

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

**APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Joseph W. Smith Phone \_\_\_\_\_

Post office address 5058 S. 2200 W. Salt Lake City, Utah 84118

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is SW 1/4 SE 1/4 TWS.  
and SE 1/4 of SW 1/4 of Section 19 Township 12S

Range 41E B.M. Franklin County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .06 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount .20 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)  
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. .26 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and sprinkler  
system

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

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

c. Proposed well diameter is 8' inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial  
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW 1/4 of SE 1/4 of TWS.  
and SE 1/4 of SW 1/4 of Section 19 Township 12S

Range 41E B.M.

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

(3) List number of each kind of livestock to be watered Not known at this time TWS.

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water 2 homes.

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

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

| TWP     | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |         | SE¼ |     |       |     | TOTALS      |
|---------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------|-----|-----|-------|-----|-------------|
|         |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼     | NE¼ | NW¼ | SW¼   | SE¼ |             |
| 12S     | 41E   | 19   |     |     |     |     |     |     |     |     |     |     |     | 7<br>10 | JWS |     |       |     | 7 JWS<br>10 |
| JWS 12S | 41E   | 19   |     |     |     |     |     |     |     |     |     |     |     |         |     |     | 3 JWS |     | 3           |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |         |     |     |       |     |             |

Total number of acres to be irrigated 10

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

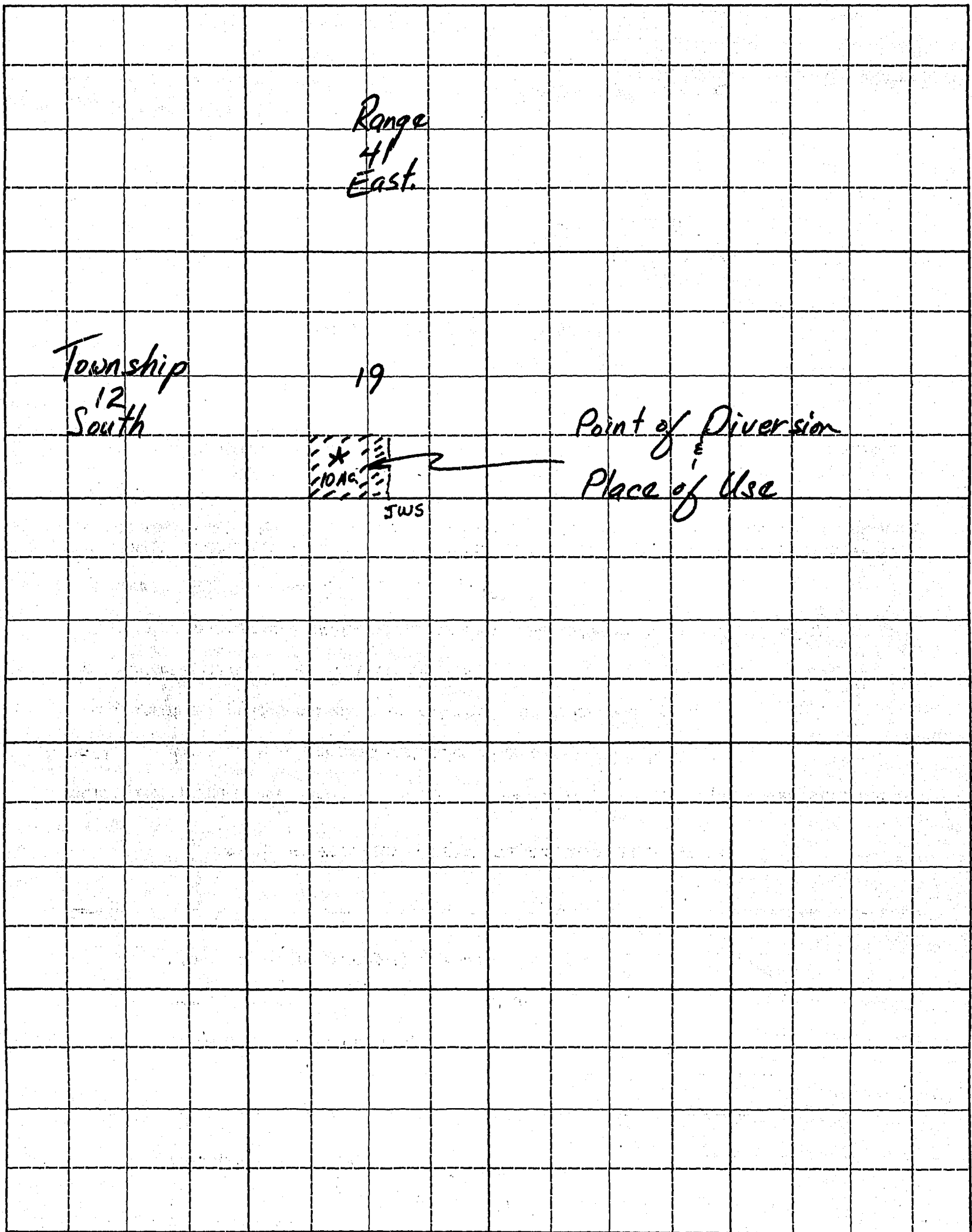
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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.

x Joseph W. Smith  
(Applicant)

Proposed Priority 7/9/1982

Received by BP Date 7-9-82 Time 10:30am

Preliminary check by KCW Fee \$ 45.00

Receipted by BP Date 7-9-82 # 22379

Publication prepared by BP Date 7-15-82

Published in Preston Citizen

Publication dates 7-22 & 7-29-82

Publication approved CW Date 8-9-82

Protests filed by: None

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by EMC HC

**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. 13-7365, 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 September 1, 19 87.

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

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

Witness my hand this 10<sup>th</sup> day of September, 1982.

J. Glen Sayton  
Chief, Operations Bureau

# 875

No 1670

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Franklin } ss.

J. Walter Ross

being duly sworn,

deposes and says:

That he is the Co-Publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 22

1982, and ending

with the issue of July 29, 1982.

Fee \$ 22.50

Subscribed and sworn to before me this 31st

of July, 1982

Ken O. Allen

Notary Public, Residing at Preston, Idaho

My Commission Expires June 7, 1986

Department of Water Resources  
Eastern District Office

## NOTICE OF APPLICATION FOR WATER RIGHT

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

13-7365

SMITH, JOSEPH W.  
5058 S. 2200 W., SALT LAKE CITY  
UT 84118

Source: GROUNDWATER

Date Filed: 07/09/1982

Amount: 0.26 CFS

Diversion Point: SESW SWSE Sec 19  
T 12S R 41E FRANKLIN Co.

Use: IRRIGATION (0.20 CFS) from  
04/01 to 11/01.

DOMESTIC: (0.06 CFS) from 01/01  
to 12/31.

Place of Use: SESW SWSE Sec 19 T  
12S R 41E FOR 10 ACRES

Diversion Means: WELL, PUMP &  
SPRINKLER SYSTEM

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before AUGUST 9, 1982.

A. KENNETH DUNN  
Director

Published 7/22 & 7/29/82

Legal No. 1670 -36L- Published  
July 22, 29, 1982.

June 29, 1982

Joseph W. Smith  
5058 S. 2200 W.  
Salt Lake City, UT 84118

Dear Mr. Smith:

Enclosed is an application for a permit to drill a well on your property in Thatcher, Idaho. Although I obtained the information during a telephone call with your wife, please carefully review the application to ensure that I have accurately described the project. If changes are necessary simply enter the correct data and initial the change.

When you are satisfied the application is in proper form, sign it where indicated and return it to this office. Included with the application should be a check for \$45.00 payable to the Department of Water Resources. This is the statutory filing and is used to cover advertising and processing costs.

As always feel free to contact me should you have any questions.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:bp

Enclosure

13-2365

SMITH, JOSEPH W.

5058 S. 2200 W., SALT LAKE CITY, UT 84118

Source: GROUNDWATER

Date Filed: 07/09/1982

Amount: 0.26 CFS

Diversion Point: SESW SWSE Sec 19 T 12S R 41E, FRANKLIN Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: IRRIGATION | (0.20 CFS) | from 04/01 to 11/01 |
| DOMESTIC        | (0.06 CFS) | from 01/01 to 12/31 |

Place of Use: SESW SWSE Sec 19 T 12S R 41E FOR 10 ACRES

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM

NOTICE OF APPLICATION FOR WATER RIGHT

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

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402 on or before AUGUST 9, 1982.

A. KENNETH DUNN

Director

Published 7/22 & 7/29/82.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

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

JULY 15, 1982

The Preston Citizen  
P. O. Box 472  
Preston, Idaho 83263

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before AUGUST 9, 1982.

Yours truly,

RONALD D. CARLSON  
Supervisor  
Eastern Region

Encl.

State of Idaho  
Department of Water Resources

## APPLICATION FOR PERMIT AND

INITIAL REVIEW BY: *KC Nelson*

CHECK:

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

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other

Copies sent by:

Date:

PROCESSING:

- ☐ Yes      ☒ No  
☐ Yes      ☒ No

Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_

Map No.

Other rights on same place of use.

- ☒ Yes      ☐ No

In form for advertising.

Final date for protests:

Aug 9, 1982

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8-8-82
- ☒ Application published correctly. If not, record action taken.
- ☒ Fee amount, receipt date & number, recorded on application.
- ☒ Publication dates and paper, recorded on application.
- ☒ Protests, dates, withdrawal, etc., recorded on application.
- ☒ Recommendation & initial, recorded on application.
- ☒ Yes    ☒ No    Measuring device required.
- ☐ Yes    ☒ No    Access port required.
- ☐ Yes    ☒ No    Will water be delivered by watermaster? If

Will water be delivered by watermaster? If yes, what district?

17-9-82 Date of priority recommended.

Special conditions of approval or cover letter.

Col 26

By: Ernest Carlson.

Date: 8-20-82.

## STATE OFFICE REVIEW:

5LW/L12

25

- ☐
- See attached sheet for more information.

By:

Date:

8/25/82

O/c to approve

No special conditions required

en. 9-3-82

AUG 24 1982

Department of Water Resources

INTER-DEPARTMENT MEMO — 1

FROM Jim

DATE 8-25-82

TO File

SUBJECT Well log review AND MAP REVIEW

I checked for well logs in the vicinity of the P/D & P/u per Glen's memo of 8-25-82. AND DID NOT FIND ANY WELLS THAT WERE WITHIN 2 miles. ■

The map review showed that William's Cr. (trib. to Bear R.) ran close to the

SIGNATURE

Proposed development and a new well may intercept some of the tributary under flow.

It appears that more information is REQUIRED BEFORE potential for interference ~~is~~ can be evaluated.



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

August 26, 1982

RE: Application for Permit No. 13-7365

Joseph W. Smith  
5058 S. 2200 W.  
Salt Lake City, UT 84118

Dear Mr. Smith:

We are in receipt of your application for permit to appropriate 0.26 cfs of groundwater for domestic and irrigation purposes. Before the Department can approve your application it must be assured that the groundwater that you propose to use will not interfere with surface water flows of Williams Creek or the Bear River.

We therefore request that you provide us with additional information on your plans to locate and construct your well such as depth, non-perforated casing depth, distance from surface water streams, etc. Please provide this information within thirty (30) days.

If you have any questions, please let us know.

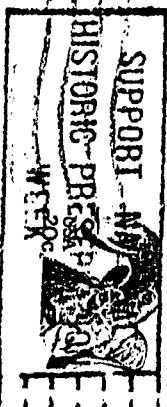
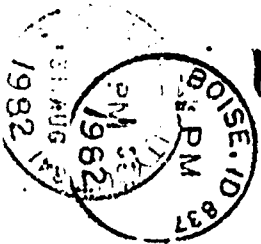
Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ:kw

Joseph W. Smith  
5058 South 2800 West  
Salt Lake City, Utah 84118

Mr. Jim Johnson  
State of Idaho  
Dept. of Water Resources  
Statehouse  
Boise, Idaho 83720





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

August 26, 1982

RE: Application for Permit No. 13-7365

Joseph W. Smith  
5058 S. 2200 W.  
Salt Lake City, UT 84118

Dear Mr. Smith:

We are in receipt of your application for permit to appropriate 0.26 cfs of groundwater for domestic and irrigation purposes. Before the Department can approve your application it must be assured that the groundwater that you propose to use will not interfere with surface water flows of Williams Creek or the Bear River.

We therefore request that you provide us with additional information on your plans to locate and construct your well such as depth, non-perforated casing depth, distance from surface water streams, etc. Please provide this information within thirty (30) days.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson".

JIM JOHNSON  
Water Distribution Supervisor

JJ:kw

RECEIVED

SEP 2 1982

Department of Water Resources

August 30, 1982

RE: Application for permit No. 13-7365  
and letter dated August 25, 1982 asking for location  
clarification of permit application.

Jim Johnson  
Water Distribution Supervisor

Dear Mr. Johnson:

Thank you for your consideration of our application.

The approximate location of our well request is at least  
600 feet from Williams creek and on a hill north of the draw  
the creek is contained in. We will be at least 500 feet below  
the level of the level of the source of the creek. The location  
is also at least 500 feet up and away from the Bear River low  
land and over 1600 feet from the river itself.

We plan to be between 750 feet and 850 feet north of the  
south boundary of section 19 and between 1200 and 1250 feet  
east of the west boundary of Section 19.

The old Williams house on the north east corner of Highway  
34 and the Williams Creek road has had a hand dug well for  
domestic use about 20 feet below the ground level of the house.

We understand the water is polluted.

We do not know where water levels are with good water  
but wanted to go below that level. So, from the hill we plan to  
dig on, we want to dig below 125 feet and perforate our casing  
below that level at a level where good and sufficient water is  
and where surface and seepage water can not reach.

Sincerely,

Joseph W. Smith

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

SMITH, JOSEPH W.  
5058 S. 2200 W.  
SALT LAKE CITY, UT 84118

SEPTEMBER 28, 1982

RE: PERMIT NO. 13-7365

DEAR PERMIT HOLDER:

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

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS MUST BE STARTED WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED. THE PROJECT MUST THEN BE DILIGENTLY CONSTRUCTED UNTIL COMPLETED. TO MAINTAIN THE PERMIT IN A VALID STATUS YOU MUST COMPLETE AND RETURN THE ENCLOSED POSTCARD WHEN CONSTRUCTION IS COMMENCED, NO LATER THAN ONE YEAR FROM THE DATE OF APPROVAL OF THE PERMIT.

SINCERELY,

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

ENCLOSURE

138675  
CERTIFIED MAIL  
June 30, 1987

SMITH, JOSEPH W.  
5058 S. 2200 W.  
SALT LAKE CITY, UT 84118

PROOF DUE NOTICE

RE: Permit No. 13-7365

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 September 1, 1987. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

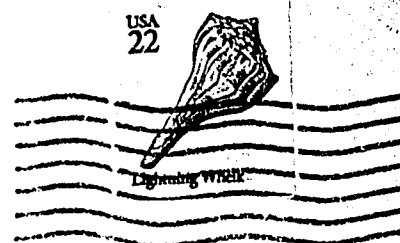
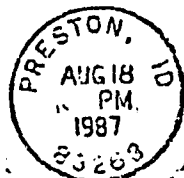
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK  
Secretary/Records Manager

Enclosures

STEVEN J SMITH  
6843 E WILLIAMS CR  
THATCHER ID 83283



Dept. of Water Resources  
Statehouse 450 W. State Street  
Boise, Idaho 83720

Form 217  
03/86

RECEIVED

AUG 20 1987

no. 217. 03  
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received \_\_\_\_\_

Date \_\_\_\_\_

Receipt # \_\_\_\_\_

Receipt by \_\_\_\_\_

Reviewed by \_\_\_\_\_

Sent to region \_\_\_\_\_

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. 13-7425

Name(s) of Permit Holder: Steven J. Smith ✓

Post Office Address: 6843 East William Creek ✓

Telephone No. 427-6202

Source of Water: Well ✓

Extent of Use:

Domestic 1 ✓ (number of households) Stockwater \_\_\_\_\_ (number and type of stock)

Irrigation \_\_\_\_\_ (acres) Other/Remark \_\_\_\_\_

Total rate and/or volume for which proof is submitted .04 cts 18 gal/min acre-feet

Show the date water was first diverted and beneficially used under this permit: Nov. 1984

Measuring Device: Required? Yes No  
Installed? Yes No

Fee enclosed \$ \_\_\_\_\_  
(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:

(Name)

(Telephone Number)

(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.

Aug. 18, 1987  
Date

Steven J. Smith (owner) ✓  
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

OCTOBER 21, 1987

STEVEN J. SMITH  
6843 EAST WILLIAMS CREEK  
THATCHER ID 83283

RE: Permit No. 13-7365

Dear Permit Holder:

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

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

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

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

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