICENSE EXAMINATION FEE

yes Required?

☒ Amount Submitted

no Correct?

MEASURING DEVICE

not required yet Required?

Installed?

_____ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

DEFICIENCIES OR ACTION ITEMS

Return for 50- exam fee
fee Received / Proof acceptable

DATA ENTRY

New Address

Proof Made 7-3-95

August 1, 1995

SHERYL J SMITH
WILLIAM H SMITH JR
RT 1 BOX 59
JULIAETTA ID 83535

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 86-07340

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.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
AUG 28 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 12, 1995

William H. Smith Jr.
Sheryl J. Smith
Rt. 1 Box 59
Juliaetta, ID 83535

RE: Permit No. 86-07340

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use form submitted in connection with the above referenced water right. Before the department can process the proof, it must be accompanied by a \$50.00 license examination fee. I have enclosed a copy of the license examination fee schedule for your reference.

Please return the copy of the proof along with the \$50.00 license examination fee within thirty (30) days of receipt of this letter. Please address your correspondence to my attention.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED
AUG 28 1995



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

June 21, 1995

SHERYL J SMITH
WILLIAM H SMITH JR
RT 1 BOX 59
JULIAETTA ID 83535

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 86-07340

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECORDED

JUN 30 1995

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 86-7340 Name: Smith Date: 6/20/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: N008760 Priority: 4/4/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? *Gw exempt* - No/Yes S/C Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

```
+ 0.2 cfs          - 01M
- 0.2 cfs          - No MD
+ 5 a. (POU ✓ cmp) - 01M, 800 (if GW use SW 1st)
```

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
~~irr. in WD~~ - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):

Water District(~~dem~~) - 005 (req) WD #_____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):

```
Snake R      (01)      - 11A-P04, NA
              (02/03)   - 007-P07 (w/remark WB9), NA
Boise R      (63)      - 05A (if WB), 11E (not 42-111 use), NA
Payette R    (65)      - 064(consump. use), 047-P04(Payette Lake), NA
```

USE:

Domestic (surface) - 021(Boise R + L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo	-	058 (-85° GW temp only)
In-stream dev.	-	P52 (stream channel alteration)
Irr Dist/Canal Co.	-	023 (Twin Falls area)
Swan Falls Flag	-	<u>B</u> <SEE CONDITION CODE CHART>
Trust	-	051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1>	-	048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS :

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS

RECEIVED
JUN 19 1995

APPLICATION # 86-7340

***** INITIAL REVIEW *****

Department of Water Resources

APPLICANT: SMITH BY: AS DATE: 4/11/95

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other Water Rights
11. ☒ Ownership
13. ☒ Map
☒ Signature
☒ Fee (Amt, recpt, acknowledgment)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- ☒ Field check: by _____
☒ Field report attached
☒ Analysis Supp. attached (>5cfs/500af)
☒ Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 4/11/95

☒ (Include Moratorium Remark)

☒ Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: NEZ PERCE County.

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

- ☒ Groundwater management area
☒ Critical ground water area
Well Drilling Permit required
Well Drilling Application and Fees received
Well Drilling Application approved?
Well Drilling Application Number _____

Checked by: _____ Date: ____/____/____

Remarks: _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- Notice of pending void order issued. Final order response date: ____/____/____
Further information required from applicant
Affidavit of publication received
☒ Application published correctly, If not, record action taken: Read to correct POV

Publication dates and paper recorded on application | Sr. Agent initial AS

- ☒ Protests received. Final protest date: 5/18/95 6/5/95
☒ Measuring device required
☒ Measuring port required
☒ Special conditions:
☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AS Date: 6/12/95

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 05/25/95 INVOICE NO. 532223
Account No. 964750
Description 532223NOTICEOFCORRECTI

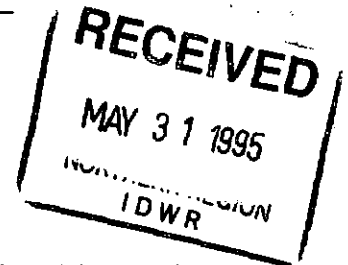
**LEGAL ADVERTISING
INVOICE**

Times 2 Lines 26

Tab. Lines _____

\$ 0.00

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'AL ID 83814



NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

⁵³²²²³
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT
APPLICATION FOR PERMIT NO. 86-
07340 in the name of William H. Smith,
Jr., and Sheryl J. Smith, Rt. 1 Box 59,
Juliaetta, ID 83535, was incorrectly
advertised on 4/20 and 27/95.
The Place of Use was incorrectly ad-
vertised as T36N, R04W SESE, where-
as correctly it should read T36N R04W
SEC. 14, SESE.
(For additional information concerning
the property location, call the Northern
Regional Office at 769-1450.)
Any protests against the approval of
the above-referenced correction must
be filed with the applicant and with the
Director, Dept. of Water Resources,
1910 Northwest Blvd., Suite 210, Coeur
d'Alene, ID. 83814, together with a
protest fee of \$25.00 on or before
JUNE 5, 1995.
R. KEITH HIGGINSON, Dir.
Published in the Lewiston Morning
Tribune on 05/18 and 25/95.

OK
Karen Lewis, being duly sworn, deposes and says, I am
the Legal Clerk of the Tribune Publishing Company, a corporation
organized and existing under and by virtue of the laws of the
State of Idaho, publishers of the LEWISTON MORNING TRIBUNE,
a newspaper of general circulation published at Lewiston, Nez Perce County,
Idaho; That the said Lewiston Morning Tribune is an established newspaper
and has been published regularly and issued regularly at least once a day
for more than 21 consecutive years next immediately preceding the first
publication of this notice, and has been so published uninterrupted for
said period; that the 532223NOTICEOFC attached hereto and which is made
a part of this affidavit was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on 05/18, or once a ~~WEEK~~
for 2 consecutive ~~WEEK~~, the first publication thereof being on
the 05/18/95, and the last publication thereof being on
the 05/25/95, and said 532223NOTICEOFC was so published in the
regular and entire issue of said newspaper and was not in a supplement
thereof and was so published in every issue and number of the said
paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 26

day of May 1995

MICROFILMED

JUN 30 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/97

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

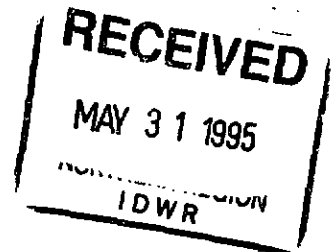
LEGAL ADVERTISING INVOICE

Date 05/25/95 INVOICE NO. 532223
Account No. 964750
Description 532223NOTICEOFCORRECTI
Times 2 Lines 26

Tab. Lines _____

\$ 0.00

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'AL ID 83814



NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

532223
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 86-07340 in the name of William H. Smith, Jr., and Sheryl J. Smith, Rt. 1 Box 59, Juliaetta, ID 83535, was incorrectly advertised on 4/20 and 27/95. The Place of Use was incorrectly advertised as T36N, R04W SESE, whereas correctly it should read T36N R04W SEC. 14, SESE.
(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)
Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID. 83814, together with a protest fee of \$25.00 on or before JUNE 5, 1995.
R. KEITH HIGGINSON, Dir.
Published in the Lewiston Morning Tribune on 05/18 and 25/95.

ok
Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 532223NOTICEOFC attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 05/18, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 05/18/95, and the last publication thereof being on the 05/25/95, and said 532223NOTICEOFC was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1995

MICROFILMED

JUN 30 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

~~CECIL D. ANDREWS~~ Philip E. Batt
Governor

R. KEITH HIGGINSON
Director

May 10, 1995

Lewiston Tribune
P. O. Box 957
Lewiston, ID 83501

Re: 86-07340 - SMITH

Gentlemen:

Enclosed you will find a legal Notice of Correction which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

There should be no charge for this as the information originally submitted was correct.

Please send the Affidavit of Publication, to this office before June 5, 1995.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

MICROFILMED

JUN 30 1995

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 86-07340 in the name of William H. Smith, Jr., and Sheryl J. Smith, Rt 1 Box 59, Juliaetta, ID 83535, was incorrectly advertised on 4/20 and 27/95.

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R. KEITH HIGGINSON, Dir.

Published in the Lewiston Tribune on 05/18 and 25/1995.

RECEIVED

JUN 30 1995

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'AL ID 83814

Date 04/27/95 INVOICE NO. 529622
Account No. 964750
Description 529622NOTICEOFAPPLICAT

Times 2 Lines 35

Tab. Lines _____

\$ 39.38

RECEIVED

MAY 01 1995

NORTHERN REGION
IDWR

*orig filed
copy*

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

529622
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
86-07340
SMITH, WILLIAM H, JR.
SMITH, SHERYL J
RT 1 BOX 59
JULIAETTA, ID 83535
Source: GROUNDWATER
Diversion Pt: SWSESE Sec 14 T 36N
R 04W in NEZ PERCE
County
Use: IRRIGATION (0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 4/11/1995
In: NEZ PERCE County
T36N R04W SESE (Sec 14)
10.0 ACRES TOTAL
For additional information concern-
ing the property location, call the
Northern Regional Office at (208) 769-
1450.
The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Idaho
83814, together with a protest fee of
\$25.00 on or before MAY 8, 1995.
R. KEITH HIGGINSON, Director
Published: 4/20/1995 & 4/27/1995

Karen Lewis, being duly sworn, deposes and says, I am
the Legal Clerk of the Tribune Publishing Company, a corporation
organized and existing under and by virtue of the laws of the
State of Idaho, publishers of the LEWISTON MORNING TRIBUNE,
a newspaper of general circulation published at Lewiston, Nez Perce County,
Idaho; That the said Lewiston Morning Tribune is an established newspaper
and has been published regularly and issued regularly at least once a day
for more than 21 consecutive years next immediately preceding the first
publication of this notice, and has been so published uninterrupted for
said period; that the 529622NOTICEOFA attached hereto and which is made
a part of this affidavit was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on 04/20, or once a WEEK
for 2 consecutive WEEKS, the first publication thereof being on
the 04/20/95, and the last publication thereof being on
the 04/27/95, and said 529622NOTICEOFA was so published in the
regular and entire issue of said newspaper and was not in a supplement
thereof and was so published in every issue and number of the said
paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28

day of APRIL 1995

Ray Paul

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/97

MINUTE

JUN 30 1995

April 12, 1995

William H Smith, Jr. and Sheryl J. Smith
Rt. 1 Box 59
Juliaetta DI 83535

Re: Water Appropriation Application No. 86-07340

Dear Mr. and Mrs. Smith:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED

JUN 30 1995

86-07340

SMITH, WILLIAM H. JR
SMITH, SHERYL J.
RT 1 BOX 59
JULIAETTA, ID 83535

Source: GROUNDWATER

Diversion Pt: SWSESE Sec 14 T 36N R 04W in NEZ PERCE County.

Use: IRRIGATION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 4/11/1995

In: NEZ PERCE County
T36N R04W S14 SESE

10.0 ACRES TOTAL

4/20 & 27/95

RECORDED

JUN 30 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

~~CECIL D. ANDRUS~~ Philip E. Batt
Governor

R. KEITH HIGGINSON
Director

April 6, 1995

Mr. & Mrs. Smith
Rt 1 Box 59
Juliaetta ID 83535

RE: Water Right Filings

Dear Mr. & Mrs. Smith:

We are returning your Statutory Claim and your Receipt Number N008760 for the amount of \$100.00. After further review it was found that you are located within the Snake River Drainage Basin. Please find enclosed two different water right forms that we filled out for you based on the information from your Statutory Claim, as we discussed April 5, 1995.

The Snake River Basin Adjudication Claim is similar to the Statutory Claim in the respect that it is a method of documenting historical water usage. However, unlike the Statutory Claim providing only prima facie evidence of a water right, the Snake River Basin Adjudication Claim will be confirmed and ultimately represent a decreed water right.

The Application for Permit is for the irrigation use from your well. According to Idaho State Law, the Mandatory Filing Statute was enacted March 25, 1963. Therefore, uses of water from wells that occurred after that date, other than domestic and stock watering are required to file for new water rights through this process.

The total of the two filing fees are less than the Statutory Claim. The Snake River Basin Adjudication Claim is \$25.00 and the Application for Permit is \$50.00. Consequently, we will issue you a refund for \$25.00 after we receive the filings back at this office.

Please review all of the information on each document, sign them and send them back to this office for processing.

If you have further questions, please feel free to contact me at this office.

Sincerely,

Al Beardslee
Sr. Water Resource Agent

MICHAEL WED
JUN 30 1995

Section 42-243, Idaho Code, authorizes the filing of a claim to a water right established by diversion and application of water to beneficial use for domestic uses as defined in Section 42-111, Idaho Code. The filing of this claim does not confirm the water right claimed.

Notice is hereby given that William H. Smith Jr. and Sheryl J. Smith
(Name of Claimant)
Rt. 1 Box 59 Juliaetta, IDAHO 83535 Telephone No: 208-843-2140
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) 8-1-72
A claim is not acceptable on a surface water source with a priority later than May 20, 1971.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground Water tributary to

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)

Quantity	<u>.05 cfs.</u>	Use	<u>Domestic</u>	Period of Use From	<u>1-1</u>	to	<u>12-31</u>
Quantity	<u>.30 cfs.</u>	Use	<u>Irrigation</u>	Period of Use From	<u>4-1</u>	to	<u>11-15</u>
Quantity	<u>.01</u>	Use	<u>Stockwater</u>	Period of Use From	<u>1-1</u>	to	<u>12-31</u>

4. .36 cfs. TOTAL QUANTITY USED.
(cfs. af)

5. A) Location of point of diversion is S.W. ¼ of S.E. ¼ of S.E. ¼, Govt. Lot _____
Sec. 14 Township 36 Range 4 W B.M. Nez Perce County; additional points of diversion
if any:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Domestic well pump. 2 H.P. sub-pump
18 1/2' deep

6. **A) Describe place of use within each 40-acre tract in the appropriate box using the following symbols in the appropriate tract. D - domestic, S - stockwater, X - other**

[illegible]

B) Fully describe the use, being as specific as possible: Domestic water Irrigation & stock water

NOTE: Include here the type and number of stock watered: 4-6 head cattle and one horse

7. Remarks: There has been numerous dwellings under construction in this immediate area all with drilled wells. We would like to protect our right to water



Scale: 2 inches equal 1 mile

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system. Attach an aerial photograph of the place of use if available.

State of Idaho)
County of Nez Perce) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sheryl J. Smith
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 3 day of April, 1995.



Denise Samuels
Notary Public
Residing at: Lewisiston, ID

My commission expires: 1/28/95

FOR DEPARTMENT USE ONLY

Received by db
Prelim. check by db
\$100.00 receipted by db
Receipt # NDO 8760

Date 4/4/95
Date 4/4/95
Date 4/4/95

Published in

NOTIFIED

Exceptions filed by

Dates

JUN 30 1995