

T-9N R8E

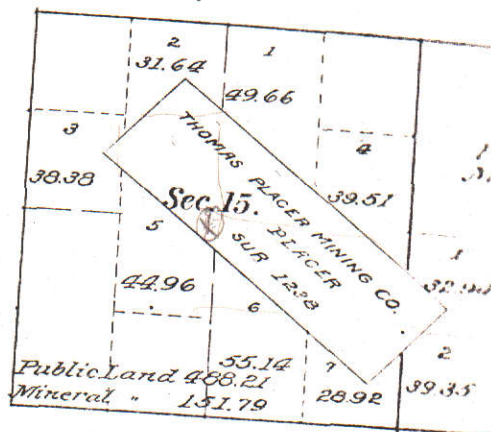
Sec. 8.

Sec. 9.

Sec. 10.

Sec. 17.

Sec. 16.



Sec. 20.

Sec. 21.

Sec. 22.

Sec. 29.

Sec. 28.

Sec. 27.

Sec. 32.

Sec. 33.

Sec. 34.

82 7013

Sec. 35.

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.

Samuel W. Smith, Jr.
Harold C. Smith
 (Applicant)

82 7013

RECEIVED

OCT 19 1972

Department of Water Administration
Northern District Office

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Samuel W. Smith Jr. & Harold G. Smith, P. O. Box 946, Los Banos, California have on September 19, 1972 submitted Application No. 82-7013 for a permit to appropriate 0.02 cubic feet per second of water from Big Elk Creek, tributary of South Fork of Clearwater River by means of pump and storage tank within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 29N, R. 8E, B.M., Idaho County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 29N, R. 8E, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before October 21, 1972.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on October 4 and October 11, 1972. 04-11

AFFIDAVIT OF PUBLICATION

Gary D. Cash being first duly sworn, says he is the Office Manager 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 two weeks, being published two times, the first publication being on the 4th day of October, 1972, and the last publication on the 11th day of October, 1972; 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.

Gary D. Cash

Subscribed and sworn to before me this 11th day of October, 1972

Richard C. Hatch

Notary Public

for State of Idaho, residing at Grangeville, Idaho.

82 7013

WATER RIGHTS WORK SHEET

IDENTIFICATION NUMBER 82-7013

<u>RECORD 01</u>	LAST NAME(40 char.)	FIRST NAME(20 char.)	ORIG. OWNER
ACTION CODE			

<u>RECORD 02</u>	ADDRESS LINE 1(30 char.)	LINE 2(30 char.)

<u>RECORD 03</u>	ADDRESS LINE 3(30 char.)	CITY(23)	STATE(2)	ZIP(5)

RECORD 04	SOURCE OF WATER(30 char.)	TRIBUTARY OF(30 char.)

RECORD 05

ACTION CODE

A. STAGE(1 char.) (A,P,L,D,S,J OR BLANK)	_____	_____
B. STATUS(1 char.) (D,L,R,C,A,I,F OR BLANK)	_____	_____
C. PRIORITY DATE(8 char.)	_____	_____
D. COUNTY OF P/D(2 char.)	_____	_____
E. TOTAL DIVERSION RATE(10 char.)	_____	_____
F. TOTAL DIVERSION VOLUME(10 char.)	_____	_____
G. TRANSFER/AMENDMENT(1 char.) (P, T, A OR BLANK)	_____	_____
H. WATER DISTRICT NUMBER(3 char.)	_____	_____
I. DLE/CARFY ACT(1 char.) (D, C OR BLANK)	_____	_____
J. RIGHT BASIS(1 char.) (for adjudications only A, B, C, D, E, F OR BLANK)	_____	_____

RECORD 06

ACTION CODE	POINT OF DIVERSION(16 char.)					
	TRACT	SEC.	TWP.	RGE.	GOV'T. LOT	RED IV.
<u>L</u>	<u>NE SW</u>	<u>15</u>	<u>29 N</u>	<u>8 E</u>		

RECORD 07 PERIOD OF USE(8 char.)

ACTION CODE	FROM	TO	USE CODE	CFS	AFA
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RECORD 08 PLACE OF USE

ACTION CODE	USE CODE	TWP.	RGE.	SEC.	TRACT	LOT	ACRES
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

RECORD 09 NAME(60 char.) DECREE DATE(8 char.)

RECORD 10 REMARKS(65 char.)

 X (This deletes all remarks.)

_____ A. _____

_____ B. _____

_____ C. _____

_____ D. _____

_____ E. _____

RECORD 11, 12 or 14 11 OTHER USES(65 char.)
 12 OTHER RIGHTS(65 char.)
 14 DIVERSION MEANS(65 char.)

RECORD ACTION CODE

RECORD 13 ACTION CODE

A. PROOF DUE DATE(8 char.) _____

B. PERMIT/DENIED DATE(8 char.) _____

C. PROTESTED DATE(8 char.) _____

C. HEARING DATE(8 char.) _____

E. OLD NUMBER(5 char.) _____

F. PROOF MADE(1 char.) _____

G. FIELD EXAM MADE(1 char.) _____
 (P, R, F OR BLANK)

H. CONDITIONS OF APPROVAL(3 char.) _____
 (8 CONDITIONS)

State of Idaho
Department of Water Resources

AMENDED WATER RIGHT LICENSE

License of Water Right No. 82-7013 Priority September 19, 1972 Amount 0.02 cfs

THIS IS TO CERTIFY, that SAMUAL W. SMITH, JR. & HAROLD G. SMITH
of Los Banos, California, has complied with the terms and conditions of Permit
No. 82-7013 issued pursuant to Application for Permit dated September 19, 1972,
and has submitted proof to the Department of Water Resources on August 15, 1977,
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 0.02 cfs of water from Big Elk Creek,
tributary to S. Fk. 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
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 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
1.2 acre feet per year, said waters to be diverted within the MS 1238 Sec. 15,
Twp. 29N, Rge. 8E, B.M., in the County of Idaho

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
29N	8E	15			X					X					X	X	X		
LOCATED WITHIN MS 1238																			

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
August, 19 79.

Director

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 82-7013 Priority September 19, 1972 Amount 0.02 cfs

THIS IS TO CERTIFY, that SAMUAL W. SMITH, JR. & HAROLD G. SMITH
of Los Banos, California, has complied with the terms and conditions of Permit
No. 82-7013 issued pursuant to Application for Permit dated September 19, 1972,
and has submitted proof to the Department of Water Resources on August 15, 1977,
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 0.02 cfs of water from Big Elk Creek,
tributary to S. Fk. 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
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and <u>1.2</u> acre feet	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 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
1.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 29N,
Rge. 8E, B.M., in the County of Idaho

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
29N	8E	15									X								

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
July, 19 79.

Director

MICROFILMED

Identification No. 82-7013

Application No. _____

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Samual W. Smith Jr. & Harold G. Smith
post office address P. O. Box 946, Los Banos, Cal. 93635
2. Source of water supply Big Elk Creek which is a tributary of South Fork Clearwater
3. a. Location of point of diversion is MS 1238 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) $\frac{1}{4}$ of Section 15 Township 29 N.
Range 8 E. 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 0.02 for Domestic purpose from Jan. 1 to Dec. 31 (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. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump & storage tank

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 \$ 500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: MS 1238 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) $\frac{1}{4}$ of Section 15 Township 29 N.
Range 8 E. 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 1.
(5) If water is to be used for other purposes describe: _____

82 7013

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

[illegible]

Total number of acres to be irrigated_____

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 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 _____

T-9N R8E

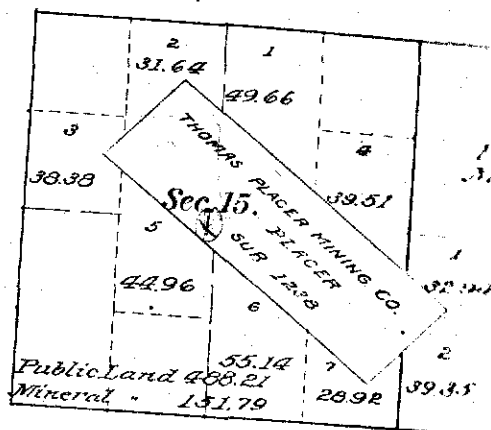
Sec. 8.

Sec. 9.

Sec. 10.

Sec. 17.

Sec. 16.



Sec. 20.

Sec. 21.

Sec. 22.

Sec. 29.

Sec. 28.

Sec. 27.

Sec. 26.

Sec. 32.

Sec. 33.

Sec. 34.

82 7013

Sec. 35.

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.

Samuel W. Smith, Jr.
Harold Smith
(Applicant)

82 7013

Received by SLP Date 9/19/1972 Time 1:20 PM
Preliminary check by SLP Fee \$ 10⁰⁰
Received by ref Date 9-19-72 rec # 8236
Publication prepared by cr Date 9-29-72
Published in Idaho County Free Press
Publication dates Oct. 4 & 11, 1972
Publication approved CP Date 10-30-72
Priority reduced to 9-19-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by 1

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 82-7013, 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 November 1, 1977.
- c. Other: _____

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

Witness my hand this 7th day of November 19 72.

P. Karl Hjort
Director

82 7013

RECEIVED

OCT 12 1972

Department of Water Administration
Boise, Idaho

**OFFICE OF APPLICATION
FOR WATER PERMIT**
Notice is hereby given that
Edward W. Smith Jr. & Harold
C. Cash, P. O. Box 542, Los
Bancos, California have on Sep-
tember 15, 1972, obtained Ap-
plication No. 62-744 for a per-
mit to appropriate 1000 cubic
feet per second of water from
Big Lost Creek tributary of South
Fork of Clearwater River by
means of pump and storage
turbine within the 1/4 Sec. 15,
T. 36N. R. 2E. E. 1/4, Idaho
County as located Section 1
to Dec. 31 for a term of years
within the 1/4 Sec. 15, T. 36N.
R. 2E. E. 1/4.
If issued, this permit will be
subject to all water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, 401 Front Ave.,
Coeur d'Alene, Idaho, 83814 on
or before October 21, 1972.
R. KEITH HIGGINSON
Director
Published in the Idaho County
Free Press, Grangeville, Idaho
on October 4 and October 11,
1972. O4-11

AFFIDAVIT OF PUBLICATION

Gary D. Cash being first duly
sworn, says he is the Office Manager
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 two weeks,
being published two times, the first publication being
on the 4th day of October, 1972,
and the last publication on the 11th day of
October, 1972; 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.

Gary D. Cash

Subscribed and sworn to before me this 11th day
of October, 1972.

Richard C. Hatch

, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

82 7013

WATER RIGHT NUMBER 82-7013

WATER RIGHTS EDIT REPORT

06/18/80

PAGE 66

ACT

ION

L DIVERSION POINT - NESW 15 29N 08E

IDENT. NO. 82-7013

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

July 31, 1979

Samual W. (Jr.) & Harold G. Smith
P.O. Box 946
Los Banos, CA 93635

Gentlemen:

RE: Water Right No. 82-7013

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

Sincerely,

JAN GROVER
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

TOTAL ACREAGE

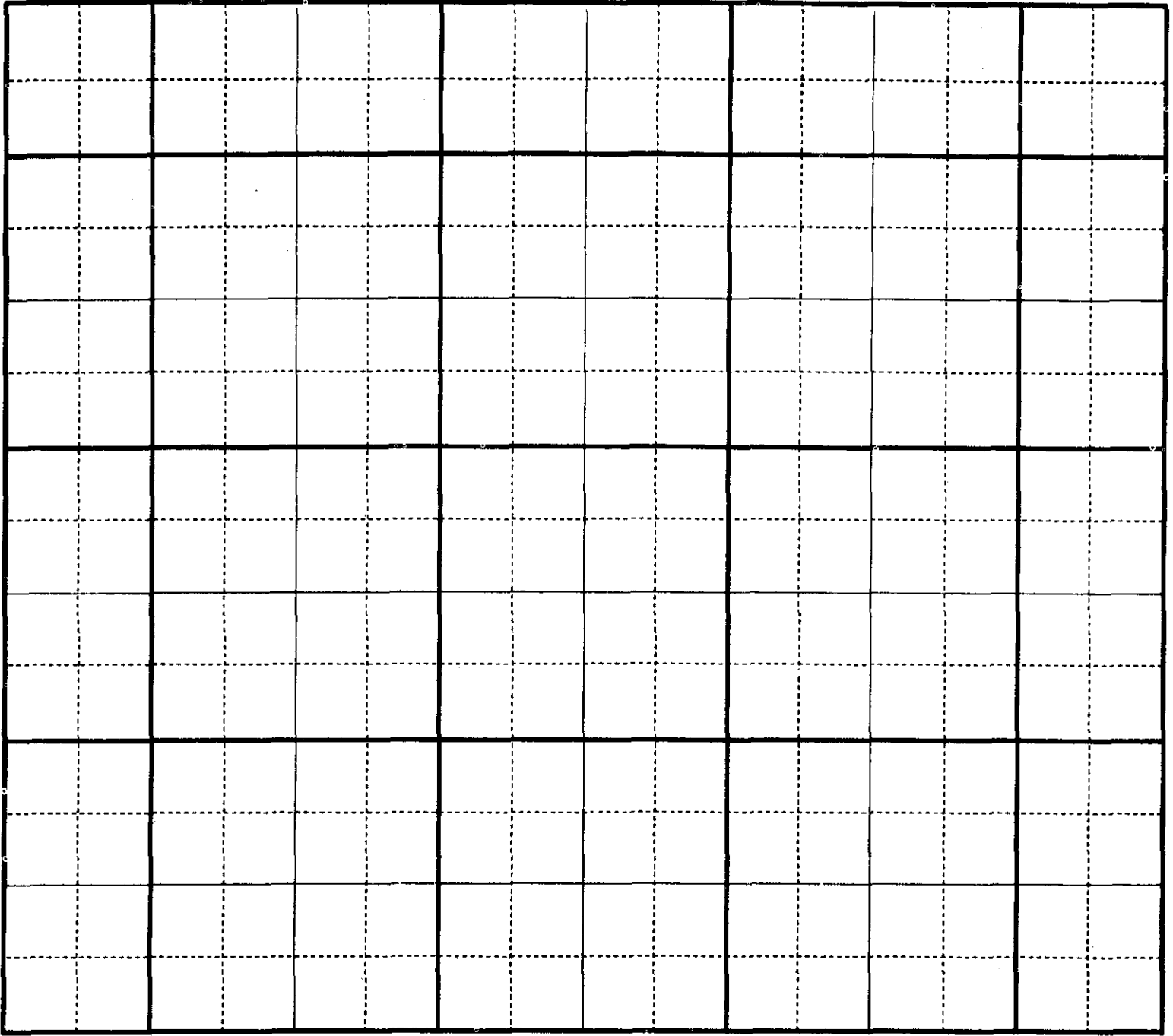


Diagram of System

DATE OF EXAM 7/25/78

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.02 c.f.s. V= 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

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

Exchange? yes _____ no _____

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

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

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

Total Q measured none made Method of measurement _____

Total Q recommended 0.02 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

One bore hole @ 0.02 cfs & 1.2 AF/Ann

SYSTEM DESCRIPTION:

Pump & pipe line to place of use

REMARKS:

Contacted neighbor pump out in evidence, but no bore holes
has been made

Examiner's Signature [Signature] Date 8/3/78
Checked by Bob Haynes Date 8/10/78
Approved by _____ Date _____

P. O. Box 946
Los Banos, California 93635
August 23, 1977

Re: Permit No. 82-7013

RECEIVED

AUG 26 1977

Idaho Department of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Department of Water Resources
Northern District Office

Gentlemen:

Enclosed is a copy of a letter, dated August 17, received from your Boise office in reference to our Water Permit No. 82-7013.

Regarding the field examination mentioned therein and to be made by a representative of your Department, we are writing to request that, because we are absentee owners residing in California, contact for purpose of inspection be made not with us, but with the lessees of our property for which application for a Water License has been made. The lessees, who have made the installation, are:

Mr. and Mrs. Lloyd Jacks
Box 43
Clearwater, Idaho 83521
(208) 926-7314

Because the system installed is portable, necessarily so on account of the possibility of theft and vandalism in a somewhat remote area, and because of the fact that our lessees are present on the premises only periodically for the purpose of caring for their livestock, it would seem imperative that advance notice of examination be given and a definite meeting time be agreed upon. Only in this way can there be assurance that both the people concerned and all of the equipment in use will be present at the site. We hope that the necessity for this arrangement will not cause any inconvenience.

Should further assistance or information from us be required, we would be pleased to cooperate in any way possible.

Sincerely,

Samuel W. Smith, Jr.
Harold G. Smith

By *Samuel W. Smith, Jr.*
SAMUEL W. SMITH, JR.

MICROFILMED

August 17, 1977

Re: Permit No. 82-7013

Samuel W. Smith, Jr.
Harold G. Smith
P. O. Box 946
Los Banos, Cal. 93635

Dear Gentlemen:

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights

jr/ab

RECEIVED
AUG 22 1977
FBI - COEUR D'ALENE
JANICE RENK
WATER RIGHTS
jr/ab

Identification No. _____

Permit No. _____

REG-7013
AUG 15 1972

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Samual W. Smith & HAROLD G. Smith
b) Post Office Address P.O. Box 946, LOS BANOS, CAL. 93635
2. Permit Number 82-7013
3. Date of Priority that you are prepared to establish 9-19-1972
4. a) Source from which water was appropriated BIG ELK CREEK
b) Location of the point of diversion: ms 1238 (NE 1/4 SW 1/4) 1/4, Section 15
Township 29 N, Range 8 E, Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.02 cfs for Domestic purposes from JAN 1 to Dec 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.02 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: N/A
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N/A
b) Describe the agreement or understanding by which you take water from the works: N/A
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) pump from creek to holding tank near house 10" pipe from tank to house
b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A
c) Give well driller's name and address and the date the well was completed: N/A

If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Domestic use for house not including drinking use.

Exam typed 8/29/72 by [signature]

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

15 August, 1977
(Date)

Samuel W. Smith, Jr.
Harold G. Smith
(Signature)

State of Idaho)
County of Ada) ss.

On this 15th day of August, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that ~~he~~ (she) (they) executed the same.

Katherine J. Weaver
Notary Public residing at Boise, ID

My commission expires 6-15-81

November 9, 1972

C
Re: 82-7013

Samual W. Smith Jr. & Harold G. Smith

P
P.O. Box 946
Los Banos, California 93635

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Permit No. 82-7013. We

P
direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

Y
BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

82 7013

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JB</u>	<u>9/22/72</u>	Application No. <u>82-7013</u> Name <u>Samuel W. Smith Jr.</u>
(2)	<u>JB</u>	<u>9/22/72</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee <u>and Harold G. Smith</u>
(3)			Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>JB</u>	<u>9/22/72</u>	In form for advertising <u>at 78</u>
(6)	<u>CR</u>	<u>10-19-72</u>	Affidavit of Publication received <u>10-19-72</u>
(7)	<u>CR</u>	<u>9-29-72</u>	Final date for protests <u>OCTOBER 21, 1972</u> Protests received: yes <u> </u> no <u>✓</u>
(8)			Date and Place of hearing <u> </u> Decision reached at hearing <u> </u> <u> </u>
(9)			Located within Water District No. <u> </u>
(10)			Critical groundwater area: yes <u> </u> no <u>✓</u>
(11)			Groundwater levels: ☐ Decline (comment) <u> </u> ☐ Stable (comment) <u> </u> ☐ Increasing (comment) <u> </u>
(12)			Comments: <u> </u> <u> </u> <u> </u>
(13)	<u>JB</u>	<u>10/26/72</u>	Action recommended: ☒ Approve Priority <u>9/12/72</u> ☐ Deny Reason for Reduction <u> </u> <u> </u> See attached sheet for conditions of approval <u>JB</u> <u>10/26/72</u> No conditions for approval
(14)	<u>JB</u>	<u>10/26/72</u>	District <u>Nathan</u> By <u>Fred E. Smith</u> Date <u>10/26/72</u> Title <u>Supervisor F</u>

RECOMMENDED

CONDITIONS OF APPROVAL

☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

September 29, 1972

Re: Application No. 82-7013 - Samuel W. Smith Jr. & Harold G. Smith
" " 85 7088 - Robert M. Bentley

Idaho County Free Press
Box 267
Grangeville, ID 83530

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

Bill submitted 10-26-72 by cl

FE:CR

Enc: Legal Notices (2)

82 7013

ALL KINDS
OF
COMMERCIAL
PRINTING
LETTERPRESS AND OFFSET



USE FREE PRESS
CLASSIFIED ADS

"THEY GET RESULTS"



TELEPHONES:
983-1070 OR 983-1071

"PROMPT SERVICE"

STATEMENT

RECEIVED

IDAHO COUNTY FREE PRESS

COUNTY SEAT NEWSPAPER OF IDAHO COUNTY — FOUNDED JUNE 18, 1886

PRINTERS AND PUBLISHERS

Order from: State of Idaho Grangeville, Idaho 83530 Oct. 11, 1972

Bill to: State of Idaho

State of Idaho
Dept. of Water Administration
401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814

DATE	INVOICE NO. / ITEMS	AMOUNT
Oct. 4-11	33 lines, 2 times--Not. Applic. #82-7013	\$ 12.21

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

IDAHO COUNTY FREE PRESS

BY: Gary D. Cash
Gary D. Cash, Office Mgr.

82 7013

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Samual W. Smith Jr. & Harold G. Smith,

P.O. Box 946, Los Banos, California

have ~~xxx~~ on September 19, 1972 submitted Application No. 82-7013

for a permit to appropriate 0.02 cubic feet per second ~~xxxxxxxxxxxxxxxx~~

of water from Big Elk Creek, tributary of South Fork of Clearwater River

by means of pump and storage tank

within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 29N, R. 8E, B.M., Idaho County

to be used from Jan. 1 to Dec. 31

for domestic purposes

within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 29N, R. 8E, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before October 21, 1972.

R. KEITH HIGGINSON

Director

Published in the Idaho County Free Press, Grangeville, Idaho

on October 4 and October 11, 1972

82 7013

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Samuel W. Smith Jr. & Harold G. Smith, P. O. Box 946, Los Banos, California have on September 19, 1972 submitted Application No. 82-7013 for a permit to appropriate 0.02 cubic feet per second of water from Big Elk Creek, tributary of South Fork of Clearwater River, by means of pump and storage tank within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 29N, R. 8E, B.M., Idaho County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 29N, R. 8E, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before October 21, 1972.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on October 4 and October 11, 1972.

04-11

O.K.
10-3-72
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82-7013