

COPY

State of Idaho
License and Certificate of Water Right

Water License No. 21009

Amount 3.2 second feet

Water District No.

Priority April 9, 1949

THIS IS TO CERTIFY that FRANCIS T. SMITH
of Shelley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 9, 1949; that Permit No. 21009
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on November 6, 1954, showing that said works
were completed on the 14th day of November, 1953; and that on the 14th
day of November, 1953,

FRANCIS T. SMITH

of Shelley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
~~subterranean~~ (subterranean flow), for the purpose of irrigation and domestic
use, under Use Permit No. 21009 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5397, on the 6th day of November, 1954;
The right hereby confirmed dates from April 9, 1949;
The Point of Diversion is located

in the SE 1/4 SE 1/4 Sec. 18, Tp. 1 S., R. 36 E., B. M. Blingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	36 E	18	SW 1/4 NE 1/4	40	4
			NE 1/4 SW 1/4	40	20
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	10	40
			SE 1/4 SE 1/4	40	30
Number of Acres Actually Irrigated				174	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
6th day of November, 1954.

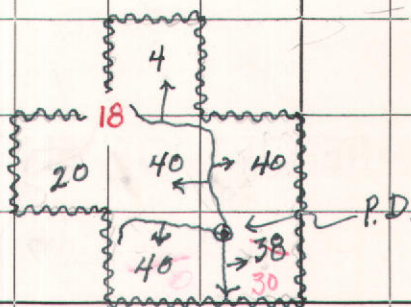
MARK R. KULP

State Reclamation Engineer.

(SEAL)

R-36E.

120
38
2
18



33' E. } Power line
9' 3' }

19

Subdivisions = 6

Area = ~~182~~ acres. 174 a.

For well Q = 195 inches

$\frac{160}{35}$ " left.

Q = ~~182~~ inches. 3.2 cfs.
T = 50°F

30 measured thru sparkling meter

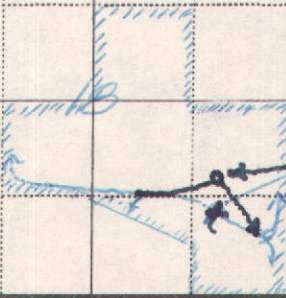
31

Nearest road on map

TO BLACKFOOT

Francis T Smith

T15 R36 EBM



Point of Diversion
(well)

Permit Map No. 21009
As Approved
APR 14 1949
MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 21009

Amount 3.2 second feet

Water District No.

Priority April 9, 1949

THIS IS TO CERTIFY that FRANCIS T. SMITH of Shelley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 9, 1949; that Permit No. 21009 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on November 6, 1954, showing that said works were completed on the 14th day of November, 1953; and that on the 14th day of November, 1953,

FRANCIS T. SMITH

of Shelley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well ~~subterranean flow~~ (subterranean flow), for the purpose of irrigation and domestic use, under Use Permit No. 21009 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5397, on the 6th day of November, 1954;

The right hereby confirmed dates from April 9, 1949;

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 18, Tp. 1 S., R. 36 E., B. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	36 E	18	SW 1/4 NE 1/4	40	4
			NE 1/4 SW 1/4	40	20
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	10	40
			SE 1/4 SE 1/4	40	30
Number of Acres Actually Irrigated				174	

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 6th day of November, 1954.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

35 2137

Nº 21009
35-2137

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28668
PERMIT No. 21009
DISTRICT No.

1. Name of Applicant: FRANCIS T. SMITH

Postoffice address: Shelley, Route 1

County: Bingham

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 3.2

cubic feet per second.

3. Source of water supply: Underground (well)

which is a tributary of

4. Location of point of diversion: 1000 ft. West and 100 ft. South feet distant from the E. 1/4

corner of Section 18, T. 1 S., R. 36 E., B.M., and is in the NE 1/4 SE 1/4

of Section 18, T. 1 S., R. 36 E., B.M., County of Bingham

5. Water is to be used for Irrigation and domestic purposes.

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, 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: \$ 6,500.00

8. Kind of works: Deep well and electric pump

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 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Two (2) 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? 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.

FRANCIS T. SMITH Applicant.

By Fred W. Kiefer Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. April 9, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21009

Recorded in Book 75 Page 21009 Approved April 14, 1949

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 June 14, 1949 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 October 14, 1951

The whole of said work to be completed on or before April 14, 1954

Beneficial use of water appropriated in accordance herewith, to be made on or before April 14, 1956

WITNESS My hand this 14th day of April, 1949

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, 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 14th

day of April, 19 49.

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

The irrigation works will consist of the following, with approximate cost:

REMARKS:

1 18 inch deep well - - - - - \$2,000.00

1 deep well pump with electric motor - - - - - 3,500.00

1 frame pumphouse - - - - - 250.00

1 mile distributing laterals - - - - - 750.00

14.

\$6,500.00

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 S.	36 E.	18	40								40				40 40 40 40				210
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 21009																			
Comes now Francis T. Smith and represents to the State Reclamation Engineer of the State of Idaho:																			
That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 21009.																			
That the point of diversion is described in said permit as being located NE¼SE¼ Section 18, Township 1 South, Range 36 East B.M.																			
That he now requests that the point of diversion be changed to a point located SE¼SE¼ Section 18, Township 1 South, Range 36 East B.M.																			
That his reasons for desiring to make such change are as follows: That the well site on the new location is more desirable and efficient for my irrigation distribution system.																			
That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																			
Signed at Boise, this day of 1954.																			
Date of receipt at Department of Reclamation Nov. 5, 1954																			FRANCIS T. SMITH

FRANCIS T. SMITH

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 21009. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

Permit No. 21009
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRANCIS T. SMITH of Shelley, County of Bingham, and State of Idaho, the holder of Permit No. 21009, issued upon Application No. 28668 bearing date of priority of April 9, 1949, authorizing the diversion of 3.2 second feet of the waters of a well (subterranean flow) County of Bingham, State of Idaho, for irrigation and domestic 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 3.2 second feet of the waters of said well; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 1 South, Range 36 East B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 18, Township 1 South, Range 36 East B.M.

Witness my hand this 6th day of November, A. D. 1954.

MARK R. KULP
 State Reclamation Engineer

Proof of completion of works made November 14, 1953
 Certificate of Completion of Works issued November 6, 1954

LICENSE ISSUED FOR 3.2 SEC. FL.

Page 5397

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

✓
November 9, 1954

RE: Permits Nos. 21008 and 21009

Mr. Francis T. Smith
Route 1
Shelley, Idaho

Dear Mr. Smith:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. 21008 confirming your right to the use of 3.2 second feet of water from a well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 1 South, Range 36 East B.M. with priority of April 9, 1949, for irrigation and domestic use on the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19, Township 1 South, Range 36 East B.M.

Also we enclose your application for amendment to the point of diversion, or location of the well, in Permit No. 21009 which has been approved by the State Reclamation Engineer and recorded in this department, together with Certificate of Completion of Works and License and Certificate of Water Right issued under said Permit confirming your right to the use of 3.2 second feet of water from a well in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 1 South, Range 36 East B.M. with priority of April 9, 1949, for irrigation and domestic use on the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ of said Section 18.

We also enclose departmental receipt No. 27020 for the \$34.00 fees in connection with certificates of completion of works and Licenses on these two Permits.

Very truly yours,

MARK R. KLP
State Reclamation Engineer
By

A:hlh
Enc.

Chief Clerk

21009

✓
August 3, 1954

RE: Permit No. 21009

Mr. Francis T. Smith
Route 1
Shelley, Idaho

Dear Mr. Smith:

The report of our field engineer on examination for completion of works and beneficial use on Permit No. 21009 shows that you have irrigated 174 acres in the SW¹NE¹, NE¹SW¹, SE¹ Section 18, Township 1 South, Range 36 East B.M. from your well in the SE¹SE¹ of said Section 18.

Since this permit and also the published notice describe the location of the well as in the NE¹SE¹, an amendment to the point of diversion should be made on the form enclosed herewith.

Certificate of Completion of Works and License can then be issued for 3.2 second feet of water from said well as applied for upon receipt of the Statutory fees amounting to \$5.00 for Certificate of completion of works and \$12.00 License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

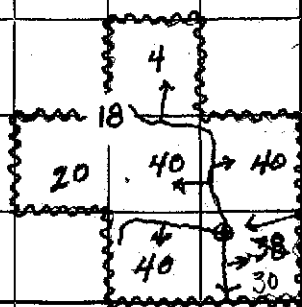
Chief Clerk

A:hll
Enc.

21009

R-36E.

120
38
24
182



33' E. } Power line
9' S. }

PD

19

Subdivisions = 6

Area = ~~182~~ acres. 174 a.

For well Q = 195 inches

160		
35"	2.54	

Q =	182 inches	3.2 cfs
T =	50°F	

$$T = 50^{\circ}\text{F}$$

30 measured three spanning meters

31

Nearest road on map

~~4~~ TO BLACK FOOT

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21009

REPORT ON PROOF OF Completion of Works and Beneficial Use

FRANCIS T. SMITH, Rt. 1, Shelley, Idaho

app. 9.2 cfs.

*3.2 cfs
smr East well*

*174 acres
6-40's*

Francis T. Smith
Rt. 1, Shelley, Idaho
Permit No. 21009

Examination for Completion of Works
and Beneficial Use

County... Bingham

18-15-36E.

A = 3.2 c.f.s. 5.89
194.00

S = Well.

P.S. = NE. SE., Sec. 18, T. 1 S. - R. 36 E.

Use = Irrigation & Domestic

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 30 1954

Department of Reclamation

weir = 40' 8" of river bank
300' cf. in 1 min 19 sec.
68
78

allow 195' inches T = 50°F

180' x 18" ccd 20'

H = 138' dld = 5'

10" col. corulo = 2mk

Fairbanks M. Motor

75 hp. 440V 89amps. 587/20

Fairbanks M. Pump
PL 1422

Concrete floor.

wood frame, A1 roof

5' x 7' x 6 1/2'

490V motor #28 509235

Clark Controller #52630

10 Switch

10" dld. to E, into
metal pump.
gravity

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21009

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Francis T. Smith, Route 1, Shelley, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18
T. 1 S. R. 36 E. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same: _____

Well is 18" diameter by 180' deep. Cased 20'. H= 138'. Draw down is 5'. 75 HP
Fairbanks Morse motor No. 587120 440 V., 89 Amps. Fairbanks Morse Pump No.
PL 1422. Pump house is 5' by 7' by 6' high, concrete floor, wood house with aluminum
roof. 10" delivery to East into a metal sump. Gravity system.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Section 18, Twp. 1 South, Range 36 East, B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

This examination was made on the 16 day of June, 1954

(Signed) E. H. Humphrey Examiner.

21009

✓
November 24, 1953

RE: Permits Nos. 21008 and 21009

Mr. Harley M. McDowell
Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We have placed on file the depositions of Francis T. Smith and two witnesses, also affidavit of publication in the Shelley Pioneer, all submitted in proof of completion of works and beneficial use on Permits Nos. 21008 and 21009.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact Mr. Smith at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
cc: Mr. Francis T. Smith

21009

**NOTICE OF PROOF OF COMPLETION
OF WORKS AND APPLICATION OF
WATER TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M., in the 14th day of November, 1953, at Boise, County of Ada, State of Idaho, before Harley M. McDowell, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of subterranean flow from a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Twp. 1 S., Rge. 36 E., B. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21009 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Francis T. Smith, Rt. 1, Shelley, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3.2 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.

4. The place where said water is used is T 1 S - R 36 E, Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.

5. The date of priority which said user is prepared to establish is April 9, 1949.

21009 MARK R. KULP,
State Reclamation Engineer.

Affidavit of Publication

I, John Colley

publisher

....., of the
SHELLEY PIONEER, published weekly at Shelley, Idaho, do
solemnly swear that a copy of the notice, as per clipping attached
was published weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof, for ..4.....

consecutive wks......, commencing with the issue dated
Oct. 8....., 1953....., and ending with the issue
dated Oct. 29....., 1953.....

John Colley
Subscribed and sworn to before me this 30 day of
October, 1953

R. D. [Signature]
Notary Public
Residing at Shelley Idaho
21009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21009

Proof of Application of Water to Beneficial Use
and Completion of Works

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. My name is Francis T. Smith; my residence is 1 mile south and 1/2 mile west of Shelley, Idaho; occupation, farming and agriculture; postoffice address, Rt. 1, Shelley, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. I am acting for myself as an individual.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. The number of my permit is 21009, the date of permit is April 14, 1949; date of priority I propose to establish here is April 9, 1949.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. The source of my water is a drilled well to raise subterranean water. It is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, T 1 S - R 36 E, B.M., Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. My works consist of a drilled well which is capable of producing some 200 Miner's inches and capable of conveying this much to the place of use; however, under this particular permit I have only made application for 160 miner's inches and under permits #24380 in my name, I claimed the remainder of the water which this well will produce. All canals and ditches are private. This well is 175 ft., the water stands at about 138' and draws down to around 143' and the pump is set at 150'. The casing is about 18". The pump is turbine type electric motor, 75 h.p. and the discharge from this well, as I mentioned, would be 200 Miner's inches. This was measured by the well driller and pump company. I witnessed the measuring and to the best of my knowledge, this would be correct.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The only purpose of this water is used for irrigation and the place of use as follows: Section 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acre; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres. These acreages and exact area are difficult to ascertain for the reason that there have been no known survey corners in this area and they have all had to be taken from aerial photographs and as the lava rim around the outside is very irregular, this is in the best of my judgment as to the exact location. There is no natural meadow and all of the area cultivated has been for intensive agricultural production and all the improvements have been made as a direct result of this water use.

21009

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. This is just for irrigation use.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. The minimum amount of water needed for the acreages described in Question 6 would be the 160 Miner's inches. It requires at least 1 Miner's inch for each surface acre.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the person who applied for this permit originally.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. All of the water asked for in the original permit has been diverted and use under the above permit (160 Miner's inches). This was used during the years 1950, 1951, 1952 and 1953. I drilled the wells in 1949. I put the entire area practically as described in Question #6 under irrigation in the first year of 1950.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. This is the only water permit appurtenant to the acreages which I have above described. In permit #21008, I have place water on one of the subdivisions and under Permit #24380, I have placed some water from this same well on some of the subdivisions but none of the acreages overlap and no water or permit other than this one is claimed on any of the land herein described. The irrigation and levels are so set that the well described in #21008 could be interchangeable with the water in 21009 proved here; therefore, some of the subdivisions could be changed back and forth.

(Sign) *Francis T. Smith*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 14 day of November, A. D. 1953.

Harley L. L. E. Dowell

My commission expires 10/11/55

21009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21009

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. My name is Maxine Ransom; age, 30; residence, 1/2 mile southwest of Kuna, Idaho; occupation, housewife; postoffice address, Box 101, Kuna, Idaho.

Ques. 2. Are you acquainted with Francis T. Smith, the holder of Permit No. 21009? How long have you known him and where does he reside?

Ans. I have known him all my life and that he now resides 1/2 mile west of Shelley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21009, and are you familiar with its provisions and conditions?

Ans. Yes and I am familiar with its provisions and conditions.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Water is from a subterranean source. Place of diversion NE 1/4 Sec. 18, T 1 S - R. 36 E., B. M. Idaho. Works consist of drilled well, turbine type 75 h.p. pump and motor.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I estimate said works will safely conduct 200 Miner's inches to place of use but know that the 160 Miner's inches applied for in this permit can be safely conducted and has been.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen the pump deliver to full capacity which, as mentioned above, I would say is 200 Miner's inches. I have not measured this but have witnessed irrigation all my life and know that it takes at least 1 Miner's inch to the acre for irrigation of soil of this type.

21009

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. For irrigation in subdivisions as follows as nearly as I can estimate: Section 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres. None of the land is natural meadow land and all improvements mentioned before are as a direct result of agricultural use.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The character of the soil is a sandy loam, volcanic ash. 1 Miner's inch to the acre is necessary for profitable cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been over this land at frequent intervals since the well was drilled in 1949 and have witnessed the application to beneficial use of the water diverted under said permit.

(Signed) Mafine Ransom

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 14 day of November, A. D. 1953.

Harley M. L. S. Howell

Notary Public.

My commission expires 10/11/55

21009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21009

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. My name is Max P. Ransom; age, 30; residence 1/2 mile southwest of Kuna, Idaho; occupation, farming and vocational agriculture instructor; postoffice address, Box 101, Kuna, Idaho.

Ques. 2. Are you acquainted with Francis T. Smith, the holder of Permit No. 21009? How long have you known him and where does he reside?

Ans. I have been acquainted with him for about 7 years and know that he now resides 1 mile south and 1/2 mile west of Shelley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21009, and are you familiar with its provisions and conditions?

Ans. I have read said permit and am familiar with its provisions and conditions.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water supply is a drilled well in the NE 1/4 Sec. 18, T 1 S - R 36 E, B.M., Idaho. This is to raise subterranean water. The works consist of turbine type pump and motor (75 h.p.) and the works are all individual for conveying this water from the point of diversion to the place of use.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. In my best estimation, I think that this well will produce and the works are capable of safely conducting at least 200 Miner's inches of water; however, it is my understanding that only 160 Miner's inches is included in this permit and the remainder in Permit 24380.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen this pump deliver the maximum which would be 200 Miner's inches. I have taken a course in water measurement at Utah State College of Agricultural Mechanical Arts and have had experience in seeing water measured over a weir. In my best estimate, I think that the 200 Miner's inches can be produced by this well and am certain that the 160 applied for in this permit has been produced and conducted and I have seen this done. I have also had considerable experience using water and irrigating and know that on this type of soil it takes at least 1 Miner's to the acre for irrigation.

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Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The purpose is only for irrigation on following described subdivisions as nearly as I can estimate due to the rough terrain: Section 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres; NE $\frac{1}{4}$ SW $\frac{1}{4}$, 30 acres; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 10 acres; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 35 acres. None of the cultivated land was natural meadow and all of the above has been irrigated for agricultural production.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. No power, all is for irrigation.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The character of the land reclaimed volcanic ash, sandy loam soil. My estimate is that at least 1 Miner's inch per acre is required for profitable cultivation.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No, I have not.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I was on the location at the time and shortly after these wells were drilled and have been back to this property and examined it and gone over it to know the area and distribution of the water at least two or three times each year since the well was drilled in 1949.

(Signed) Max R. Ransom

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 14 day of November, A. D. 1953.

Harley M. G. Howell

Notary Public.

My commission expires 10/11/55

21009

October 2, 1953

RE: Permits Nos. 21008, 21009, 21129, and 21380

The Shelley Pioneer
Shelley
Idaho

Gentlemen:

We enclose copies of four notices to be published in your paper once a week for four weeks, commencing with your next issue.

The cost of publication is to be paid by the applicant, Francis T. Smith, Route 1, Shelley, Idaho, to whom please furnish affidavits of publication when completed.

Please acknowledge receipt of these notices and furnish this department with a copy of your first issue containing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21009

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 2, 1953

(P. O.) Shelley, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
The Shelley Pioneer of Shelley, Idaho published in
the county in which the works are situated.

Francis T. Smith

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

21009

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 14th day of November, 19 53, at Boise, County of Ada State of Idaho, before Harley M. McDowell proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of the waters of well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Twp. 1 S., Rge. 36 E., B.M. subterranean flow from a / end of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21009 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Francis T. Smith, Rt. 1, Shelley, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3.2 cubic feet per second.
3. The use to which said water has been applied is for irrigation purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.
4. The place where said water is used is T. 1 S. - R. 36 E., Sec. 18, SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
5. The date of priority which said user is prepared to establish is 1/31/49 April 9, 1949.

MARK R. KULP

State Reclamation Engineer

21009

✓
December 13, 1951

RE: Permits Nos. 21008 and 21009

Mr. Harley M. McDowell
Idaho Building
Boise, Idaho

Dear Mr. McDowell:

We enclose two copies of the above numbered permits in the name of Francis T. Smith, one of which has been certified.

We also enclose departmental receipt No. ²⁴⁰³⁴ ~~24504~~ for \$4.00 fees in connection with these copies.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21009

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 21008 and 21009

Date April 19, 1949

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Francis T. Smith
Route 1
Shelley, Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 21427 and Receipt No. 21428

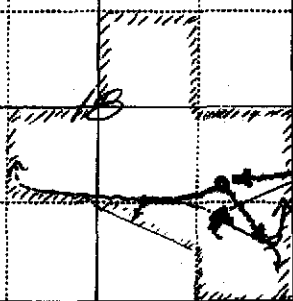
21009

NAME OF APPLICANT

Francis T Smith

FORM No. 0

T15R36EEM



Point of Diversion
(well)

Permit Map No. 21009

As Approved

APR 14 1949

MARK R. KOLP

State Reclamation Engineer