

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07617

Priority: October 1, 1981

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

1.4 AF

This is to certify, that KURTTIS B SMITH
9562 S MARSH CREEK RD
MC CAMMON ID 83250

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 1, 1981; and
has submitted Proof of Beneficial Use on April 27, 1987. An examination indicates
that the works have a diversion capacity of 17.000 cfs of water from:

SPRINGS

tributary to SINKS

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>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.06 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNWSW , Sec. 22, Township 09S, Range 36E
BANNOCK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09S 36E 22

NWSW

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

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 which 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion located in NWNWSW, S22, T9S, R36E.
6. Domestic use is for 1 home.

RECORDED
OCT 8 1987

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07617

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 26TH
day of NOVEMBER, 1977.


Acting for KARL J. DREHER, Director

MICROFILMED

DEC 08 1987

State of Idaho
Department of Water Resources

RECEIVED

NOV 26 1997

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07617

Date of Priority: October 1, 1981

Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 1.4 AF

Comes now KURTTIS B SMITH
9562 S MARSH CREEK RD
MC CAMMON ID 83250

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29-07617, and requests that the permit be changed as follows:

Source: SPRINGS

tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.06 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNWSW , Sec. 22, Township 09S, Range 36E
BANNOCK County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09S 36E 22 NWSW

PLACE OF USE:

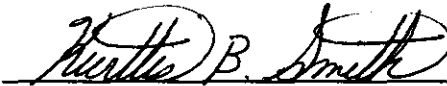
DOMESTIC, same as STOCKWATER use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Mc Cammon, Id., this 21 day of NOVEMBER, 1997.

MICROFILMED

DEC 08 1997


(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07617

FOR DEPARTMENT USE ONLY

Preliminary check by SUT Fee = 5000 Receipted by BS # CA0705 Date 11/26/97

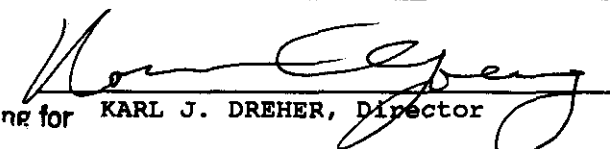
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 29-07617 with the following;

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 which 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion located in NWNWSW, S22, T9S, R36E.
6. Domestic use is for 1 home.

Witness my hand this 26TH day of NOVEMBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED
DEC 08 1997

RECEIVED
APR 27 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

Department of Water Resources

PROOF OF BENEFICIAL USE

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

Permit No. 29-7617

Name(s) of Permit Holder: Kurttis B. Smith ✓

Post Office Address: ⁹⁵
5962 S. March Creek Rd. ✓

McCammon, ID 83250 ✓

X Telephone No. 208-254-3120

Source of Water: springs ✓

Extent of Use:

X Domestic 1 ✓ (number of households)

Stockwater 70 head ^{SHEEP} (number and type of stock)

Irrigation _____ (acres)

Other/Remark _____

X Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: _____

Measuring Device: Required? Yes X No
Installed? Yes X No

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

Flow Measurement Port: Required? Yes X No
Installed? Yes X No

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

X KURTIS SMITH 254-3120
(Name) (Telephone Number)

9562 SO. MARSH CREEK RD., McCAMMON, ID. 83250
(Address)

MICROFILMED

JUL 02 1987

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

X APR. 20, 1987
Date

X Kurttis B. Smith
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Kurttis B. Smith Phone 254-3170

Post office address Star Route Box 291 McCammon, Idaho 83250

2. Source of water supply Springs which is a tributary of Sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 9S

Range 36E B.M. Bannock County, additional points of diversion if any:

two points

4. Water will be used for the following purposes:

Amount 0.28 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.06 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. 0.34 cfs cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Spring head box, holding pond and sprinkler system

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

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 9S

Range 36E B.M.

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

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

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

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

MICROFILMED

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

TWP	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
9S	36E	22									3	11							14

Total number of acres to be irrigated 14

c. Describe any other water rights used for the same purposes as described above. Claim 29-4097 and 29-4045

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

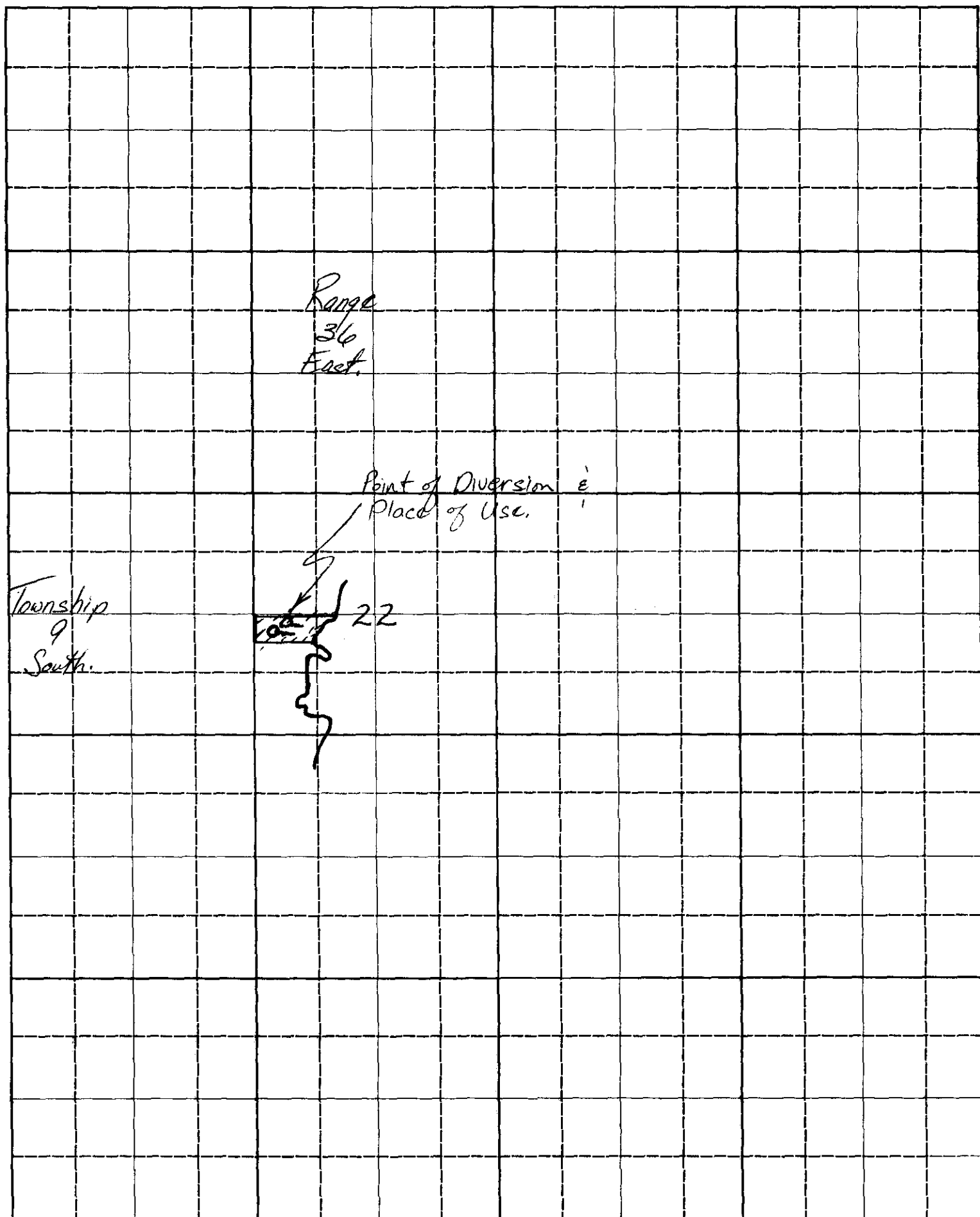
b. Who owns the land to be irrigated or place of use Applicant

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 Applicant proposes to develop two springs which currently rise and sink on his property.

MICROFILMED

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



Scale: 2 inches equal 1 mile.

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

Walter B. Smith

(Applicant)

MICROFILMED

Proposed Priority 10/1/1981

Drafted by EMC

Received by EMC Date 10-1-81 Time 3:30.

Preliminary check by SM Fee \$ 45.00

Receipted by BLS Date 10-1-81 # 19102

Publication prepared by BLS Date 10-6-81

Published in Idaho State Journal

Publication dates 10-15^{and} 10-22-81 RE-AD 11/05 & 11/12/81

Publication approved CW Date 11-18-81

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EMC RC

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. 29-7617, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 87.

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

d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 19th day of May, 1982.

J. Glen Saxton
Chief, Operations Bureau

MICROFILMED

State of Idaho

License and Certificate of Water Right

Water License No. **80068**

Amount **Two second feet**

Water District No. _____

Priority **April 24, 1907**

THIS IS TO CERTIFY that FRED H. BISHOPP

of **McCammon, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **April 24, 1907**; that Permit No. **80068** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **2.5 second feet**, was issued thereunder on **March 22, 1908**, showing that said works were completed on the **15th** day of **March, 1908**; and that on the **5th** day of **May, 1908**,

FRED H. BISHOPP

of **McCammon**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **March Creek**, a tributary of **Fortneuf River**, for the purpose of **Irrigation**, under Use Permit No. **80068** of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **8** of Licenses at page **4907**, on the **22nd** day of **July, 1908**.

The right hereby confirmed dates from **April 24, 1907**;

The Point of Diversion is located

in the **NW 1/4** **SE 1/4** **Sec. 22**, **Tp. 9 S.**, **R. 36 E.**, **N. M. Jeannet Co. 22**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **Two (2) cubic feet per second**.

Description and location of use.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	36 E.	21 22	Part of NE 1/4 NE 1/4 SW 1/4 NE 1/4 Lot 8 Lot 9 Lot 10	100	on 80 20 80 80 100
Number of Acres Actually Irrigated					100

MICROFILMED

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

ss.

NOV 16 1981

Department of Water Resources
Eastern District Office
Jeri Larsen

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

November 5	, 1981		, 19
November 12	, 1981		, 19
	, 19		, 19
	, 19		, 19
	, 19		, 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 12th

day of November, 19 81

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

NOV 16 1981

NOTARY PUBLIC
Jeri Larson

NOTICE OF CORRECTION

Notice is hereby given that Application No. 29-7617 in the name of Kurtis B. Smith was advertised incorrectly on October 15 and 22, 1981. The use was described as industrial.

WHEREAS, the actual use is for irrigation.

Any protests against the granting of the permit as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83402, on or before November 23, 1981.

S/A. KENNETH DUNN
Director
November 5, 12, 1981
No. 258

being first duly sworn on oath deposes and says: That _____ was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

November 2, 1981, 19____
November 12, 1981, 19____
_____, 19____, 19____
_____, 19____, 19____
_____, 19____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Subscribed and sworn to before me this 12th

day of November, 1981

Notary Public, State of Idaho
Residence: Pocatello, Idaho

PROOF OF PUBLICATION

RECEIVED

OCT 23 1981

STATE OF IDAHO
County of Bannock

ss.

Department of Water Resources
Eastern District Office

Jeri Larsen

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

<u>October 15</u>	<u>1981</u>	<u> </u>	<u>19</u>
<u>October 22</u>	<u>1981</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </u>	<u>19</u>
<u> </u>	<u>19</u>	<u> </u>	<u>19</u>

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Jeri Larsen

Subscribed and sworn to before me this 22nd

day of October, 1981

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED



PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Jeri Larsen

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-7617

SMITH, KURT TIS B.
STAR ROUTE, BOX 291, MC CAMMON,
ID 83250

Source: SPRINGS tributary to SINKS

Date Filed: 10-01-1981

Amount: 0.34 CFS

Diversion Point: NWSW Sec 22 T 09S R

36E BANNOCK CO

Use: INDUSTRIAL (0.28 CFS) from 04-01
to 11-01

DOMESTIC (0.06 CFS) from 01-01 to 12-31

Place of Use: NESW NWSW Sec 22 T 09S
R 36E

Diversion Means: SPRING HEADBOX
AND HOLDING POND

If issued, the permit(s) will be subject to
all prior water rights. Protests against
the granting of any permit must be filed
with the Director of the Idaho Depart-
ment of Water Resources, 150 Shoup Ave.,
Idaho Falls, Idaho 83402 on or before
NOVEMBER 2, 1981.

S/A. KENNETH DUNN,

Director

October 15, 22, 1981

No. 174

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of Ameri-
ca, more than 21 years of age, and the Principal Clerk of THE IDAHO
STATE JOURNAL, a daily newspaper, printed and published at Pocatello,
Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was
published in the said IDAHO STATE JOURNAL, on the following dates,
to-wit:

October 15, 1981, 19

October 22, 1981, 19

, 19, 19

, 19, 19

, 19, 19

That said paper has been continuously and uninterruptedly published
in said County for a period of seventy-eight weeks prior to the publication
of said notice or advertisement and is a newspaper within the meaning
of the laws of Idaho.

Subscribed and sworn to before me this 22nd

day of October, 1981

Notary Public, State of Idaho

Residence: Pocatello, Idaho

dt5330

VDT #18

ENTERED

EXPIRES

10/07/81 12.16

10/07/81 11.54 *10/23/81 0.

SLUG: DT174

GUIDE: WATER

AUTHOR: LEGAL

FILE: LEGAL

PAGE: 10/22

LAST USER: LEGAL

h

FT PT ERR LN# -----OUTPUT TEXT-----

1 7

1 <i<i<i<i<i

2 NOTICE OF APPLICATION

3 FOR WATER RIGHT

4 Notice is hereby given that the following
5 application(s) have been submitted for
6 permit to appropriate the public waters of
7 the State of Idaho.

8 29-7617

9 SMITH, KURTTIS B.

10 STAR ROUTE, BOX 291, MC CAMMON,

11 ID 83250

12 Source: SPRINGS tributary to SINKS

13 Date Filed: 10-01-1981

14 Amount: 0.34 CFS

15 Diversion Point: NWSW Sec 22 T 09S R

16 36E, BANNOCK Co.

17 Use: INDUSTRIAL (0.28 CFS) from 04-01

18 to 11-01

19 DOMESTIC (0.06 CFS) from 01-01 to 12-31

20 Place of Use: NESW NWSW Sec 22 T 09S

21 R 36E

22 Diversion Means: SPRING HEADBOX

23 AND HOLDING POND

24 If issued, the permit(s) will be subject to
25 all prior water rights. Protests against
26 the granting of any permit must be filed
27 with the Director of the Idaho Depart-
28 ment of Water Resources, 150 Shoup Ave.,
29 Idaho Falls, Idaho 83402 on or before
30 NOVEMBER 2, 1981.

31 S/A. KENNETH DUNN

32 Director

33 October 15, 22, 1981

34 No. 174

35 <i<i<i<i<i

RECEIVED

OCT 8 1981

**Department of Water Resources
Eastern District Office**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

November 28, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KURTTIS B SMITH
9562 S MARSH CREEK RD
MC CAMMON ID 83250

RE: WATER RIGHT NO. 29-07617

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

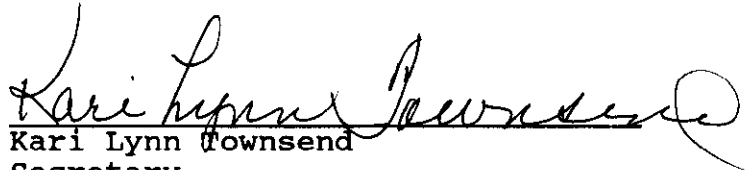
RECORDED
DEC 08 1987

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of November, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 29-07617

KURTTIS B SMITH
9562 S MARSH CREEK RD
MC CAMMON ID 83250


Kari Lynn Townsend
Secretary

RECEIVED
DEC 08 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

November 14, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KURTTIS B SMITH
9562 S MARSH CREEK RD
MC CAMMON ID 83250

RE: WATER RIGHT NO. 29-07617

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the actual use of water found by a representative of our department at the time of the field examination. The enclosed Application for Amendment contains this information. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

RECEIVED
DEC 18 1997

MEMORANDUM

TO: File 29-07617

FROM: Sharla

DATE: October 31, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 29-07617 are based on the following:

H. RECOMMENDATIONS

Stockwater	1/1 - 12/31	0.02 cfs	0.2 afa
Domestic	1/1 - 12/31	0.04 cfs	1.2 afa
	TOTALS	0.06 cfs	1.4 afa

Stockwater volume for 70 sheep is calculated as follows: $70 \times 2 \text{ gpd} \times 365 \text{ days} / 325,850 = 0.2 \text{ af}$.

Examiner: Steve Garrison
Exam Date: August 2, 1996

RECEIVED

DEC 08 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 29-07617

DATE 10/22/97

REVIEWER: SHARLA

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

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate .34 cfs
 Fee limit .04 cfs NO FEE PD.
 Measured — cfs
 Theoretical .17 cfs

Recommended Total Div Rate .06 cfs

ANNUAL VOLUME/
NATURE OF USES ✓

Use	cfs	Volume Calc	
<u>Stock</u>	<u>.02</u>	<u>~~1.2~~ .2</u>	af
<u>Dom</u>	<u>.04</u>	<u>1.2</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	af
<u>—</u>	<u>—</u>	<u>—</u>	af
SUBTOTAL	<u>.06</u>	<u>1.4</u>	af

Flow rate .06 cfs X 365 days X 1.98 = 43.4 af
 Total volume recommended 1.4 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1/1 home.
2 pld in NW NWSW

CONDITIONS

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

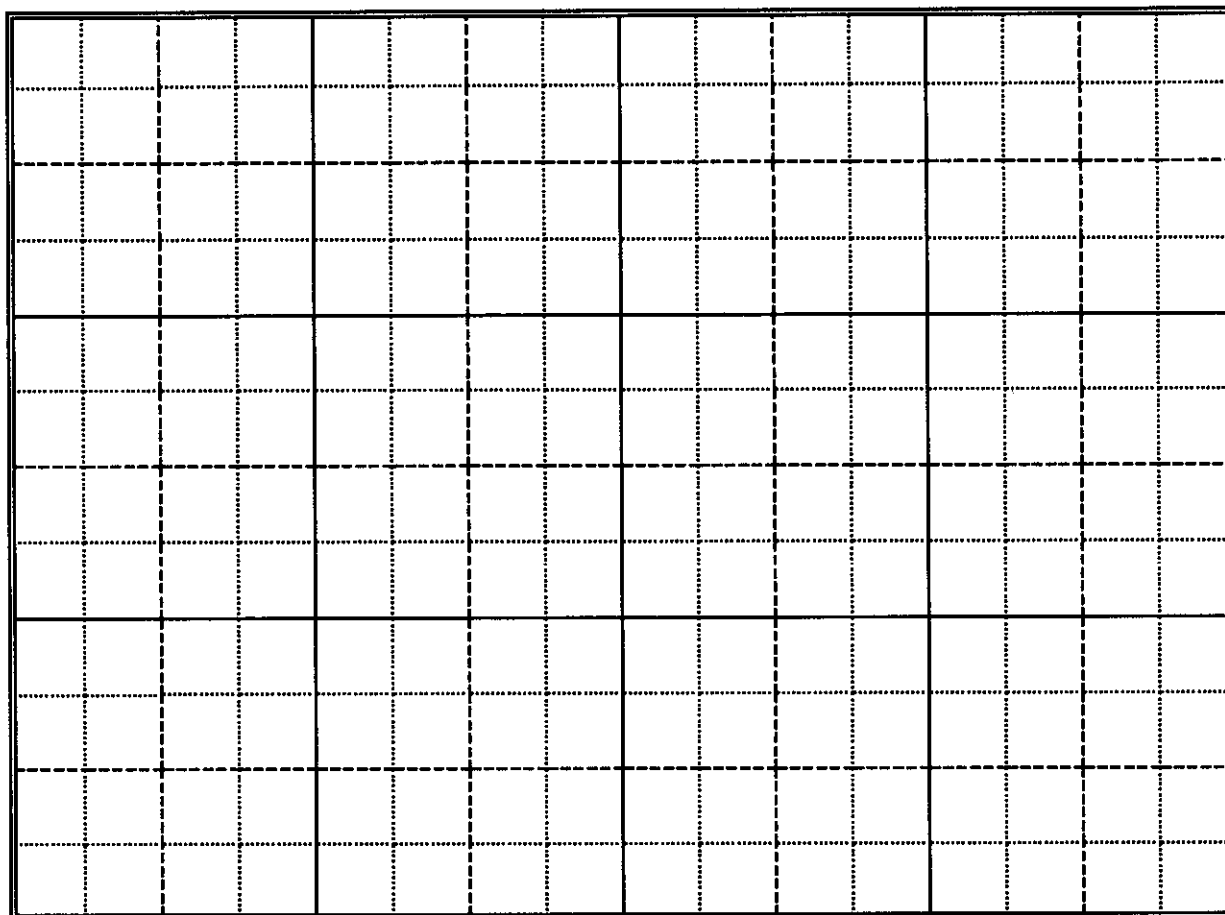
Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed ✓
 Adjustment Memo Stock vol.

1st Amend Letter P46
 2nd Amend Letter P42

DEC 08 1937

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
Pump #1	Franklin Electric	1.5	1103032483	Monarch Industries	8205
Pump #2	—	0.75	—	Gould	8-142777-20

*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
Pressure Gauge					0-60	
Theoretical	Pump #1 Pump #2					

2. Measurements: Operating PSI = 36

RECORDED

DEC 08 1937

E. NARRATIVE/REMARKS/COMMENTS

House, yard and stock troughs fed from a combination of springs into ditch and underground 2" pipe. System works with a combination of 2 pumps - 1.5 HP and 0.75 H.P. PSI at Place of Use = 36 PSI. Theoretical #1 pump - 0.11 CFS; Theoretical #2 pump - 0.06 CFS.

* Note: Springs flow in excess of amount theoretically pumped.

* Note: Mr. Smith has 3 other permits/water right applications for irrigation of 14 acres. Even though Application for Permit, submitted in 1982 requested 0.28 CFS for irrigation and 0.06 CFS, Proof of Beneficial Use filed in 1987 requested 0.04 CFS for domestic (1) and 70 head of sheep (stock watering). Two stat. claims

* 29-4045C/29-4097. 29-2269 old permit.

→ Adjudication ←

	Pump #1	Pump #2
for Theoretical:	HP = 1.5	HP 0.75
	PSI = 36	
	Eff = 70%	

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

MICROFILMED
DEC 08 1997

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$Q_{Theor} = \frac{1.5 HP (8.814) \cdot \eta_{eff}}{0' Lift + (36 PSI \times 2.308)} = 0.11 CFS$$

$$Q_{Theor} = \frac{0.75 HP (8.814) \cdot \eta_{eff}}{0' Lift + (36 PSI \times 2.308)} = 0.06 CFS$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

Change nature of use to Domestic + Stockwater

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-31	0.04	1.2 AFA
Stockwater	1-1	12-31	0.02	0.1
Totals:			0.06	2.4 AFA 1.3 afa

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 Steven Garrison Date 2 AUG 96

Reviewer _____ Date _____

SEAL

MICROFILMED

DEC 08 1997

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp) (8.814) (Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 1.5
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 0 ft.
Assumed Draw down = + 0 ft.
Lift = 0

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 36 psi

$$Q_{cfs} = \left[\frac{1.5}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{0}{Lift} + \left(\frac{36}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{9.2547}{ } \right] \div \left[\frac{83.088}{ } \right]$$

$$Q_{cfs} = \underline{0.11} \text{ cfs}$$

Pump #1

MICROFILMED
DEC 8 8 1987

PERMIT NO. 29-7617

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 0.75

Eff = Efficiency = .7 (Usually 70%)

Lift: (Static Level + Assumed Draw down)

Static Water Level = 0 ft.

Assumed Draw down = + 0 ft.

Lift = 0

OR

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 36 psi

$$Q_{cfs} = \left[\frac{0.75}{Hp} \times 8.814 \times \frac{.7}{eff} \right] \div \left[\frac{0}{Lift} + \left(\frac{36}{psi} \times 2.308 \right) \right]$$

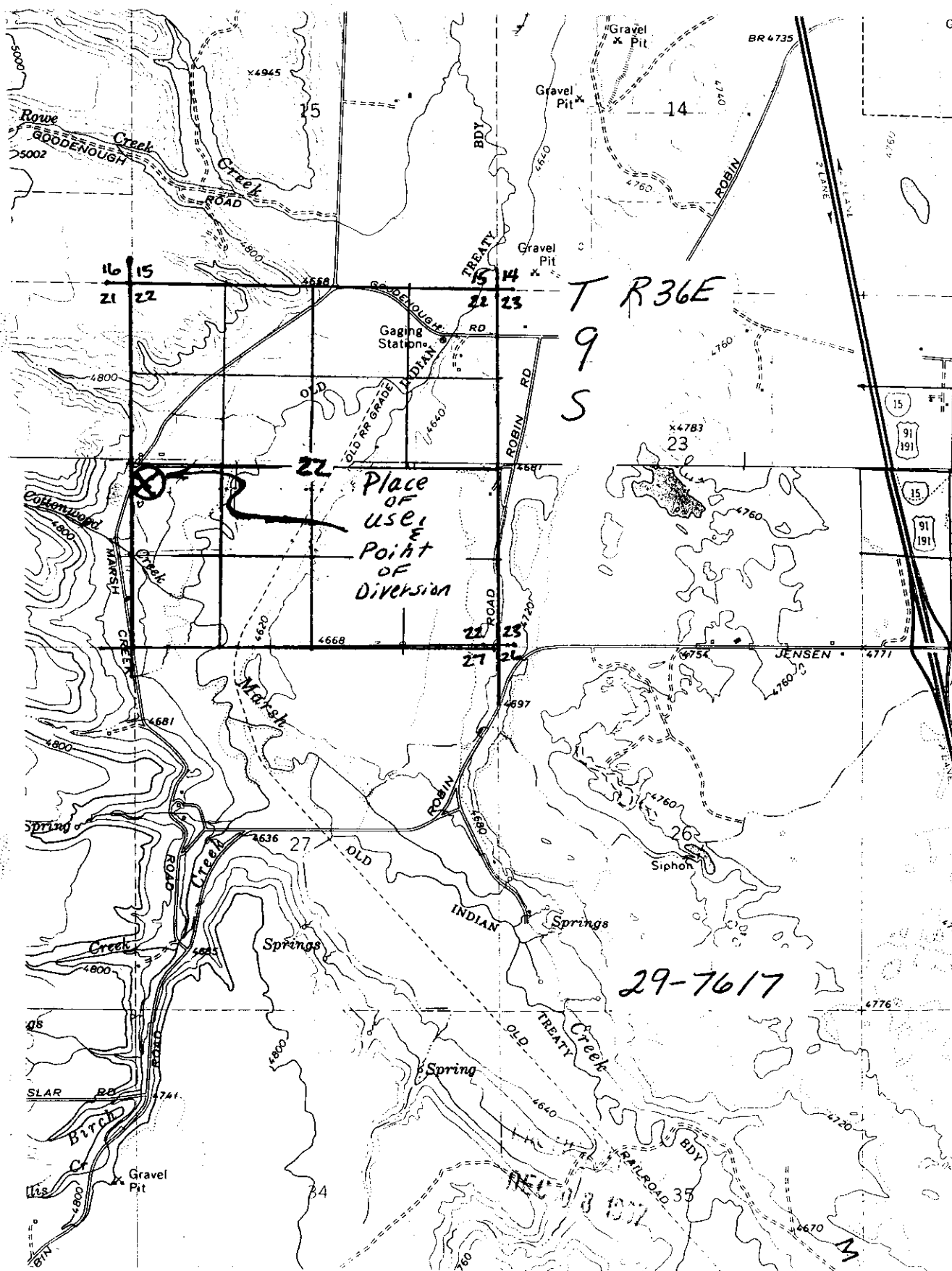
$$Q_{cfs} = \left[\underline{4.62735} \right] \div \left[\underline{83.088} \right]$$

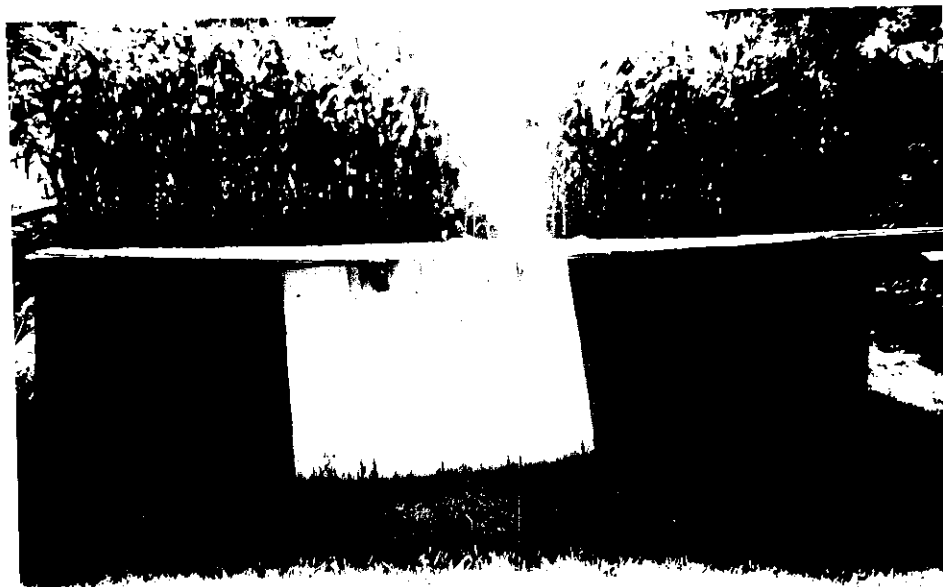
$$Q_{cfs} = \underline{0.06} \text{ cfs}$$

Pump #2

PERMIT NO. 29-7617

DEC 08 1927





holding
Tank

2AUG96

Examiner: Steven Garrison



Spring

ditch
from

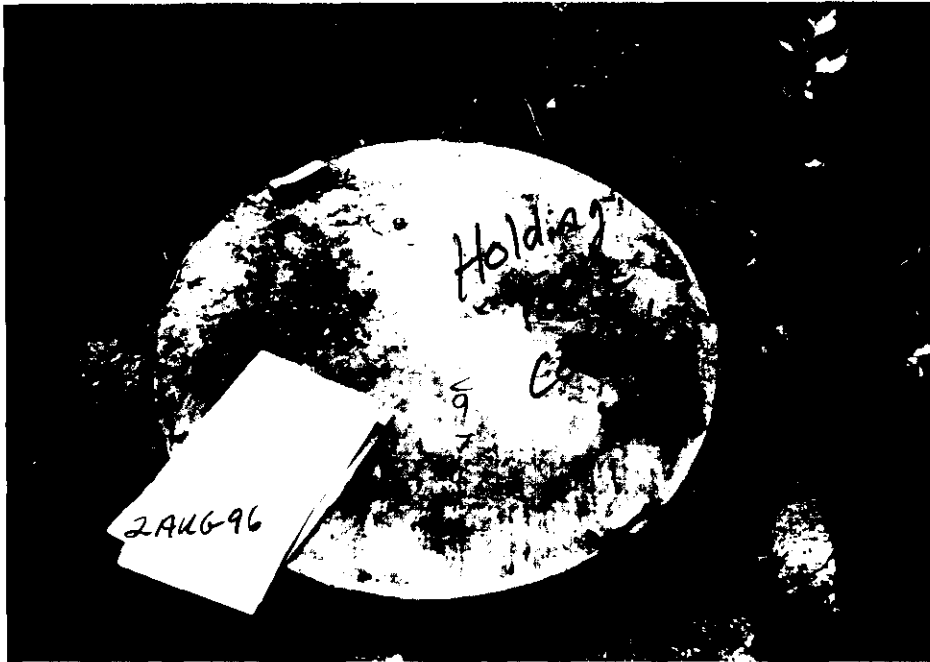
29-7617

2 AUG 96



3 HP
Pump
on
Ditch
from
South
Spring.

29-7617



Spring

29-7617

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup, Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 29, 1987

KURTTIS B. SMITH
9562 SO. MARSH CREEK ROAD
McCAMMON ID 83250

RE: Permit No. 29-7617

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

MICROFILMED
SEP 9 8 1987

April 7, 1987

Kurttis B. Smith
9562 S. Marsh Creek Rd.
McCammon, ID 83250

Dear Mr. Smith:

Re: Permit No. 29-7617

The department received your letter of March 27, 1987 explaining that modifications were made in your plan and that now your project is complete.

For the permit to move on in the water right process, you need to complete and return the proof of beneficial use form. I've taken the liberty to partially complete it for you. Please review it, make any additions or corrections, sign it and return it.

Upon receipt of the proof form, I will contact the Eastern Regional office and your name will be added to the inventory of field exams which need to be conducted.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

JUL 02 1987

Kurtis B. Smith
9562 So. Marsh Creek Rd.
Mc Cammon, Idaho 83250



STATE of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

MICROFILMED

JUL 02 1987

March 27, 1987

RECEIVED

APR 01 1987

Dear Water Resources Board:

RE: Permit No. 29-7617

Department of Water Resources

Since applying for our permit in May of 1982, many changes and improvements have been made in putting the two small springs on our place to beneficial use.

We have hauled over 50 truckloads of junk and debris from the area in and around the springs. We have put in a small collection area and some piping. We have cleaned ditches and ditch banks.

In our original application we stated that we would like to put in a spring head box, holding pond and sprinkler system. The spring we use for domestic use has a head box. During the spring and summer we put a canvas dam in the ditch and after collecting water for 12 hours, we collect enough water to pump with a 1/2 h.p. pump approximately 1 hour and 45 minutes. We are also watering approximately 75 head of purebred Suffolk sheep year around.

We don't appear to have sufficient flow from the springs to put in any kind of sprinkler system that would be economically feasible to operate. We feel that the limited amount of water from the springs has been put to completely beneficial use.

Please let us know what else we need to do to keep our permit in force.

Thank You,



Kurttis B. Smith
9562 So. Marsh Creek Rd.
Mc Cammon, Idaho 83250

MICROFILMED

JUL 02 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
FEBRUARY 28, 1987

138773

SMITH, KURTIS B.
STAR ROUTE, BOX 291
MC CANNON, ID 83250

PROOF DUE NOTICE

RE: PERMIT NO. 29-7617

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 1, 1987. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

JUL 02 1987



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

September 26, 1985

Kurttis B. Smith
Star Route Box 291
McCammon, ID 83250

Re: Permit No. 29-7617 (Kurttis B. Smith)

Dear Mr. Smith:

I have received your letter dated September 16, 1985 in connection with the above-referenced permit. A review of the water right file shows that proof of beneficial use is not due until May 1, 1987.

If you have completed project development to the extent you intend to, the proof of beneficial use can be completed and returned to the Department. If development is ongoing, you should not submit the proof yet.

Enclosed is a beneficial use form for your potential use. If you have any questions, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

1s

Enclosure

cc: Eastern Region

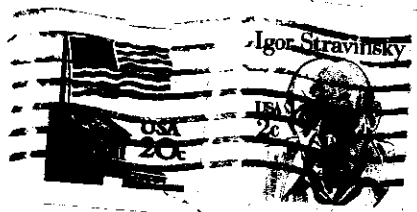
MICROFILMED
JUL 02 1987

H. Smith

9562 30. MARSH CREEK Rd.

McCammow, Id.

83250



Wats
per

L. GLEN SXTON

Chief, OPERATIONS

STATEHOUSE

BOISE, IDAHO

RECEIVED
JUL 13 1987

83720

L. Glen Saxton
Cheif, Operations Bureau
Statehouse
Boise, Idaho 83720

RECEIVED

SEP 23 1985

Department of Water Resources

Dear Mr. Saxton;

29-7617

I apologize for the oversight on my part in submitting project completion papers.

I removed brush and deadfall from around the area where the spring arises on my property in early June. A small cement cistern is now in the spring, and I have run pipe from the collection cistern to an irrigation ditch that I have cleaned and dammed with a canvas dam. At present there is not as much water coming from the spring as I had anticipated. I attribute that to the very dry conditions that we have had. The water coming from the collection cistern, will just about fill a one inch pipe.

I have only been able to irrigate my lawn and garden, via a pump, with the water thus collected. I collect enough water in a 12 hour period to irrigate for about 1 hour and 45 minutes before the ditch runs dry.

The piping and cistern have been in place since the 3rd week of June 1985. Do I still need to obtain proof of beneficial use forms?

Thank you for your time.

Sincerely



Kurttis Smith

Kurttis Smith
9562 So. Marsh Creek Road
McCammon, Idaho 83250
Sept. 16, 1985

MICROFILMED

JUL 02 1987



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.
(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

JUL 02 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SMITH, KURTTIS B.
STAR ROUTE, BOX 291
MC CANNON, ID 83250

MAY 26, 1982

RE: PERMIT NO. 29-7617

DEAR PERMIT HOLDER:

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

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

SINCERELY,

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

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

29 7617

INITIAL REVIEW BY: Per M.

APPLICATION NUMBER: 29-7617

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. Yes 29-2269-Source Marsh Ch
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: Nov 2, 1981 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10-23-81
☒ Application published correctly. If not, record action taken: Re-ad 11/23/81
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
10-1-81 Date of priority recommended.
✓ Special conditions of approval or cover letter. _____

By: Ernest Cullen Date: 5-3-82

STATE OFFICE REVIEW:

- Shw/hiz 26
☐ See attached sheet for more information.
By: Roupe Date: 5/17/82

RECEIVED
MAY 05 1982

Department of Water Resources

DATE: 4-29-82
(of exam)ACCOMPANIED BY: N.A.TOTAL MEASURED: NA.METHOD OF MEASUREMENT: no discernable flow S/N

APPLICANT CONTACTED

YES: DATE

NO: DATE May 3 contact REASON: after prepermit;
Smith's were not home on 4-29-82REASON FOR EXAM: To establish if springs tributary to sinks or
Marsh CreekACCESS (location direction): Property borders Marsh Creek RdLOCATION: Point of Diversion Confirmed
Place of Use Confirmed☒ Yes
☒ Yes☐ No (See sketch)
☐ No (See sketch)

GENERAL OBSERVATIONS: DATA FOR ADMINISTRATIVE DECISIONS

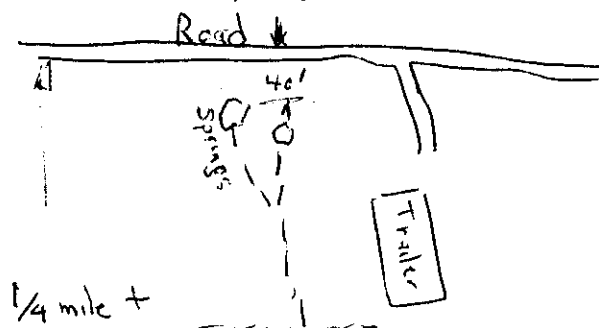
A: Source (Describe in detail i.e., flow, apparent confluence, etc)

Springs south of trailer. Water puddled but no flow as of this date
Land slopes downward from springs to Marsh creek. Series of ditches
will carry water to pump area for distribution in sprinkler system.

B: OTHER USES OF SOURCE:

C: WORK IN AREA RELATED TO APPLICATION: Front end loader or tractorhas done some minor excavation at Spring site

SKETCH:



MARSH CREEK

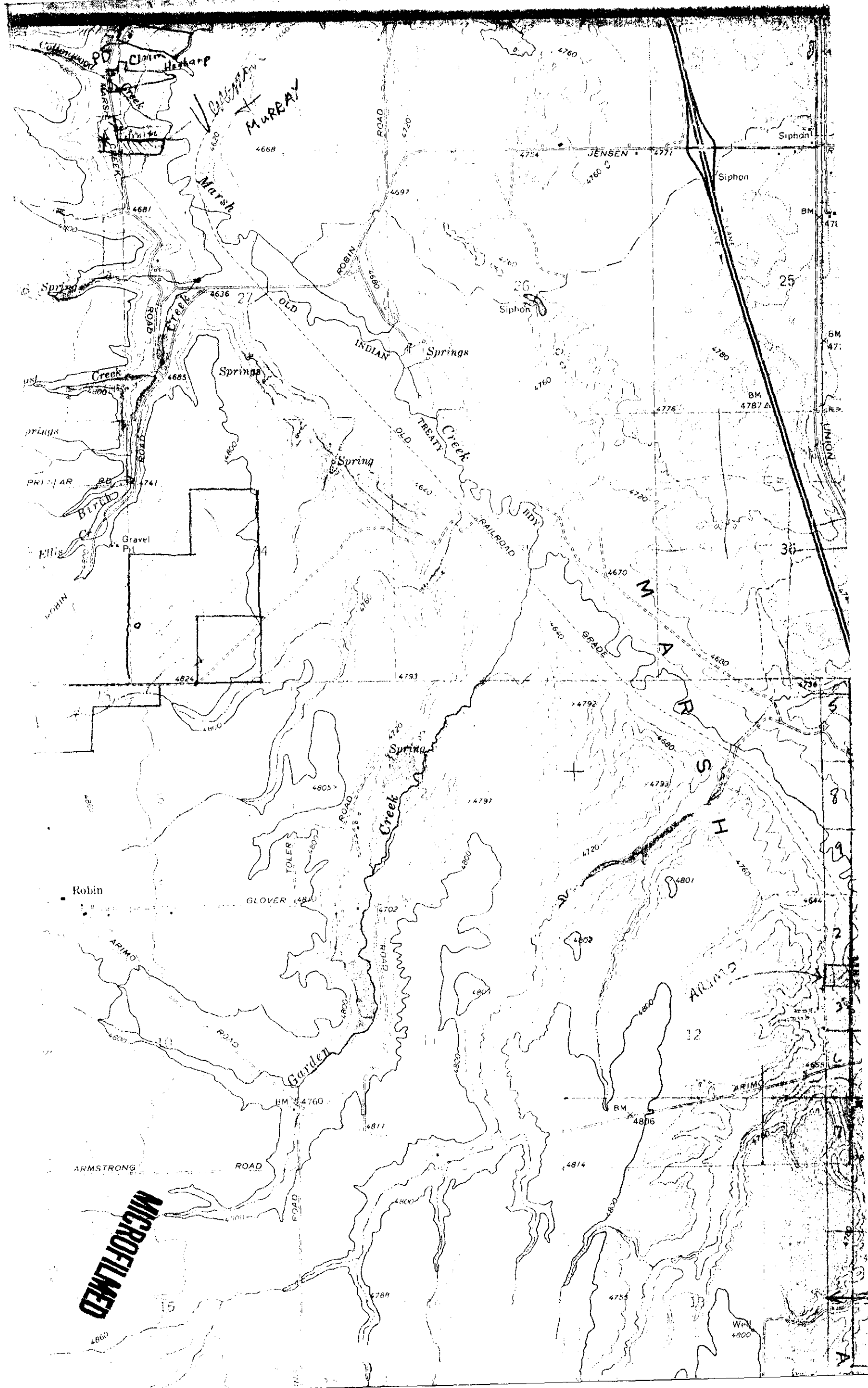
J.C. Jones

SIGNATURE

MICROFILMED

REMARKS & OPINIONS: With the Spring source at least $\frac{1}{4}$ mile
From Marsh Creek & no obvious flow at this time I would feel
that Springs are tributary to Sinks. There is an existing irrigation
ditch system which extends from Springs area however which
may be testimony to substantial flow as season progresses.

MICROFILMED



NOTICE OF CORRECTION

Notice is hereby given that Application No. 29-7617 in the name of Kurttis B. Smith was advertised incorrectly on October 15 and 22, 1981. The use was described as industrial.

WHEREAS, the actual use is for irrigation.

Any protests against the granting of the permit as a result of this correction must be filed with the Idaho Department of Water Resources, 150 Shoup, Idaho Falls, Idaho, 83402, on or before November 23, 1981.

A. KENNETH DUNN

Director

Published in the Blackfoot News, Blackfoot, Idaho, on November 5 & 12, 1981

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 6, 1981

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before NOVEMBER 2, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before NOVEMBER 2, 1981.

A. KENNETH DUNN

Director

Published 10/15 & 10/22/81.

MICROFILMED
1981

29-2612-

SMITH, KURTTIS B.

STAR ROUTE, BOX 291, MC CAMMON, ID 83250

Source: SPRINGS tributary to SINKS

Date Filed: 10/01/1981

Amount: 0.34 CFS

Diversion Point: NWSW Sec 22 T 09S R 36E, BANNOCK Co.

Use: INDUSTRIAL	(0.28 CFS)	from 04/01 to 11/01
DOMESTIC	(0.06 CFS)	from 01/01 to 12/31

Place of Use: NESW NWSW Sec 22 T 09S R 36E

Diversion Means: SPRING HEADBOX AND HOLDING POND

MICROFILMED