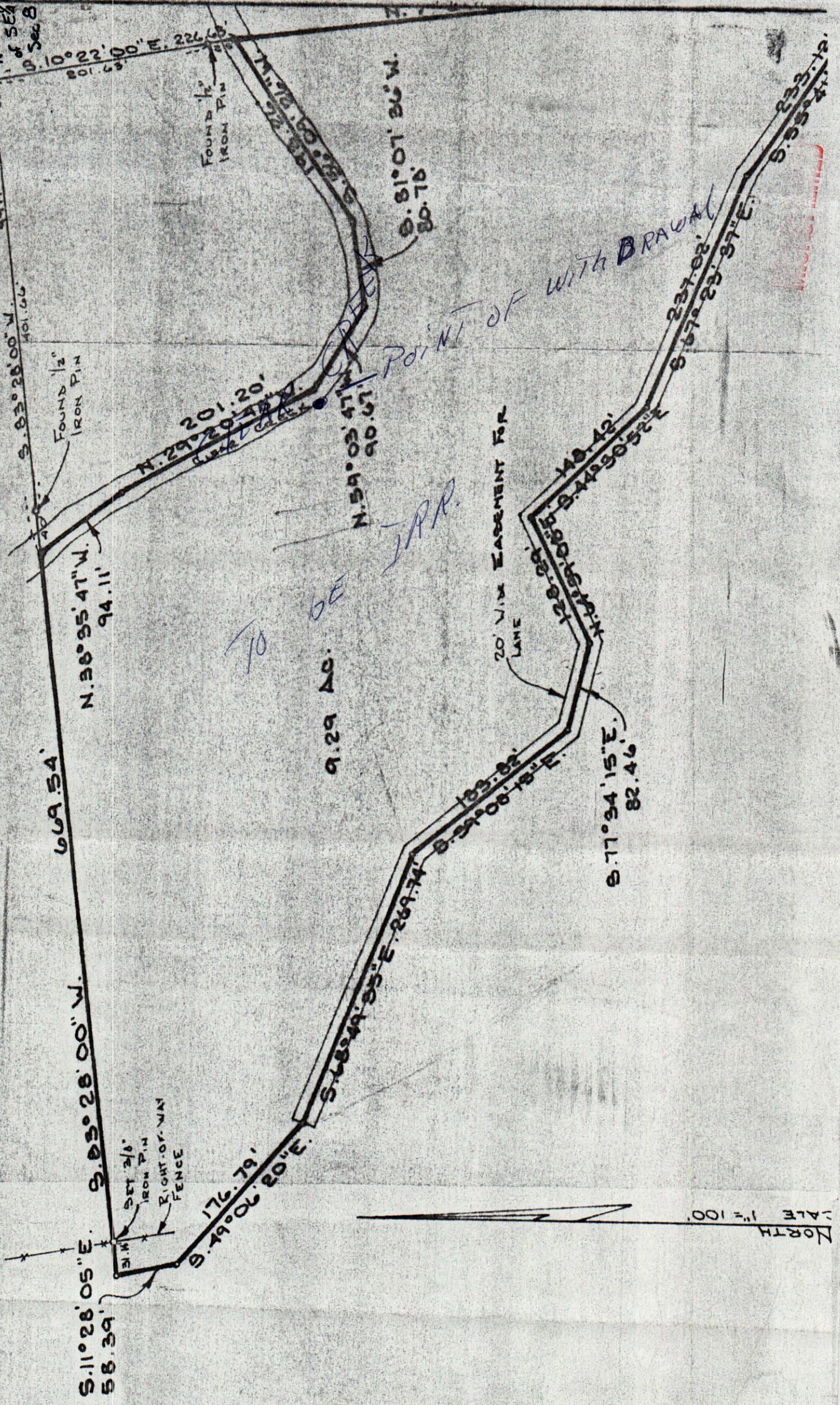


Ben J Smith
 Pt 1 Lot 368
 Koshk, Ill. 83539
 926-0131

11



**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Ben L. Smith, Route 1, Box 36-B, Kooskia, Idaho has on August 13, 1976 submitted Application No. 81-7041 for a permit to appropriate 0.18 cubic feet per second of water from Clear Creek, tributary of Clearwater River by means of pump within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 31N, R. 5 E, B.M., Idaho County to be used from April 1 to Oct. 30 for the irrigation of 9.29 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 31N, R. 5E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before September 20, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on Sept. 1 and Sept. 8, 1976.

S1-8

RECEIVED

SEP 10 1976

Department of Water Resources
Northern District Office

AFFIDAVIT OF PUBLICATION

Nona Donaldson

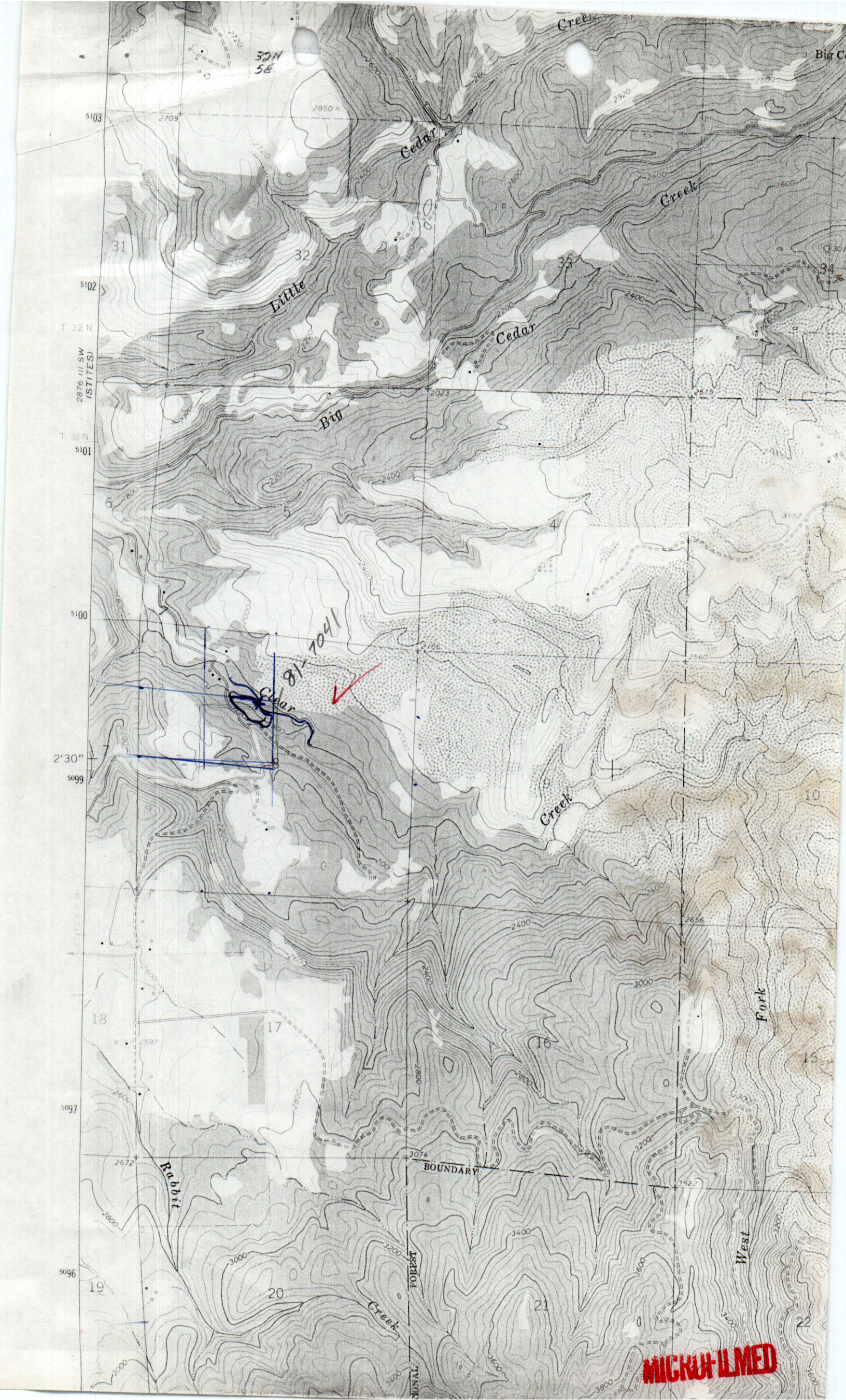
..... being first duly
Office Manager
sworn, says he is the
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for 2 weeks,
being published 2 times, the first publication being
on the 1 day of September 197⁷⁶,
and the last publication on the 8 day of
..... September 197⁷⁶; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Nona Donaldson
.....

Subscribed and sworn to before me this 9 day
of September 197⁷⁶.....

Marilyn J. Stolley
....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

MICROFILMED



MICROFILMED

WATER RIGHT LICENSE

License of Water Right No. 81-7041 Priority August 13, 1976 Amount 0.13 cfs

THIS IS TO CERTIFY, that Ben L. Smith
of Kooskia, Idaho, has complied with the terms and conditions of Permit
No. 81-7041 issued pursuant to Application for Permit dated August 13, 1976,
and has submitted proof to the Department of Water Resources on August 12, 1981,
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 0.13 cfs of water from Clear Creek,
tributary to Clearwater River, 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
Irrigation	from April 1	to October 30	at 0.13 cfs and	27.0 acre feet
	from	to	at	cfs and
	from	to	at	cfs and

(both dates inclusive)

Subject, however, to the condition that no more than 0.13 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 27.0 acre feet per year, said waters to be diverted within the SE1/4NW1/4 Section 8, Twp 31N, Rge 5E in the County of Idaho

Description and location of place of use:

[illegible]

Total number of acres irrigated 9

MICROETI MED

Identification No. 81-7041

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Ben L. Smith Phone: 926-0131
post office address Route 1, Box 36-B, Kooskia, Idaho 83539
2. Source of water supply Clear Creek which is a tributary of Clearwater River
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 31N
Range 5E B.M. Idaho County; additional points of diversion if any: _____

- 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 0.18 for Irrigation purpose from April 1 to Oct. 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.18 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Electric pump.

- 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 \$ 5,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
31N	5E	8								9.29									9.29

Total number of acres to be irrigated 9.29

c. Describe any other water rights used for the same purposes as described above. None

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

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

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

10. Remarks

(See Attached Map)

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.

x Em F. Smith
(Applicant)

Proposed Priority 8-13-76

Received by cp Date 8-13-76 Time 11:00 am

Preliminary check by RCH Fee \$ 10.00

Receipted by cp Date 8-25-76 (Rec. #4366)

Publication prepared by cp Date 8-27-76

Published in Idaho County Free Press

Publication dates 9-1 & 9-8-76

Publication approved cp Date 9-13-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RCH BDF

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. 81-7041, and said application is hereby APPROVED.

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

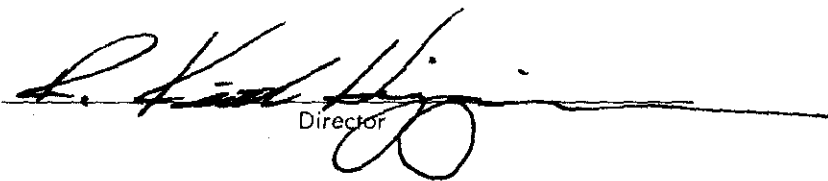
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 81.

c. Other: _____

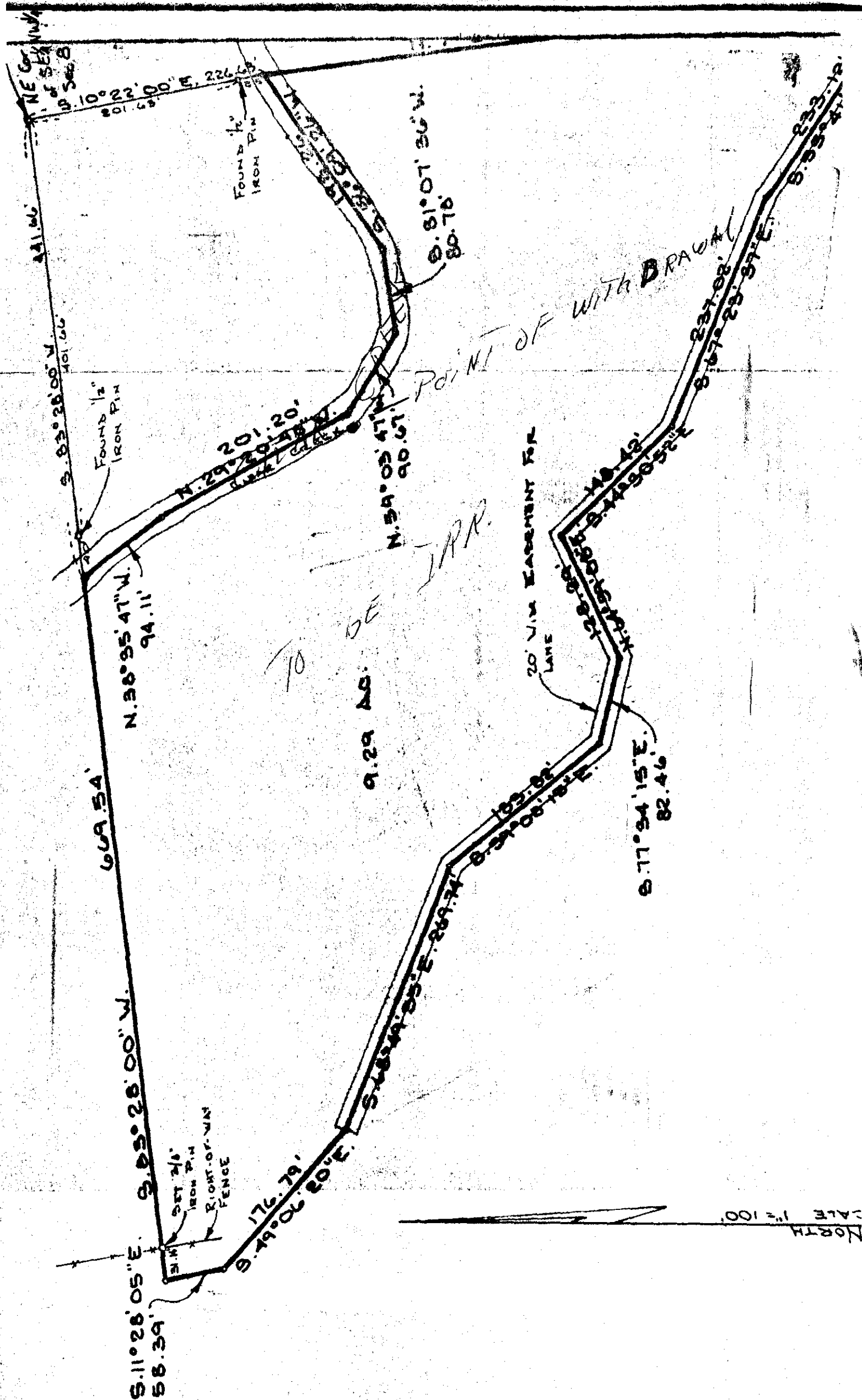
2. Denial of said application is for the following reasons: _____

Witness my hand this 2 day of October, 1976.


Director

11

Ben J Smith
 Rt 1 Box 368
 Knoxville, TN 37639
 926-0131



Gen L Smith
Rt. 1 Box 36B
Kootenai, Idaho 83539
926-0131

Property Description

A parcel of land located in part of the SE 1/4 NW 1/4 of Section 8, T.31N., R.5E. B.M., described as follows:

Commencing at the Northeast corner of said SE 1/4 NW 1/4 of Section 8; thence S.83°28'00"W. 441.66 feet along the North line of said SE 1/4 NW 1/4 of Section 8 to the Point of Beginning, being on the centerline of Clear Creek;

thence continue along said North line of the SE 1/4 NW 1/4 of Section 8 S.83°28'00"W. 669.54 feet; thence S.11°28'05"E. 58.39 feet along the centerline of a County Road; thence S.49°06'20"E. 176.79 feet along said centerline; thence along the centerline of a Lane 20 feet in width the following courses:

S.68°49'35"E. 269.74 feet; thence S.39°08'15"E. 183.82 feet; thence S.77°34'15"E. 82.46 feet; thence N.64°39'08"E. 128.29 feet; thence S.44°30'52"E. 148.42 feet; thence S.67°23'37"E. 237.02 feet; thence S.55°41'36"E. 233.12 feet;

thence N.7°29'39"W. 612.88 feet to a point on the point of intersection of the centerline of said Clear Creek and the East line of said SE 1/4 NW 1/4 of Section 8; thence along said centerline of Clear Creek the following courses:

S.56°09'26"W. 198.26 feet; thence S.81°07'36"W. 80.78 feet; thence N.59°03'47"W. 90.67 feet; thence N.29°20'48"W. 201.20 feet; thence N.38°35'42"W. 94.11 feet to the Point of Beginning.

Containing an area of 9.29 acres.
SUBJECT TO an easement for a Lane 20 feet in width for access, lying 10 feet either side of the centerline described in above described parcel.

JAMES W. GROW AND ASSOCIATES

1229 IDAHO STREET

LEWIS

743-6301

I, James W.
under my s

RECEIVED

SEP 16 1976

Department of Welfare
Northern District

AFFIDAVIT OF PUBLICATION

Nona Donaldson

..... being first duly
Office Manager
sworn, says he is the
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for ² weeks,
being published ² times, the first publication being
on the ¹ day of September ⁷⁶, 197.....,
and the last publication on the ⁸ day of
September ⁷⁶, 197.....; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

.....*Nona Donaldson*.....

Subscribed and sworn to before me this ⁹ day
September ⁷⁶
of ⁷⁶, 197.....

.....*Marilyn J. Stolley*....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

January 13, 1986

RE: Permit No. 81-7041

Ben L. Smith
Rt. 1, Box 368
Kooskia, ID 83539

Dear Mr. Smith:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

December 12, 1985

RE: Permit No. 81-7041

Ben L. Smith
Rt. 1, Box 368
Kooskia, ID 83839

Dear Permit Holder(s):

A representative of this Department made an examination of the works covered by your Permit No. 81-7041 and has found the following:

Amount of water that can be recognized as beneficially used
under Idaho law: 0.13 cfs Source: Clear Creek trib to
Clearwater River

The maximum quantity diverted shall not exceed 27.0 acre feet
per year.

Point(s) of diversion: SENW, Sec. 8, Twp 31N, Rge 5E

Beneficial Use: Irrigation of 9 acres within SENW, Sec. 8, Twp
31N, Rge 5E

Priority date established: August 13, 1976

Conditions (if any):

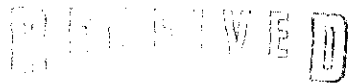
If you do not concur with these findings, please contact us within 10 days;
otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

001 4 1983

81-7041

Permit No.

CONTACT WITH PERMIT HOLDER

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

EXAMINATION

Date 8/25/83 Accompanied by Howard Walker Total Q measured 0.13 cfs

If source is surface water, estimate total flow of source 5.0 cfs

Methods of measurement Pressure/Calc Meets Permit requirements? Yes

Measurement calculations: 5 Nelson P-2 @ 20 psi = 5.0 gpm ea / one 2.5 gpm lawn sprinkler
8.0 (1.5) 80%
2.33 (30) + 30
0.11 cfs
9 (5) + 4 + 2.5 = 21.5 cfs
448.8
0.12 cfs (1.9835) 212 = 50.46 AF
3.0 (9) = 27.0 AF
= 0.1258 ~ 0.13 cfs
V = 0.13 x 1.9835 x 213 = 54.9 AF
3 Buckner #860 x 1/4 @ 30 psi = 4.5 gpm ea
4 Robinbird #35 x 3/8 @ 25 psi = 5.0 gpm ea

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1.5	Sears	E-76		2702604			

System Description 3" pipe in stream with 1.5 hp motor & pump with 3" main to sprinkler system

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

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<u>Irrigation</u> ✓	<u>0.13</u>	<u>27.0</u> ✓	<u>4-1</u> ✓	<u>10-30</u> ✓
				<u>213 days</u>
Total	<u>0.13</u>	<u>27.0</u> ✓		

Remarks

MICROFILMED

UNCLASSIFIED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SE 1/4, SEC 8, T 31 N, R 5 E

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
31 N	5 E	8								9									9 ✓

Total = 9 ac.

Recommended Amendments:

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

Examiner's Signature

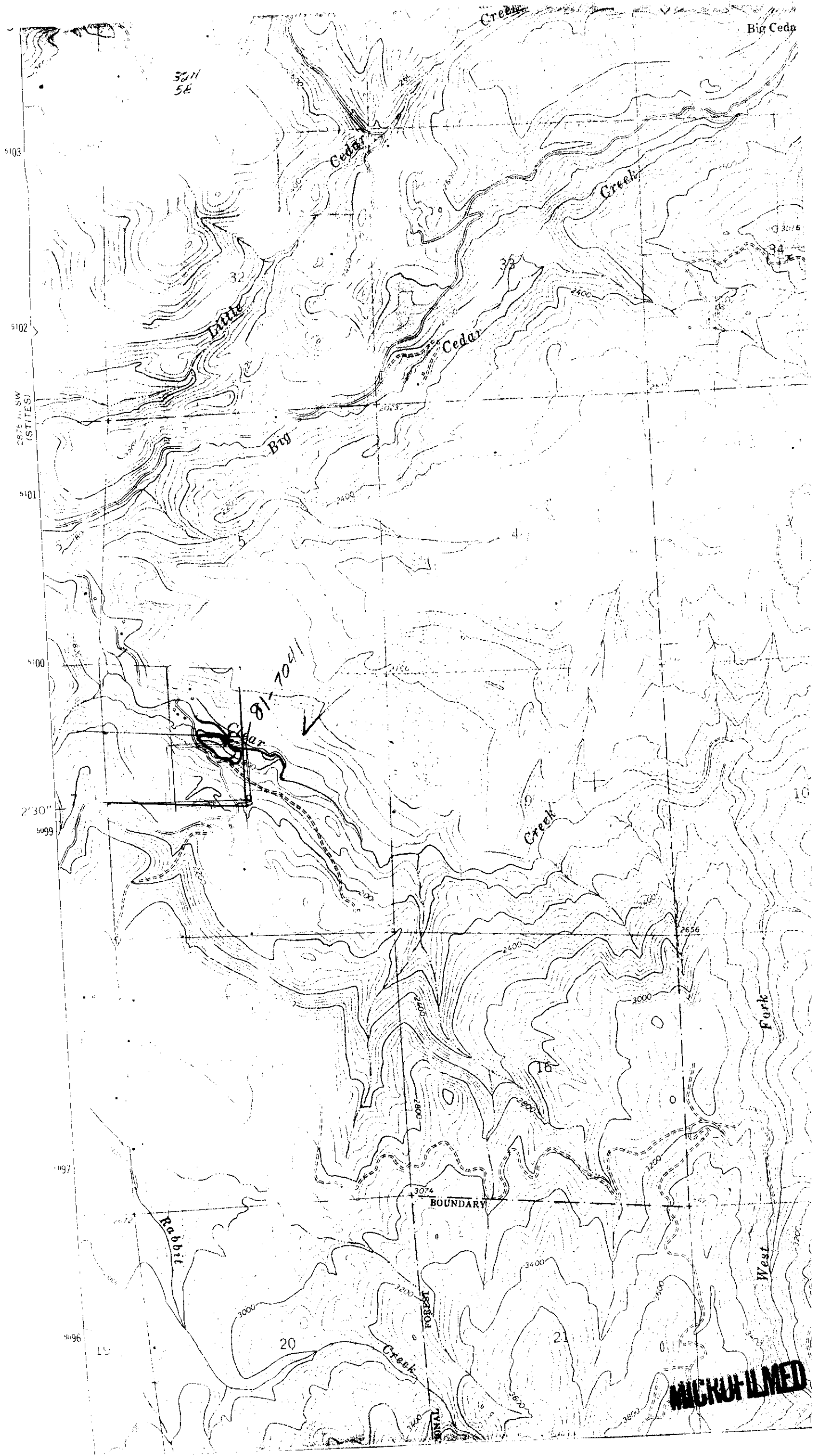
Checked by

Approved by

Date 9/14/83

Date 9/27/83

te 11-13-85



MICROFILMED

Department of Water Resources
Northern District Office
MICROFILMED

NOV 8 1981

RECEIVED

Rt. 1 Box 36-B
Kearney, Nebraska
83539

Don J Smith

If we are not available for field
examination of water development and
use, please contact our neighbors
Howard Walker Kearney, NE 83539
936-4166-phone

Alan Sims

RE: 81-7041

Nebraska Dept. of Resources
Northern District Office
#1
Rt. 5 Box 203
Coun. Bldg., Omaha 83814

11-a-81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

WILLIAM W. EVANS
Superintendent
KENNETH DUNN
Inspector

4055 Government Way
Coeur d'Alene, ID 83314
(208) 667-6184

October 9, 1981

Mr. Ben L. Smith
Attn: 1 Box PER
Conover, Id. 83239

RE: 81-7041

Dear Mr. Smith:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know if this examination will be able to conduct the examination. However, the examiner will be on duty at the time he makes the examination. If you can not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

POOR QUALITY ORIGINAL

TDK/kmg

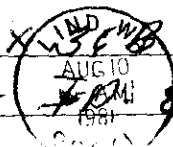
cc: IDWR - State Office

MICROFILMED

BEN & SMITH

PT 1 BOX 3539

KOOSKIA



83539



ED

AUG 12 1981

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 81-7041

Name(s) of Permit Holder: BEN L. SMITH

Post Office Address: RT 1 BOX 34B
KOOSKIA ID 83539 Tel. No. 208-926-0131

Source of Water: CLEAR CREEK

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 10 (number and type of stock)
☒ Irrigation 10 (acres)
☐ Other

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

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

8-8-81
 Date

Ben L. Smith
 Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

SMITH, BEN L.
RT. 1 BOX 366
KOOSKIA, ID 83539

138464

JULY 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 81-7041 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED

IDENT. NO. 81-7041

WATER RIGHT
DATA ENTRY LOG[illegible]

October 5, 1976

Re: Permit No. 81-7041

Ben L. Smith
Route 1, Box 36-B
Kooskia, ID 83539

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Permit No. **81-7041** . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 81-7041 Smith

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RVA 8-25-76

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) 1 _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) RVA 8-25-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) RVA 9-22-76

Comments: Should not be any supply
problems

(11) CP 9/13

Affidavit of Publication received(date) SEPT. 10, 1976

(12) CP 8/27

Final date for protests SEPTEMBER 20, 1976
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or
applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

Proposed Priority 8-13-76

Reason for Reduction _____

Measuring device required _____

See attached sheet for other conditions of
approval

☒ No special conditions for approval

(15) District Bob Jaynes By Northern Date 9-22-76

August 30, 1976

Re: Application for Permit No. 81-7041

Mr. Ben L. Smith
Route 1, Box 36-B
Kooskia, ID 83539

Dear Mr. Smith:

Attached is your receipt No. 4366 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 27, 1976

Re: Application No. 81-7041 - Ben L. Smith

Idaho County Free Press
Box 267
Grangeville, ID 83530

Gentlemen:

Enclosed is 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

Bill: 9-13-76-4

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ben L. Smith,
Route 1, Box 36-B, Kooskia, Idaho
has on August 13, 1976 submitted Application No. 81-7041
for a permit to appropriate 0.18 cubic feet per second ~~over 1000 per annum~~
of water from Clear Creek, tributary of Clearwater River
by means of pump
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 31N, R. 5E, B.M., Idaho County

to be used from April 1 to Oct. 30
for the irrigation of 9.29 acres

within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 31N, R. 5E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before September 20, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho
on Sept. 1 and Sept. 8, 1976

August 18, 1976

Mr. Ben L. Smith
Route 1, Box 36-B
Kooskia, ID 83539

Dear Mr. Smith:

Pursuant to our telephone conversation, we have typed your Application for Permit and we are returning it for your review and signature. Also enclosed is your Check No. 92-308 in the amount of \$10.

Please check all items on the form and if they are in order, please sign at the bottom of Page 3 and return it to our office. The filing fee for 0.18 cubic feet per second of water is \$10.

Feel free to contact us if there are any questions.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosures

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant BEN L. Smith Phone: 926-0131
post office address Rt. 1 Box 36 B Kooskia, Id. 83539
2. Source of water supply CLEAR CREEK which is a tributary of CLEARWATER RIVER
3. a. Location of point of diversion is N.E. SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 31N
Range 5 B.M. Idaho County; additional points of diversion if any: _____
- 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 1.00 for IRRIGATION purpose from April 1 to Oct. 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 100 for IRRIGATION purpose from April 1 to Oct. 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.00 cubic feet per second and/or
b. 100 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump (e/e/e)

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 \$ 5000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

HAND DESCRIPTION & MAP ENCLOSED.

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	
31 N	5	8	10#							2.29									

Total number of acres to be irrigated ~~10.77~~ 9.29#

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

- 9. a. Who owns the property at the point of diversion Ryan T. Smith
- b. Who owns the land to be irrigated or place of use Ryan T. Smith
- 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

ON ATTACHED
MAD

Ben Z. Forward
(Applicant)

Received by CP Date 8-13-76 Time 11:00 A.M.

Preliminary check by _____ Fee \$ _____

Received by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. Other: _____

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

Witness my hand this _____ day of _____ 19____.

Director