

c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	26E	13							Stockwater X				20	20				40	80
3N	26E	24	40	40															80
3N	27E	19						L. 1 40	40										80

Total number of acres to be irrigated 240

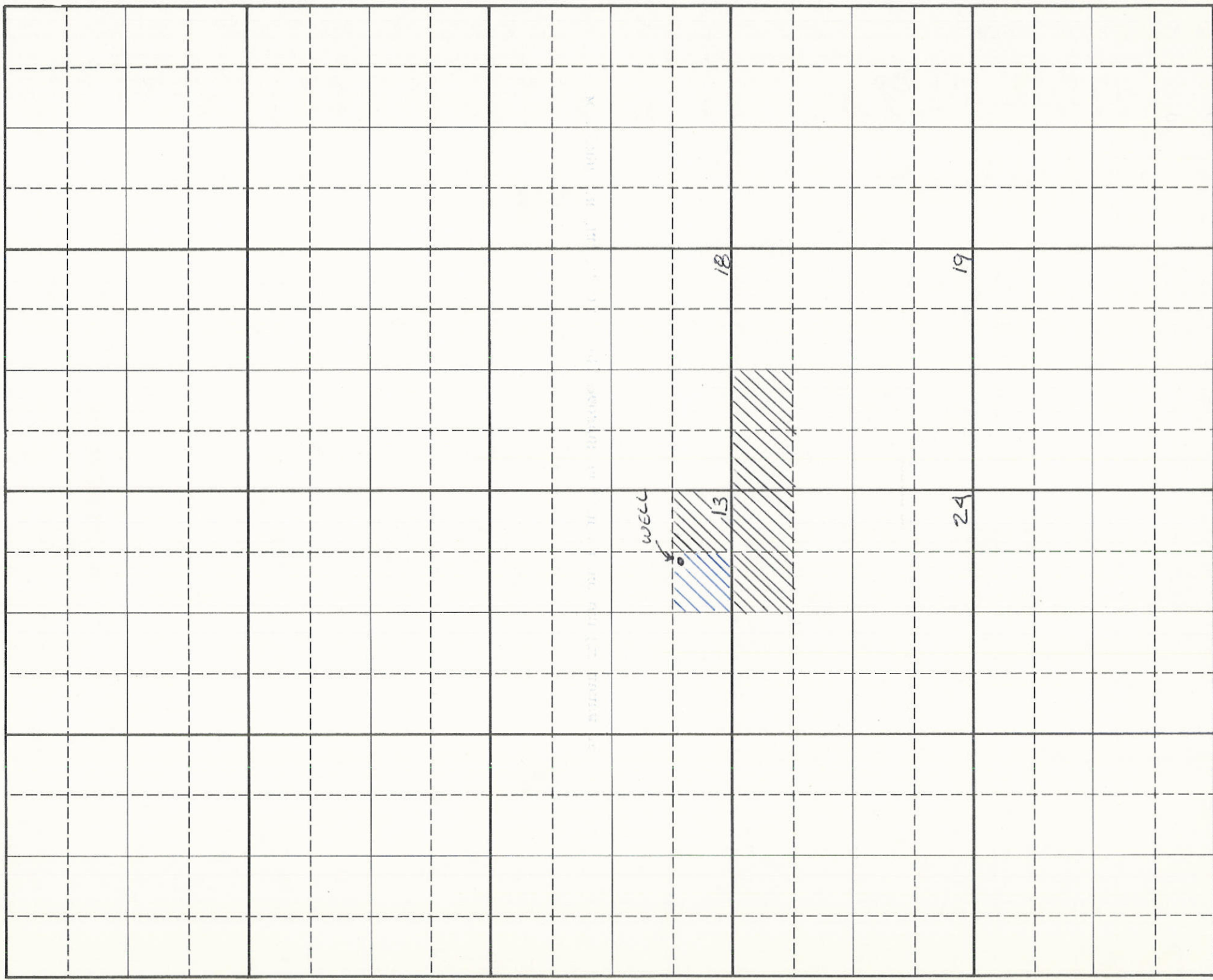
4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

The map shows a grid representing land sections. Township 3N is labeled on the left. Ranges 26E and 27E are labeled at the top. Sections 13, 24, and 19 are marked with numbers. A point labeled 'Stockwater' with an arrow points to a specific location. A shaded area is labeled 'place of use for irrigation after transfer'. Various section numbers (13, 24, 19) are written in different locations on the grid.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED
JUL 31 1998

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.

Edna E. Henry
(Applicant)

(Optional)

Recorded
Microfilmed
Indexed☐
☐
☐Platted
Deed Card
Compared☐
☐
☐Key Punched
Master File
Abstracted☐
☐
☐

To Treasurer

☐
☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

ELDA C. HENRY and JEWELL L. HENRY, Husband and Wife,
of the County of Butte GRANTOR(S)
hereby CONVEYS, GRANTS and WARRANTS TO State of Idaho

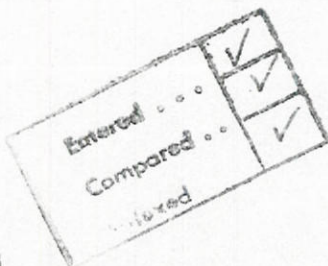
RODNEY WILFRED SMITH and VALOY ____ SMITH, Husband and Wife, GRANTEE(S)
of Salt Lake City County of Salt Lake State of Idaho
for the sum of ONE HUNDRED TEN THOUSAND AND NO/100----- Dollars (\$110,000.00)

the following described tract(s) of land in Butte County, State of Idaho:

The Southwest Quarter (SW $\frac{1}{4}$) and the
Southwest Quarter of the Southeast Quarter
(SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 13, and the North Half of
the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$), Section 24,
all in township 3 North, Range 26 East, Boise
Meridian, records of Butte County, Idaho;

Together with all appurtenances and here-
ditaments, including, but not limited to
all ditch and water rights, particularly
decreed irrigation water, being 160 inches
with a priority of 1894, and Ground Water
Permit No. 34-7055.

no. M 5325
FILED
SEP 3 1973



2:30 P.M.
BUTTE COUNTY RECORDS

Judith R. Bailey

Location of above described property

House No.

Street

WITNESS the hand of said Grantors this

5th

day of May

A.D. 1974

Elda C. Henry
Elda C. Henry
Jewell L. Henry
Jewell L. Henry

(NOTARY SEAL)

State of Idaho
County of

Butte

} ss.

On the 27 day of June A.D. 1974

personally appeared before me

ELDA C. HENRY and JEWELL L. HENRY,

the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.

MICROFILMED
JUL 31 1998

Residing at: Arco, Idaho

My Commission expires:

5/14/74

MAIL DEED TO:

Rodney W. Smith

Howe, Idaho 83244

FEB 9 1983

MAIL TAX NOTICE TO:

Name Rodney W. Smith

Address

City & State Howe, Idaho

Zip 83244

Redne Smith 34-7055 A

A-411
J. Schuchman 17
39

B
109.3

11 12
14 13

C
2.4

Private Ditch

D
34.2

(19) Acreage irrigated by 3 1/2 mi hand lines (20)

& 3 1/2 mi wheel lines

Point of Redirection

(38)

(40)

mainline

House

* * * stockwater well

F
159.1

H-332
E. Henry
179

B
40.3

(39)

(40)

(22)

(22)

H

Transfer No. 2773

Water Right No. 34-7055

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROVED
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Rodney W. Smith Phone 527-3171

Post Office address Arco, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 34-7055 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Ground Water tributary to _____

4. Date of priority 12-20-1973

5. Water is used for the following purposes:

amount 4.80 for Irrigation purposes from April 1 to November 1
amount 0.04 for Stockwater purposes from January 1 to December 31
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 4.84 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ $\frac{1}{4}$ of NW $\frac{1}{4}$ $\frac{1}{4}$ of Section 13
Township 3N Range 26E, B.M., in Butte County
Additional points of diversion, if any SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 5N, R. 26E

8. Lands irrigated or 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 $\frac{1}{4}$	
3N	26E	13					20	19	(X) 38	Stockwater 40	40	39	22	22					240

MICROFILMED

Total number of acres to be irrigated 240

JUL 31 1998

9. Describe any other water rights used for the same purpose as described above 160 inches--1893
Decree Big Lost River Irrigation

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? Has been continuously used to present If yes, describe in item D, REMARKS.

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

✓ Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County

Additional points _____

[illegible]

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

a. Amount of water to be diverted 4.84 c.f.s. &/or _____ acre feet

b. Description of diverting works No change

c. Describe the reasons for the proposed changes move water from deeded land to DLE
lands except 40 acres left on original place of use.

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes X No . If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
 Lands will be irrigated with the 1893 Big Lost River decreed right

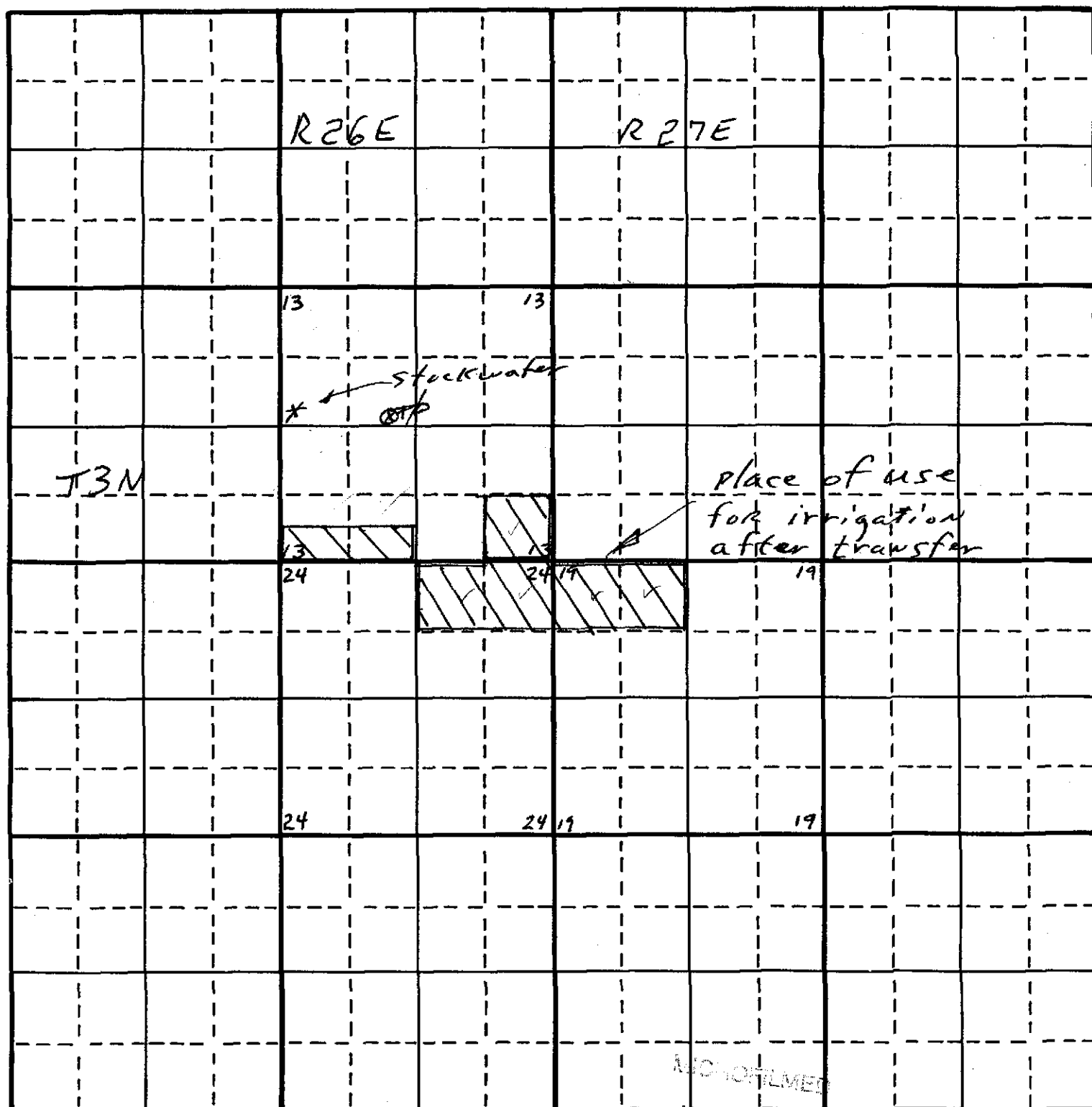
JUL 31 1964

c. Describe the lands place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	26E	13							X	Stockwater			20	20				40	80
3N	26E	24	40	40															80
3N	27E	19					40	40	L.1										80

Total number of acres to be irrigated 240

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

NOT FILMED

JUL 31 1998

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 27th day of JANUARY, 19 83.
Robert W. Smith
(Signature of Applicant)
Norman C. Young
(Notary Public)
My commission expires 6/25/83

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-7055
and said application is hereby APPROVED, subject to the following limitations and conditions:
1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the water master of State Water District 34, Big Lost River.
3. The quantity of water for irrigation at the point of re-diversion is subject to shrinkage, and loss assessment as is determined by the Big Lost Irrigation Canal Company.
4. The diversion in Sec. 13 shall be used for stockwater purposes only, and the diversion in Sec. 27 for irrigation purposes only.

Witness my hand this 26th day of May, 19 83.
A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by CW Date 1-31-83 Protest filed by _____
Prelim. check by Kew Fee \$50.00
Receipted by tg Date 1-27-83 # 25851
Published in Arco Advertiser Copies of protest forwarded by _____
Pub. dates 2/24 & 3/3/83 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. by Jim Dier

MICROFILMED
JUL 31 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 34-7055 Priority December 20, 1973 Amount 4.84 cfs

THIS IS TO CERTIFY, that RODNEY W. SMITH
of Arco, Idaho, has complied with the terms and conditions of Permit
No. 34-7055 issued pursuant to Application for Permit dated December 20, 1973,
and has submitted proof to the Department of Water Resources on February 14, 1978,
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 6.85 cfs of water from a groundwater source,
tributary to _____, 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
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>4.80</u> cfs and	<u>720</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>0.7</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	(both dates inclusive)		

Subject, however, to the condition that no more than 4.84 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
720.7 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, Twp. 3N,
Rge. 26E; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 5N, Rge. 26E. in the County of Butte

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 $\frac{1}{4}$	
3N	26E	13					20	19	38	40	40	39	22	22					240

Total number of acres irrigated 240

Conditions: (1) The quantity of water for irrigation at the point of re-diversion
is subject to shrinkage, and loss assessment is determined by the Big
Lost Irrigation Canal Company.
(2) The diversion in Sec. 13 is used for stockwater purposes only, and
the diversion in Sec. 27 for irrigation purposes only.

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 31 day of
October, 19 79.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 1 1979

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now RODNEY W. SMITH

of (address) Box 63, Arco, ID 83213, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 34-7055, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 NW 1/4, Section 13, Township 3N, Range 26E, B.M.,
County of Butte. Other points of diversion: SW 1/4 SW 1/4, Sec. 27, Twp. 5N,
Rge. 26E, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 4.8 for Irrigation purposes from April 1 to November 1 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.04 for Stockwater purposes from January 1 to December 31 (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)

3. Place of use or land to be irrigated:

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	
3N	26E	13					20	19	40	38	40	39	22	22					240

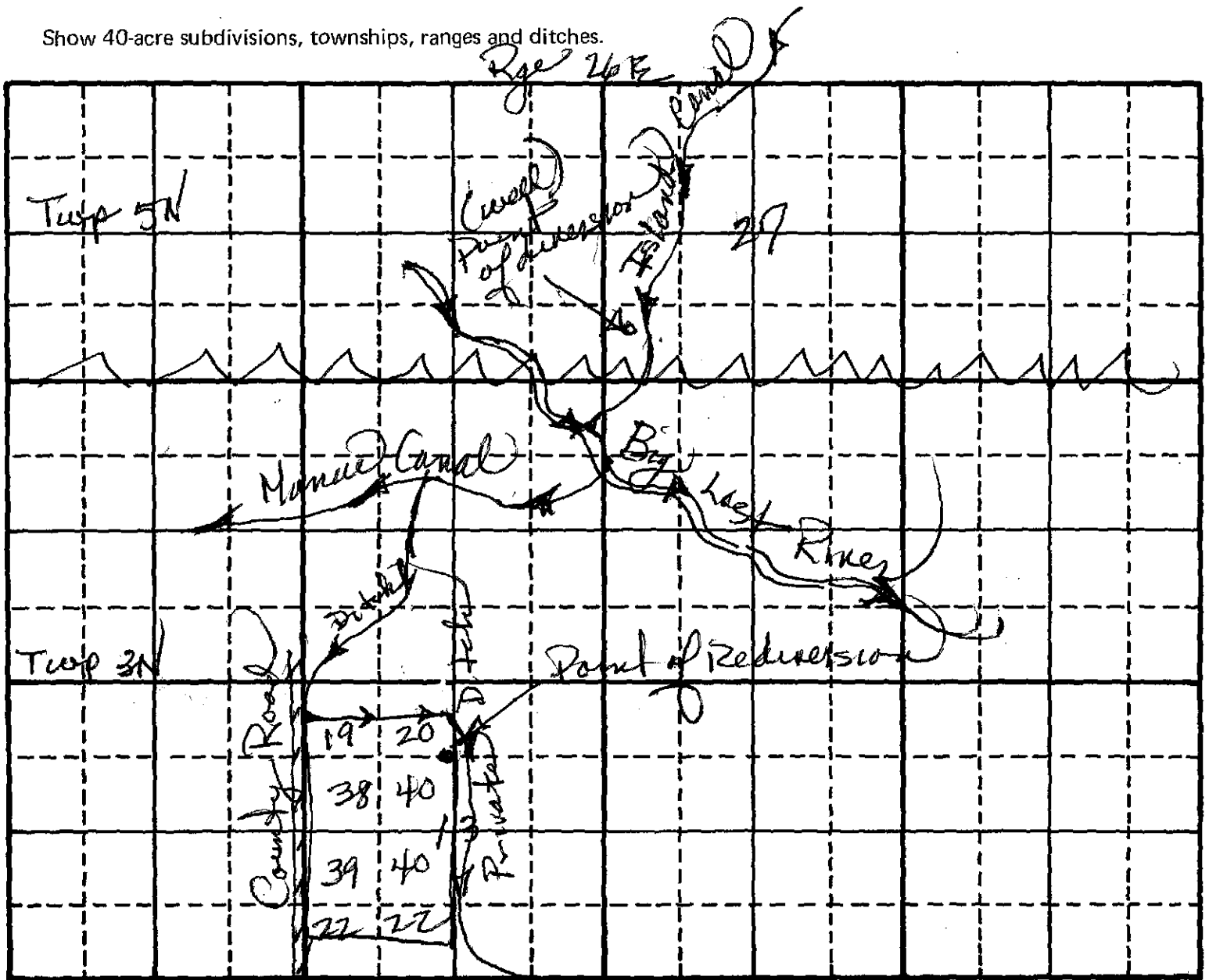
Total number of acres to be irrigated = 240

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



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

Signed at _____, this _____ day of _____

12/1/79 19 79
[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

15604

Preliminary check by YG Fee = \$20.00

Received by JA Date 12/1/79

Publication prepared by _____ Date _____

Published in N/A

Publication dates N/A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED, Director of the Department of Water Resources hereby

approve the above referenced application for amendment for Permit No. 34-7055

Witness my hand this 31 day of October

19 79
[Signature]
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT

RECEIVED

FEB 22 1977

Department of Water Resources
Eastern District Office

Permit No. 34-7055

Comes now Rodney W. Smith of (address) _____
Arco, Idaho, and represents to the Director of
the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 34-7055, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27 Twp. 5N
Rge. 26E, B. M., County of Butte. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
NO CHANGE

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

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated 240

NOTIFIED

A hand-drawn map on a grid. The grid has solid lines every 2 units and dashed lines every 1 unit. The map includes the following labels and features:

- R26E**: Located in the top left quadrant, spanning from the second vertical solid line to the fourth vertical solid line.
- R27E**: Located in the top right quadrant, spanning from the fourth vertical solid line to the sixth vertical solid line.
- T3N**: Located on the left side, spanning from the first horizontal solid line to the third horizontal solid line.
- 12**: Located at the intersection of the second vertical solid line and the second horizontal solid line.
- 7**: Located at the intersection of the fourth vertical solid line and the second horizontal solid line.
- 13**: Located at the intersection of the second vertical solid line and the third horizontal solid line.
- 18**: Located at the intersection of the fourth vertical solid line and the third horizontal solid line.
- Shaded Area**: A rectangular area with diagonal hatching, spanning from the first vertical solid line to the second vertical solid line and from the second horizontal solid line to the third horizontal solid line.

FOR A. KENNETH DUNN
Administrator, Operations Division

RECEIVED

State of Idaho

MAY 6 1974

Department of Water Administration

ASSIGNMENT OF PERMIT

Department of Water Administration
Eastern District Office

Edda C. Henry, hereby assign to Rodney W. Smith
of P.O. Box 63 Arco Idaho
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 34-7055
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 list-
ing 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 2nd day of May, 19 74.

Edda C. Henry
Permit Holder

Jewell L. Henry
Spouse of Permit Holder

State of Idaho)
County of Butte) ss.

On this 2nd day of May, 19 74, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (s) (they) executed the same

Charles G. Jones
Notary Public residing at
Arco Idaho

My commission expires: 5/15/74

MICROFILMED

Identification No. 34 7055

Application No. _____

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

ASSIGNED TO: RODNEY W. SMITH
5/6/74 P. O. Box 63
Arco, ID 83213

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Elda C. Henry
post office address P. O. Box 63, Arco, Idaho PH: 527-3292
2. Source of water supply ground water which is a tributary of - - - -
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13 Township 3N
Range 26E B.M. Butte County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 4.8 for Irrigation purpose from June 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 4.84 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well and 100 hp pump main with hand lines

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 20 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24 Township 3N
Range 26E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 50 beef cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

34 7055

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

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 $\frac{1}{4}$	
3N	26E	13															40	40	80
"	"	24	40	40															80
3N	27E	19					40	40											80

Total number of acres to be irrigated 240

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

160 inches 1893 Decree Big Lost River Irrigation

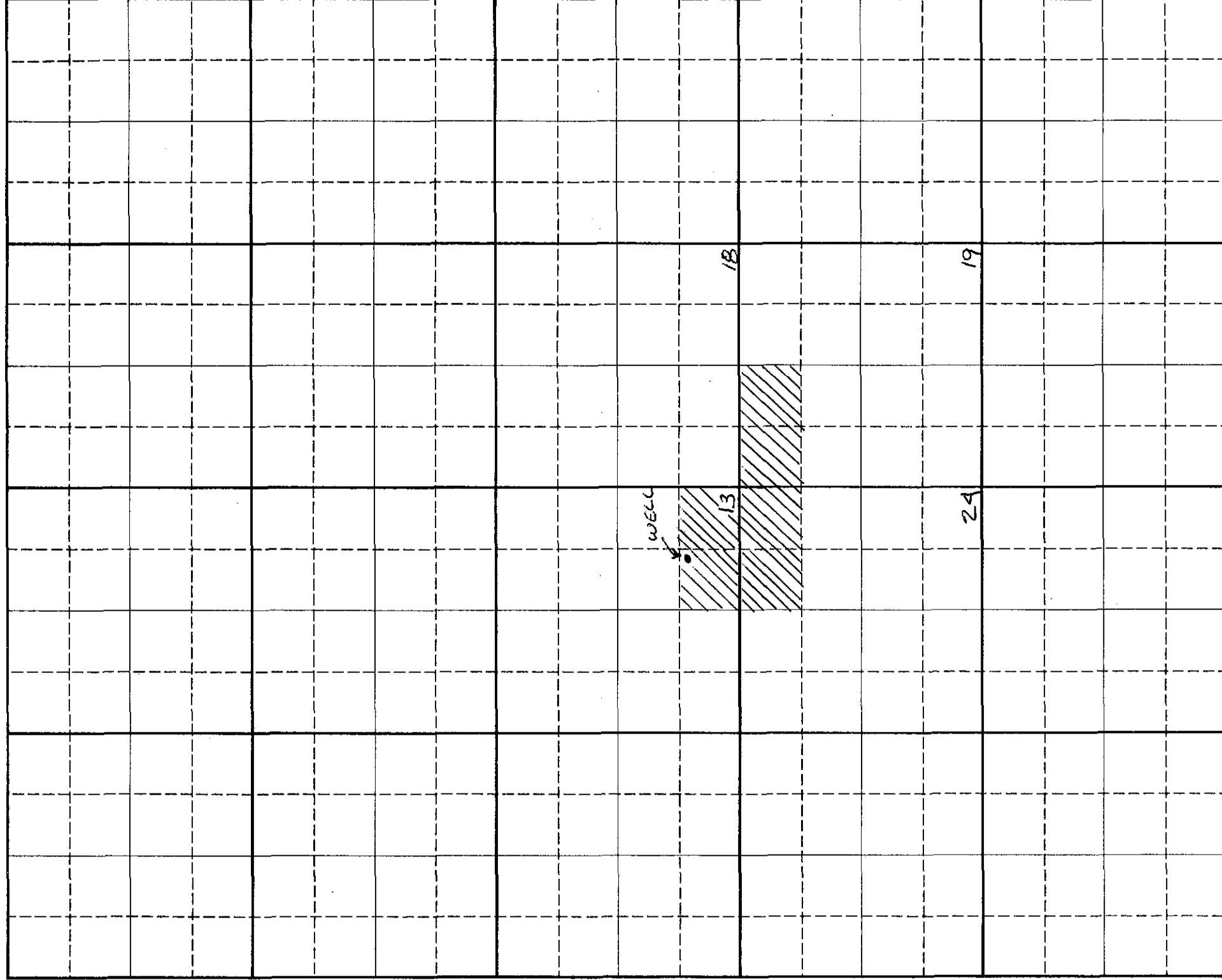
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Bureau of Land Management

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant has filed Desert Entry on land to be irrigated.

10. Remarks Other water rights only apply to SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 3N, R. 26E, B.M.

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.

Edna C. Henry
(Applicant)

Proposed Priority 12-20-1973Received by MB Date 12-20-73 Time 4:45 pPreliminary check by WU Fee \$ 65.00Receipted by MB Date 12-20-73 RECEIPT #12654Publication prepared by MB Date 12-21-73Published in Area AdvertiserPublication dates 12/27/73 + 1/3/74Publication approved CB Date 1/22/74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RCC WDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 34-7055, 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 February 1, 19 79.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 6 day of February 19 74.

R. Karl H. [Signature]
Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho State Office

RECEIVED
JUL 2 1974

Department of Water Resources

June 28, 1974

Memorandum

To: District Manager I-3
From: Chief, Branch of Records
Subject: Land status changes

The following action has been taken and noted on the land status records in this office:

<u>Serial No.</u>	<u>Name</u>	<u>Action Taken</u>
<u>I- 4636</u>	<u>Elda C. Henry</u>	<u>T. 3 N., R. 27 E., Sec. 19</u> <u>T. 3 N., R. 26 E., Secs. 13, 24.</u>
		<u>Apn. relinquished. Case</u>
		<u>closed.</u>

See No. 34-7055

ISO-1813-3
April 1972
(Formerly ILO 1813-14)

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

Application No. 34-7055

(1) WR 12/21

(2)

- ☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(3) WR 12/21

WR 12/21

In form to receipt

Send Copies to:

- ☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☒ Bureau of Land Management

(4) WR 12/21

- ☐ Request Special Use Permit from U.S.F.S.
☒ Request Easement from B.L.M.
☐ Request Information from Applicant

(5) WR 12/21

In form for advertising

(6) WR 12/21

Located within Water District No. N.A.

(7) WR 12/21

Critical groundwater area: yes ☐ no ☒

(8) WR 12/21

Groundwater levels:

☐ Decline (comment) _____

☒ Stable (comment) Bull 27 + 2 Sec 32 T4N 26E

☐ Increasing (comment) _____

(9) WR 12/21

Comments: Plat show no conflict

(10) MB 1/22/74

Affidavit of Publication received (date) January 22, 1974

(11) MB 1/14/74

Final date for protests January 14, 1974

Protests received: yes ☐ no ☒

(12) " "

Date and Place of hearing N.A.

Decision reached at hearing N.A.

(13) RC 4/22/74

All requested information received from agencies or applicant
yes ☒ no ☐

(14) " "

Action recommended:

☒ Approve

Priority 12/20/73

☐ Deny

Reason for Reduction _____

☒ Measuring device required

☐ See attached sheet for additional conditions of approval

☐ No additional conditions for approval

(15) District E

By RC

Date

RECEIVED

Desert Entry

34 7055

FEB 4 1974

Department of Water Administration

*Barbara - sent
copy of approved
permit to BLM*

*Copy
of*

Affidavit of Publication

RECEIVED

JAN 22 1974

Department of Water Administration
Eastern District Office

I, L. Ella Cammack, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated December 27, 1973

and ending with the issue dated Jan 3, 1974

L. Ella Cammack

Subscribed and sworn to before me this

21 day of January, 1974

Clark Jensen
Notary Public

Residence: Arco, Idaho.

My commission expires 5/7/74, 1974

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Elda C. Henry, P.O. Box 63,
Arco, Idaho has on 12/20/73
submitted Application No. 34-
7055 for a permit to appropri-
ate 4.84 cubic feet per second
of water from a ground-water
source by means of well and
pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 13, T. 3N, R. 26E, B.M.
Butte County; to be used from
Jan. 1 to Dec. 31 for stock-
watering purposes for 50 beef
cattle within the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 24, T. 3N, R. 26E; and
from June 1 to Oct. 1 for the
irrigation of 240 acres within
the S $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; N $\frac{1}{4}$ -
NE $\frac{1}{4}$, Sec. 24, T. 3N, R. 26E;
N $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 3N, R.
27E, B.M.

If issued, this permit will be
subject to all prior water
rights. Protests against the
granting of the permit must
be filed with the Idaho Depart-
ment of Water Administration,
1515 Lincoln Road, Idaho Falls,
Idaho, 83401 on or before Jan-
uary 14, 1974.

R. KEITH HIGGINSON
Director

Published in the Arco Adver-
tiser, Arco, Idaho on December
27, 1973 and January 3, 1974

34 7055

• •

This
Right has been
Decreed in the
SRBA.

MEMORANDUM

TO: FILE 34-D 7055
FROM: PAM SKAGGS CS
RE: TRANSFER # 4098
DATE: 7-17-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 34-00852.

Transfer Withdrawn 7-13-98

MICROFILMED

JUL 31 1998

File

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER OF WATER RIGHT NO.)
34-07116, 34-00852C, 34-07055,)
34-10923 JAY V &/OR DEANN JENSEN)

NOTICE OF
PREHEARING CONFERENCE

On September 28, 1992, Jay V. &/or Deann Jensen, filed with the Department of Water Resources an application for transfer of water right, No.'s 34-07116, 34-00852C, 34-07055, & 34-10923 to transfer the public waters of the State of Idaho. On November 30, 1992, the Department received protests against approval of said application from Larman D. Andersen, Lawrence R. Babcock, Dale Smith, & Lewis Rothwell.

The Department has set the matter of protest for a prehearing conference to be conducted at 10:00 a.m. on Thursday, March 25, 1993, in the Courtroom of the Arco Memorial Building, Arco, Idaho.

Agenda items for this prehearing conference will include:

1. Identify spokesman and/or counsel representing the protestant.
2. Review of the application.
3. Identify issues of protest.
4. Designate date for identifying witnesses.
5. Designate target date for conducting administrative hearing if resolution is not possible during the prehearing conference.

NOT RECORDED

JUL 31 1998

The prehearing conference will be held in accordance with the provisions of the adopted Rules of Practice and Procedure of the Department of Water Resources.

If you require special accommodations for a disability in order to participate in or attend the prehearing conference, please advise the department within ten (10) days prior to the prehearing conference.

Dated this _____ day of February 1993.


RONALD D. CARLSON
Eastern Regional Manager

NOTICE OF PREHEARING CONFERENCE
JUL 31 1993



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho Falls District Office
940 Lincoln Road,
Idaho Falls, Idaho 83401

TAKE
PRIDE IN
AMERICA

IN REPLY REFER TO:

IDI-27737

September 11, 1992

Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83706

RECEIVED

SEP 14 1992

Attention: Jim Johnson

Department of Water Resources

Your cooperation is requested in expediting the diversion of water rights as requested by Jay V. Jensen of Route 1, Box 112, Moore, ID 83255.

On July 6, 1990, Mr. Jensen filed a Desert Land Entry (DLE) application with this office. For BLM to consider approval of the DLE application, one of the things Mr. Jensen must do is present as evidence and make a part of his application proof of a permanent right to the use of sufficient water to irrigate and reclaim all of the irrigable portions of the legal subdivisions applied for. His application is for 120 acres of public land adjacent to his property.

Mr. Jensen acquired License of Water Right No. 34-7055 when he purchased his property. He has since applied to you for the right to divert a portion of that water to the adjoining land located in Township 3 North, Range 26 East, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of section 13 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of section 24.

Completion of our processing is contingent upon Mr. Jensen receiving the approval to divert as requested from you. We, along with the Jensens, would appreciate your attention to this matter. If we can be of assistance, please call Judy Fry at 524-7522.

Sincerely,

Leroy Cook
Area Manager
Big Butte Resource Area

cc: Jay V. Jensen

WCT 12 21

JUL 31 1992

May 26, 1983

Rodney W. Smith
P.O. Box 63
Arco, ID 83213

Dear Mr. Smith

Enclosed is a copy of approved transfer. Please note the conditions of approval on the 4th page.

If you have any questions, please let us know.

Sincerely

DAVID R. TUTHILL, Jr., P.E.
Supervisor, Water Allocation Section

DBT:jvv

Enclosure

March 14, 1983

RE: Application for Transfer No. 34-7055 SMITH

Arco Advertiser
Box "C"
Arco, Idaho 83213

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on February 24 and March 3, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

MICHOEHLER

JUL 3 1 1983

RECEIVED

FEB 14 1983

Department of Water Resources
Eastern District Office

January 20, 1983

Mr. and Mrs. Rodney Smith
P. O. Box 63
Arco, ID 83213

Dear Mr. and Mrs. Smith:

We received your letter dated January 13, concerning the approval of your application for a permit to irrigate the Desert Land Entry (DLE) next to your place. You are by this new application for permit proposing to divert 5.71 cfs of water when it is not needed for the irrigation of the 240 acres of land for which you have license No. 34-7055.

Since you have filed for the irrigation of 200 additional acres of land, we must consider what effect the diversion of 5.71 cfs for the irrigation of that additional land would have on the flow of the Lost River. The fact that the well is presently used for the irrigation of your 240 acre place cannot be considered when analyzing your application for a new permit. However, the existence of your water right license No. 34-7055 would become very important if, as you seem to indicate in your letter, you would like to move the well water from 200 acres on your place to the 200 in the DLE. Your place would then have to be irrigated with water from the well for 40 acres, the decreed water, and the waste water from the Munsey Ditch.

If you choose to move your license to the DLE land, you could amend your application No. 34-7408 for use on your private land along with your decreed water and the waste water if application No. 34-7408 is ever approved.

You may obtain assistance in filing an application to change your licensed water right by visiting the regional office of the Department located in Idaho Falls or they would be glad to send you the transfer form if you choose to move a portion of your existing water license.

MICROFILMED

MAR 21 1983

Mr. and Mrs. Rodney Smith
January 20, 1983
Page 2

Your request to move your licensed water right will, of course, be advertised in the local paper and may be protested. However, the issues considered are different than those considered on a new application. For a transfer, we must look at the effect on other parties caused by the change whereas on a new application, we must look at the effect of taking the new water on existing water rights and whether there is water available.

If you have any questions, please let us or the regional office know.

Sincerely,

A. KENNETH DUNN
Director

cc: Eastern Region - Idaho Falls

RECEIVED
JAN 27 1983

RECEIVED

1-11-JAN 23 1983

Department of Water Resources

Mr Quinn -

I am writing this letter to you concerning a application for water that was made on Jan. 8, 1982.

I would like to start at the beginning on this, and that would be in 1967.

We made application to drill a well that would eventually supply the water for a desert land application that was applied for in 1974.

We were told at the time that we should make this well certainly to our own place, and then when we got the OK on the D.L. & that we could then transfer the water to it.

This well application was approved and the well dug. The number on it is 34.7055. This well is a licensed well and we have been pumping it since it was dug. The well is located in Moore, Idaho, about eight miles from our farm and the water is transferred out here in Canals belonging to the Big Lost Irrigation, who we do have a transport agreement with.

Now for the Problem:

After all this time of waiting for different studies - set to get completed on the desert land, last year (actually, a yr ago Nov-Dec), we were told

MAR 31 1983

(2)

that all that was necessary for the desert land was the water. And then we could begin clearing it off.

Last Jan. of 1982, we went to the Water Resources Dept in Idaho Fall and made application to transfer this area water onto the desert land. The number for this application is 34-7408.

This application was advertised in our local paper and we received 77 protests on it. There was a hearing held and all agreed that it would be left up to the board of directors as to the decision. We cannot see where there is that much of a decision to be made, and it has been just about 1 yr since the hearing was held.

Our point is this:

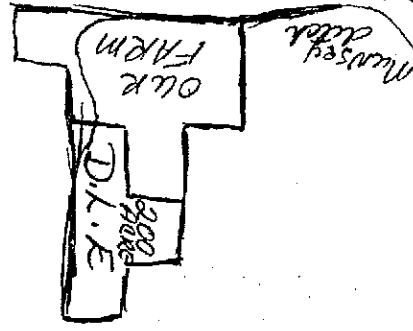
- A. The well is a licensed well.
- B. We have been pumping said well for at least 5 yrs.
- C. We will still continue to bring the water out here anyway.
- D. We are on the end of the Murney ditch, and have filled on all the waste water.

This piece of desert land joins right on to our present farm. So, actually we would not be taking the water anywhere where it hasn't been going for years.

JUL 31 1988

I will try to show you how
this water goes.

All the water going by us goes
out onto this desert land.



We have 160 inches of
decreed water for our farm &
the well is meant for the life.

Now these people who protest
us say we can't use it on
the desert land, when basically,
that's where it goes anyway.

We would like to know how this
can be done when it is already
an existing & licensed well!

This nonsense has been going
on for a yr now and we stand
a good chance of losing this land
if something isn't done immediately.

We have fought too long and too
hard for this desert land. Ground to
lose it because some idiots up the
valley think they have to protest
every application they see in the
paper.

We hope you can resolve this
matter quickly, as time is of the
essence.

Respectfully

Mr. & Mrs. Rodney W. Smith
P.O. Box 63
Arco, Idaho
83413 Phone 527.3171

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-7055

Notice is hereby given that Rodney W. Smith, Arco, Idaho, has applied to the Department of Water Resources for a change in the place of use of a groundwater source. The right sought to be changed is evidenced by License No. 34-7055 and is recorded as follows:

AMOUNT: 4.84 cfs

PRIORITY: 12-20-1973

POINT OF DIVERSION: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 3N, R. 26E, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 5N, R. 26E, B.M. Butte County.

The water is used for stockwater purposes and to irrigate 240 acres within the W $\frac{1}{2}$, Sec. 13, T. 3N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used for stockwater *within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 13, T3N, R26E* and for irrigation purposes of 240 acres within the ~~the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 24, T. 3N, R. 26E, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Lot 1, Sec. 19, T. 3N, R. 27E, B.M.~~

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before March 14, 1983.

A. KENNETH DUNN

Director

Published in the Arco Advertiser on 2/24 & 3/3/1983.

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

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POINT OF DIVERSION: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 3N, R. 26E, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 5N, R. 26E, B.M. Butte County.

The water is used for stockwater purposes and to irrigate 240 acres within the W $\frac{1}{2}$, Sec. 13, T. 3N, R. 26E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used for stockwater within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 3N, R. 26E, and for irrigation purposes of 240 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 24, T. 3N, R. 26E, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 1, Sec. 19, T. 3N, R. 27E, B.M.

Any protest against the approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402, on or before March 14, 1983.

A. KENNETH DUNN
Director

Published in the Arco Advertiser on 2-24 & 3-3-1983.

Conditions of Approval

1. O1E
2. ~~OS (34 Big Lost R.)~~ see below
3. TYPE CONDITIONS AS SHOWN ON THE LICENSE.

Use of water under this right is subject to ~~the~~ control by the water master of State Water District 34, Big Lost River.

NOTIFIED

JUL 31 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

1. Right number 34-7055 Applicant Rodney W. Smith
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- a. ☒ All of right.
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

N/A → c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer). Liches SENW-13-T3 N-26E

f. ☒ Check for correct signature, notarization, and fee.

Ownership g. ☒ Check proof of ownership of right &/or land from which water is transferred. NW 1/4 Schurman
County Assessor SW 1/4 Rod Smith

h. ☒ Check for expansion in use of right. Comments ~~SEE~~ no expansion

because of lic. rt being issued less than 5 yrs prior to
transfer. J.J. 5-25-83

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) Permit 34-7408 & 34-7186
(App)

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 34- Big Lost River

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on D.A. Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

RECEIVED
1983

RECEIVED
MAR 23 1983

Department of Water Resources

Department of Water Resources
RECEIVED
MAR 23 1983

4. By Ernest Carlson Date 3-21-83

5-25-83 See attached sheet for conditions
*All uses within Watermaster Districts require special conditions.

Department of Water Resources

(Optional)

Recorded ☐Microfilmed ☐Indexed ☐Platted ☐Deed Card ☐Compared ☐Key Punched ☐Master File ☐Abstracted ☐To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

ELDA C. HENRY and JEWELL L. HENRY, Husband and Wife,
of the County of Butte
hereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)
State of Idaho

RODNEY WILFRED SMITH and VALOY ____ SMITH, Husband and Wife,
of Salt Lake City County of Salt Lake
for the sum of ONE HUNDRED TEN THOUSAND AND NO/100----- Dollars (\$110,000.00)

GRANTEE(S)
State of Idaho

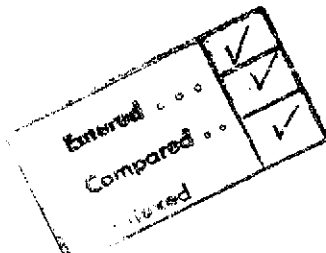
the following described tract(s) of land in Butte County, State of Idaho:

The Southwest Quarter (SW $\frac{1}{4}$) and the
Southwest Quarter of the Southeast Quarter
(SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 13, and the North Half of
the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$), Section 24,
all in township 3 North, Range 26 East, Boise
Meridian, records of Butte County, Idaho;

Together with all appurtenances and here-
ditaments, including, but not limited to
all ditch and water rights, particularly
decreed irrigation water, being 160 inches
with a priority of 1894, and Ground Water
Permit No. 34-7055.

NO. M 5225
FILED
SEP 3 1978

ADJ. 2:30 P.M.
BUTTE COUNTY RECORDS



Location of above described property

House No.

Street

WITNESS the hand of said Grantors this

5th

day of May

A.D. 1974

Elda C. Henry
Elda C. Henry

Jewell L. Henry
Jewell L. Henry

(NOTARY SEAL)

State of Idaho

County of

Butte

ss.

On the

day of

A.D. 1974

personally appeared before me

ELDA C. HENRY and JEWELL L. HENRY,

the signer(s) of the within instrument, who duly acknowledged to me that they
executed the same.

MICROFILMED
JUL 31 1998

Residing at:

Arco, Idaho

My Commission expires:

5/14/74

MAIL DEED TO:

Rodney W. Smith

Howe, Idaho 83244

FEB 9 1993

MAIL TAX NOTICE TO:

Name Rodney W. Smith

Address

City & State Howe, Idaho

Zip 83244

12-12-1973 Permit

P/d SWSE-13-3N-26E

P/4 T3N R26E 13 (S $\frac{1}{2}$ SE $\frac{1}{4}$) 20ac

19 (N $\frac{1}{2}$ NW $\frac{1}{4}$) 80ac

24 (N $\frac{1}{2}$ NE $\frac{1}{4}$) 80ac

2-22-77 Amendment

P/d SWSW-27-5N-26E

P/4 T3N R26E 12 (S $\frac{1}{2}$ SW $\frac{1}{4}$) 80ac

13 (NW $\frac{1}{4}$) 160ac

8-7-1978 Field Exam

P/d SWSW-27-5N-26E

P/4 T3N R26E 13 {
NENW 20
NWNW 19
SWNW 38
SE NW 40
NESW 40
NWSW 39
SWSW 22
SESW 22

10-1-1979

Amendment

P/d SENW-13-3N-26E

SWSW-27-5N 26E

P/4 As per Exam

RECORDED

JUL 31 1998

Affidavit of Publication

I, LeElla Cammack
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco,
Idaho, since March, 1909, do solemnly swear that
a copy of this notice, per clipping attached, was
published weekly in the regular and entire issue
of said newspaper, and not in any supplement
thereof,

for 2 consecutive weeks, commencing with
the issue dated Feb. 24/83
and ending with the issue dated
March 3/83

Subscribed and sworn to before me this

14 day of March, 1983

[Signature]
Notary Public

Residence: Arco, Idaho.
My commission expires [Signature], 19

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 34-7055

Notice is hereby given that Rodney
W. Smith, Arco, Idaho, has applied to
the Department of Water Resources
for a change in the place of use of a
groundwater source. The right
sought to be changed is evidenced by
License No. 34-7055 and is recorded as
follows:

AMOUNT: 4.84 cfs

PRIORITY: 12-20-1973

POINT OF DIVERSION:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 3N, R. 26E,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, T. 5N, R. 26E,
B.M. Butte County.

The water is used for stockwater
purposes and to irrigate 240 acres
within the W $\frac{1}{2}$, Sec. 13, T. 3N, R. 26E,
B.M.

TO BE CHANGED AS FOLLOWS

The water will be used for stock-
water within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13,
T. 3N, R. 26E, and for irrigation
purposes of 240 acres within the
S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13,
N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 24, T. 3N, R. 26E,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 1, Sec.
19, T. 3N, R. 27E, B.M.

Any protest against the approval of
the above proposed change of water
right must be filed with the Idaho
Department of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402, on or before March 14,
1983.

A. KENNETH DUNN
Director

Published in the Arco Advertiser on
2-24 & 3-3-1983.

RECEIVED

MAR 15 1983

Department of Water Resources
Eastern District Office

NOTED/ALB

JUL 31 1988

IDENT. NO. 34-7055

WATER RIGHT
DATA ENTRY LOG

[illegible]

November 5, 1979

Re: Permit No. 34-7055

Rodney W. Smith
PLO Box 63
Arco, ID 83213

Dear Mr. Smith:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment along with receipt no. 15604 in the amount of \$20.00.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:pb

RECEIVED
NOV 11 1979



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

September 11, 1979

Re: Permit No. 34-7055

Rodney W. Smith
P.O. Box 63
Arco, ID 83213

Dear Mr. Smith:

A representative of this Department made an examination of the works covered by your Permit No. 34-7055 on August 7, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 4.84 cfs Source: groundwater

The maximum quantity diverted shall not exceed 720.7 acre feet
per year.

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, Twp. 3N, Rge. 26E, B.M. and in
the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 5N, Rge. 26E, B.M.

Beneficial use: Stockwater purposes and irrigation of 240 acres within
the W $\frac{1}{2}$ of Sec. 13, Twp. 3N, Rge. 26E, B.M.

Priority date established: December 20, 1973

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

P.S.: The attached sheet of conditions will also be on the license.

RECEIVED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

1. Name of permit holder Rodney W. Smith
Post office address P.O. Box 65, Arco, ID Phone MAR 6 1978
Person to contact _____ Department of Water _____
Eastern District Office _____
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.) _____
Tributary to _____

3. Water will be used for the following purposes:

Amount 4.80 c.f.s. for Irrig.
_____ AF/Annum (nature of use)

Period of Use: from 6/01 to 10/01
(mo.-day) inclusive (mo.-day)

Amount 0.04 c.f.s. for Stock (50 head cattle)
_____ AF/Annum (nature of use)

Period of Use: from 1/01 to 12/31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 34-7055
Examination for blu

4. Total amount to be appropriated:

Max Rate of Diversion 4.84 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion: prop saip swale, sec. 13, 31, 26E

Township 5N N/S, Range 26E E/W, B.M., Section 27, Subdivision Sw 1/4 Sw 1/4 Butte
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: 75 hp turbine, 20" casing, 160' deep, pumping from 30', then to priv. ditch & pumped w/ 125 hp turb. pump

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

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	
31	26E	12											40	40					80
		13					40	40	40	40									160

TOTAL ACREAGE

240

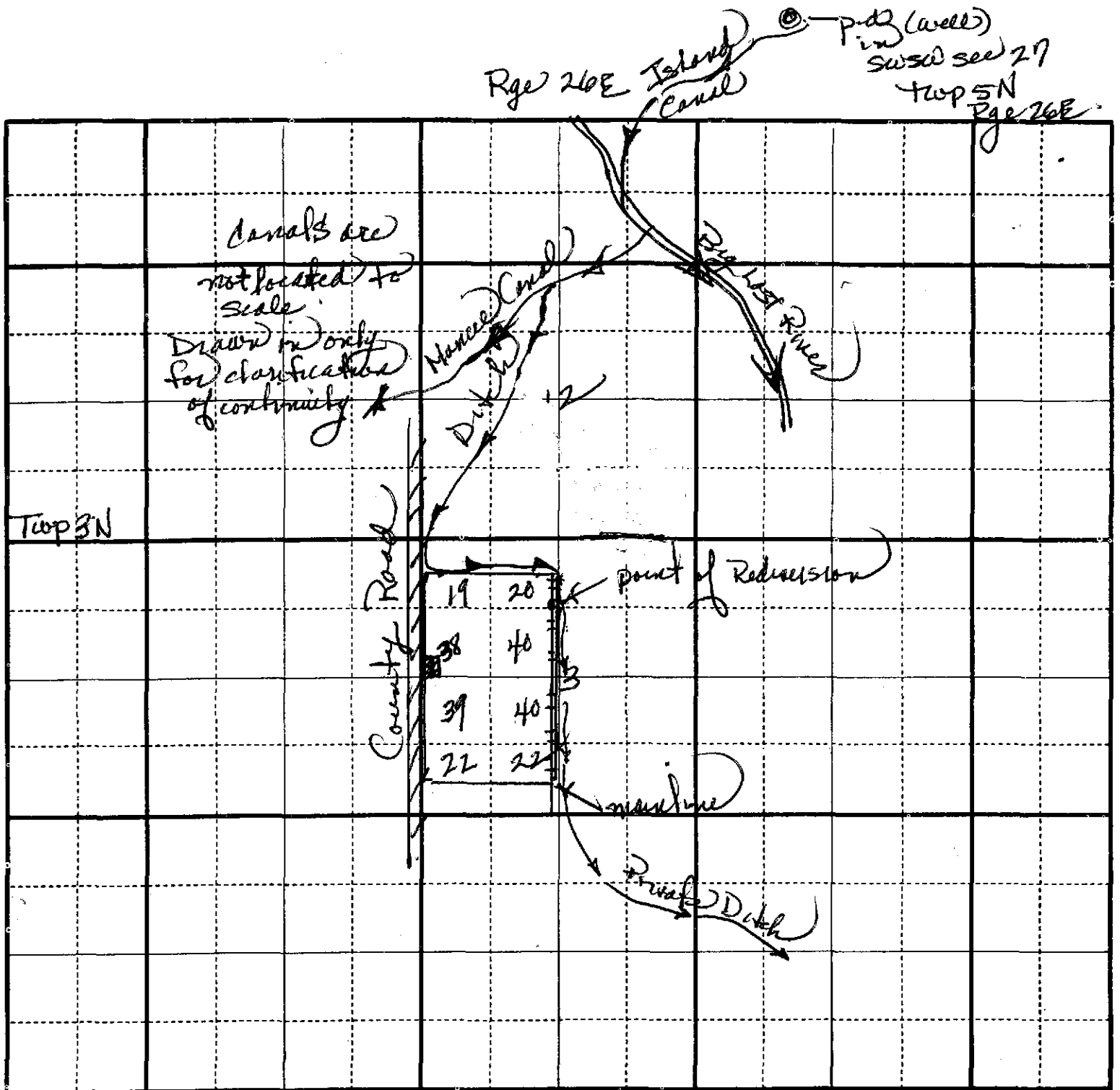
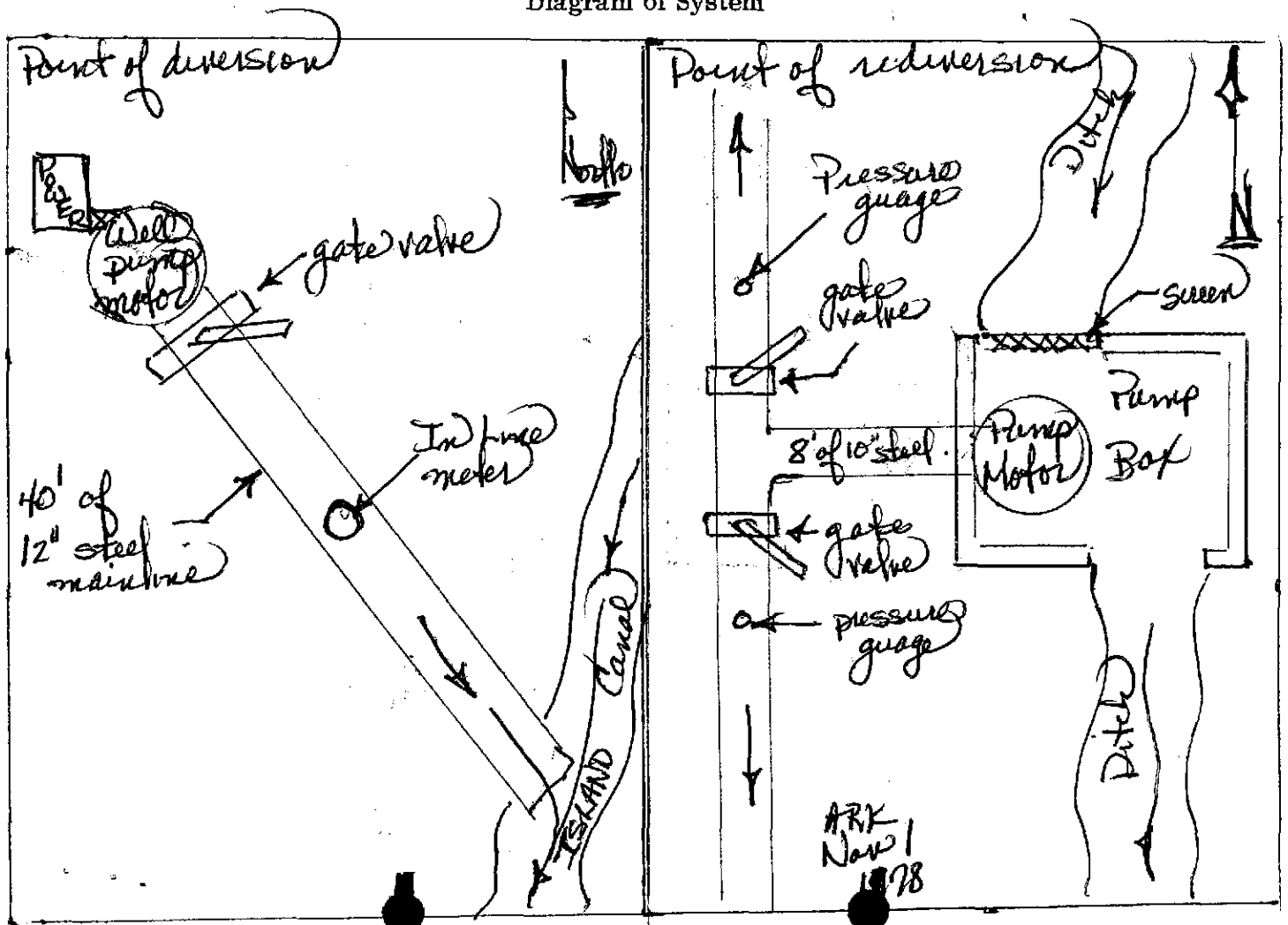


Diagram of System



Rodney Smith 34-7055-4

H-228
J. Schupmann
39

MICROFILMED

B
109.3

14

12 7
13 18

C
24

D
34.2

(19) Average migrated
by 3 1/2 inch hand
lines

3 - 1 1/2 inch wheel
lines

(38)

(40)

manhole

F
159.7

House
Water well

B
403

H-228
E. Henry
199

(39)

(40)

(41)

(22)

Memo to file

The Permit holder must use ~~the~~ conveyance works owned & maintained by the Big Lost Irrigation Canal Co. ~~For this~~ ~~fact~~ As the groundwater is conveyed via the canal system for many miles it is subject to seepage & evaporation losses from the canal during the irrigation season. The actual percentage of shrink is assessed daily and is dependent upon the ambient air temperature, and velocity of prevailing winds. The average shrinkage assessment is approx 35%. Therefore the amt of water available at the point of redemption and the place of use will constantly be subject to change.

MICROFILMED

34-7055 A Irrigation

DATE OF EXAM 8/1/78

ACREAGE
Found 240
Recommended 240

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= 4.80 c.f.s. V= 720 AF/Ann. from April 1 to Nov 1
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 X no

Name source: Island Canal
twp. 5N N/S, Rge 26E E/W, B.M., Sec. 27 Sub. 3a 1/4 3a 1/4 Butte County

Exchange? yes no X

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

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

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

Total Q measured 6.80 cfs Method of measurement In line meter

Total Q recommended 4.80 cfs Meter No. 77-12-2018 Type McCrometer Condition good

Total V recommended 720 AF/yr

Recommended Amendments:

P.D. See rough draft amendment
Place of Use Expand season to April 1 to Nov 1
Other
None

MEASUREMENT CALCULATION:

measured .01 AF in 64 sec, $435.6 \div 64 = 6.80 \text{ cfs}$
 $V = 240 \times 3.0 = 720 \text{ AF/yr}$ $1.9835 \times 2.15 \times 4.80 = 2046.97 \text{ AF/yr}$
See reverse side for stockwater information

SYSTEM DESCRIPTION:

Groundwater is open discharge at p.d. into the Island Canal, conveyed into the Big Lost River, diverted into the Munice Canal, and diverted into private ditch & then relifted by pump & motor into a pressurized sprinkler system. P.D. - 75HP General Electric Tri-Clad Induction motor mfg 5K6-255XH502A, sh - KMI-10016378 & by a Johnston vertical turbine pump, 20 I.D. # 2. Point of Redirection - REMARKS: 125 H.P. U.S. Electrical motors turbine motor ID # C9982 006 17 8502673 NRR. & an Aurora vertical pump V-9520451 Type 14 RL 3 stage. System shown & described by Rod Smith.

There is a parshall flume located in private ditch in order to measure the amt of relift water diverted from the Munice canal.

Examiner's Signature Anthony J. Kozlowski Date Nov. 1, 1978

Checked by Rodney A. Parker Date Nov. 28, 1978

Approved by Date

100 This issue should be issued in two separate parts. One for irrigation another for stockwater

Stockwater

34-7055B

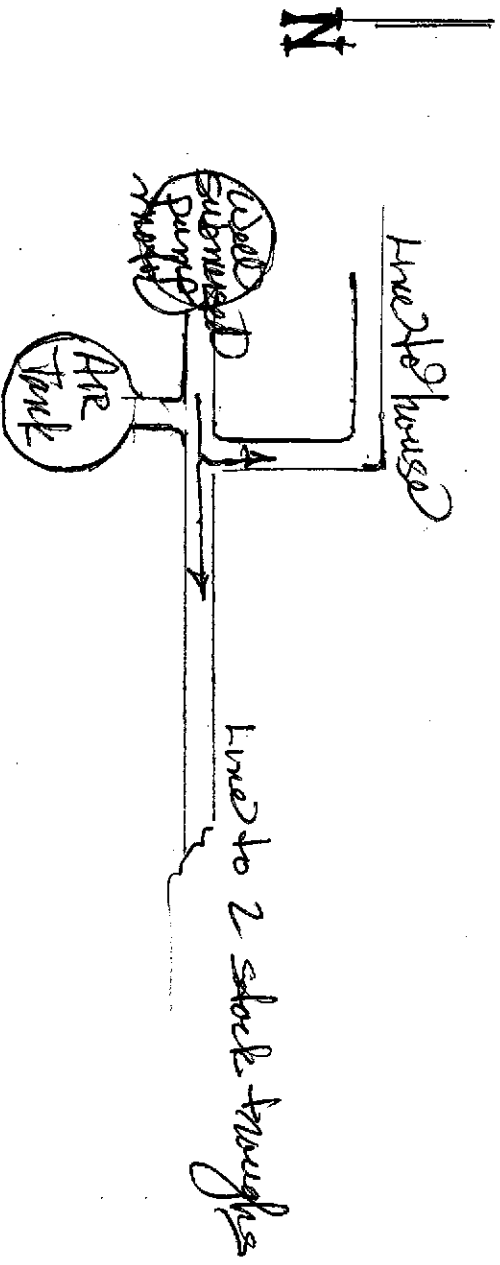
Description
Stockwater is dewatered by a 3.5 H.P. submersed pump & motor - 8" casing in 152' deep well, pump set at 140' - static water level 135' - operating pressure 30-50 psi.

Measurement

Measured 2.5 gal in 7 sec

$$\frac{2.5 \text{ gal}}{7 \text{ sec}} = \frac{X \text{ gal}}{100 \text{ sec}} = 21.43 \text{ gpm} \div 448.8 = .0477$$

amount applied
for or permit has $\rightarrow 0.04 \text{ cfs} = .05 \text{ cfs}$ capacity
for 50 hd range cattle
Recommend $\frac{.07 \text{ cfs}}{.05 \text{ cfs}}$ for 50 hd range cattle
and 1 of .70 H.P.



March 2, 1978

Re: Permit No. 34-7055

Rodney W. Smith
P. O.Box 63
Arco, ID 83213

Dear Mr. Smith:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

RECEIVED

FEB 14 1978

Department of Water Resources
Eastern District Office

Identification No. _____

Permit No. 34-7055

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Rodney W. Smith
b) Post Office Address P.O. Box 63, Arco, Idaho 83213
2. Permit Number 34-7055
3. Date of Priority that you are prepared to establish 12/20/73
4. a) Source from which water was appropriated ground water
b) Location of the point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13
Township 3N, Range 26E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 4.80 for Irrigation purposes from June 1 to Oct. 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.04 for Stockwater purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 4.84 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: _____
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:
Island Canal transports water from well to the Munsey Ditch. Water is pumped from the Munsey Ditch
b) Describe the agreement or understanding by which you take water from the works:
Have a year-to-year agreement dependent upon carrying capacity of ditch
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) 75 Hp turbine pump, 20" well casing. Well is 160 ft. deep pumping from about 30 ft., water is then rediverted into private ditch then pumped with a 125 Hp turbine pump
b) Describe the type and size of measuring device which you have installed at your point of diversion:
Water measured out of canal with an 18" Cippoletti weir. Water from well is measured through a 12 inch flow meter.
c) Give well driller's name and address and the date the well was completed:
Glen Guthrie from Moore. Well completed June 4th
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Stockwater for 100 head of livestock

Examined

2/28/78

MICROFILMED

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

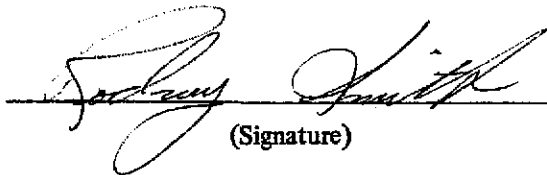
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	26E	12											40	40					80
		13					40	40	40	40									160

Total number of acres irrigated 240

10. Remarks: _____

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

(Date)


(Signature)

State of Idaho)
) ss.
County of Bingham)

On this 14th day of February, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at Firth, Idaho

My commission expires 2/14/78

Mr. Smith has
an agreement
with the canal
company for the
conveyance of his
water down their
ditch to his place
of use. This is
very common in

MICROFILMED

this area because
the depth of the
water table is very
different at each
point. Don't have
to drill as deep.

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RECEIVED

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name ROD SMITH
Address P.O. BOX 63 ARCO, IDAHO 83213
Owner's Permit No. 34-7055

7. WATER LEVEL

Department of Water Resources
Eastern District OfficeStatic water level 23 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality good
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☒ Pump ☐ Bailor ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
<u>2943</u>	<u>92'</u>	<u>5 HRS.</u>

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 20 inches Total depth 160 feet
Casing schedule: ☐ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>1250</u> inches	<u>20</u> inches	<u>1</u> feet	<u>160</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☒ Factory ☐ Knife ☐ Torch
Size of perforation 1/8 inches by 2 inches

Number	From	To
<u>3510</u> perforations	<u>20</u> feet	<u>150</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ NoManufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feetGravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feetSurface seal depth 20' Material used in seal ☐ Cement grout
☐ Pudding clay ☒ Well cuttingsSealing procedure used ☐ Slurry pit ☐ Temporary surface casing
☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County BUTTESW 1/4 SW 1/4 Sec. 27, T. 5 N., R. 26 E.

10.

Work started APRIL 20/77 finished MAY 4/77

11. DRILLERS CERTIFICATION

Firm Name GUTHRIE WELL DRILLING Firm No. 226
Address P.O. BOX 319 ARCO, IDAHO 83213 Date 6/9/77
Signed by (Firm Official) G. T. Guthrie
and
(Operator) G. T. Guthrie

FROM

Jan Grover

TO

Ron Carlson

SUBJECT

Amendment App for # 34-7055

Attached is the letter I sent to
 Mr. Smith at Bob's request. ^{a copy of}
 He replied that he was moving the
 drill site down the irrigation ditch.
 Does he have a right to conveyance
 of the water down the irrig. ditch?

Jan

SIGNATURE

MICROFILMED

April 18, 1977

Re: Permit No. 34-7055

Rodney Smith
Arco, Idaho
83213

Dear Mr. Smith:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

Sincerely,

BOB GROVER
Water Rights Supervisor

JG:JFR

Encl.

MICROFILMED

March 24, 1977

Re: Application for Amendment

Rodney W. Smith
Arco, ID 83213

Dear Mr. Smith:

We are in receipt of the application for amendment submitted in connection with Permit No. 34-7055. However, we note that your point of diversion is in Township 5 North and your place of use is in Township 3 North.

Before we can process the application, we need more information concerning the conveyance of the water from the point of diversion to the place of use.

We will hold the processing of this application for amendment until we hear from you.

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/cah

MICROFILMED

May 8, 1974

C
Re: Permit No. 34-7055

Rodney W. Smith
P. O. Box 63
Arco, Idaho 83213

Dear Mr. Smith:

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

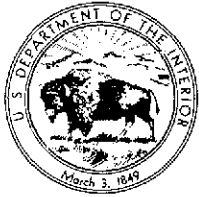
If you have any questions concerning this permit, please contact us.

Sincerely,

Y
D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED



IN REPLY REFER TO:

United States Department of the Interior I-4636 (943)

BUREAU OF LAND MANAGEMENT

Idaho State Office
Room 398, Federal Building
550 W. Fort Street
P.O. Box 042
Boise, Idaho 83724

Department of Water Administration

January 30, 1974

RECEIVED

FEB 4 1974

Department of Water Administration
Eastern District Office

Mr. Norman C. Young
District Engineer
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Young:

We have received a copy of your letter of January 24, 1974, to Mr. Elda C. Henry, in connection with his water permit application No. 34-7055. This application was made in conjunction with his desert land application I-4636.

Apparently Mr. Henry failed to include with his application, the extra copy of our letter of November 29, 1973, stating the lands in his application had been classified as suitable for desert entry. A copy of this letter is enclosed so that you may proceed with the processing of his application.

Sincerely yours,

Vincent S. Strobel

Vincent S. Strobel, Chief
Branch of L&M Operations

Enclosure

34-7055

Idaho State Office
Room 398, Federal Building
550 W. Fort Street
P. O. Box 042
Boise, Idaho 83724

November 29, 1973

Certified Mail No. 36983
RETURN RECEIPT REQUESTED

Mr. Elda C. Henry
Arco, Idaho 83213

Dear Mr. Henry:

On August 18, 1969 the Idaho Falls District Manager issued an "initial decision" classifying the national resource lands included in your desert land application as suitable for entry under the desert land act. This classification has been reviewed pursuant to your application and is still considered proper.

The "initial decision" stated that no entry would be allowed on the lands until satisfactory evidence of an available and adequate supply of water was submitted. This condition still prevails and you are offered the opportunity to apply for a special land use permit to drill a well on the national resource lands in order to obtain the necessary evidence of a water supply for irrigation.

Attached are application and stipulation forms and an instruction sheet. Please carefully read and comply with the requirements in the instruction sheet.

PLEASE NOTE: The application and stipulation forms must be completed in duplicate and sent or taken to the District Manager, Bureau of Land Management, East Lincoln Road, P. O. Box 1867, Idaho Falls, Idaho 83401, within 30 days from receipt of this letter.

If the application, stipulations, fees, rental and bond are not received by the District Manager within the 30 days allowed, we will assume that you are not interested in drilling a well. Your application will then be considered as rejected and will be closed without further notice.

If a permit is applied for and issued but a well is not drilled or is unsuccessful during the period the permit is in effect, your desert land application will automatically be considered as rejected when the permit expires.

34-7055

You must obtain a water appropriation permit from the State Department of Water Administration to drill the well. Attached is an extra copy of this letter which should be submitted to that office when you apply for a permit. Unless they have knowledge that the land in your desert application has been classified as suitable for entry, they may decline to issue the water permit. You should arrange with the Department of Water Administration to have a copy of the issued permit sent to this office.

Sincerely yours,

/s/ Vincent S. Strobel

Vincent S. Strobel, Chief
Branch of Lands & Minerals Operations

34-7055

February 7, 1974

C
Re: Permit No. 34-7055

O
Elda C. Henry
P. O. Box 63
Arco, Idaho 83213

P
Dear Ms. Henry:

Enclosed is a copy of your approved Application for Permit No. 34-7055. We direct your attention to the conditions of approval as listed on the fourth page.

Y
Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

cc: BLM

34 7055

1-4636 (943)

RECEIVED

FEB 1 1974

*Water Dept
1-4636-
1-4636-2*

Idaho State Office
Room 398, Federal Building
550 W. Fort Street
P. O. Box 042
Boise, Idaho 83724

Department of Water Administration
Eastern District Office
November 29, 1973

Certified Mail No. 36983
RETURN RECEIPT REQUESTED

Mr. Elda C. Henry
Arco, Idaho 83213

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34 7055

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Sincerely yours,

Vincent S. Strobel, Chief
Branch of Lands & Minerals Operations

cc: Mr. Elda C. Henry

January 24, 1974

Re: Application for Permit No. 34-7055

Mr. Elda C. Henry
P. O. Box 63
Arco, Idaho 83213

Dear Mr. Henry:

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Land Management, this office will take no further action until such time as evidence that your desert entry has been classified as suitable for entry is submitted to the Department of Water Administration in writing.

If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

cc: Bureau of Land Management
Room 334, Federal Bldg.
550 West Fort St.
Boise, Idaho 83702

34 7055

INTER-DEPARTMENT MEMO — 1

FROM

Darlene

DATE 1/23/74

TO

Eastern District Office

*Attch:
None*

SUBJECT

App #34-7055

This app is filed in connection with a desert land entry, therefore, we cannot process until we receive notice of allowance, etc. from BLM.

Please send out desert entry processing letter and "hold". BLM ^{and us} should get copy of the processing letter.

de
SIGNATURE

34 7055

1515 Lincoln Road

January 14, 1974

Re: Application for Permit No. 34-7055 Henry

Arco Advertiser
P. O. Box "C"
Arco, ID 83213

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on December 27, 1973 and January 3, 1974.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

34-7055

Called 1-21-74 MB

XXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

December 21, 1973

Re: Application for Permit No. 34-7055 Henry

Arco Advertiser
P. O. Box "C"
Arco, ID 83213

Gentlemen:

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

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

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

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

(signature of claimant)

34 7055

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 1-22-74 by MB

NCY:mb
Enc: Legal Notice (1)

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Elda C. Henry, P.O. Box 63, Arco, Idaho has on 12/20/73 submitted Application No. 34-7055 for a permit to appropriate 4.84 cubic feet per second of water from a ground-water source by means of well and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 3N, R. 26E, B.M. Butte County; to be used from Jan. 1 to Dec. 31 for stock-watering purposes for 50 beef cattle within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 3N, R. 26E; and from June 1 to Oct. 1 for the irrigation of 240 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 13; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 24, T. 3N, R. 26E; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 19, T. 3N, R. 27E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before January 14, 1974.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho on December 27, 1973 and January 3, 1974.

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