

✓ 18

**NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT
NO. 02-2145**

Notice is hereby given that James E. Kevan, P.O. Box 70, Glenns Ferry, ID 83623 has applied to the Department of Water Resources for an extension of time to avoid forfeiture of a water right. This water right is evidenced by License No. 02-2145.

This water right was licensed for a total of 1.0 cubic feet per second of water from the Snake River with a priority date of 3/20/58, and the point of diversion within Lot 6 (SWSW), Sec. 32, Twp. 5S., Rge. 10E., Elmore County, for irrigation purposes from 3/15 to 11/15 annually for use upon 50 acres within the NWNE, SWNE, SENE, NENW, NESE, Sec. 5, Twp. 6S, Rge. 10E.

Section 42-222, Idaho Code provides that a water right shall be lost and forfeited, and the water revert to the state upon failure to apply water to a beneficial use for a period of five years. This Section further provides that the State may allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. James E. Kevan has applied for this extension because the lands under this water right have been placed in the U.S. Department of Agriculture's Conservation Reserve Program and will not be cultivated or irrigated for up to 10 years. The applicant requests this extension until October 15, 1997.

Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on or before September 8, 1987.

R. Keith Higginson, Director
Published in the Mountain Home News on 8/19 and 8/26/87.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Jerry Hanna 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 publica-
tion having been made on the 19 day
of August 1987, and
the last publication having been made on the
26 day of August
87; every Wednesday 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 MOUN-
TAIN 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.

.....
Subscribed and sworn to me this 2nd ...
day of September ..., 1987

Deen W. Swan
Notary Public

RECEIVED

SEP 03 1987

Department of Water Resources
Western Regional Office

MICROFILMED

MAR 08 1988

T.
5
S

T.
6
S

60th Lot 6



32

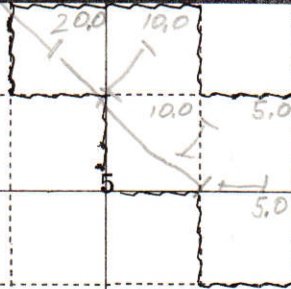


Diagram of System

RECEIVED

Department of Reclamation

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Betty L. Smith, Glenns Ferry, Idaho has received an approved permit No. 27288 to divert 1.0 cubic feet per second of water from Snake River tributary of the Columbia River. The priority to be established under this permit is March 20, 1958. Water will be diverted by exchange pump, pipe and ditches within Lot 7 (SW 1/4 SW 1/4), Sec. 32, T. 5 S., R. 10 E., B.M., Elmore County and is to be used for irrigation in the W 1/2 NE 1/4, SE 1/4, NE 1/4, NE 1/4 NW 1/4, NE 1/4 SE 1/4, Sec. 5, T. 6 S., R. 10 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
First publication April 3, 1969.
Last publication April 10, 1969.

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 publica-
tion having been made on the 3..... day
of April....., 1969, and
the last publication having been made on the
.....10..... day of April.....
19..69...; 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.

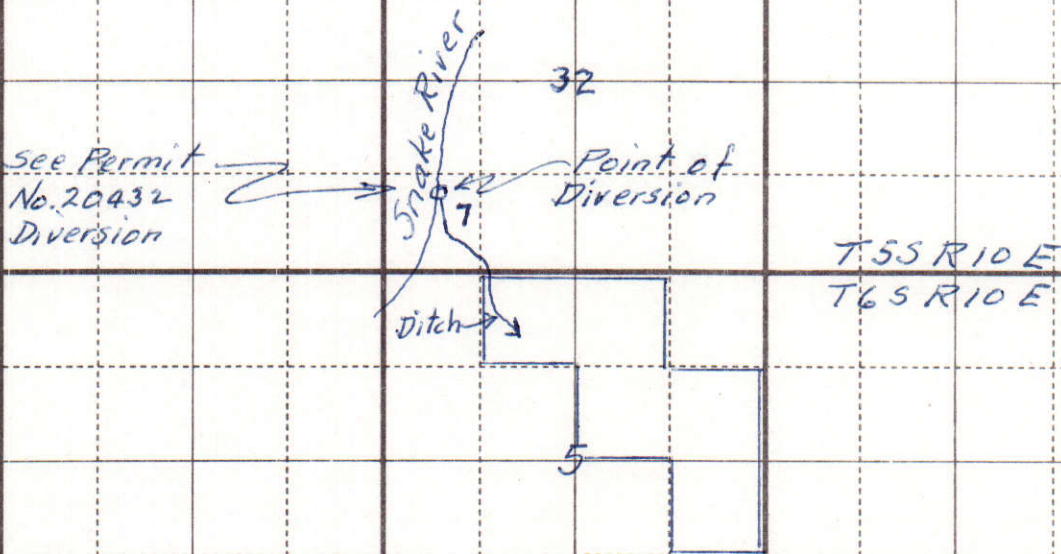
And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 10.....
day of April....., 1969.

Vivian M. Waters
Notary Public

02-2145
24288



ELMORE Co.

Permit Map No. 27288
As Approved **MAR 21 1958**
MARK R. KULP
State Reclamation Engineer

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27288/02-2145 Priority March 20, 1958 Amount 1.0 cfs

THIS IS TO CERTIFY, that JAMES E. KEVAN
of Glenns Ferry, Idaho, has complied with the terms and conditions of Permit
No. 27288/02-2145 issued pursuant to Application for Permit dated March 20, 1958,
and has submitted proof to the Department of Water Resources on March 20, 1969,
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 3.35 cfs of water from the Snake River,
tributary to the Columbia 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
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u> at <u>1.0</u> cfs and	<u>250 acre feet or</u> <u>5.0 af per acre</u>	
	from _____ to _____ at _____ cfs and		
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 1.0 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
250 acre feet per year, said waters to be diverted within the Lot 6 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of
Sec. 32, Twp. 5 S, Rge. 10 E, B.M. in the County of Elmore

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 $\frac{1}{4}$	
6 S	10 E	5		10	5	20									5				50

Total number of acres irrigated 50

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 9 day of
October, 19 76.

Director

RECEIVED

JUL 16 1987

Water Right No. 02-2145

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$30.00 if the application involves 0.2 cfs or 20 acre feet or \$50.00 if in excess of these amounts.

1. Name of water right holder James E. Kevan
Post office address P.O. Box 70, Glenns Ferry, Idaho 83623

2. The right was obtained or is evidenced by:
a. Decree to in Case of
(Name)
vs. , Dated in
(Name of Court)

Court, County of . Fully describe decree

b. License No. 02145 issued by the Department of Water Resources.
c. Claim No. on file with the Department of Water Resources.

3. Source of water Snake River tributary to Columbia
(Name of stream or source)

4. Date of priority of right March 20, 1958

5. Amount of water a. 1 c.f.s. and/or
b. (250) 5 acre feet/annum

6. Water is used for Irrigation from 4/1 to 11/1
from to
from to
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is SW 1/4 SW 1/4 of Section 32
Township 5, Range 10, B.M., in Elmore County;
Additional points of diversion, if any

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6	10	5		10	10	5	20								5				50

Total number of acres irrigated 50

9. Give last date when water was applied to beneficial use 7/1/86
Length of extension of time requested 10 years, or until 10/15/97
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use This ground has been accepted in the
U.S.D.A. Conservation Program.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

James E. Kivau
(Signature of Applicant)

Subscribed and sworn to before me this 15th day of July, 19 87.

Linda Perry
(Notary Public)

My commission expires 5/8/93 Residing at Glenns Ferry

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

Use of water under this right shall resume on or before October 1, 1997.

Witness my hand this 30th day of October, 19 87.

J. Glen Saxton
Chief, Operations Bureau

RECORDED

MAR 08 1988

For Department Use Only

Received by JP Date 7-20-87 Time 3:00 pm Preliminary check by JP
Fee \$ 50.00 Receipted by CCW Date 7-16-87 Publication prepared by JP
Published in Mountain Home News Dates 8/19, 8/26 1987
Publication approved by JP Date 9/11/87 Protests filed by: None

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for // Approval // Denial by DET Jim

V3P

[REDACTED]

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Arny Hanna 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 publica-
tion having been made on the 19 day
of August 1987, and
the last publication having been made on the
26 day of August
19 87; every Wednesday 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 MOUN-
TAIN 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.

Subscribed and sworn to me this 2nd ..
day of September .., 1987

Deer W. Swan
Notary Public

RECEIVED
SEP 03 1987

Department of Water Resources
Western Regional Office

MICROFILMED

MAR 08 1988

Application For Permit To Appropriate the Public Waters of the State of Idaho

02-2145

ASSIGNED TO: JAMES E. KEVAN

11/5/74 Box 70
Glenns Ferry, ID 83623APPLICATION No. 35216
PERMIT No. 27288
DISTRICT No.Betty L. Smith
Box 504
Glenns Ferry, Idaho1. Name of Applicant: **BETTY L. SMITH**Postoffice address: **Glenns Ferry**County: **Elmore**State: **Idaho**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: **1.0** cubic feet per second.3. Source of water supply: **Snake River** which is a tributary of **Columbia River**

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the **Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)**of section **32** , T. **5 S.** , R. **10 E.** , B. M., County of **Elmore**5. Water is to be used for **Irrigation**

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.7. Estimated cost of works: \$ **1500**8. Kind of works: **Exchange pump, pipe and ditches**

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom **2** feet; width at water line **4** feet; depth of water **1** feet;

dimensions of flume:

Diameter of pipe **12** inches; length of conduit **1.0** miles.Average grade per mile **5** feet.12. The time required for the completion of such work is **5** years.13. The time required for the complete application of the water to the proposed use is **6** additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**

16. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Betty L. Smith
Applicant.

/s/ Claude W. Smith
Agent.

By

Date of first receipt at Department of Reclamation: 4:25 P. M. March 20, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 27288

Recorded in Book 96 Page 27288

Approved **March 21, 1958**

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **May 21, 1958**

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **September 21, 1960**

The whole of said work to be completed on or before **March 21, 1963**

Beneficial use of water appropriated in accordance herewith, to be made on or before **March 21, 1969**

WITNESS My hand this 21st day of March, 1958

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho,

and J. S. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 21st

day of March, 19 58.

STATE OF IDAHO

Countersigned:

(SEAL)

Bv H JAS. H. YOUNG

Bv. /s/ ROBERT E. SMYLLIE

Governor.

.....
Secretary of State.

REMARKS: Desert Entry to be filed.

14.

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 $\frac{1}{4}$	
6 S.	10 E.	5	10	10	5	20				Permit No. 27288 ✓ CERTIFICATE OF COMPLETION OF WORKS				5				50	
✓ TO ALL WHOM IT MAY CONCERN:																			
This is to certify that BETTY L. SMITH of Glens Ferry, County of Elmore, and State of Idaho, the holder of Permit No. 27288, issued upon Application No. 35216, bearing date of priority of March 20, 1958, authorizing the diversion of 1.0 second feet of waters of Snake River, County of Elmore, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.0 second feet of the waters of Snake River, tributary of Columbia River; that the point of diversion of said waters Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 32, T. 5 S., R. 10 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:																			
50 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 6 S., R. 10 E., B. M.																			
Witness my hand this 30th day of January A. D. 1963.																			
s/ RALPH W. THOMAS Deputy State Reclamation Engineer																			
Proof of Completion of Works Made: January 29, 1963																			
LICENSE ISSUED FOR 1.0 SEC. FT																			

NOV 5 1974

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Betty L. Smith, hereby assign to James E. Kevan
of Box 70, Glenns Ferry, Idaho 83326
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 02-2145
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 29 day of Oct, 19 74.

✓ Betty L. Smith
Permit Holder BETTY L. SMITH

✓ Claude L. Smith
Spouse of Permit Holder CLAUDE SMITH

State of Idaho)
County of Bannock) ss.

On this 29th day of OCTOBER, 19 74, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Frank Adams
Notary Public residing at
Idaho Falls, Idaho

My commission expires:

7-1-76

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 21, 1997

James E Kevan
PO Box 70
Glenns Ferry ID 83623

RESUMPTION OF WATER ACKNOWLEDGMENT

RE: Water Right Nos. 02-02145 & 02-07144

Dear Water Right Holder:

The Department acknowledges receipt of the statements of resumed beneficial use of water submitted in connection with the above referenced water rights.

Since Section 42-222.2, Idaho Code, authorizes the Department to grant only one five (5) year extension of time to avoid forfeiture, it is essential that you use the water as authorized by the water rights without a five year period of non-use.

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

If you have any questions regarding this matter, please contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

C: IDWR - Regional Office

RECEIVED

AUG 20 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES Department of Water Resources

RESUMPTION OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form must be returned to the department or the water right will revert to the state of Idaho.

Water Right Number(s) 02-02145

Name of Water Right Holder(s) JAMES E. KEVAN

Mailing Address P.O. Box 70 Glenns Ferry, Idaho 83623

Telephone Number 366-2951

Source of Water (Groundwater/Surface) SNAKE RIVER

Extent of Use: Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 50 _____ (number of acres irrigated)

Other/Remarks _____

Total rate and/or volume of use 1.0 cfs _____ acre feet

Show the date water use will be or was resumed under this water right 3-15 to 11-15

Person to contact to accompany the Department representative if a field examination is conducted:

Name James E. Kevan Telephone No. 208-366-2951

Address P.O. Box 70 Glenns Ferry, Idaho 83623

The above information is my true statement of the extent to which diversion and use of the above described water right has been resumed.

Date 8-10-97 Signature James E. Kevan



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 30, 1997

James E. Kevan
Box 70
Glenns Ferry, ID 83623

7-590062136

NOTICE TO RESUME WATER USE

RE: Water Right No. 02-2145

Gentlemen:

One of the conditions of department approval of the application for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced water right, was that beneficial use of water be resumed on or before October 1, 1997. Enclosed is a form which when submitted will notify the department that you have again established beneficial use of water as authorized by the water right.

Failure to resume the use of water for the water right and to notify the department of resumed use will be cause for the water to revert back to the state and again be available for appropriation.

Please fill out and return the resumption form within sixty (60) days of receipt of this letter. Please address your correspondence to my attention.

If you have any questions concerning this matter, please contact me at 327-7900.

Sincerely,

JULIE L. YARBROUGH
Sr. Secretary

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

~~JOHN V. EVANS~~

Governor

~~KENNETH DUNN~~

Director

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

November 2, 1987

RE: Water Right No. 02-2145

James E. Kevan
Box 70
Glenns Ferry, ID 83623

Dear Mr. Kevan:

Enclosed is a copy of the approved Application for Extension of Time to Avoid Forfeiture of the above referenced water right. Note that use of water must resume on or before October 1, 1997.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
FILMED

MAR 08 1988

OK P

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE
OF A WATER RIGHT NO. 02-2145

Notice is hereby given that James E. Kevan, P.O. Box 70, Glens Ferry, ID 83623 has applied to the Department of Water Resources for an extension of time to avoid forfeiture of a water right. This water right is evidenced by License No. 02-2145.

This water right was licensed for a total of 1.0 cubic feet per second of water from the Snake River with a priority date of 3/20/58, and the point of diversion within Lot 6 (SWSW), Sec. 32, Twp. 5S., Rge. 10E., Elmore County, for irrigation purposes from 3/15 to 11/15 annually for use upon 50 acres within the NWNE, SWNE, SENE, NENW, NESE, Sec. 5, Twp. 6S, Rge. 10E.

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Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on or before September 8, 1987.

R. Keith Higginson, Director

Published in the Mountain Homes News on 8/20 and 8/27/87

✓ Approve DRT 9/16/87

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MAR 08 1988

RECEIVED
SEP 29 1987

Department of Water Resources

SECURITY TITLE COMPANY

ESTABLISHED IN 1913

TITLE INSURANCE
GOODING AND LINCOLN COUNTIES
RALF M. LUCKE AND HELEN H. LUCKE
TELEPHONE 934-4427

P.O. BOX 28
GOODING, IDAHO 83330

February 28, 1979

RECEIVED

State of Idaho
Department of Water Resources
1031 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

MAR 3 1979

Department of Water Resources
Gooding District Office

Gentlemen:

This is to advise you that James E. Kevan, holder of the following:

Permit No. 37-7399
Water License 02-7144
License 02-2068(20-432)
Permit 02-7137
License 02-2145(27-288)
Permit No. 37-7462

has mortgaged the rights hereunder to the United States and agreed that he will not assign or amend the license without the consent of the Farmers Home Administration.

The permits and license are on land located in Camas and Elmore Counties.

Yours very truly,

SECURITY TITLE COMPANY

Ralf M. Lucke

Ralf M. Lucke or Helen H. Lucke

RML/fr

CC: Farmers Home Administration
Boise Western Division
Water Resources Division
Attn: Roberta Garrett

RECEIVED

MAR 08 1988



Policy Issuing Agent
Safeco Title Insurance



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 12, 1976

Re: Permit Nos. 02-2145
02-7144

James E. Kevan
Box 70
Glenns Ferry, ID 83623

Dear Mr. Kevan:

Enclosed herewith are copies of the water right licenses issued on the above referenced permits.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

September 24, 1976

Mr. James E. Kevan
Box 70
Glenns Ferry, ID 83623

Dear Mr. Kevan:

A representative of this Department has made an examination of the works covered by your Permit No. 27288/02-2145 and has found the following:

Quantity of water diverted: 3.35 cfs Source: Snake River

Amount of water that can be recognized as beneficially used under Idaho law: 1.0 cfs

The maximum quantity diverted shall not exceed 250 acre feet, or 5.0 af per acre, per year.

Point of diversion: Lot 6 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 32, Twp. 5 S, Rge. 10 E, B. M., Elmore County

Beneficial use: Irrigation of 50 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 6 S, Rge. 10 E, B. M.

Priority date established: March 20, 1958

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

3:30 4/12/76
will call when
ready

4/12/76
will call when
ready - 2

- TOTAL ACREAGE** 50 ~~50~~ 115

T.
5
S

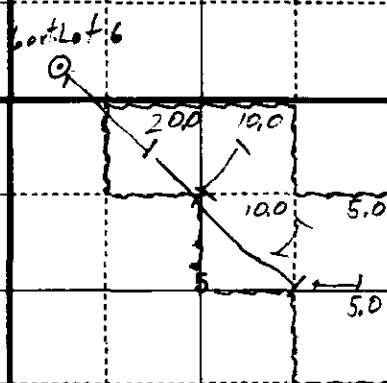


Diagram of System

DATE OF EXAM 8/16/76

ACREAGE
Found 115
Recommended 50

Irrigation Requirement 5.0 Ac Ft/Ac

USE
Irrigation Q = 1.0 c.f.s. V = 250 AF/Ann. from 3/15 to 11/15
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no X

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

Exchange? yes no X

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 1500 gpm = 3.34 cfs Method of measurement Badger Meter
Total Q recommended 1.0 cfs Meter No. M0559386 Type Badger Condition operational
Total V recommended 250 AF/Ann

Recommended Amendments:

P.D. should be Govt. Lot 6 not Lot 7 *will not need amendment*
Place of Use
Other
None

MEASUREMENT CALCULATION:
Badger Meter # M0559386 pumping at 1500 gpm

SYSTEM DESCRIPTION:
GE Motor Model # 5K626BXH1A 125HP Serial # CJI321110 on Wayne & Bowler pump # 02091. Pump set on large concrete tile in Snake River.

REMARKS:
Additional ground is covered by 02-7144

Examiner's Signature J. L. Lira Date 8/31/76
Checked by JLL Date 9-9-76
Approved by Date

November 15, 1974

Re: Permit No. 27288/02-2145

James E. Kevan
Box 70
Gienns Ferry, ID 83623

Dear Mr. Kevan:

We acknowledge receipt of the assignment submitted conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

Please be advised that a field examination is pending for this permit. If you have any questions concerning this exam, please contact our Western District Office in Boise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

cc: Alan D. McCombs, Mgr.
Federal Land Bank Assn. of Gooding

MICROFILMED

October 9, 1974

Mr. Alan D. McCombs, Mgr.
Federal Land Bank Assn.
121 Fourth Ave. West
Gooding, Idaho 83330

Dear Mr. McCombs:

Pursuant to your letter of September 30th, we have enclosed a copy of the assignment whereby Charles Kevan conveyed Permit No. 02-7144 to James E. Kevan.

Please be advised that Permit No. 27288 (New No. 02-2145) is still in the name of Betty L. Smith. We have enclosed an assignment of permit form for Mr. Kevan's use in having this permit assigned to him.

If we may be of further assistance, please advise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enclosures (2)

FEDERAL LAND BANK ASSOCIATION OF GOODING

121 FOURTH AVENUE WEST GOODING, IDAHO 83330

TELEPHONE: 934-4921



ALAN D. MCCOMBS, MANAGER

OUT 1 1974
Department of Water Resources

September 30, 1974

156716-5 Kevan

Mrs. D. Darlene Reich
Water Rights Supervisor
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mrs. Reich,

We are in receipt of your letter of September 24th to Mr. James E. Kevan advising him that proof of beneficial use has been made on Permit No. 02-7144. Apparently this permit was satisfactorily transferred from Charles Kevan to James Kevan. If it has not been transferred, please advise.

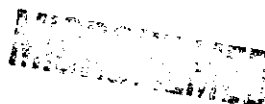
Has James Kevan applied for transfer on Permit No. 27-288 to his name? We would appreciate your advice on this matter. Please provide us with copies of both transfers if in order and bill our office accordingly.

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Alan D. McCombs".
ALAN D. MCCOMBS
Manager

ADM/jg



September 18, 1974

Federal Land Bank of Gooding
Attn: Allan McCombs
121 4th Ave. West
Gooding, ID 83330

Dear Mr. McCombs:

Enclosed is a copy of our last correspondence concerning Permit No. 02-2145.

Also enclosed are two assignment of permit forms, along with a proof of beneficial use affidavit and instructions.

If you have any questions, or need further assistance, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG
Enclosures

UNRECORDED

02-2145
October 16, 1973

Mr. Charles W. Kevan
Glenns Ferry
Idaho 83623

Dear Mr. Kevan;

Enclosed is the information you requested when I spoke to you this summer. I researched our files for permits or licensed rights filed by Claude W. Smith or Betty L. Smith. There may be additional use rights that have not been recorded.

Proof of beneficial use has been made on permit 02-2145. An examination will need to be made when the system is in operation before the license can be issued. This permit should also be assigned by the previous owner to you. I am enclosing the proper form. If I can be of any further assistance, please contact this office.

Sincerely,

M. CLAYNE BARRON
W. R. Technician II

Enclosures

MCB:sw

02-2145

May 28, 1969

Re: Permit No. 27288

Betty L. Smith
Box 504
Glenns Ferry, Idaho 83623

Dear Ms. Smith:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from 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. If someone other than yourself should be contacted, please advise.

Very truly yours,

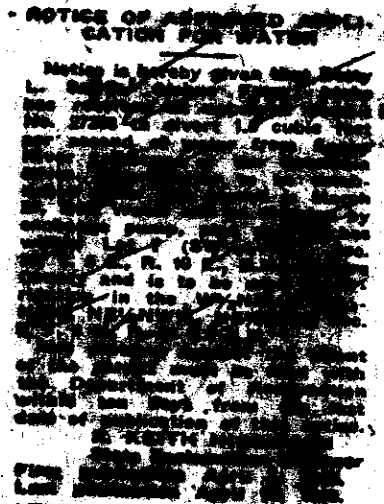
Donald W. McEldowney
Appropriation Examiner

DWM:CSA:DR

exam typed
24388
06-2-45

RECEIVED

Department of Information



Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Floyd 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 publica-

tion having been made on the ..*3*..... day

of ..*April*....., 19*69*, and

the last publication having been made on the

.....*14*..... day of ..*April*.....

19..*69*..; 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 MOUN-
TAIN 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.

Floyd S. Waters

Subscribed and sworn to me this ..*14*.....

day of ..*April*....., 19*69*.

Vivian M. Waters
Notary Public

May 14, 1969

Re: Permit No. 27288

Betty L. Smith
Glenns Ferry,
Idaho

Dear Ms. Smith:

As of this date, we have not yet received the affidavit ~~27288~~.
publication to be submitted in connection with permit No.
You should be aware that many newspapers do not keep copies of
these advertisements for their files. We, therefore, recommend
~~that you obtain a copy of this affidavit from the~~ Idaho Department of
Revenue, and submit it
promptly to the Department. Please be advised that a license will
not be issued until we are in receipt of this affidavit.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

27288
20 2115

March 27, 1969

Re: Permit No. 27288-Betty L. Smith

Mountain Home News
Mountain Home, Idaho.

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

Betty L.

The expense of the publication is to be paid by _____
Smith, Glenns Ferry, Idaho

_____,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: legal notice

~~57~~ 03-2145
57288

March 27, 1969

Re: Permit No. 27288

Betty L. Smith
Glenns Ferry, Idaho

Dear Mrs. Smith:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 27288.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Mountain Home News, Mountain Home, Idaho after 3-10-69 upon payment of the bill of publication.

Prior to the issuance of the license a field examination must also 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 someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

*exam
typed
27288
03-31-69*

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Betty L. Smith, Glenns Ferry, Idaho

has received an approved permit No. 27288 to divert store
1.0 cubic feet per second acre feet of water from
Snake River tributary of the Columbia River

The priority to be established
under this permit is March 20, 1958

Water will be diverted by exchange pump, pipe and ditches
within the Lot 7 (SWSW),
Sec. 32, T. 5 S., R. 10 E., B. M., Elmore County

and is to be used for irrigation
in the W1/4, S1/4, NE1/4, NW1/4, Sec. 5, T. 6 S., R. 10 E., B. M.

Any protests against the intent of the permit must be filed with the
Department of Reclamation within ten days from the last date of publication
of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Mountain Home News, P. O. Drawer O, Mountain Home,

Published in the Idaho
April 3 and April 10, 1969
on _____

State Reclamation Engineer:

Permit No. 27288

You are hereby authorized to have the attached notice published at my expense
in the Mountain Home News of Mountain Home;
published in the county in which the works are situated. Idaho

Betty L. Smith
(signature)

Box 504 Glenns Ferry Ida
(Address)
March 17th 1969
(date)

Identification No. _____

Permit No. 27288

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

MAR 20 1958

Department of Reclamation

1. a) Name of Permit Holder Betty L. Smith
 b) Post Office Address Box 504 Glenns Ferry, Idaho 83623
2. Permit Number 27288
3. Date of Priority that you are prepared to establish 20 March 1958
4. a) Source from which water was appropriated Snake River
 b) Location of the point of diversion: Lot 7 SW 1/4 SW 1/4 Section 32
 Township 5S Range 10E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
 amount 1.0 cfs for Irrigation purposes from April 1 to Nov. 1 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 1.0 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: Portable Weir - measured by King Hill Irr. Dist. Water Master.

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: exchange pump-pipe + ditches

b) Describe the agreement or understanding by which you take water from the works: Husband and wife

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) Water pumped from river by 20 Hp. motor to 42' level. Gravity flow in open ditch

b) Describe the type and size of measuring device which you have installed at your point of diversion: Used portable 2' weir

c) Give well drillers name and address and date the well was completed _____

27288
2-2145

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

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	10E	5		2 1/2															15
6	10	5					2 1/2												17
6	10	5			X														10
6	10	5				X													5
6	10	5												X					3

Total number of acres irrigated 50 -

10. Remarks: _____

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

3/17/69 (Date) Betty L. Smith (Signature)

State of Idaho)
County of Elmore) ss.

On this 19th day of March, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

George F. Sabatone
Notary Public residing at Glenns Ferry, Id.

My commission expires Feb. 14, 1972

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

201659

INSURED NO.

DATE DELIVERED

JAN - 9 1968

1

Betty Smith

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Claudia Smith

3

SHOW WHERE DELIVERED (only if requested)

c55-16-71648-10

GPO

27288

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and
complete instructions on other side, where applicable.
Moisten gummed ends, attach and hold firmly to back
of article. Print on front of article **RETURN**
RECEIPT REQUESTED.

**RETURN
TO**

NAME OF SENDER

Department of Information

STREET AND NO. OR P.O. BOX

Attn: Mr. [illegible]

Boise, Idaho 83728

POST OFFICE, STATE, AND ZIP CODE

056-10-71648-10

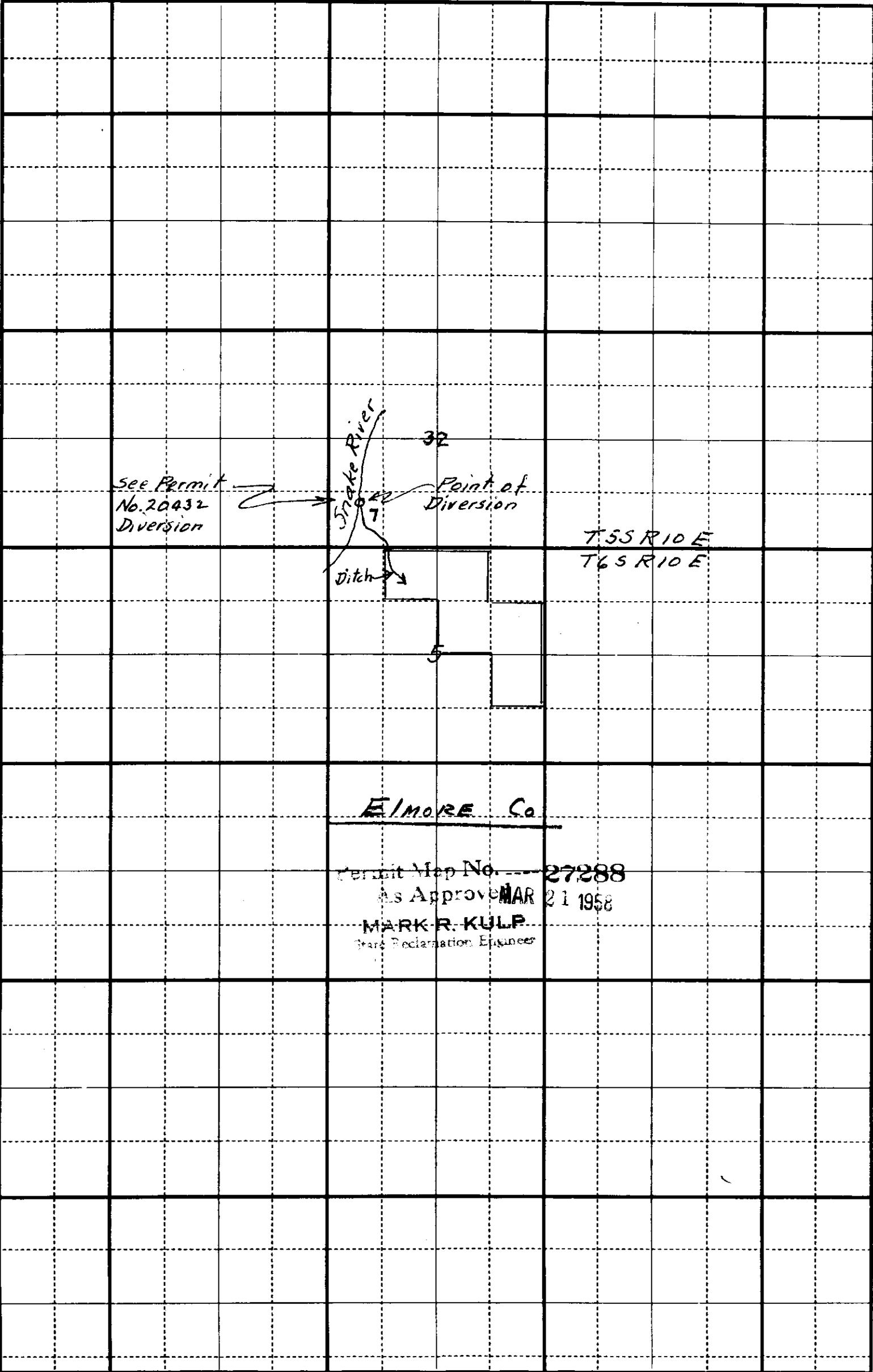
Apr. 1967

POD Form 3811

27288

NAME OF APPLICANT Beth L. Smith

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

27288

March 31, 1958

Re: Permit No. 27288

Betty L. Smith
Box 504
Glenns Ferry, Idaho

Dear Mrs. Smith:

We enclose Permit No. 27288 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail, we have sent to the Bureau of Land Management, two copies of this permit, one of which has been certified, to be used in connection with the Desert Land Entry filed in that office. A copy of that letter is enclosed.

Departmental receipt No. 29026 was issued covering payment in the amount of \$7.00, which includes \$5.00 for the filing fee, and \$2.00 for the copies sent to the Bureau of Land Management, of the above mentioned permit. This receipt was given to you while in our office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw
Encls. (3)

27288

March 31, 1958

Re: Permit No. 27288
Betty L. Smith

Bureau of Land Management
P. O. Box 2237
Boise, Idaho

Gentlemen:

We enclose two copies of Permit No. 27288, one of which has been certified, to be used in connection with the Desert Land Entry filed in your office by permit holder, Betty L. Smith, P. O. Box 504, Glenns Ferry, Idaho.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

BPR:lw
Encls. (2)
cc: Betty L. Smith

27288



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Land Office
P. O. Box 2237
Boise, Idaho

IN REPLY REFER TO:

10-252

Idaho 99301

APR 1 5 1959
Department of the Interior

Petty L. Smith

NOTICE OF ALLOWANCE

P. O. Box 2237

Glenns Ferry Idaho

Dear Madam:

Your Desert Land Entry, Serial No. Idaho 99301,

Receipt No. 378233, for lots 2 3 34 35 36 37 38 39

, Section 5;

Township 6 S, Range 10 E, Boise Meridian, Idaho, containing

149.34 acres, has this day been allowed, subject to any

valid existing rights, and your further compliance with laws and

regulations applicable thereto. In correspondence relating to this

entry, always refer to the serial number.

Subject to the Act of July 17, 1914, which may require the reservation

of all oil and gas deposits to the United States. There is reserved to

the United States the improvement known as the Wilson Truck Trail LL

Project No. 1836141 located in Sec. 5 (lot 3) T. 6 S. R. 10 E

S.M. Idaho together with the right of ingress and egress to the lands

as necessary for use and maintenance of the above-identified project as long

as it exists in its present location.

Sincerely yours,

Donald I. Bailey
Manager

cc: 104, 107

124

State and Ingr Boise

124

27-228

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

I N S T R U C T I O N S
P R O O F O F C O M P L E T I O N O F W O R K S

Boise, Idaho

Re: Permit No. 27288

Jan 2, 1963

Betty L. Smith
Box 504
Glenns Ferry, Idaho

Dear Mrs. Smith:

Under the terms of your Permit No. 27288 you are required to complete your diversion works on or before March 21, 1963. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

GEO. N. CARTER

State Reclamation Engineer

Enc. Form 6

27288

January 30, 1963

Re: Permit No. 27288
Betty L. Smith

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is the Certificate of Completion of
Works issued on the above numbered permit, in the name of
Betty L. Smith.

Also enclosed is departmental receipt No.
31425, in the amount of \$5.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

27288

Permit No. 27288STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

Betty L. Smith

, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 27288, and that his postoffice address is Glenns Ferry, Ida.
State of Idaho

Second: That the name of the stream from which said water is to be diverted is _____

Snake River

Third: That the point of diversion of said water is Lot 7(SW¹SW¹), Sec. 32,

T 5 S - R 10 E., B.M., Ida.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 3/21/63, 19____

Fifth: That the use for which said water is intended is irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of Works: Pump and ditch

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work: _____

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit Ditch width at bottom 2 feet, width at water line 3

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 18" feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of ~~conduit~~ ^{ditch} is 1/4 miles.

Seventh: That said works are capable of conducting to the place of intended use _____
1 second feet of water.

Eighth: That water appropriated under said permit is available for 200 50 acres of land described as follows: NW¹NE¹, S¹NE¹, NE¹NW¹, NE¹SE¹, Sec. 5, T6S-R10E., B.M., Ida.

Ninth: Remarks:—That _____

Betty L. Smith
(SIGN HERE)

Subscribed and sworn to before me this 29 day of January, 19 63

Joan H. Bain

NOTARY PUBLIC

My commission expires 6/20/65

27288
27

January 2, 1969

Re: Permit No. 27288

Betty L. Smith
Glenns Ferry, Idaho

Dear Mrs. Smith:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: order
proof due notice
proof package
advertising package

January 2, 1969

Re: Permit No. 27288

Betty L. Smith
Glenns Ferry, Idaho

Dear Mrs. Smith:

One of the conditions of the approval of your permit
27288 was that proof of application of the water to
beneficial use be submitted to this office on or before _____
March 21, 1969.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received
by this department on or before the above mentioned date, otherwise
the permit will lapse and be of no further force or effect.

State Reclamation Engineer

Enclosure: Proof form

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 27288)

in the name of Betty L. Smith,)
Glenns Ferry, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

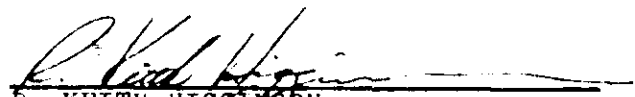
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 27288 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 16th day of January, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

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