

proposed by this

proposed by this

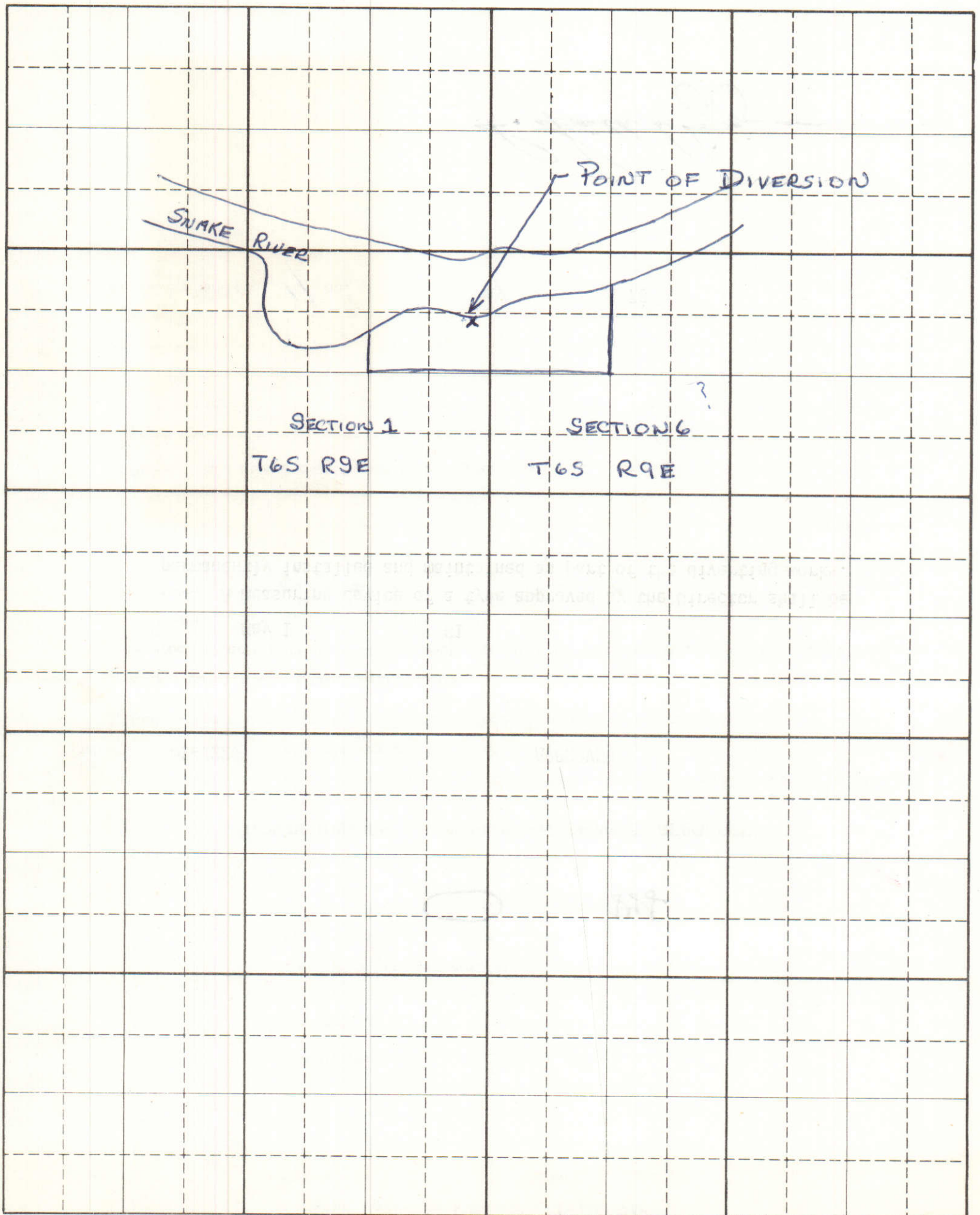
That no one will be injured by such change, and that such change will be made at permit holders own risk.

Dennis C Smith
(signature)

[Signature]
Director

NOV 12 1918

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.

Dennis C Smith
(Applicant)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Dennis C. Smith Box AB, Glens Ferry, ID has on March 29, 1976 submitted Application No. 02-7226 for a permit to appropriate 2.92 cubic feet per second of water from Snake River trib. to Columbia River by means of pump & sprinkler system within the Lot 5 Sec 1 T6S-R10E, B.M., Elmore County to be used from Apr. 1 to Oct. 15 for irrigation of 145.87 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 6 T6S-R10E; S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 1 T6S-R9E, 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, Statehouse, Boise, Idaho, 83720, on or before April 26, 1976.
R. KEITH HIGGINSON
Director
Published in the Mountain Home News, Mountain Home, ID on April 15, 1976.

OK
21-16-76
RB

RECEIVED

APR 16 1976

Department of Water Resources

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

...2... consecutive weeks, the first publication having been made on the ...8... day of ...April..., 1976, and the last publication having been made on the ...15... day of ...April... 1976...; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this ...15... day of ...April..., 1976

Lloyd S. Waters
Notary Public

UNRECORDED

02-7226
(SEC 5)

Glenns Ferry

OREGON

PACIFIC

Little Canyon Creek

BM 2536

LANDING FIELD

VABM 2536

2498

2758

2709

2

6

9E 10E

2882

2765

2765

2904

12

2817

2965

PERMIT 02-7226/7295 INIT gh
T. R. S. Q/Q
P/D SS 9E 35 SESE
SCALE 6S 9E 01 SENW
PHOTO ID. _____



1768
59

1 HEL
39.6

3 NHEL
21.7

2 HEL
46.1

1
32.7 NHEL

4 NHEL
83.1

AIR PORT

CAP
84-96

6 HEL
79.9

T89
397
1 NHEL
19.1

NHEL
24
16.0

163

NEW

NEW

HEL
5
13.9

HEL
22

NEW

02-1019
Larkspur
ABD

10 HEL
45.2

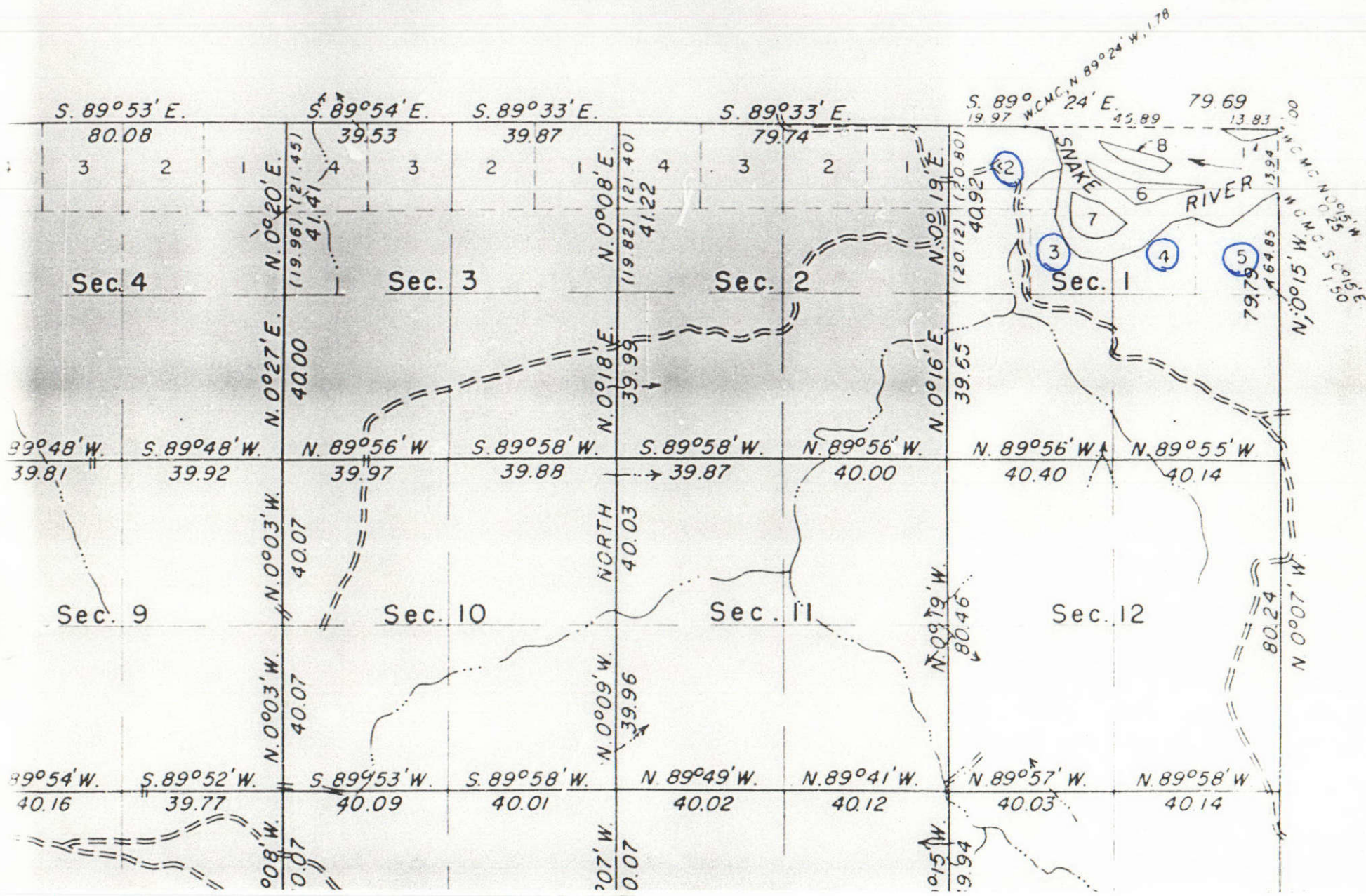
Acragage Map

PERMIT 02-7226/17295 INIT *gh*
T. R. S. Q/Q
P/D 559E 35
SCALE 659E 01
PHOTO ID. _____

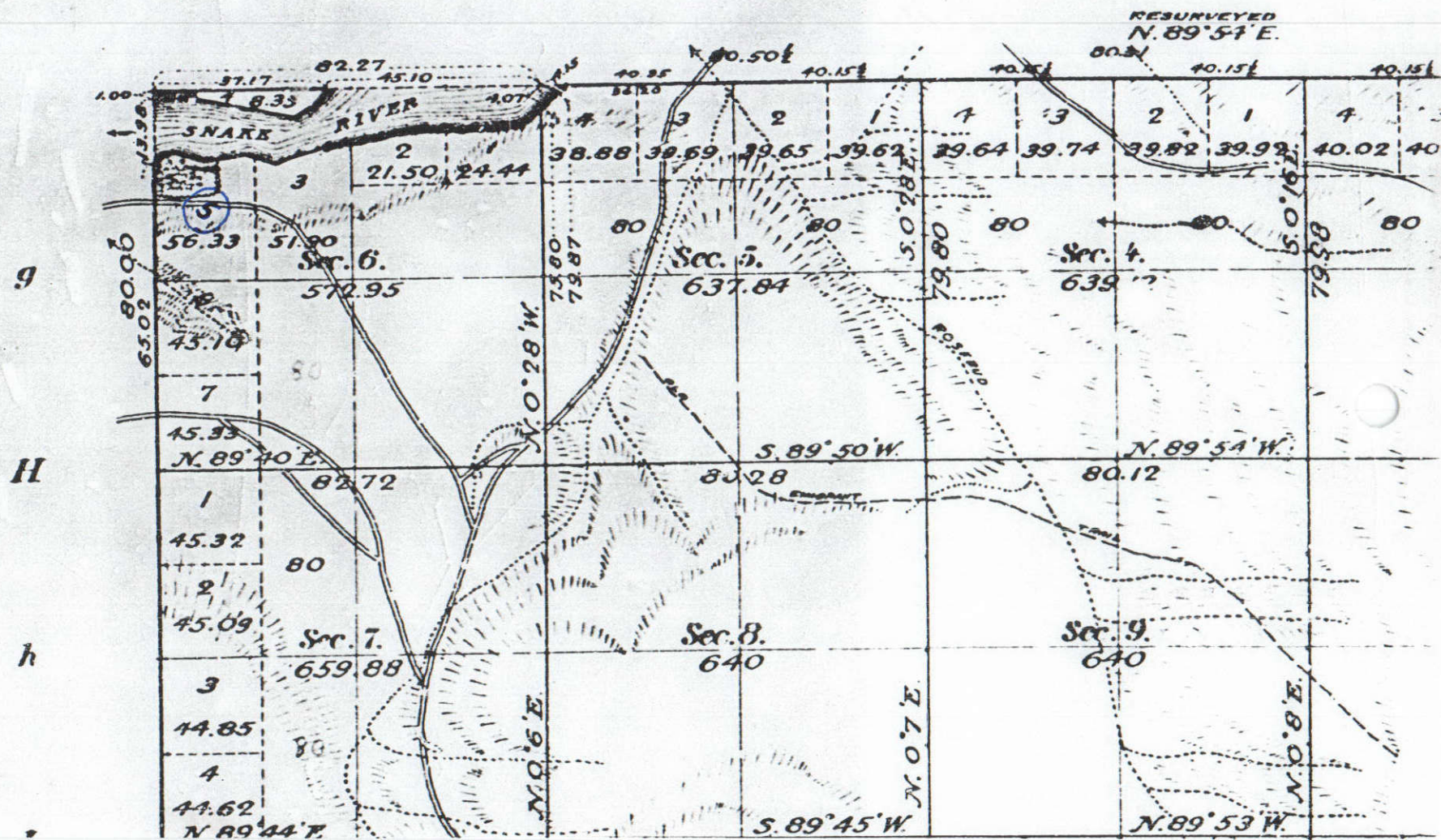
RANGE 9 EAST, OF THE BOISE MERIDIAN, IDA

DEPENDENT RESURVEY

65-9E



G *f* *F* *c* *E* *d* *D*



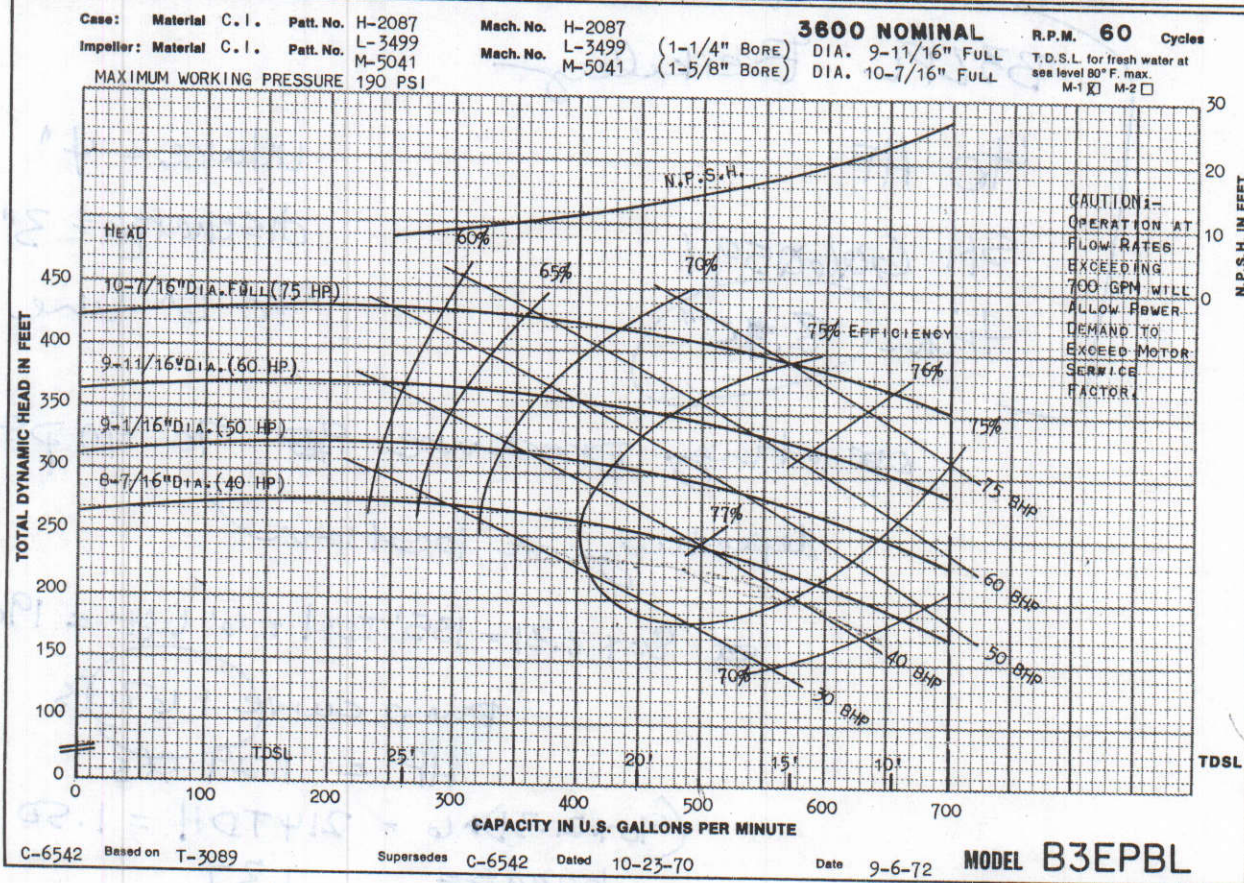
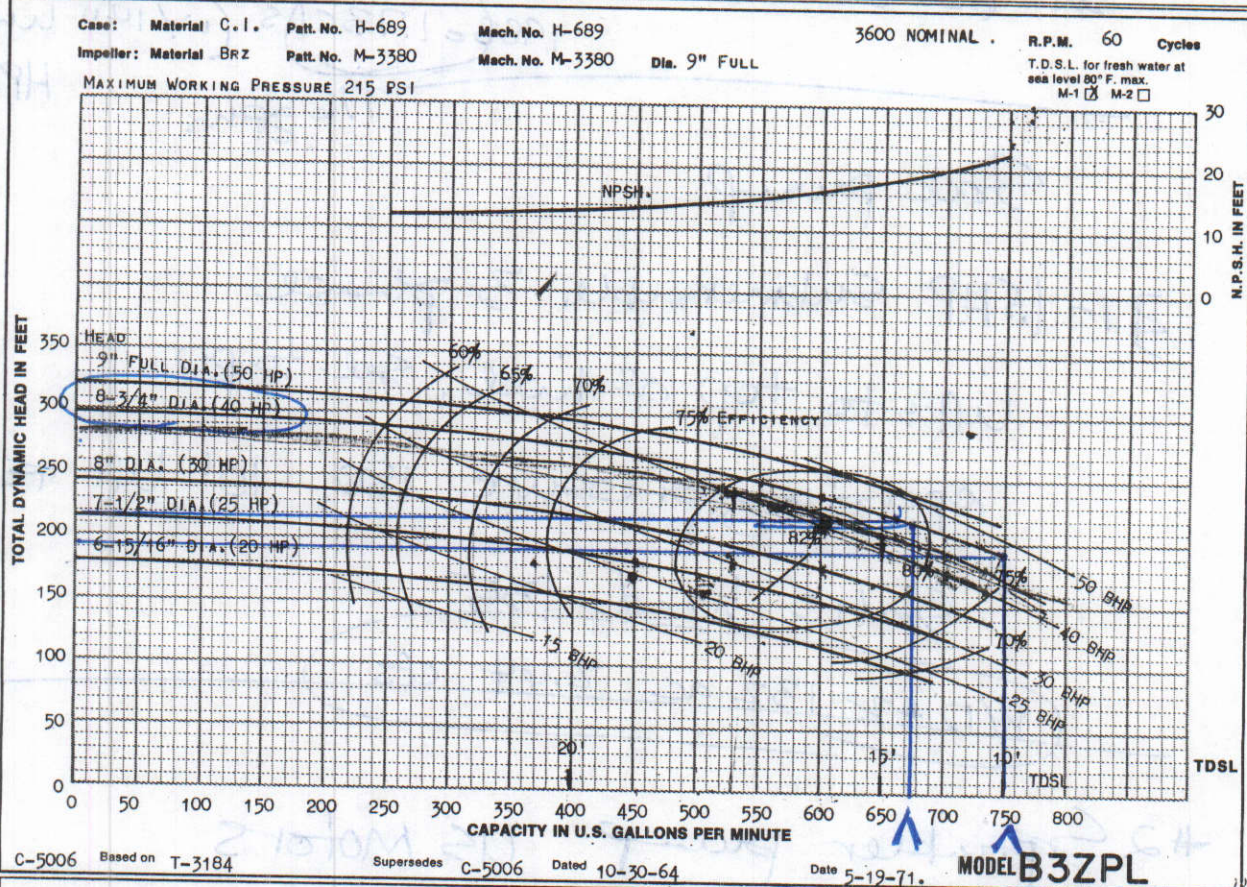
Pump #2 - gravity line (4-1/2") 6"
spr. ltr



BERKELEY PUMP COMPANY

TYPE "B" RATING CURVES MOTOR DRIVE

CURVE	4075
DATE	3-24-75
PAGE	4.01
SUPERSEDES	
Curve 4075	Page 4.01
Dated 2-20-75	



Pump #2 Gravity Line (12") (Same as gravity #1)
 Supersedes:

Date 1-20-59

Page 8.52

BERKELEY PUMP COMPANY Deepwell Turbine Rating Curves

Section 5055

4-15-64 No. 8.52

Enclosed Impeller

1760 R.P.M.

Supersedes NEW

Date

Bowl: C P B L-1277

O. D. 11-3/8"

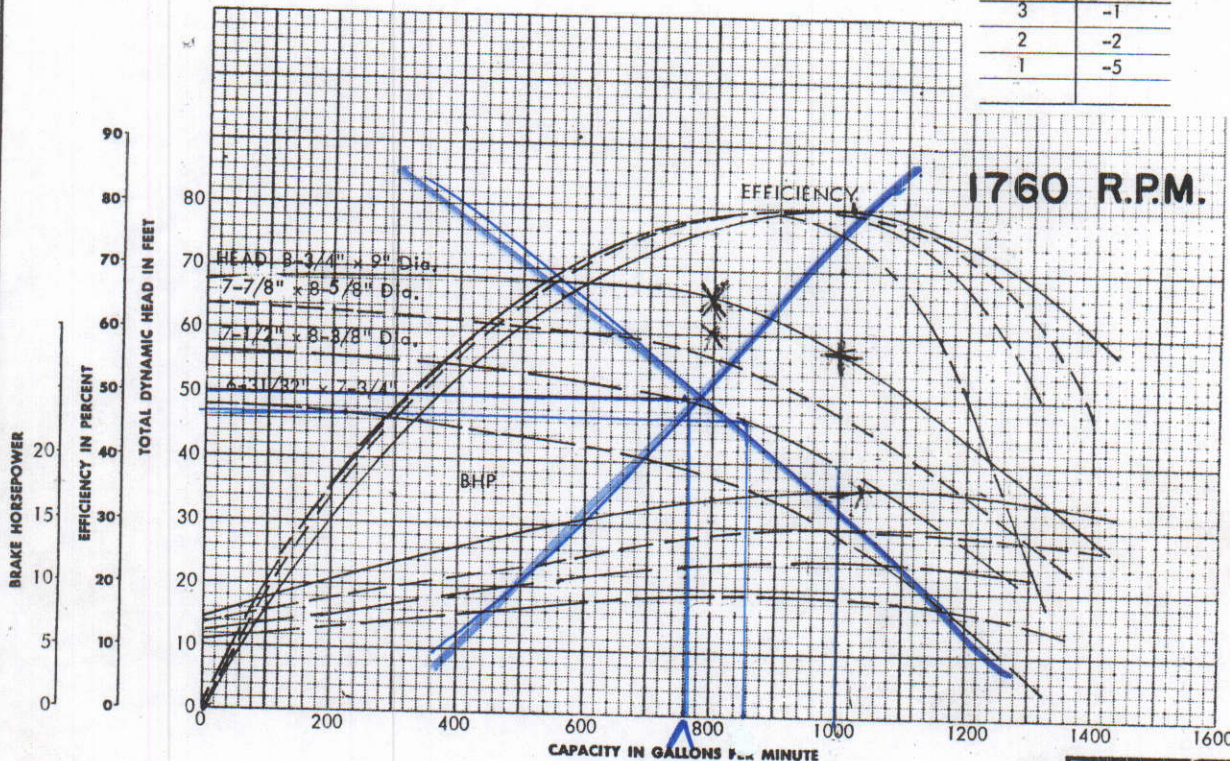
Single Stage Performance, 4 Stage Pump

Impeller: C P B L-2092

Full Dia. 8-3/4" x 9"

CORRECT EFFICIENCY AS FOLLOWS:

Stages	Points
3	-1
2	-2
1	-5



C-4045 BASED ON T-1568

Date 12-11-59

MODEL

1202H

Supersedes C-556

Date 5-12-49

Bowl: C P B L-591

O. D. 11 3/8"

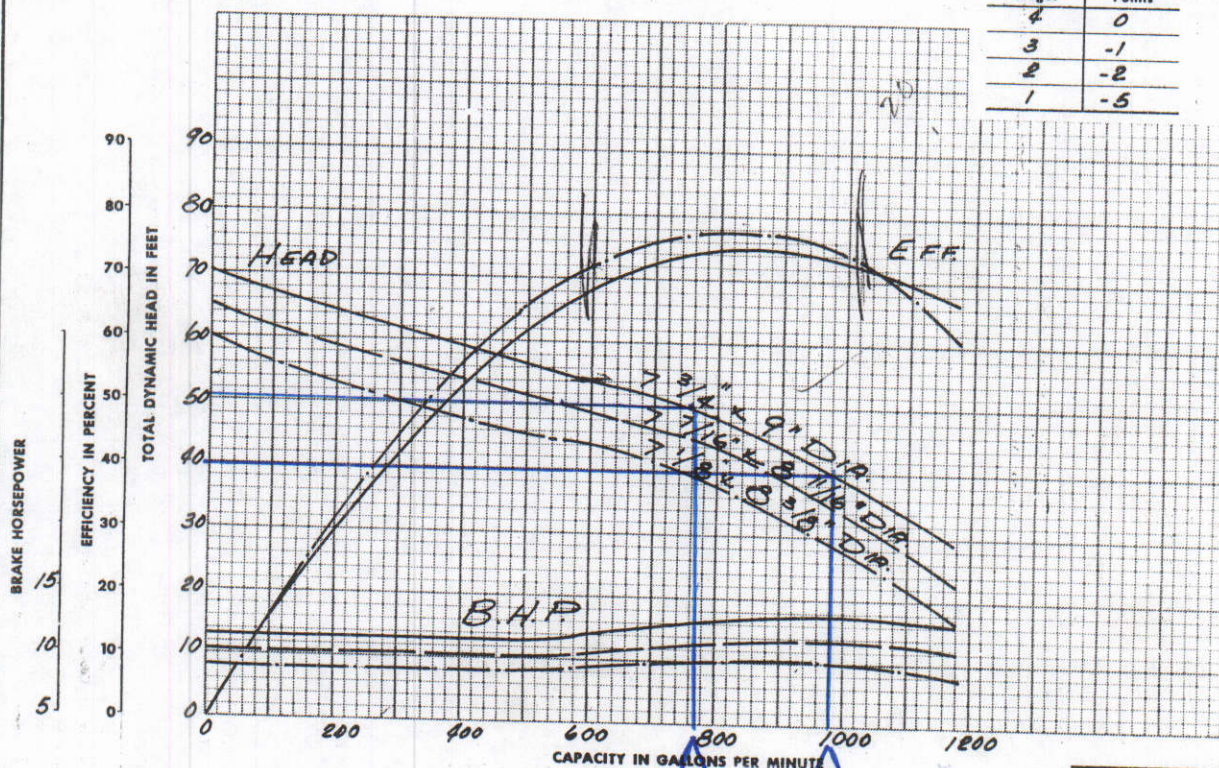
Single Stage Performance, 4 Stage Pump

Impeller: C P B L-467

Full Dia. 7 3/4" x 9"

CORRECT EFFICIENCY AS FOLLOWS:

Stages	Points
4	0
3	-1
2	-2
1	-5



C-556 BASED ON T-725.

Date 3.30.51

MODEL

1203L

800 GPM - 64 HP 264
 50 40 228
 B22 04 05
 1000 GPM
 1200

12 4

100



Gravity Pump
20HP

Pump Station 2



Sprinkler
pump
40HP

02-72246



↑ P/L in NW Sec 01

↑ P/L in NE Sec 01. View to South
previously
Shows forfeited acres under
02-4019 plus new development
to east

02-72240



referred to
for County

JUN 12 1989

MAY 12 1989

1984 Flight
Emare County A.S.S.O. Office
Mary Simpson

FOUR QUALITY

For Office Use Only
Fee Received 125.00
Date 5/9/89
Receipt # 006625
Receipt by CP
Reviewed by MA
Sent to region 5

STATE OF IDAHO
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. 02-7226

Name(s) of Permit Holder: DENNIS C SMITH

Post Office Address: Box 939

Telephone No. 366-2156

Source of Water: SNAKE RIVER

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 53 / _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 1.06 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1977

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

Fee enclosed \$ 125
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☒ Yes ☐ No

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

DENNIS C SMITH 366-2156
(Name) (Telephone Number)

Box 939 GLENNS FERRY ID
(Address)

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.

MAY 9 89
Date

Dennis C Smith
Signature of Permit Holder (and title, if appropriate)

Treasurer for Rockin S. Ranch

NOT RECORDED

JUN 12 1989

MICROFILMED

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Permit~~	~~02-7226~~	~~Smith, Dennis C.~~	~~2.92~~
Full Assignment	02-7226	Rockin S Ranch, Inc.	2.92

MICROFILMED

State of Idaho
Department of Water Resources

RECEIVED
MAY 3 1986

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Dennis C. Smith, hereby assign to Rockin S Ranch, Inc.
of Box 939, Glens Ferry, ID 83623
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 02-7226
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 8th day of May, 19 86
Dennis C. Smith
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 8th day of May, 19 86, personally
appeared before me the signer of the above instrument, who duly acknowledged to me
that he ~~(she)~~ ~~(they)~~ executed the same.

seal

Lyle Glen Saylor
Notary Public residing at
Boise, Idaho

My commission expires:

11-25-86

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **RECEIVED**
REQUEST FOR EXTENSION OF TIME

APR 30 1981

For additional time in which to submit
proof of beneficial use on a water right permit Department of Water Resources

Dennis C. Smith
Rockin S Ranch Inc of Box A B Glenview Ferry
(Name) (Address)

State of IDaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 02-7226.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before MAY 1, 1981.

That I have performed the following work toward developing said permit: _____
(This information must be provided on all extension requests, if none, so state.)

INSTALLED 4000 FEET OF MAINLINE AND PUMP

Costing \$ 14,000

That I have been unable to complete the remainder of the work within the required time for the following reasons: _____

① BECAUSE OF THE HIGH COST OF CONSTRUCTION AND LOW
RETURN

I ask the Department of Water Resources to extend the time for the completion of obligations under said permit to MAY 1, 1986.
(1 to 5 years)

Rockin S Ranch Inc
By Dennis C. Smith Treas.
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to May 1, 1986.

Signed this 8th day of May, 1981.

A. Glen Saxton
Chief, Operations Bureau

\$15.00 fee received by [Signature] Date 5-6-81 Receipt # 19206

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 27226

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

Receipt # N/A

RECEIVED

JUN 15 1976

Department of Water Resources

Permit No. 02-7226

Comes now Dennis C. Smith of (address) _____

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 02-7226, and requests that the permit and permit map be changed as follows:

1. Point of diversion: $\frac{1}{4}$ Lot 5 $\frac{1}{4}$, Sec. 1 Twp. 6 S
Rge. 9 E, B.M., County of Emore. Other points of diversion:

Amount 2.92 for Irrigation purposes from April 1 to Oct. 15 (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

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

[illegible]

Total number of acres to be irrigated	145.87
---------------------------------------	--------

MICROFILMED

TWP. 6 S

RGE. 9 E

RGE. 10 E

TWP. 6 S

L. 4 L. 5 L. 3 L. 5

*

1 6

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Dennis C Smith
(signature)

I, R. KEITH HIGGINSON, Director of the Department of Water Resources
hereby APPROVE the above application for amendment for permit no. 02-7226.


Director

Identification No. _____

Application No. 02-7226

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 Dennis C. Smith Phone: 366-2156
post office address Box AB Glenns Ferry, ID
2. Source of water supply Snake River which is a tributary of Columbia River
3. a. Location of point of diversion is Lot 5 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 1 Township 6S
Range 10E B.M. Elmore 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 2.92 for irrigation purpose from April 1 to Oct. 15 (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. 2.92 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. The water will be taken from the
river by use of pumps. It will go into mainline and then into sprinkler
lines. There will be two separate mainlines.

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 \$ 30,000.
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:

[illegible]

Total number of acres to be irrigated 145.87

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

This place was irrigated by early settlers; therefore, I am also putting in a claim to a water right No. 02-4018

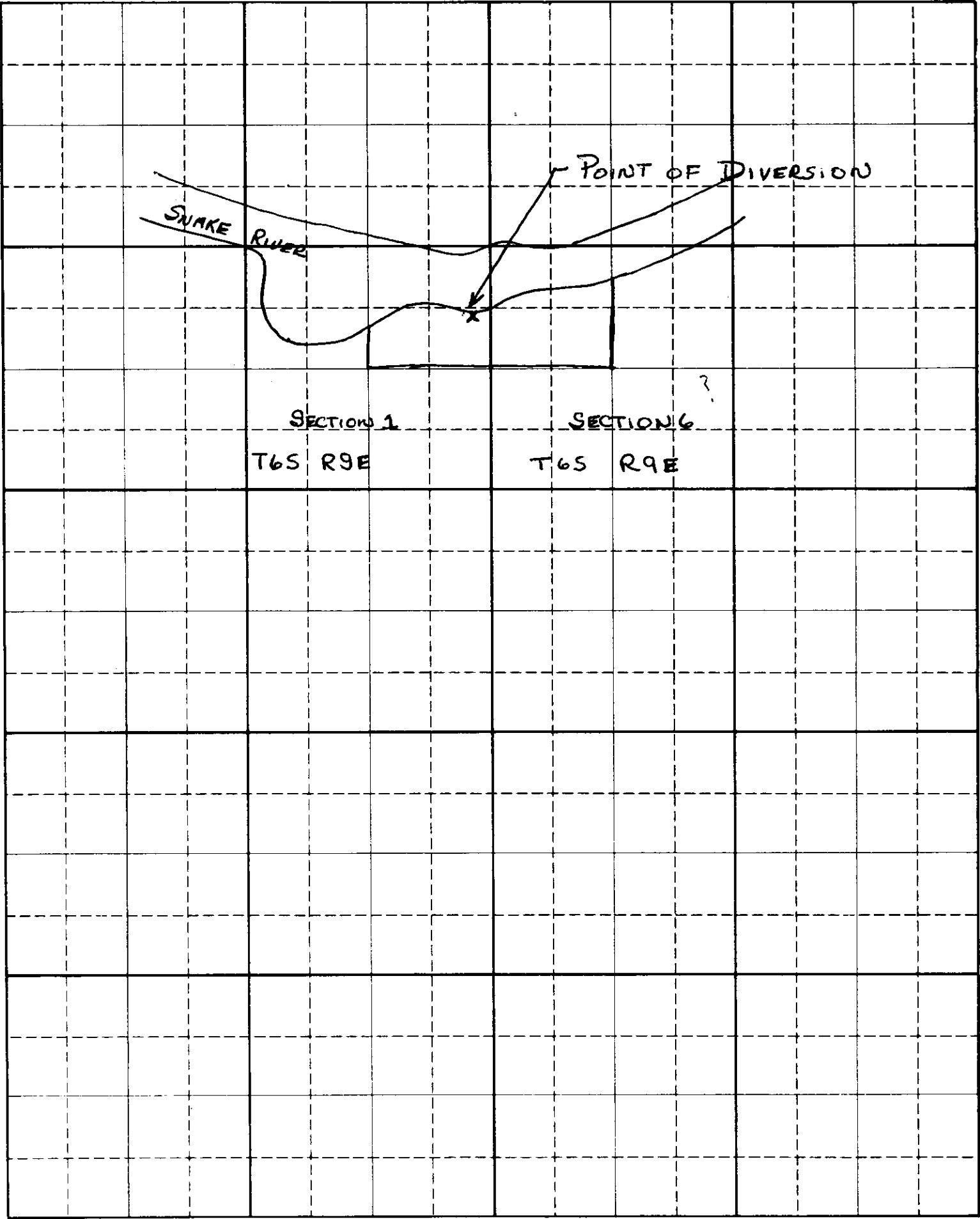
9. a. Who owns the property at the point of diversion applicant

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

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.

Dennis C Smith
(Applicant)

Proposed Priority 3-29-76

Received by RB Date 3-29-76 Time 4:50 pm

Preliminary check by ROC Fee \$ 45.00

Receipted by RB Date 3-29-76 # 3703

Publication prepared by CS Date 3-31-76

Published in Mountain Home News, Mt Home, ID

Publication dates April 8, 1976 + April 15, 1976

Publication approved RB Date 4-16-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by TH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

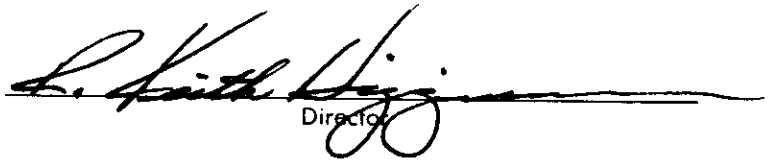
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7226, and said application is hereby APPROVED.

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 81.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 17 day of May 19 76.


Director

[illegible]

I, Joseph D. Waters do
solemnly swear that I am the foreman, or
publisher of the

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

OK
1-16-76
RB

Lloyd S. Staters

David M. Waters
Notary Public

Department of Water Resources

[illegible]

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

See attached photos &
narrative

Scale: 1" = 1/2 mile

→ 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
2. (sprinkler)	US Motors	40	6060591	Berkeley	B3ZPL 3"
(gravity)		20	6208832	Berkeley	1203H-1 8"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: pump curves & previous exams (see attached)
sprinkler pump 70-90 psi at pump (left 30-40') + 6' left to pump
gravity pump 30-40' left, open discharge + " " "

E. NARRATIVE/REMARKS/COMMENTS

See attached.

No meas device found. Point of discharge or polysonic measurements both possible.

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

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: from 1983 exam: gravity pump = 1.73 pump curve = 1.69

Sprinkler pump

from 1996: pump curve = 1.67 HP eq = 1.29

from 1983: ~~1.73~~

$$\frac{40 \times 8.8 \times .7}{6 + (80 \times 2.31)} = 1.29$$

allow .67 cfs (see narrative)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 53 \times 4.00 = 212$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .67 \times 214 \times 1.9835 = 284$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 212$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	10/31	.67	212
Totals:			.67	212

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 Cindy Hodges Date 2/13/96

Reviewer _____ Date _____

SEAL

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: John K. Meyer

Date 8/30/83

Owner: Rockin S. Inc

Permit No. 02-2041

Description of well &/or measuring site

- Include any clarifications of the sketch

- Include legal description if more than one p.d. is described in the Field Report

#2 Upper pump - Berkeley Pump - #8047537
40 HP G.F. KC 286 TDR. 23000 DW 8" steel pipeline
equipped system
P.D. lot 3 SE NW Sec 1 T6S R9E

Measured inside diameter of pipe in inches

(A) 7.981" I.D. 8" CD

Size of Annubar used in test 7.98

State ID No. _____

Model No. of Annubar Meter Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size Eagle Eye Meter Used 0-10

State ID No. 091470

Date of Last Calibration of Meter 4/27/83

Observed inches of H₂O read on Meter

(B) 6.8

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) = .947 + .8(.967 - .947) = .963

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION: $\frac{K}{448.8} \frac{(A^2)}{448.8} \frac{(\sqrt{B})}{448.8} C = \frac{(.963)(7.981)^2(\sqrt{6.8})(3.85)}{448.8} = \underline{1.37}$ cfs measured

SKETCH (If not shown on Field Report):

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: John R. Meyer

Date 8/30/83

Owner: Rockin S. Ranch

Permit No. 02-2040 Lic

02-2041 Lic
02-4019
02-4032
02-7295 Permit

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

#1 Upper pump - Berkeley #7901070 20HP 26.5 motor
R 2134744 14" steel line gravity
P.D. Lot 3 SE NW Sec 1 T6S9E

Measured inside diameter of pipe in inches

(A) 13.126" I.D. 14" O.D.

Size of Annubar used in test 13.25

State ID No. 091439

Model No. of Annubar Meter Used _____

(Model No. = 75 for 6" and larger)

(Model No. = 73 for 4")

Size Eagle Eye Meter Used 0-10

State ID No. 091470

Date of Last Calibration of Meter 4/27/83

Observed inches of H₂O read on Meter

(B) 2.0

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) .826

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85

If Model No. = 73, then C = 4.14

(C) 3.85

CALCULATION: $K \frac{(A^2)}{448.8} \frac{(\sqrt{B})}{448.8} C = \frac{(.826)(13.126)^2(\sqrt{2})}{448.8} (3.85) = \underline{\underline{1.726}} = 1.73$ cfs measured

SKETCH (If not shown on Field Report):

1/30/96 cjh

SYSTEM DESCRIPTION AND NARRATIVE - 02-07226 AND 02-07295

Lands recommended for licensing pursuant to the above permits are additional lands developed under systems common to 02-02016, 02040 and 02041. Statutory claims 02-04019 and 04032 also claim these P/D's. Lands are gently rolling or sloping near the river to moderately steep against the hills to the south and west. As irrigation was gradually converted from furrow to sprinkler, new acres were available for cultivation. Typically, new acres found are extensions or expansions of existing fields. Nine acres of new pasture under sprinkler irrigation have been developed in W $\frac{1}{2}$ NW $\frac{1}{4}$ on lands unsuitable for row cropping. Total found acres = 163.

Two pump stations have been established, but are not integrated. Pump station #1, in SESE S35, has dual pumps and mainlines to serve 31 acres. A 20 HP pump discharges to 6" mainline with risers for sprinkler irrigation; a second 20 HP pump discharges to 12" mainline for gravity irrigation on the same acres. The irrigation method varies each season with crop type, although the general trend is towards permanent sprinkler settings. For the 1995 season, alfalfa was planted and only the sprinkler system was operating at station #1. The gravity system pump had been removed for repairs.

Pump station #2, in SENW S01, also has dual pumps and mainlines for the remaining 132 acres. A 40 HP pump into 6" mainline operates the sprinkler system and a 20 HP pump into 12" main operates the gravity system. The trend at this station is also towards sprinkler irrigation. Sprinkler mains (6") are in place for all acres, but gravity delivery through gated pipe is still used close to the pump station (on corn in 1995). There is also a 1.5 HP pump at this station for stockwater; this use is not found on either of the above permits but may be included on SRBA claims.

OVERLAP REVIEW/SRBA ANALYSIS

Right nos. 02-02040 and 02-02041 were licensed to the same 90 acres at different DOP and for a total of 0.03 cfs/ac (see files). 02-02016 was developed separately and brought into the system at a later date. The two claims 02-04019 and 02-04032 reference additional acreage with similar DOP. All existing rights and claims have been filed in SRBA and some records have been combined:

02-02016 and 02-04019 claimed as A02-10022, with DOP 7-22-1912. Per the permit holder (telecon 2/2/96) the 30 acres claimed under 02-04019 were irrigated in the early 1900's then abandoned from about 1930 until the time Smiths purchased the ranch in 1975. There is also a statement in the 02-02041 B/U exam (in 1944) which references the abandonment of "adjacent acres". A portion of this claim therefore appears invalid unless evidence may be provided which dispels forfeiture. Per my exam, only P/D #1 (S36) is used for acres claimed under 2016.

02-02040 and 02-04032 claimed as A02-10021, with DOP 11-4-1939. Claim 4032 is for 10 acres, although only 5 were developed within NWSW S01 with this DOP. See note from D. Shaff in 1980 02 Adjudication file suggesting DOP for 4032 as 1941. For this claim, some acres use P/D #1, rest use P/D #2 (see found acreage chart).

02-02041 claimed as A02-02041, DOP 1940. No changes, except for split P/D's, as above.

SYSTEM CAPACITIES

In 1983, examinations were made on these systems as part of the previous 02 adjudication. At that time, the same dual-pump stations were found. The examiner did not specify whether or not the two pump stations were integrated. Flow at P/D #1 (S35) was measured as 2.48 cfs for the gravity system and .59 cfs for the sprinkler system. Flow at P/D #2 (S01) was measured as 1.73 cfs for the gravity system and 1.37 for the sprinkler system. Pump curves I received generally support these measured amounts under the found pumping conditions, except that curves for sprinkler systems at both P/D's show capabilities for slightly greater rates of flow. This could be attributable to the variable lift under these systems or the stage of the river at the time of measurement. For purposes of recommendation, higher rates are used.

Total station capacities are not really applicable. Due to Idaho Power constraints, only one pump per station may operate at a time.

RECOMMENDATIONS

02-07295

Under P/D #1, 10 acres in SESE S35 are irrigated under 02-02016; 12 acres in SWSW S36 and 4 acres in NWNW S01 are irrigated under 02-02040/02041. **5 new acres in SESE S35 will be recommended for 02-07295.** Available rate of flow equals total required rate for all acres even when considering the most limiting pump capacity (0.78 cfs):

Right No.	Acres	Rate
02-02016	10	0.20
02-02040/2041	16	0.48 (licensed 0.03 cfs/ac)
02-07295	5	0.10
Totals	31	0.78 cfs

02-07226

Presently, P/D #2 diverts to 74 acres under 02-02040/02041, the 30 acres claimed on 02-04019 (suspect past forfeiture), 5 acres claimed on 02-04032 (presumed valid), and 23 new acres. Available rate of flow from either pump is now about 1.7 cfs, significantly less than the historical diversions at this site.

Because of the presence of the statutory claims under this system, it is more complicated to make a license recommendation which will

02-07226 (con't)

be compatible with future SRBA recommendations. However, to delay licensing until after SRBA review may invite unauthorized expansion and further hinder our ability to produce an accurate record. To the extent practicable, the license should be issued at this time, so that it represents the most recent status of development.

The official verification of rights in Basin 02 will not occur for some time. It is necessary to weigh the possible effect(s), if any, of a 1996 license recommendation on the future SRBA recommendation. Recommendation for 02-07226 must be made around two issues: one of forfeiture and one regarding the reduction in total diverted flows at P/D #2.

RE: Forfeiture. The best information available suggests past forfeiture of 30 acres of statutory irrigation (02-04019) within this system. Since irrigation was resumed on the claimed acres within the development period for permit 02-07226, the acres could legitimately be included in the license recommendation. Obviously this creates a possibility that duplicate rights be rewarded if the claim is substantiated. If, however, the 30 acres are not included in 02-07226 and claim to 02-04019 is disallowed as indicated, the developed right to irrigate those acres would be lost entirely.

RE: Flow reduction. Generally, system measurements are not required in the SRBA for previously verified rights. Based on their licensed rate of flow, right nos. 02-02040/02041 could conceivably be recommended for decree from this P/D for 2.22 cfs (74 ac X 0.03 cfs/ac). It is more likely, however, that this will not happen, for the acres have been successfully irrigated at a lesser rate of flow for nearly 15 years. In fact, the system as found (1.7 cfs) provides an overall application rate of flow equivalent to only 0.012 cfs/ac for all 132 acres. If all 79 SRBA acres (74 from 2040/2041 + 5 from 4032) are recommended for decree at 0.02 cfs/ac (total 1.58 cfs) the present system capacity would not be exceeded. The consideration of new acres on a pro-rata flow basis should have no effect on the anticipated SRBA recommendation.

In conclusion, following is an approach which will allow for timely issuance of water right license 02-07226, and which will not conflict with future SRBA review: include questionable (forfeited) acres from 02-04019 for a total of 53 allowable acres, and calculate a pro-rata flow based on current system configuration and capacity:

<u>Old System Rate of Flow:</u>	02-02040/02041 - 0.03 cfs/ac 02-04032 - 0.02 cfs/ac
<u>Current System Rate of Flow:</u>	1.7/132 = 0.012 cfs/ac Present rate < Old Rate New acres only at present rate
<u>Recommended Rate of Flow:</u>	53 new acres @ 0.12 cfs = .67 cfs
<u>Maximum instantaneous diversion rate:</u>	1.7 cfs

P/D OVERLAP BUT ACRES NOT OVERLAPPING, USE FOR SYSTEM TOTAL CALCULATIONS

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
P/D #1		5S9E	35															15 L.1 *5	15		
5S9E S35 LOT 1 (SESE)			36											12 L.5					12		
		6S9E	01					4 L.2											4	31	
P/D #7		6S9E	01	1		22	15	8	27	25	22	1	5	Claimed as 19 under 02-4019				126			
6S9E S01				L.5 *		L.4 *	L.5 *	L.2 *	L.2 *	L.2 *	L.3 *	*									
LOT 3 (SENW)		6S10E	06					5	1									6	132		
								L.5 *	L.5 *										*53 new 02-7226		

* Denotes New Acres for Licensing

 Licensed under 02-2016 (less new acres)

☒ Licensed under 02-2040/2041 (less new acres)

Note: license shows 35 ac in 42(NWNW)
Should be clarified to show 8 ac in 42(NENW) &

4 of original ac are diverted from P/O to 1
in NW NW 27 ac in 42 (NW NW)

02-7556
(SEC 3)

35

36

BM 2536

31

LANDING FIELD

VABM

2798

2758

2

2709

6

9E 10E

2765

2766

Canyon

12

PERMIT 02-7276/7295 INIT *gh*

	T.	R.	S.	Q/Q
P/D	5S	9E	35	SESE
SCALE	6S	9E	01	SENW
PHOTO ID.				



System Map

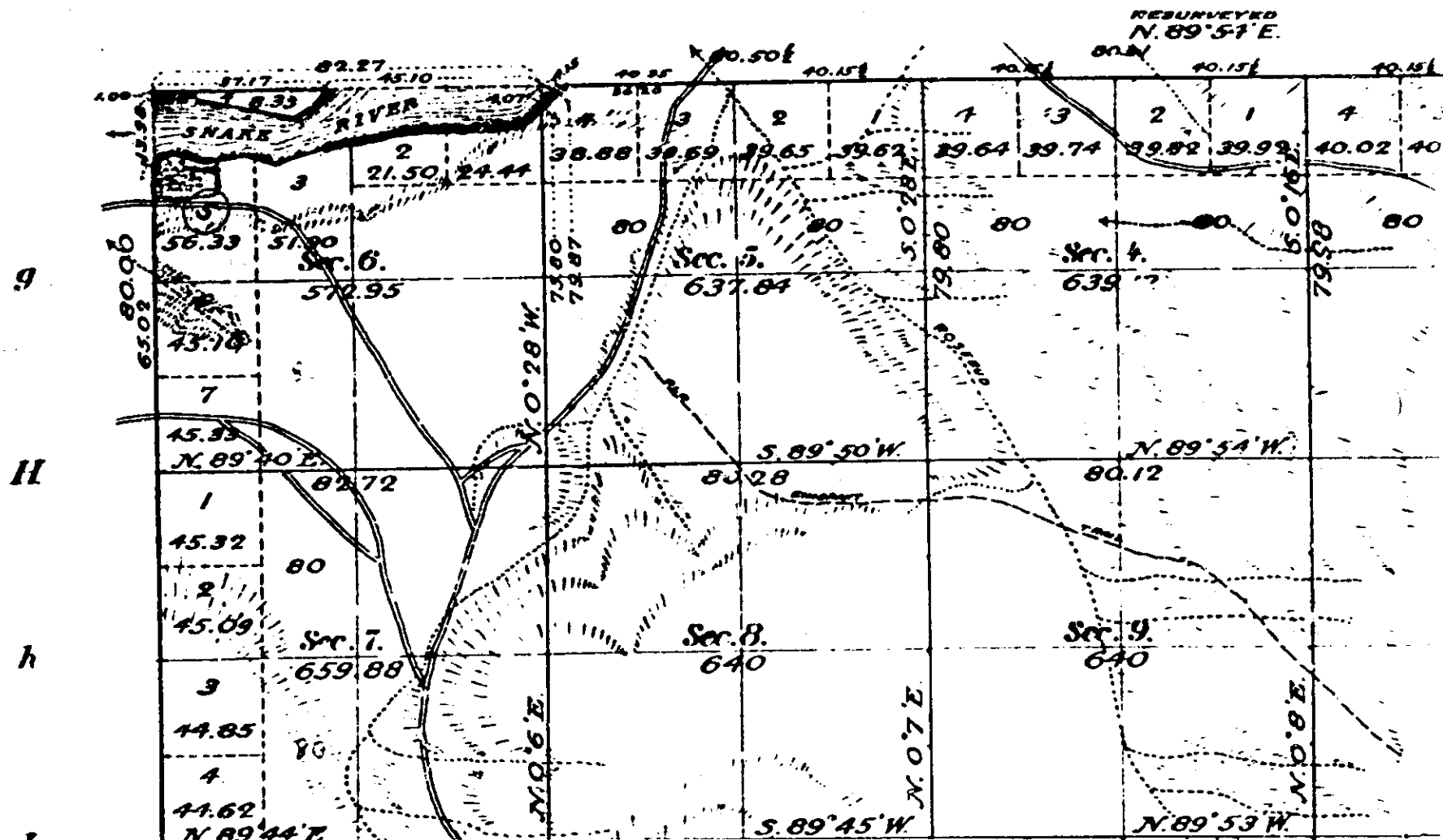
PERMIT 02-7226/7295 INIT *gh*
T. R. S. Q/Q
P/D 58 9E 35
SCALE 68 9E 01
PHOTO ID.



Acrage Map

PERMIT 02-7226/17295 INIT *gh*
T. R. S. Q/Q
P/D 559E 35
SCALE 659E 01
PHOTO ID. _____

G *f* *F* *c* *E* *d* *D*

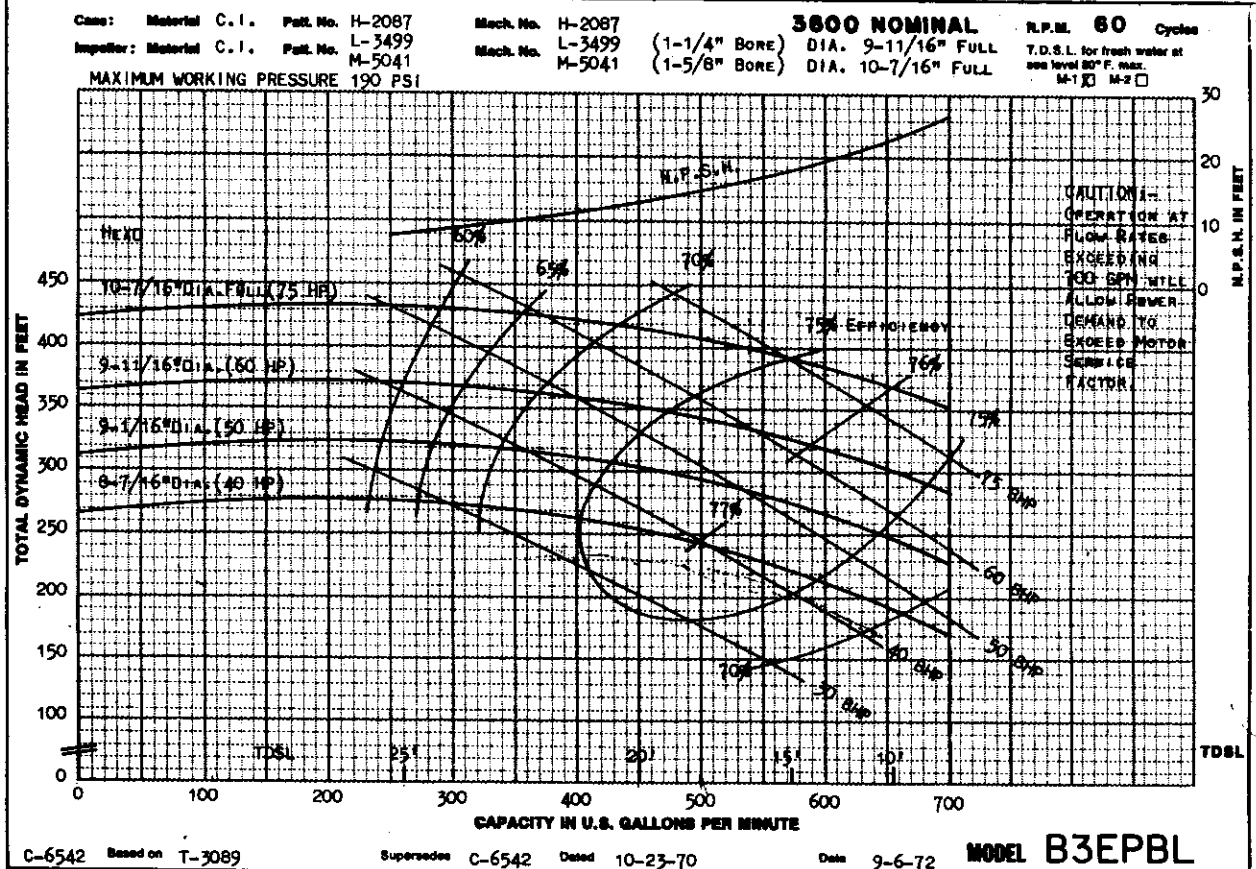
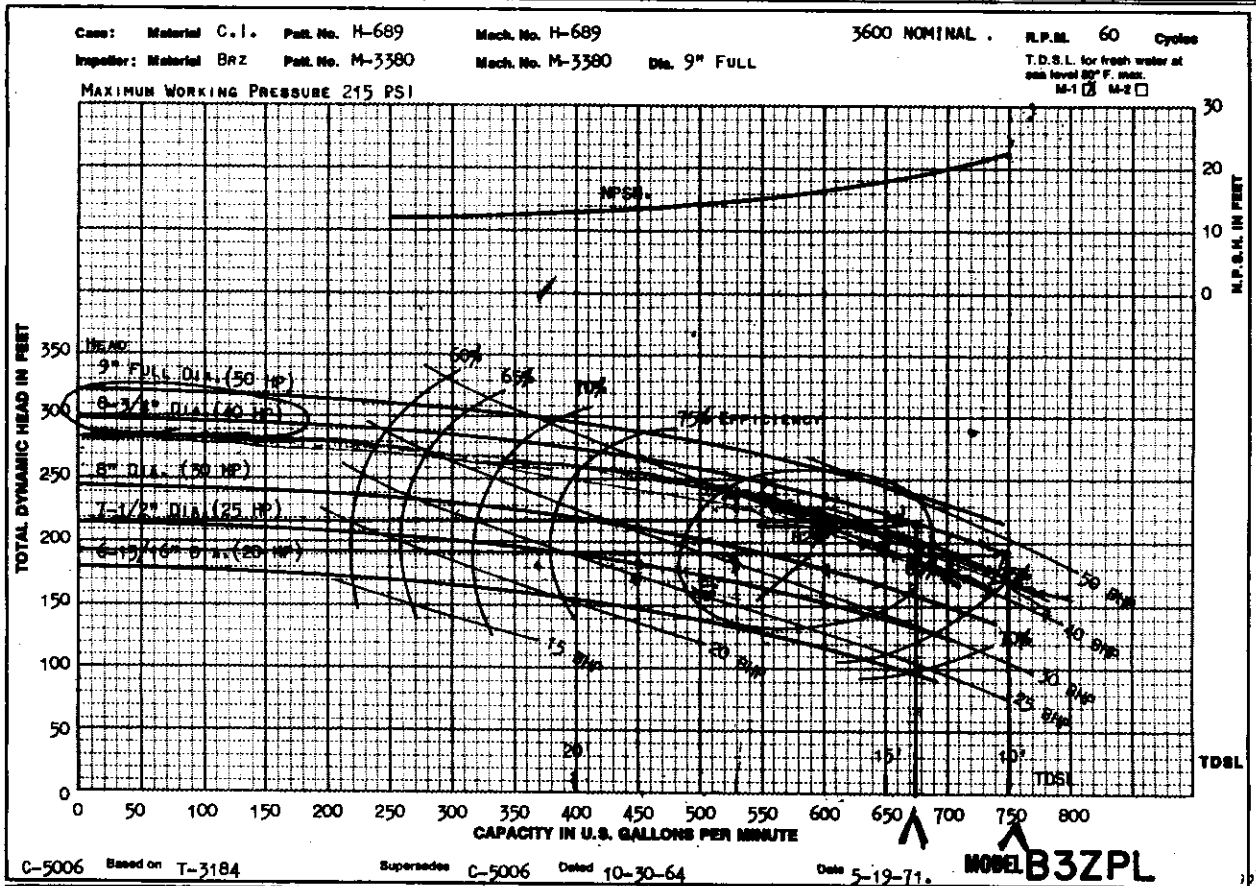


Pump #2 - gravity line (12") 6"
spr. ltr



BERKELEY PUMP COMPANY
TYPE "B" RATING CURVES
MOTOR DRIVE

CURVE	4075
DATE	3-24-75
PAGE	4.01
SUPERSEDES	
Curve 4075	Page 4.01
Dated 2-20-75	



#2 Gravity pump
Berkeley 20 HP
Model 1203H-1
SN 6208832

intake 1" discharge 8" to 12"
max lift 30-40 ft
1988 = 1.73 cfs (w/ 14" line)
776 gpm
35 ft + 11.55 = 50 TDH
pump curve = 1.69
HP req = 2.46 ?
750 gpm

Stock pump

31- 1.5 HP submersible 3 phase
lifts to top of hill, see topo
operating pressure 180, 10' lift to gauge
Static head 135

P/D #2 132 ac 2.64 cfs

#2 Sprinkler pump US Motors

B32PL Berkeley

40 HP

SN 6060591

trim 8.75"

intake = 4"

discharge = 3"

to 6" line

operating pressure 70-90 psi
depending on location

$$80 \times 2.31 = 185' \text{ TDH} + 6' \text{ lift} = 190' \text{ TDH}$$

pump curve 1.67 cfs

HP = 1.29 cfs

$$(90 \times 2.31) + 6 = 214 \text{ TDH} = 1.50$$

meas = 1.37

Supersedes: *Supersedes Gravity Line (12") (same as gravity line)*

Date 1-20-59

Page 8.52

BERKELEY PUMP COMPANY

Deepwell Turbine Rating Curves

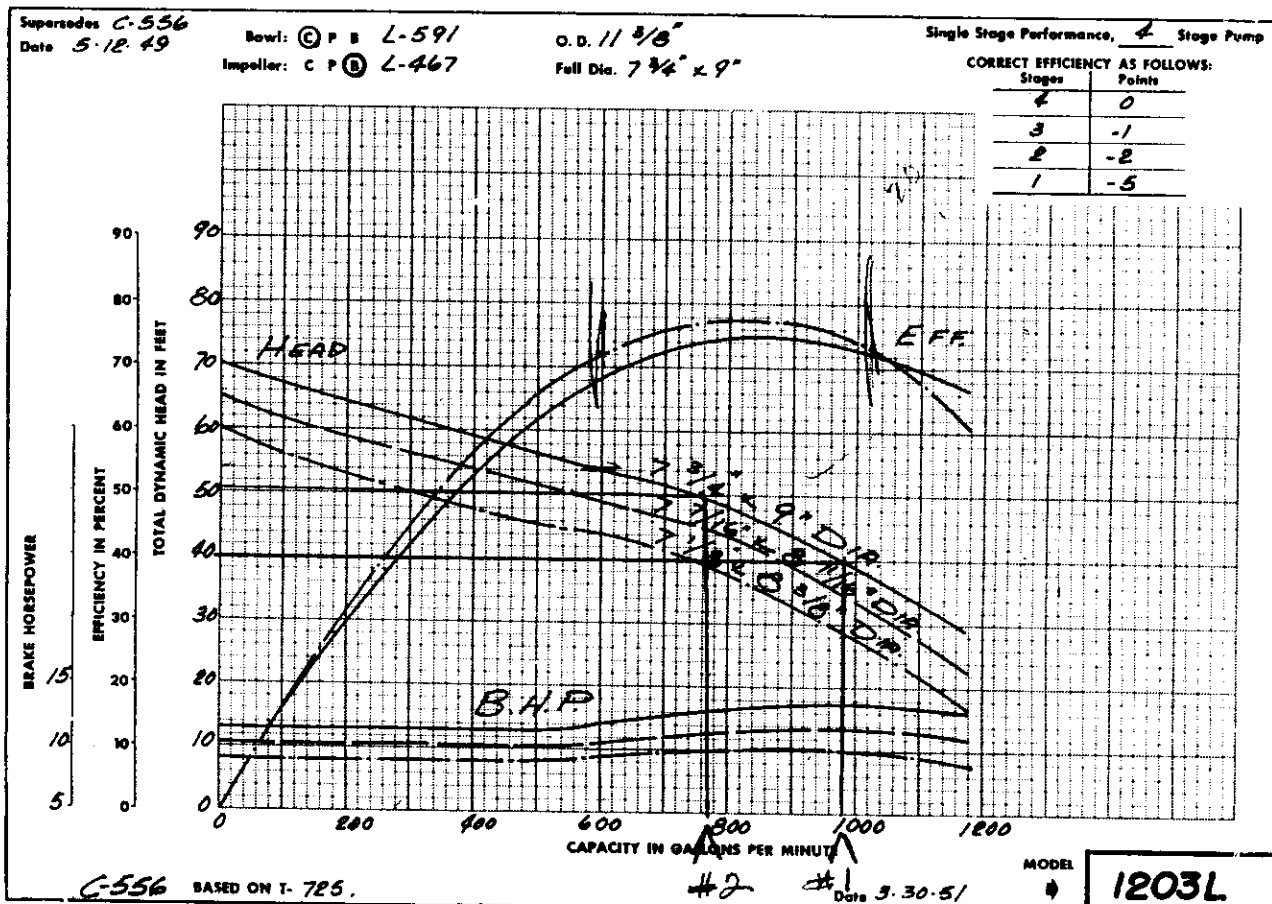
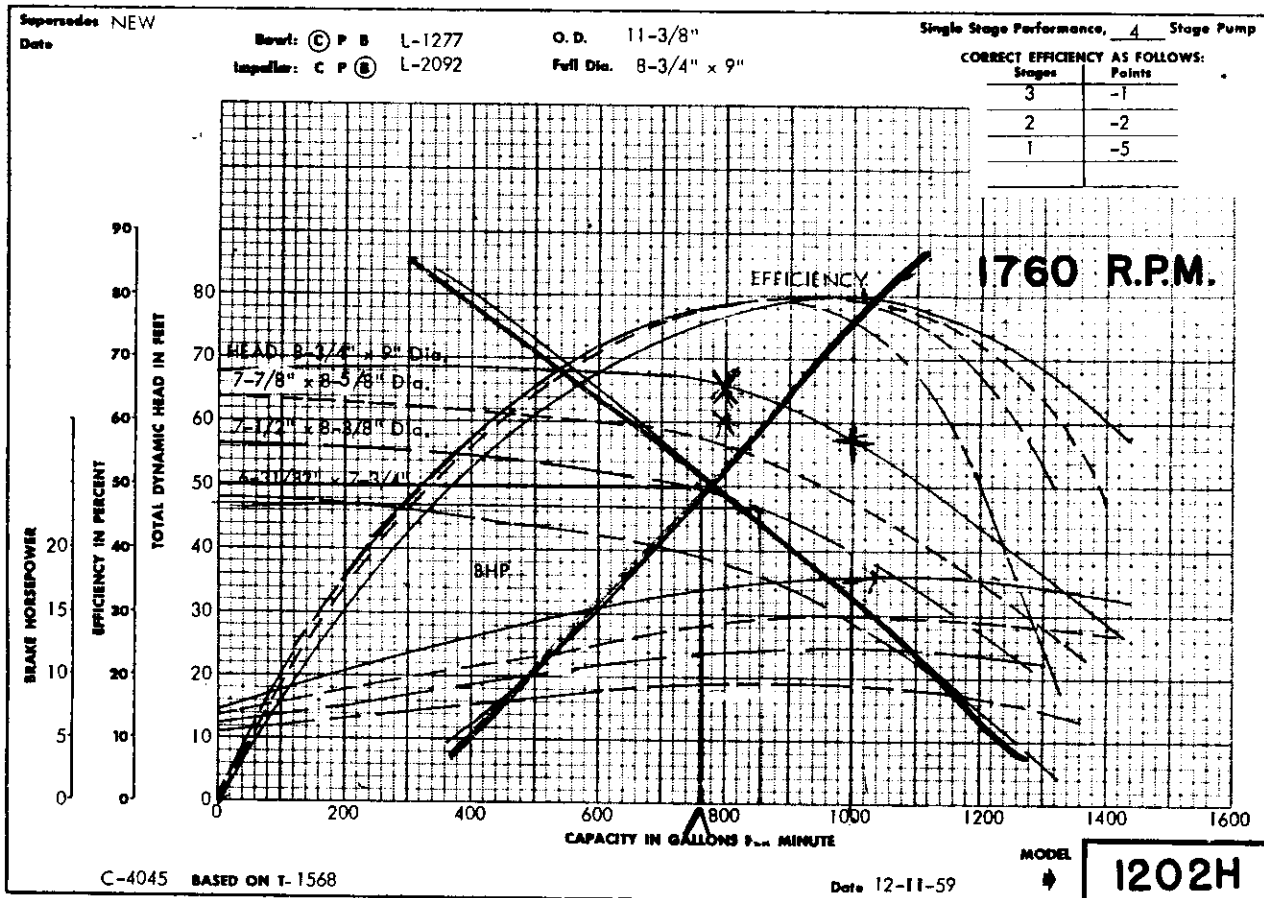
Section 5055

4-15-64 No. 8.52

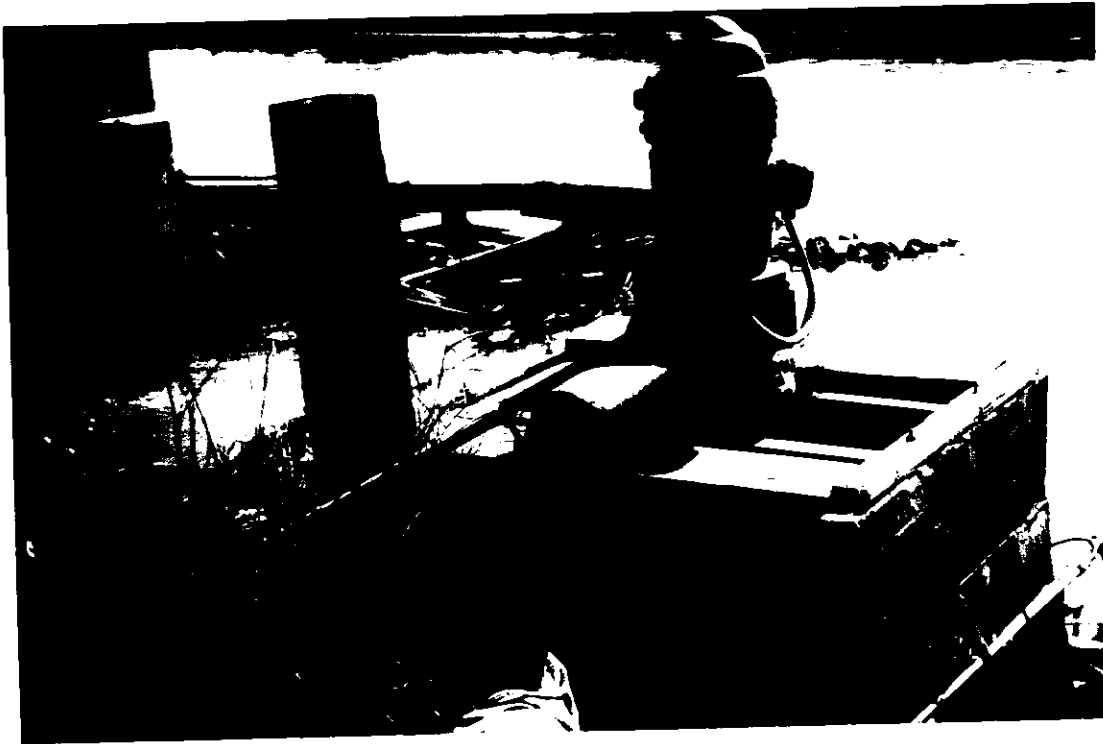
Enclosed Impeller

1760 R.P.M.

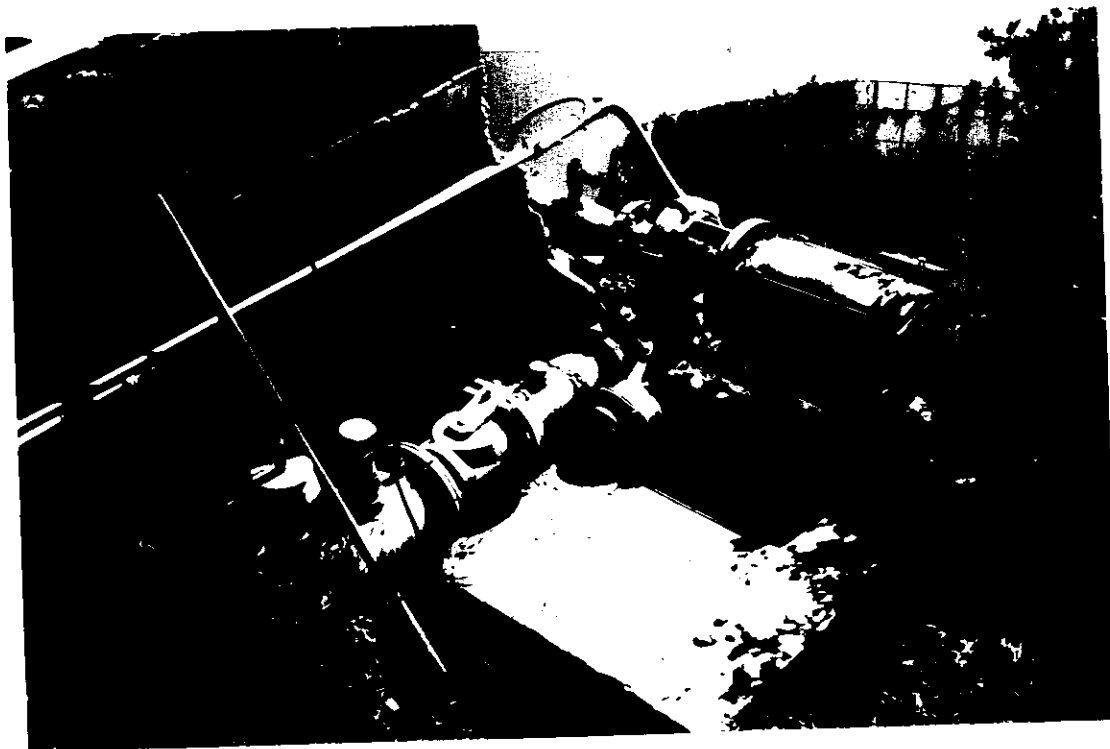
*8000 rpm - 64 1A 264
92 10000 rpm 50 40 228
1200*



100

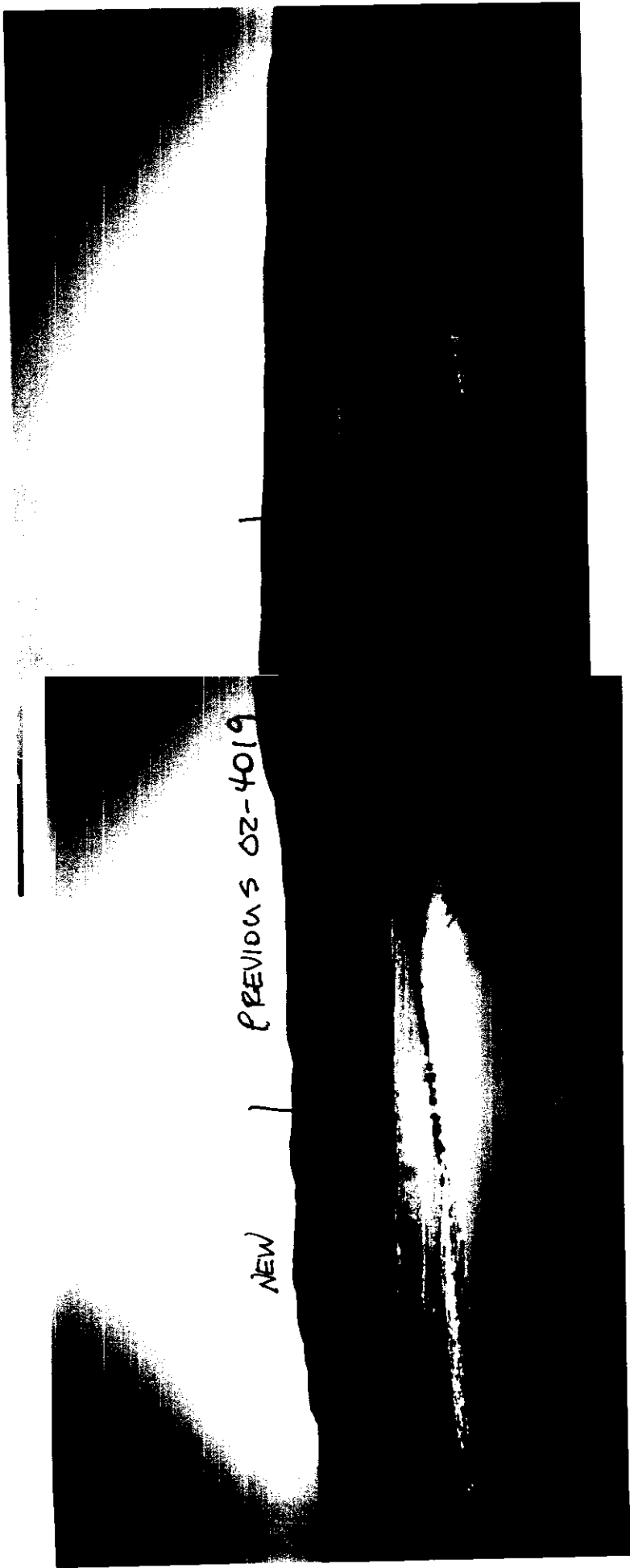


Gravity pump
20HP



Sprinkler
pump
40HP

02-7226



↑ P/a in NW Sec 01

← P/a in NE Sec 01. View to South
previously
Shows forfeited acres under
02-4019 plus new development
to east

02-7224



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 26, 1989

RE: Permit Nos. 02-7226 and 51-7155

Dennis Smith
Box 939
Glenns Ferry, ID 83623

Dear Mr. Smith:

Enclosed is a \$20.00 refund for the re-advertisement fee which you paid earlier this year for Permit No. 02-7226. Since you submitted proof and evidence for the portion of the permit developed prior to July of 1985, the permit is not subject to the review of Section 42-203D, Idaho Code. That section of the code pertains to undeveloped permits which were named in the Swan Falls lawsuit.

When you last visited the office, we agreed that the situation surrounding Permit No. 51-7155, under the name of J.L. Solosabal, was very simple. I must inform you, however, that I have developed some concern about this permit.

The 1984 aerial photo covering the lands under Permit 51-7155 which you showed me definitely indicates that the lands were irrigated in that year with center pivot systems. After you left the office, I noticed that the permit included a statement that the pivot systems were in place at the time the application was made. This would mean that Grindstone Butte project water was at one time used with the center pivot systems. I wrongfully assumed that the center pivots were not installed until after the well was completed. The 1984 photo, therefore, does not necessarily indicate that the well water was used at that time. I did manage to find a well log which matched your well. That log confirms that the well was completed in 1981.

I suspect that the well was used to irrigate the lands prior to 1985. What confuses me somewhat is the fact that you mentioned Grindstone Butte water for this land was transferred to another location. The Grindstone permit does not show any such transfer. A field examination made for Grindstone by a private consultant lists all of your lands which are now irrigated by the well. My confusion lies in knowing whether the well water is either a supplemental or replacement source. Adding to confusion is the question of confirming the date of first use associated with the well.

RECEIVED

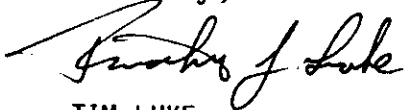
JUN 12 1989

Dennis Smith
May 26, 1989
Page 2

The best way to solve this problem is to provide some additional evidence which will show that the well was used prior to July of 1985. An affidavit or sworn statement from you or Mr. Solosabal along with an affidavit from another person familiar with the operation would provide sufficient evidence to document our records. This would prevent anyone questioning the Department's decision to exempt this filing from additional processing requirements under Section 42-203D.

I apologize for not discovering and solving the discrepancy at the time you were actually in the office. I am sure you will be as cooperative in this matter as you have been in the past.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

TL:hm

Enclosure

MICROFILMED

JUN 12 1989

WHITE - State Auditor
YELLOW - Remittance Advice
PINK - State Auditor then Agency
GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

STATE OF IDAHO
Office of State Auditor

AUDITOR USE

AGENCY USE

Date	5700
Code	05/16/89
	190002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No. 2454360	
Pre-Audit	Date MAY 18 1989
Warrant No.	

PAY

ROCKIN S. RANCH, INC.

TO

RETURN WARRANT TO FISCAL

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 10 199	1238	8831		REFUND-#02-72261 PER T.LUKE 5/10/89 20.00	20.00	
TOTAL						20.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

MEMORANDUM

TO: FILE/PERMIT NO. 02-7226

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 5/9/89

Mr. Dennis Smith visited the office today in regards to this permit and Swan Falls processing. Smith submitted proof on 53 of the 146 acres listed on the permit. Smith also provided a photocopy of a 1984 aerial photo which was signed and dated by an Elmore County ASCS agent(see file). The aerial does show that the approximate 53 acres for which he submitted proof was irrigated in that year.

The portion of the permit for which Smith submitted proof is exempt from the review of Section 42-203D, Idaho Code because that portion was developed prior to July of 1985. The remaining portion of the permit, which has never been developed, is essentially relinquished because proof was submitted on only 53 acres.

Permit no. 02-7226 is not subject to Swan Falls processing and thus should be removed from the list. A field examination should be conducted by the regional office.

copy: Western Region

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JUN 12 1989

T89
397

197

3536
2.1

2 16.0

3 3.9

4 4.6

HEL

6 8.2

HEL

5 15.9

10

8.2

HEL

9 20.8

10 HEL
45.2

8

25.6

19

15.6

17

30.5

JUN 12 1989

MAINTAINED

1984 Flight
Edmore County ASES Office
Mary Simpson

POOR QUALITY

ROCKIN S RANCH, INC.
P.O. BOX 939
GLENN'S FERRY, ID 836230000

April 30, 1989

138246

PROOF DUE NOTICE

RE: PERMIT NO. 02-07226

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 July 1, 1989. (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 complete 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

JUN 12 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1989

Rockin S Ranch
Box 939
Glenns Ferry, ID 83623

RE: Permit No. 02-7226

Dear Permit Holder:

The department has reviewed the trust water information questionnaire which you submitted on March 3, 1989 together with the readvertisement fee. Based on the information you have provided, there are additional requirements which you must meet before continued development under the permit can be authorized.

In general terms, you must submit the additional information required by Water Appropriation Rule 4,5. and submit suitable information to overcome the presumption of Water Appropriation Rule 5,3,9. that the direct diversion of water from the Snake River as proposed in the permit is not in the public interest.

The additional information required by Water Appropriation Rule 4,5. may be found in the enclosed copy of the rules.

Water Appropriation Rule 5,3,9. provides as follows:

"Applications or permits to be reprocessed proposing a direct diversion for irrigation purposes from the Snake River between Milner Dam and Swan Falls Dam or from tributary springs in this reach are presumed not to be in the public interest as defined by Section 42-203C, Idaho Code. Such proposals, are presumed to prevent the full economic and multiple use of water in the Snake River Basin and to adversely affect hydropower availability and electrical energy rates in the state of Idaho."

Water Appropriation Rule 5,3. provides the criteria which will be used to evaluate whether a permit is in the public interest. Since the permit is presumed to not be in the public interest, you must overcome the presumption by the submittal of appropriate information for review and evaluation by the department before the permit can be continued authorizing further irrigation. Since this presumption may represent the most difficult obstacle to overcome, you may first wish to carefully evaluate the likelihood of overcoming it before gathering and submitting the additional information required by Rule 4,5.

Please submit the information described above within 30 days as provided in Water Appropriation Rule 4,5,1. Note that an extension

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JUN 12 1989

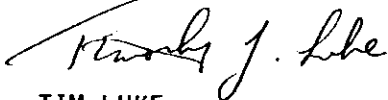
Page 2
Rockin S. Ranch
March 21, 1989

time within which to submit the information can be granted upon a showing of good cause. The department will not advertise the application until the additional information is submitted.

If you choose not to attempt to overcome the presumption and not to submit the additional information required by Rule 4,5., the department will refund the readvertisement fee upon request.

Please do not hesitate to call me if you have any questions concerning this matter.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

TL:hm
Enclosure

cc: Western Region

MICROFILMED

JUN 12 1989

03 1989

GENERAL INSTRUCTIONS: Please answer all questions thoroughly. A separate questionnaire must be completed for each permit.

1. Permit number 02-7226.
2. Was the development or a portion of the development complete and water from the source identified under this permit used before July 1, 1985? Yes X No

If yes, the Department requests that you submit evidence showing the extent of your development existing on July 1, 1985. Evidence should at least include aerial photos (for developments of five acres or more) which are signed and dated by a local ASCS representative. Other evidence may include power records, irrigation equipment records or receipts, and affidavits from persons who are knowledgeable of your operation and dates of past water use.

3. Are you still interested in developing or completing the development under your water right filing?
 Yes X No
 If no, please complete and return the attached relinquishment form.
 If yes, please submit the required \$20.00 readvertisement fee.
4. If you answered yes to question #3, please indicate the number of acres you intend to develop.

5. Remarks: _____

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application or cancellation of the permit by the department.

Rocky S Round
Permit holder

Date Feb 27 89

Address: _____

Phone (208) 366-2156

MICROFILMED

JUN 12 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 30, 1989

RE: PERMIT NO. 02-7226

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

MICROFILMED

JUN 12 1989

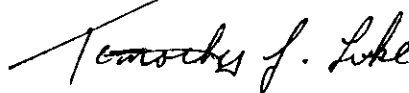
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 334-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

JUN 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 02-7226
Name(s) of Permit Holder(s): Rockwell S Ranch Inc Dennis Smith
Post Office Address: Box 939
GIENAS FERRY IDAHO 83623 Tel. No. 836-2156

☒ I hereby certify that construction of diversion works for the above referenced permit began on 1977 (date) **RECEIVED** I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is not an acceptable reason.

11/9/83
Date

Dennis Smith
Signature of Permit Holder

MICROFILMED

JUN 12 1989



**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

NOV 14 1983

IDAHO DEPARTMENT OF WATER RESOURCES

NOV 14 1983
USA



May 21, 1986

Dennis C. Smith
Rockin S. Ranch, Inc.
Box 939
Glenns Ferry, ID 83623

Dear Mr. Smith:

Re: Permit No. 02-7226

This office acknowledges receipt of the assignment conveying the above referenced permit to Rockin S Ranch. The assignment has been entered into the department's records. Enclosed is a copy of the permit for your records.

Also enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to July 1, 1989. Note that the permit has been reinstated and the priority advanced.

If you have any questions concerning your water rights, please feel free to contact the department.

Sincerely,

RITA J. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 02-7226Reviewed by [signature]Date 5-20-1986

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
Y Has the permit been involved in litigation?
a. Swan Falls Yes Dismissed from Swan Falls No
Other Identify
b. Is supporting documentation needed to complete the file? Requested
c. Calculate the period of delay

Date litigation completed 5-1-1986Date litigation began ≈ - 3-1-1983Total period of delay = 2mo 3yrsPresent proof due date + 5-1-1986NEW PROOF DUE DATE = 7-1-1989 Is delay by a government agency?Is supporting documentation needed to complete the file? Requested?

ACTION TAKEN

Recommend approval based on litigation for 5 years

Special conditions or remarks:

Y Reinstatement Date extension received May 8 =
Proof due date May 1 =
No. of days late = 7
Priority date Mar. 29 '76 = + 85
ADJUSTED PRIORITY DATE April 2, 1976 92

 Prepare coding sheet Change rolodex card

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Permit No. 02-7226

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? *Yes*
2. Notary? *Yes*
3. a. Full Assignment? *Yes*
b. Partial Assignment?
4. "No assignment" condition on permit?
5. Commencement of Works received? *Ext Reg. - 2ND one*
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of residency required? *NO*
7. Extension granted due to litigation?
(If yes, commencement of works is not required.)

1. Type permit summary sheet. ✓
2. Coding sheet. ✓
3. Acknowledgement letter type.
4. Copy to region. ✓

Sharla —

Sharla —

Route to Rita —

Date 5-13-86

Employee *Jui*

MICROFILMED

STATE OF IDAH
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
FEBRUARY 28, 1986
138842

SMITH, DENNIS C.
BOX AB
GLENN'S FERRY, ID 83623

PROOF DUE NOTICE

RE: PERMIT NO. 02-7226

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, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH 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 A COMPLETED PROOF OF BENEFICIAL USE FORM OR A 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



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



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

July 28, 1990

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

MICROFILMED

HAVE requested camera to
convert R9E.

When it is processed, have
approx + good plate changed!
se

June 10, 1976

Re: Permit No. 02-7226

Mr. Dennis C. Smith
Box AB
Glenns Ferry, ID 83623

Dear Mr. Smith:

It has been brought to our attention that an error exists in the legal descriptions of your recently issued Permit No. 02-7226.

Under item 3(a) the point of diversion is shown as being within Range 10 E, B. M., whereas it should, we believe, be in Range 9 E, B. M. We have enclosed an application for amendment for your use in correcting the permit.

Please review the amendment application and if you concur in this matter, sign the application and return it to this office for processing. Please be advised that there will be no fee for the amending of the permit.

If you have questions regarding the amendment or permit, please contact us as soon as possible.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

Enc: App for amendment

bc: Western Regional Office

June 17, 1976

Re: Permit No. 02-7226

Dennis C. Smith
Box AB
Glenns Ferry, ID 83623

Dear Mr. Smith:

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

May 13, 1976

Re: Permit No. 02-7226

Mr. Dennis C. Smith
Box AB
Glenns Ferry, ID 83623

Dear Mr. Smith:

Your approved copy of Application for Permit No. 02-7226 is enclosed and we direct your attention to the conditions of approval on the fourth page.

Especially note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

You must also be aware that there are many applications for permit for the use of Snake River water that are prior to your permit. These applications have been filed for the irrigation of land that the applicants are attempting to obtain under the Federal Land Laws such as Desert Entry and Carey Act. If these lands are developed and if a base flow is maintained in the Snake River as is presently recommended in the State Water Plan then no water would be available for this permit. Therefore you should consider carefully these facts before you make any expenditures for the construction of your system.

If you have any questions, please let us know.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

April 1, 1976

Re: Application for Permit No. 61-7262 -- David C. Spencer
61-7260 -- James &/or Frances Parrish
02-7227 -- Elmco Association
61-7259 -- Margaret B. Walker
61-7261 -- Bureau of Land Management
02-7226 -- Dennis C. Smith
61-7258 -- Bureau of Land Management
02-7224 -- Denning Idaho Ass.

Mountain Home News
P.O. Drawer 0
Mountain Home, Idaho 83647

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 in 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)

Sincerely,

Clayton H. Stock

Bill submitted

4-16-76
RB

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Dennis C. Smith Box AB, Glenns Ferry, ID has on March 29, 1976 submitted Application No. 02-7226 for a permit to appropriate 2.92 cubic feet per second of water from Snake River trib. to Columbia River by means of pump & sprinkler system within the Lot 5 Sec 1 T6S-R10E, B.M., Elmore County to be used from Apr. 1 to Oct. 15 for irrigation of 145.87 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 6 T6S-R10E; S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 1 T6S-R9E, 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, Statehouse, Boise, Idaho, 83720, on or before April 26, 1976.
R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, ID on April 8, 1976 and April 15, 1976.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dennis C. Smith
Box AB, Glenna Ferry, ID
has on March 29, 1976 submitted Application No. 02-7226
for a permit to appropriate 2.92 cubic feet per second ~~2000 cfs~~
~~2000 cfs~~ of water from Snake River trib. of Columbia River
by means of pump & sprinkler system
within the Lot 5 Sec 1 T6S-R10E, B.M., Elmore County

to be used from Apr 1 to Oct 15
for irrigation of 145.87 acres

within the ~~SLNW~~ Sec 6 T6S-R10E; SLNW Sec 1 T6S-R9E, 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, Statehouse, Boise, Idaho, 83720, on or before April 26, 1976.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mountain Home, ID
on April 8, 1976 and April 15, 1976.