

May 6, 1966

RE: Permit No. 25180
Ben V. Schmidt

Mr. L. B. Jardine
United Farm Agency
1558 Overland Avenue
Burley, Idaho

Dear Mr. Jardine:

We have your letter of April 29, 1966, with reference to Permit No. 25180, Ben V. Schmidt. Our records show that this permit was cancelled on September 30, 1964 due to Schmidt's failure to submit a proper proof and pay the required fees. However, upon examination I find that this action was improper and the permit may be reinstated and a certificate and license issued if Schmidt or the new owner will take the following action:

- (1) The original permit showed the well to be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S., R. 26 E., B.M. and the water was to be used to irrigate 160 acres of land in the NE $\frac{1}{4}$ of said section. When proof was made Schmidt amended the permit and advertised the well in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23. He showed in the notice the lands irrigated included only the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23. When we made our inspection we found the well in its original location (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the water being used on 105 acres in the NE $\frac{1}{4}$, Sec. 23. Therefore if Schmidt will submit a letter requesting cancellation of the amendment recorded December 23, 1957, and will authorize the publication of a corrected legal notice using the enclosed form, and will submit the required \$13.00 fee for license and certificate we will be able to clear this matter.

C
O
P
Y

issue for
receipt of application
of publication 4-11-67
See receipt
NO. 11399
 25180

Ask D.S. re. 46 acres in a forty?

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25180

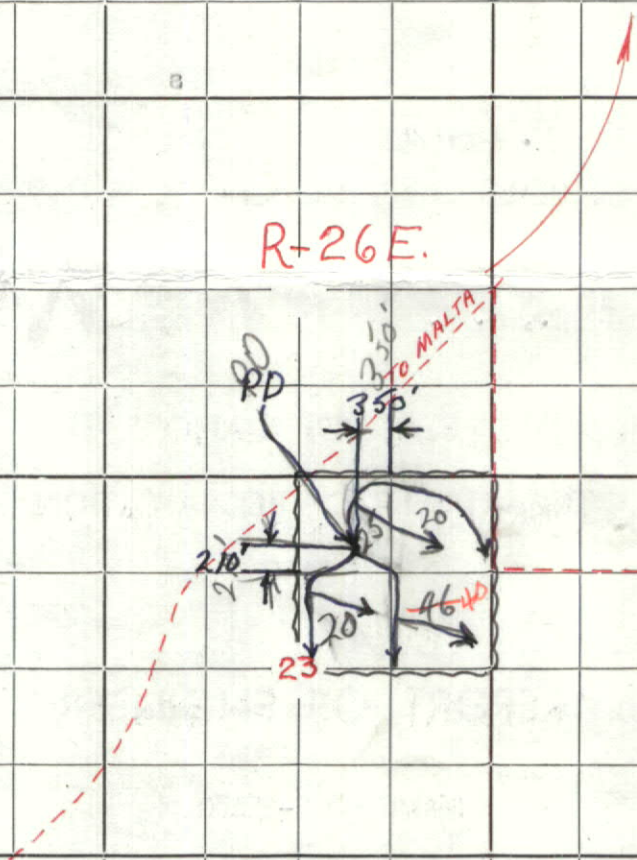
REPORT ON PROOF OF Completion of Works & Beneficial Use

Ben V. Schmidt, Bridge, Idaho

925180

*Lowered by underdrains
Revised tractor TD#6
Banks for more pump
PV11294
well 16" x 280' 6" x 10' diam
H=42 3 bowls 6" diam
dumps in to 3x3 concrete
Road gate & fields by
gravity
19mm 19 are 100cf
2.5
79,200.0
158
420
1,215
580
1,251.0*

R-26E.



T.
15
S.

Subdivisions = 4

Area = 111 acres

Q = 122"

105 acres

105"

2,104 ft.

Measured by spooling meter

2,484 ft.

124"

P.D. amendment needed.

25180

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

Notice is hereby given that at 8:00 A. M., on the 18th day of September, 1957, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25180 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Ben V. Schmidt, Bridge, 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 is 3.2 cubic feet per second.

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

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Twp. 15 S., Rge. 26 E.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 15 S. Rge. 26 E. B. M.

6. The date of priority which said user is prepared to establish is September 21, 1957.

MARK R. KULP
State Reclamation Engineer

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of

the notice

herein mentioned; that a notice

of which the attached clipping is a copy, was published in the regular issue of said newspaper for 4 consecutive weeks, to-wit, on

aug. 15, 22, 29, Sept. 5 1957

Charles Brown

Subscribed and sworn to before me this 14th

day of Sept. 1957

Rud Nelson

Notary Public.

My Commission Expires 7/12/61



RECEIVED
DEC 23 1957

Department of Reclamation

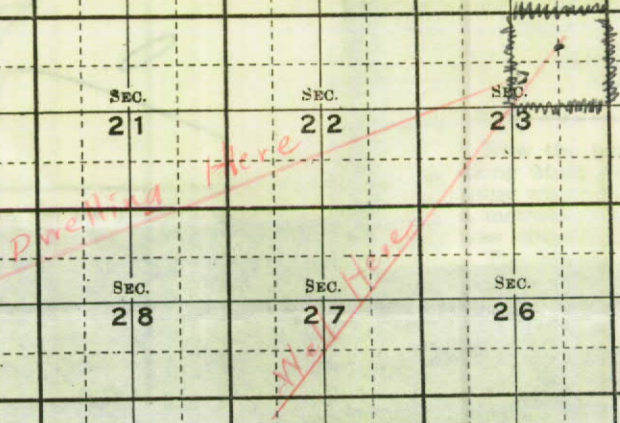
G 25180

Ben V. Schmidt - Bridge Idaho
 NE 1/4 Sec. 23 = 160 acres

Township 15 S, Range 26 E B11 Meridian.

North

SEC. 36	SEC. 31	SEC. 32	SEC. 33	SEC. 34	SEC. 35	SEC. 36	SEC. 31
SEC. 1	SEC. 6	SEC. 5	SEC. 4	SEC. 3	SEC. 2	SEC. 1	SEC. 6
SEC. 12	SEC. 7	SEC. 8	SEC. 9	SEC. 10	SEC. 11	SEC. 12	SEC. 7
SEC. 13	SEC. 18	SEC. 17	SEC. 16	SEC. 15	SEC. 14	SEC. 13	SEC. 18
SEC. 24	SEC. 19	SEC. 20	SEC. 21	SEC. 22	SEC. 23	SEC. 24	SEC. 19
SEC. 25	SEC. 30	SEC. 29	SEC. 28	SEC. 27	SEC. 26	SEC. 25	SEC. 30
SEC. 36	SEC. 31	SEC. 32	SEC. 33	SEC. 34	SEC. 35	SEC. 36	SEC. 31
SEC. 1	SEC. 6	SEC. 5	SEC. 4	SEC. 3	SEC. 2	SEC. 1	SEC. 6



South

Coyote Pub. Co., Colony, Wyo.,

PLOT P-4c

9-25780
 Bluff along West Side of 1/4 Sec - cuts off about 20 acres

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

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1. The name and postoffice address of the person holding said permit are Ben V. Schmidt, Bridge, 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 is 3.2 cubic feet per second.
3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.
4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Twp. 15 S., Rge. 26 E.
5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 15 S. Rge. 26 E. B. M.
6. The date of priority which said user is prepared to establish is September 21, 1957.

MARK R. KULP
State Reclamation Engineer
First publication August 15, 1957,
Fifth publication September 12, 1957

Fourth Aug 29 9-25-50

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

Notice is hereby given that at 8:00 A. M., on the 18th day of September, 1957, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25180 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Ben V. Schmidt, Bridge, 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 is 3.2 cubic feet per second.
3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is 3.2 cubic feet per second.
4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Twp. 15 S., Rge. 26 E.
5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 15 S. Rge. 26 E. B. M.
6. The date of priority which said user is prepared to establish is September 21, 1957.

MARK R. KULP
State Reclamation Engineer
First publication August 15, 1957,
Fifth publication September 12, 1957

9-25-50

**67-71
NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
UNDER THE PROVISIONS OF
SECTIONS 42-1, 42-217, IDA-
HO CODE**

Notice is hereby given that the legal notice printed in the Oakley Herald on August 15, 22, 29, and September 5, 1957, showing Ben V. Schmidt was to make proof of completion of works and beneficial use of water September 18, 1957 on Permit No G-25180 was in error and the point of diversion was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E, and the place of use was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E, B. M., whereas, the actual point of diversion is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E, B. M. and the place of use in NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E. B. M.

That any protests against the approval of the depositions made September 18, 1957 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water. Dated this 14th day of October 1966.

R. KEITH HIGGINSON
State Reclamation
Engineer

Date of First Publication March 20, 1967
Date of Last Publication March 27, 1967
Last Date of Protest April 24, 1967
Published in the Burley Herald-Bulletin March 20, 27, 1967.

Copy in
new folder 43-2413

8894

STATE OF IDAHO

License and Certificate of Water Right

Water License No. G-25180

Amount 2.1 c. f. s.

Water District No. _____

Priority September 21, 1954

THIS IS TO CERTIFY that BEN V. SCHMIDT

of Bridge, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 21, 1954; that Permit No. G-25180 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.1 feet, was issued thereunder on October 26, 1967, showing that said works were completed on the 18th day of September, 1957; and that on the 18th day of September, 1957,

BEN V. SCHMIDT

of Bridge, 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,

a tributary of subterranean flow, for the purpose of irrigation and domestic use, under Use Permit No. G-25180 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 14 of Licenses at Page 8894, on the 26th day of October, 1967.

The right hereby confirmed dates from September 21, 1954.

The Point of Diversion is located in the NW 1/4, NE 1/4, Sec. 23, Twp. 15 S, Rge. 26 E, B.M., County of Cassia.

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 2.1 second feet.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	26 E	23	NE 1/4 NE 1/4	40	20
			NW 1/4 NE 1/4	40	25
			SW 1/4 NE 1/4	40	20
			SE 1/4 NE 1/4	40	40
Total number of acres to be irrigated:					105

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 26th day of October, 1967.

S/ R. KEITH HIGGINSON

State Reclamation Engineer.

43-2413 9-25180

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

LICENSE ISSUED FOR 2.1 SEC. FT.
LICENSE PAGE NO. 8894

Application No. G- 33017
Permit No. G- 25180
District No.

Ben V. Schmidt
Bridge
Idaho

1. Name of Applicant: BEN V. SCHMIDT
Postoffice address: Bridge County: Cassia State: Idaho
*Lyons M. Bradshaw
County Supervisor
Farmers Home Adm.
Purley, Idaho*

2. Quantity of water claimed:
(a) Rate of withdrawal in cubic feet per second. 3.2 or Idaho
Miners' inches 160 or gallons per minute.
(b) Annual withdrawal in acre feet per annum

*Reinstated
March 10, 1967*
~~CANCELLED pursuant to sec. 42-311
Idaho Code Annotated, by order of
State Reclamation Engineer
dated SEP 30 1964~~

3. Source of water supply: Deep drilled well
4. Location of point of diversion or well is in the NW 1/4 of the NE 1/4 of Section 23
Twp. 15 S., Rge. 26 E., B.M., County of Cassia

5. Water is to be used for: Irrigation and Domestic purposes

6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the 1/4 of the 1/4 of Section, Twp.
Rge., B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section, Twp., Rge., B.M.

7. Kind of works: Drill well and install pump and motor complete

8. Estimated cost of works: \$7,500.00

9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 3 years.

11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Flood water from Cotton Wood (South) Creek

(a) 160 in. (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 160 in. (cubic feet per second, inches or gallons per minute) is for new lands.
Water from Cotton Wood Creek rarely reaches land so is of little or no value.

Remarks: The present water right is of little or no value and the proposed deep well is to be used to irrigate approximately the entire 160 acres. The point of diversion will be in the north east corner of the unit and all available land in the unit can be irrigated from this point.

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.

BEN V. SCHMIDT *Applicant.*

By _____ *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A.M. September 21, 1954

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25180

Recorded in Book 89 Page 25180 Approved September 21, 1954

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 November 21, 1954 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before March 21, 1956

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before September 21, 1957

Witness my hand this 21st day of September, 1954

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, _____ LEN JORDAN _____, Governor of the State of Idaho, and _____ IRA H. MASTERS _____, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 21st day of September, 1954.

Countersigned:

STATE OF IDAHO

(SEAL)

By _____ IRA H. MASTERS _____
Secretary of State.
By PAULA L. FLEENOR
Acting Secretary of State

By _____ LEN JORDAN _____
Governor

12.

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	
15 S.	26 E.	23	40	40	40	40	<i>See letter from F. H. P. in file</i>								160				
<p>APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-25180</p> <p>Comes now Ben V. Schmidt 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. G-25180. That the point of diversion is described in said permit as being located NW Cor Sec 23, Twp 15 S Range 26 E.B.M. That he now requests that the point of diversion be changed to a point located in SW cor. NE 1/4 NE 1/4 Section 23 Twp 15 South Range 26 E.B.M. That his reasons for desiring to make such change are as follows: location of well incorrectly described in permit. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.</p> <p>Signed at Malta, Idaho, this 19 day of Dec, 1957.</p> <p style="text-align: right;">/s/ Ben V. Schmidt</p> <p style="text-align: center;">APPROVAL OF STATE RECLAMATION ENGINEER</p> <p>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. G-25180. 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.</p> <p style="text-align: right;">/s/ Mark R. Kulp State Reclamation Engineer</p>																			
Date of receipt at Department of Reclamation December 23, 1957																			
Recorded: December 23, 1957.																			

Permit No. G-25180 + new
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that BEN V. SCHMIDT of Bridge, County of Cassia, and State of Idaho, the holder of Permit No. G-25180, issued upon Application No. G-33017 bearing date of priority of September 21, 1954 authorizing the diversion of 3.2 second feet of waters of a well, County of Cassia, 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 2.1 second feet of the waters of a well, from subterranean flow; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, B.M.

Proof of Completion of Works made: September 18, 1957.

Witness my hand this 26th day of October, A. D. 1967.

S/ R. KEITH HIGGINSON
State Reclamation EngineerLICENSE ISSUED FOR 2.1 SEC. FT.
LICENSE PAGE NO. 8894:

July 22, 1971

Re: License Nos. 43-2283
43-2413

United Farm Agency
Clyde J. Condie, Broker
5th Street North and Overland
Burley, Idaho 83318

Dear Mr. Condie:

Pursuant to your letter of July 12, 1971, please find enclosed copies of the
above referenced licenses in the name of Ben V. Schmidt.

If you should have any questions in this matter, please do not hesitate to
contact this Department.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosures

43 2413



CLYDE J. CONDIE
BROKER
5TH ST. NORTH & OVERLAND AVE.
BURLEY, IDAHO 83318

Take Burley-Paul Exit off
Interstate 15 & 80
Office, 1 Blk. S.
1/2 Blk. W. of Ponderosa Inn Motel
Phone: (208) 678-2679



REAL ESTATE

FARMS • RANCHES • HOMES • BUSINESS • RESORTS • RECREATION • INVESTMENT PROPERTY

July 8, 1971

RECEIVED
JUL 13 1971

Department of Water Administration

42-2283

R. Keith Higginson
State Of Idaho
Dept. of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. Higginson,

I am having trouble finding the water rights on this piece of land. In past sales it is mentioned the rights on the hot water spring also the right to the cold water well.

In the Bureau of Reclamation office they said they have record the hot spring water is filed on for use on this land. They do not have record of the other well because it is not on government ground.

I would appreciate you sending me the correct information on this water as soon as possible. We have a sale pending as soon as the information is obtained.

Thanks very much for your help.

Sincerely,

Clyde Condie
Clyde Condie

CC:bc

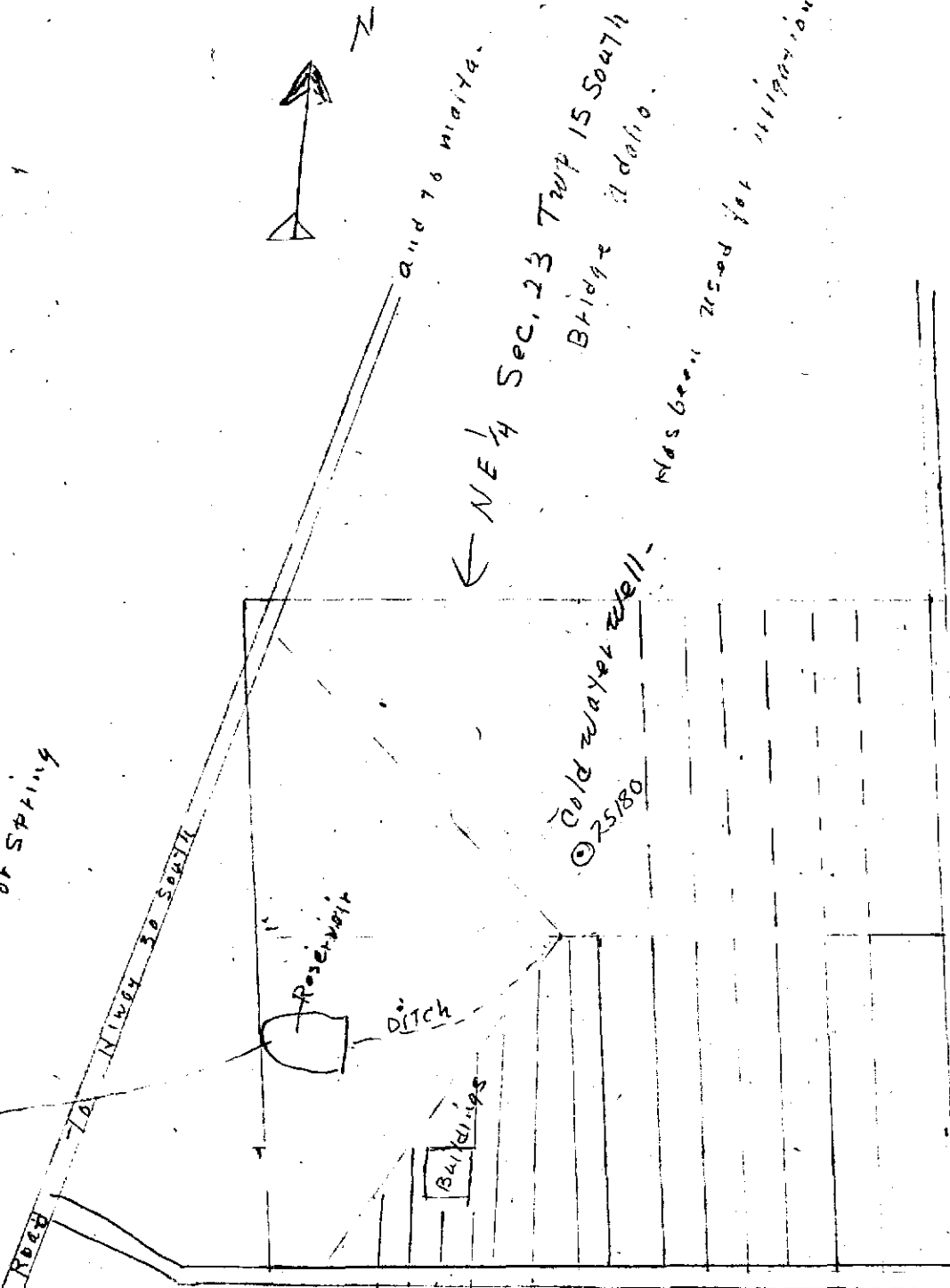
The information I have is on the enclosed map.

43 2413

B.M. Ground

Hot well of Spring

Old Ben Smith's Place



also

We need the definite rights on the hot water spring also

The filing rights on the cold water well.

October 26, 1967

Re: Permit No. G-25180

Ben V. Schmidt
Bridge, Idaho 83315

Dear Mr. Schmidt:

Enclosed are the Certificate of Completion of Works and License and Certificate of Water Right for the above referenced permit.

Also enclosed is departmental receipt no. G-11399 in the amount of \$13.00 covering the fees.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: License and Certificate
Receipt No. G-11399

Copy to: Farmers Home Administration
Burley, Idaho

25180

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that BEN V. SCHMIDT
of Bridge, County of Cassia, and State of
Idaho, the holder of Permit No. G-25180, issued upon
Application No. G-33017, bearing date of priority of September 21, 1954 authorizing the
diversion of 3.2 second feet of waters of a well,

County of Cassia, 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 2.1 second feet of the waters of a well, from
subterranean flow;

that the point of diversion of said waters is in the NW¹/₄NE¹/₄, Sec. 23, T. 15 S.,
R. 26 E, B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
described as follows, to-wit: NE¹/₄, Sec. 23, T. 15 S., R. 26 E, B.M.

Proof of Completion of Works Made: September 18, 1957.

Witness my hand this 26th day of October, A. D. 19 67.

R. Keith Higgins
State Reclamation Engineer

G25180

Permit No. G-25180.....

**Certificate of Completion
of Works**

Dated October 26, 19 67.....

Stream subterranean.....

County Cassia.....

Amount 2.1 c.f.s......

Date of Priority September 21, 1954

Recorded in Book 89.....

of Permits....., page 25180.....

G25180

License and Certificate of Water Right

Water License No. G-25180 Priority September 21, 1954 Amount 2.1 c.f.s.

THIS IS TO CERTIFY that BEN V. SCHMIDT

of Bridge, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 21, 1954; that Permit No. G-25180 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.1 second feet, was issued thereunder on October 26, 1967, showing that said works were completed on the 18th day of September, 1957; and that on the 18th day of September, 1957, BEN V. SCHMIDT

of Bridge, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well,

a tributary of subterranean flow, for the purpose of irrigation and domestic use, under Use Permit No. G-25180 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 14 of Licenses, at Page 8894, on the 26th day of October, 1967.

The right hereby confirmed dates from September 21, 1954.

The Point of Diversion is located in the NW 1/4 NE 1/4, Sec. 23, Twp. 15 S, R. 26 E, B.M., Cassia 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 2.1 cubic feet per second.

Description and location of use:

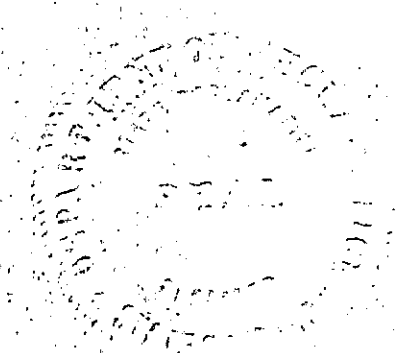
Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	26 E	23	NE 1/4 NE 1/4	40	20
			NW 1/4 NE 1/4	40	25
			SW 1/4 NE 1/4	40	20
			SE 1/4 NE 1/4	40	40
Total number of acres to be irrigated:					105

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 26th day of October, 1967.

R. Keith Higgins
State Reclamation Engineer.

25180

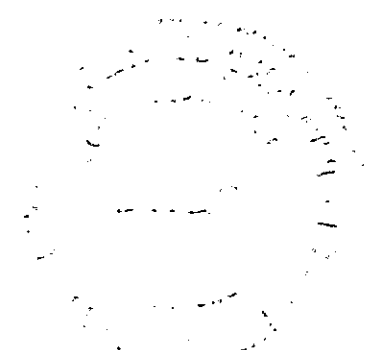


State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-25180
To Ben V. Schmidt
Bridge, Idaho
Source of Supply Subterranean
Cassia County
Amount 2.1 Sec. Ft.
Point of Diversion NW¹/₄ NE¹/₄, Sec. 23,
T. 15 S., R. 26 E., B.M.
Place of Use NE¹/₄, Sec. 23, T. 15 S,
R. 26 E., B.M.
Purpose Irrigation and domestic
Date of Priority September 21, 1954
Recorded October 26, 1967
in Book 14 of Licenses, Page 8894

G25180



The Burley Herald-Bulletin

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss:
STATE OF IDAHO)

Walter W. Schramm, being first
duly sworn, deposes and says that he is the
Editor of Burley Herald-
Bulletin, a weekly newspaper published at Burley,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of Burley Herald-Bulletin for
two (2) consecutive weeks, commencing
with the issue dated March 20, 1967 and
ending with the issue dated March 27 1967.

Walter W. Schramm
Subscribed and sworn to before me this

29th day of March, 1967

Ruth Church
Notary Public

Cost of Publication My Commission Expires Feb. 18, 1969

Notary fee _____

Total Cost _____

LEGAL NOTICES

57-71
NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
UNDER THE PROVISIONS OF
SECTIONS 42-214, 42-217, IDA-
HO CODE

Notice is hereby given that the legal notice printed in the Oakley Herald on August 15, 22, 29, and September 5, 1957, showing Ben V. Schmidt was to make proof of completion of works and beneficial use of water September 18, 1957 on Permit No G-25180 was in error and the point of diversion was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E, and the place of use was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E, B. M., whereas, the actual point of diversion is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E, B.M. and the place of use in NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E.B.M.

That any protests against the approval of the depositions made September 18, 1957 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water. Dated this 14th day of October 1966.

R. KEITH HIGGINSON
State Reclamation
Engineer

Date of First Publication March
20, 1967
Date of Last Publication March
27, 1967
Last Date of Protest April 24, 1967
Published in the Burley Herald-
Bulletin March 20, 27, 1967

S 25180

RECEIVED SEP 11 1967

JARDINE & NEWMAN
• REPRESENTATIVE
123 EAST 5TH ST. NORTH
BURLEY, IDAHO 83318

Phones: Area Code 208
Office, 678-2679
Resi., 678-8528 and 436-3819



FARMS • RANCHES • HOMES • BUSINESS • RESORTS • RECREATION • INVESTMENT PROPERTY

Sept. 7, 1967

RECEIVED
SEP 11 1967

Ref: Permit No. G 25180

R. Keith Higginson
Idaho State Reclamation Eng.
Boise, Idaho

Dear Mr. Higginson:

I am enclosing affidavit of publication relative to above numbered permit, for the purpose of correcting a location of point of diversion of permit No. G 25180.

Please mail final water right papers to me as I am handling sale of Mr. Ben D. ^{Schmidt} Smiths 160 acres described in this permit by contract of sale, and it is necessary that I supply the escrow agent with these final papers.

Thank you very much for the manner in which you have handled this matter.

Sincerely yours,

UNITED FARM AGENCY

A handwritten signature in cursive script, appearing to read "L. B. Jardine".

L. B. Jardine Rep:

LBJ/sp

Encl:

P25180

April 7, 1967

Re: Permit No. G-25180
Ben V. Schmidt

Mr. L. B. Jardine, Representative
United Farm Agency
123 East 5th Street North
Burley, Idaho 83318

Dear Mr. Jardine:

Receipt is hereby acknowledged of your letter of April 5, 1967, on the above referenced matter.

Please advise Mr. Schmidt the \$13.00 in question was a fee to cover the certificate of completion of the works and license for permit No. G-25180. The cost of the advertising was additional and is payable only to the newspaper.

Please feel free to contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

P25180

COPY

L. B. JARDINE
REPRESENTATIVE
123 EAST 5TH ST. NORTH
BURLEY, IDAHO 83318

RECEIVED

APR 6 1967

Department of Reclamation



Cor. 5th St. N. & Overland Ave.
5 Blks. N. of Snake River
Phone: Area Code 208; 678-2679

FARMS • RANCHES • HOMES • BUSINESS • RESORTS • RECREATION • INVESTMENT PROPERTY

Apr. 5, 1967

Mr. R. Keith Higginson
Dept. Of Reclamation
State Capitol Bldg
Boise, Idaho

R.C. Permit No.
25180
Ben V. Schmidt

Dear Mr. Higginson;

Mr. Ben V. Schmidt ask me to write to you in regard to cost of advertising the publication to correct legal description on above no. water permit. His understanding was that the \$13 he sent to you was to cover all costs.

Please advise Mr. Schmidt.

I am sorry to bother you with details.

Thank you.

Sincerely yours

P.S. a letter answering above detail to me will be fine. I will call Mr. Schmidt by phone.

Rep. United Farm Agency

25180

400 Sales and Service Offices . . . Coast to Coast . . . Bonded Representatives

67-91

RECEIVED
MAR 22 1967

Department of Reclamation

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Oakley Herald on August 15, 22, 29, and September 5, 1957, showing that Ben V. Schmidt was to make proof of completion of works and beneficial use of water September 18, 1957, on Permit No. G-25180 was in error and the point of diversion was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, and the place of use was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, B.M., whereas, the actual point of diversion is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, B.M. and the place of use in NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, B.M.

That any protests against the approval of the depositions made September 18, 1957 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 14th day of October 1966.


R. KEITH HIGGINSON
State Reclamation Engineer

Date of First Publication March 20, 1967
Date of Last Publication March 27, 1967
Last Date of Protest April 24, 1967

J25180

March 14, 1967

Re: Permit No. G-25180

Herald Bulletin
Burley, Idaho

Gentlemen:

Enclosed is a legal notice which is to be published once a week for two consecutive weeks. Insert the dates of first and last publication in one copy and return to us along with a tear sheet for proofing

The cost of the publication is to be paid by Ben V Schmidt of Bridge, Idaho, to whom you should furnish the affidavit of publication.

Very truly yours,

M Russell Besch
Office Manager

MRB:nw

cc: B V. Schmidt

Enclosure: legal notice (2)

25180

NOTICE OF CORRECTION OF LEGAL NOTICE PUBLISHED UNDER THE
PROVISIONS OF SECTIONS 42-214, 42-217, IDAHO CODE

Notice is hereby given that the legal notice printed in the Oakley Herald on August 15, 22, 29, and September 5, 1957, showing that Ben V. Schmidt was to make proof of completion of works and beneficial use of water September 18, 1957, on Permit No. G-25180 was in error and the point of diversion was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, and the place of use was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, B.M., whereas, the actual point of diversion is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, B.M. and the place of use in NE $\frac{1}{4}$, Sec. 23, T. 15 S, R. 26 E, B.M.

That any protests against the approval of the depositions made September 18, 1957 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water.

Dated this 14th day of October 1966.

R. KEITH HIGGINSON
State Reclamation Engineer

Date of First Publication 3-1-57
Date of Last Publication 7-27-57
Last Date of Protest April 24, 1967

25180

March 10, 1967

RE: Permit No. G-25180
Ben V. Schmidt

L. B. Jardine
United Farm Agency
Burley, Idaho 83318

Dear Mr. Jardine:

Enclosed is an order reinstating the above numbered permit.

The Certificate of Completion of Works and License and Certificate of Water Right will be issued upon receipt of the Affidavit of Publication following the required publications and the statutory time limit set for filing of protests. This date will be April 24, 1967 in all probability.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. order

G-25180

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

IN THE MATTER OF PERMIT NO.)

G-25180, Ben V. Schmidt)

REINSTATEMENT

WHEREAS, Permit No. G-25180 was issued to Ben V. Schmidt on September 21, 1954 for the appropriation of 3.2 second feet of water from a well for irrigation purposes; and,

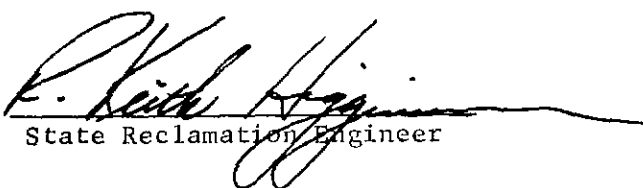
WHEREAS, on September 30, 1957, the permit holder made proof of completion of works and application of water to beneficial use showing the appropriation of 2.1 c.f.s. for irrigation of 105 acres of land in the NE $\frac{1}{4}$, Section 23, Township 15 South, Range 26 E ., B. M.; and,

WHEREAS, permit holder failed to pay the statutory fee for inspection and certificate and license in connection with said permit and the department subsequently cancelled said permit; and,

WHEREAS, said cancellation was contrary to the provisions of law.

NOW, THEREFORE, it is hereby ordered and Permit No. G-25180 is reinstated with the original priority date and a certificate and license of water right will be issued upon payment of the statutory fees.

Dated this 10th day of March, 1967


State Reclamation Engineer

G25180

L. B. JARDINE
DBA UNITED FARM AGENCY
~~1000 W. MAIN ST.~~
BURLEY, IDAHO 83318



FARMS • RANCHES • HOMES • BUSINESS • RESORTS • RECREATION

Office on State 27, S. Part of Town
4 Blks. S. of Intersection With U.S. 30
Phone: Area Code 208; 678-2679

Feb. 27, 1967

RECEIVED
FEB 28 1967

Department of Reclamation

Mr Keith Higginson
Deputy State Reclamation Engineer
107 State House
Boise, Idaho, 83701

Dear Mr Higginson:

Thank you for your letter of May 6, 1966 in regard to Mr Ben V. Schmidt's well permit No. 25180.

As I told you in my letter of Apr. 29, 1966 I have sold Mr Schmidt's land relative to said permit, however Mr. Schmidt sold under a Contract of Sale, and will retain title in an Escrow until the Buyer has fully paid Schmidt.

By Mr Ben V. Schmidt's signing letter below he hereby requests cancellation of a certain Amendment (relative to above numbered well permit) recorded Dec. 23, 1957.

Also enclosed is the signed authorization to publish a corrected legal notice in our county paper, and \$13 to cover license, and certificate.

Sincerely yours

Signed _____

L B Jardine
Rep. United Farm Agency
Burley, Idaho

Signed _____

Ben V. Schmidt
I refer to permit per attached Return

25180

May 6, 1966

RE: Permit No. *D*25180
Ben V. Schmidt

Mr. L. B. Jardine
United Farm Agency
1558 Overland Avenue
Burley, Idaho

Dear Mr. Jardine:

We have your letter of April 29, 1966, with reference to Permit No. 25180, Ben V. Schmidt. Our records show that this permit was cancelled on September 30, 1964 due to Schmidt's failure to submit a proper proof and pay the required fees. However, upon examination I find that this action was improper and the permit may be reinstated and a certificate and license issued if Schmidt or the new owner will take the following action:

- (1) The original permit showed the well to be located in the NW~~1~~⁴NE~~1~~⁴, Sec. 23, T. 15 S., R. 26 E., B.M. and the water was to be used to irrigate 160 acres of land in the NE~~1~~⁴ of said section. When proof was made Schmidt amended the permit and advertised the well in the NE~~1~~⁴NE~~1~~⁴, Sec. 23. He showed in the notice the lands irrigated included only the NE~~1~~⁴NE~~1~~⁴, S~~1~~²NE~~1~~⁴, Sec. 23. When we made our inspection we found the well in its original location (NW~~1~~⁴NE~~1~~⁴) and the water being used on 105 acres in the NE~~1~~⁴, Sec. 23. Therefore if Schmidt will submit a letter requesting cancellation of the amendment recorded December 23, 1957, and will authorize the publication of a corrected legal notice using the enclosed form, and will submit the required \$13.00 fee for license and certificate we will be able to clear this matter.

C
O
P
Y

small
11-399
D25180

L. B. Jardine - continued - page 2

- (2) If the license and certificate should be in the name of the new owner we will need an assignment. A form is enclosed for your convenience.

We will be happy to discuss this matter with you if you should desire.

Very truly yours,

R. KEITH HIGGINSON
Deputy State Reclamation Engineer

RKH:mr

Enc. assignment form
form 11

25180

L. B. JARDINE
REPRESENTATIVE
1558 OVERLAND AVE.
BURLEY, IDAHO 83318



4 Blks. S. of Intersection with U.S. 30
On State 27, South Part of Town
Phone: Area Code 208; 678-2679

FARMS • RANCHES • HOMES • BUSINESS • RESORTS • RECREATION

Apr. 29, 1966

Mr. Carl E. Jopson
Idaho State Reclamation Engineer
State House
Boise, Idaho

RECEIVED
MAY 2 1966
Department of Reclamation

Dear Mr. Jopson;

Recently I sold a 160 acre farm for Mr. Ben V. Schmidt, of Bridge, Idaho, and would like to have details as to the status of a water right, or certificate of an Irrigation water right, relative to Permit No. G 25180 which was approved by your Dept. Sept. 21, 1954.

I have the approved permit to develop the irrigation pump well, but have no further information or certificate for the development.

I would also like to know if irrigation well permits are being withheld in the Raft River drainage, as they were as of Feb. 9, 1966 ^{new}.

Thank you. Very truly yours,

L. B. Jardine
United Farm Agency

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

IN THE MATTER OF CANCELLATION OF PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE
STATE OF IDAHO NO. G-25180
Ben V. Schmidt

ORDER OF CANCELLATION

WHEREAS, Permit No. G-25180 lapsed through failure of the holder to make proof of completion of works within the time specified in the Permit, to-wit:

Non-payment of fees totaling \$13.00, and

WHEREAS, due notice was given the holder of said Permit that such proof would be due on the date above mentioned, and

WHEREAS, on June 11, 1964 notice was sent to the holder of said Permit to appear before the State Reclamation Engineer on or before 60 days to show cause why such Permit should not be cancelled, and

WHEREAS, the holder of said Permit has failed to comply with the said requirements, and that no showing has been made as to completion of the works under said Permit.

IT IS THEREFORE, hereby ordered that Permit No. G-25180 be and the same is hereby cancelled and held for naught

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department, at Boise, Idaho, this 30th day of September, 19 64

Carl E. Tappan
State Reclamation Engineer

D25180

G-25180

June 11, 1964

RE: Permit No. G-25180

Ben V. Schmidt
Bridge, Idaho

Dear Mr. Schmidt:

You were notified by letter dated August 13, 1958 that the Certificate of Completion of Works and Certificate and License of Water Right would be issued for 2.1 C.F.S. from a well in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 for irrigation of 105 acres in NE $\frac{1}{4}$ Sec. 23., Twp. 15 S., Rge. 26 E.B.M. The Permit shows point of diversion as being in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23., Twp. 15S, Rge. 26 EBM and the letter mentioned it would be necessary for you to complete the application to amend the point of diversion with fees of \$13.00.

Since that date, the Attorney General has ruled that if there is an error in the location of the land or the point of diversion in the legal notice published prior to your making the necessary proofs, the Permit must be ~~amended~~ and a new legal notice published before making proper proofs of completion of works and beneficial use of the water.

If the well is actually in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, remit the fees and show the location of the well and the works will be re-examined. If the well is actually in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23 you must amend the point of diversion and complete Forms 36 and 11 enclosed and also make new proofs of beneficial use and completion of works.

The notice enclosed allows 60 days in which to show cause why the Permit should not be cancelled.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RWT:er

Encls. - Forms #36 and 11

cc: Farmers Home Administration
Burley, Idaho

J. 25 156

INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver ONLY to

Show address where delivered

(Additional charges required for these services)

Received the numbered article described on other side.

RECEIPT

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

Tom J. [Signature]

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

6-16-74

SHOW WHERE DELIVERED (only if requested)

081507

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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



INSTRUCTIONS: Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

POD Form 3811 Apr. 1962

REGISTERED NO.	NAME OF SENDER State Department of Reclamation
CERTIFIED NO. 19079	STREET AND NO. OR P. O. BOX Room 107 Statehouse
INSURED NO.	CITY, ZONE AND STATE Boise, Idaho

10/1/63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 25180

June 11, 19 64

To Ben V. Schmidt
Bridge, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 25180 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Payment of fees totaling \$13.00

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 25180 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 25180 claims the use of 2.10 ^(measured) cubic feet per second of the Subterranean Waters a well with point of diversion located: NE¹/₄NE¹/₄ Sec. 23., Twp. 15 S., Rge. 26 E.B.M.

and was approved September 21, 1954

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, the 11th day of June, 1964.

Carl E. Tappan

State Reclamation Engineer

G 25180

Ask D.S. re. 46 acres in fact?

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25180

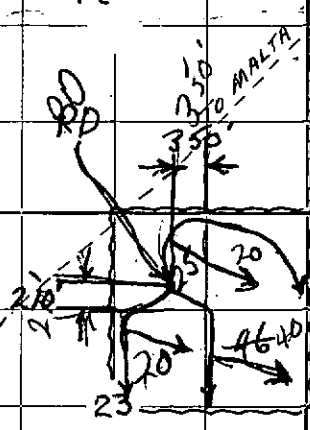
REPORT ON PROOF OF Completion of Works & Beneficial Use

Ben V. Schmidt, Bridge, Idaho

G-25180

*Revised by [unclear]
 [unclear] [unclear]
 [unclear] [unclear]
 # PV 1298
 well 16" x 280' 6" x 60' column
 H=42 [unclear] 4" diameter
 dump in to 3x3' concrete
 field gate to field by
 gravity
 19mm 19mm 100cf
 2.5
 795300.0
 158
 420
 1.315
 1.580
 125.0*

R-26E.



T.
15
S.

Subdivisions = 4

Area = 11 acres

Q = 172'

16500 sq. ft.

165' x 100'

2.10 acres

Measured by Spooling meter

2.40 acres

124'

P.D. Amendment needed.

25780

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

Permit No. G-25180

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

1. Name of applicant Ben V. Schmidt

2. Source of water supply: Subterranean flow from a well

3. Location of point of diversion: Is in the SW corner of NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23

T. 15 S. R. 26 E., B. M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: Well 16" x 280'
Hambro's Morse Pump # PV 1298 powered by International
Direct Diesel tractor TD #6 6" x 60' column 3 bowls 6" diameter
H = 42' dumps into 3' x 3' concrete headgate and is delivered
to fields by gravity Q = 122" measured by spring meter
no shelter available

5. Water is used for: Irrigation and domestic

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

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):

110 acres in the NE $\frac{1}{4}$ of Sec. 23., Twp. 15 S., Rge. 26 E., B. M. RJ

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

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

Remarks: _____

Crops are Hay grain & row crops

This examination was made on the 18 day of July, 19 56

(Signed) David B. Stevenson G-25180
Examiner.

Ben W. Schmidt
Bridge, Idaho 52619
Permit No. C-25180

Examination for Completion of Works & Beneficial Use

County Cassia 23-155-26E

2 1/2 a.c. cists.

S = Well.

P.D. = Irrigation & Domestic

Area 47, 200' x 100'

Area 140 acres

Use = Irrigation & Domestic

Filed = Sept. 21, 1954

Due = Sept. 21, 1957

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
AUG 11 1958

Department of Reclamation

25180

GEO. N. CARTER
~~XXXXXXXXXX~~

August 13, 1958

Re: Permit No. G-25180

Mr. Ben V. Schmidt
Bridge
Idaho

Dear Mr. Schmidt:

Our field engineer's report on his inspection of the completion of works and application of water to beneficial use under the terms of Permit No. G-2 180 shows the well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 15 South, Range 26 East and that it is capable of conveying 105 miners' inches (2.10 c.f.s.) of water for irrigation of 105 acres. The record of the permits describes the location of the well in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, therefore, it is necessary that the permit be amended to show the change of location. We enclose an Application for Amendment form, for this purpose.

Upon receipt of the amendment, mentioned above, and the statutory fees, totaling \$13.00, we will issue the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (eight dollars--fee based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of September 21, 1954, to the use of 2.10 second feet of subterranean water, with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, for irrigation of 105 acres in the NE $\frac{1}{4}$ of Section 23, Township 15 South, Range 26 East, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25180

December 30, 1957

Re: Permit No. G-25180

Mr. Ben V. Schmidt
Bridge
Idaho

Dear Mr. Schmidt:

Enclosed is the application for amendment to Permit No. G-25180 which was approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 89 of Permits at Page 25180 amending the point of diversion to read as follows: "SW corner ~~NW~~ Section 23, Township 15 South, Range 26 East, B. 1." This should now be attached to the original permit to which it refers and of which it becomes a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

G-25180

December 30, 1957

RE: Permit No, G-25180

Mr. Ben V. Schmidt
Bridge, Idaho

Dear Mr. Schmidt:

We acknowledge receipt of the Deposition of the Holder and two witnesses, also affidavit of publication in The Oakley Herald, all submitted in proof of completion of works and beneficial use on Permit No. G-25180.

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 you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARY R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

G 25180

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-25180

RECEIVED
DEC 23 1957

Department of Reclamation

Comes now Ben V. Schmidt 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. G-25180.

That the point of diversion is described in said permit as being located SW Cor Sec 23, Twp 15 S Range 26 E.B.M.
nw cor sec 23, Twp 15 S Range

That he now requests that the point of diversion be changed to a point located in SW cor. NE1/4 Sec 23 Twp 15 South Range 26 E.B.M.
sw cor ne1/4 ne1/4 sec. 23 Twp 15 South Range 26

That his reasons for desiring to make such change are as follows:

~~location of well incorrectly described in permit.~~
~~location of well incorrectly described in permit~~

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

Signed at Malta, Idaho., this 19 day of Dec 19 57

Ben V. Schmidt

Date of receipt at Department of Reclamation December 23, 1957

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. G-25180. 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

G 25180

**NOTICE OF PROOF
OF COMPLETION OF WORKS
and
APPLICATION OF WATER**

TO BENEFICIAL USE

Notice is hereby given that at 8:00 A. M., on the 18th day of September, 1957, at Malta, County of Cassia, State of Idaho, before J. Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25180 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Ben V. Schmidt, Bridge, Idaho.

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 is 3.2 cubic feet per second.

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

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Twp. 15 S., Rge. 26 E.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 15 S. Rge. 26 E. B. M.

6. The date of priority which said user is prepared to establish is September 21, 1957.

MARK R. KULP
State Reclamation Engineer

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of

the Notice

herein mentioned; that a notice

of which the attached clipping is a copy, was published in the regular issue

of said newspaper for 4 consecutive weeks, to-wit, on

Aug. 15, 22, 29, Sept. 5 1957.

Charles Brown

Subscribed and sworn to before me this 14th

day of Sept. 1957.

Rose Nielson

Notary Public.

My Commission Expires 7/12/61



RECEIVED
DEC 23 1957

Department of Reclamation

G-25180

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 30 1957
Department of Reclamation

RECEIVED
DEC 23 1957
Department of Reclamation

Permit No. G-25180

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. Ben V. Schmidt, Bridge, Idaho, farming.
Bridge, 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. -----

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

Ans. G-25180, -Sep-21-1954 and date of priority Sept 21, 1954.

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

Ans. Subterranean well in SW cor. NE 1/4 Sec 23 Twp 15 S
Range 26 EBM.

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. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. private ditches, --200 inches-- private ditches.
Driven well 16 inch steel casing. 310 feet deep.
water level is at 47 feet.
8 inch discharge pipe
measured over a weir.

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. irrigation and domestic use- SW 1/4 NE 1/4 Sec 23- 30 acres
SE 1/4 NE 1/4 Sec 23 Twp 15 S R 26 EBM* 40 acres.
NW 1/4 NE 1/4 Sec 23 " " " 30 acres
NE 1/4 NE 1/4 Sec 23 " " " 40 acres. total 140 acres.
cultivated. Fences, broke the land, leveled it, and put in ditches.

G. 25180

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

Ans. -----

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

Ans. one inch to the 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. ---

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

Ans. irrigated 140 acres of hay and grain and sode for the last two years-1956 and 1957

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. -----

I have a 1925 decreed right for 160 inches of south Cottonwood creek water when available.

(Sign) *Ben L. Stinson*

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 MALTA County of CASSIA

State of Idaho, on this 18 day of September, A. D. 19 57

J. H. Thompson

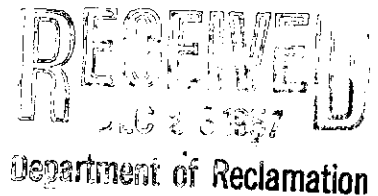
My commission expires January-25-1961.

MALTA, IDAHO



25180

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-25180

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. J. Deward Hall, 46, Malta, Idaho., farming,
Malta, Idaho.

Ques. 2. Are you acquainted with Ben V. Schmidt, the holder of Permit No. G-25180? How long have you known him and where does he reside?

Ans. yes - 30 years

Ques. 3. Have you read or heard read said Permit No. G-25180, and are you familiar with its provisions and conditions?

Ans. yes

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. driven well,
located in the SW cor. ~~NE 1/4~~ Sec 25, Twp 15 S, R. 26 E
private ditch

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. 200 inches. - 160 inches.

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. 160 inches
weir measurement.

G 25180

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. irrigation and domestic use.

~~N1NE1~~ Sec 23-T 15s 70 acres irrigated

~~S1NE1~~ Sec 23-Twp 15 S.k 26 EBM-- 70 acres irrigated.

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

Ans. ---

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. clay loam

2 irrigations for hay and grain

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. 1956 and 1957 seasons. hay grain and potatoes

(Signed)

J. Seward Hall

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 Malta, County of Cassia, State of Idaho, on this 18 day of September, A. D. 19 57.

Henry Thompson
Notary Public.

My commission expires January-25-1961.



9 25180

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 23 1957
Department of Reclamation

Permit No. G-25180

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. Bert Hutchison, 63, Malta Idaho, school bus driver.
Malta, Idaho.

Ques. 2. Are you acquainted with Ben V. Schmidt, the holder of Permit No. G-25180? How long have you known him and where does he reside?

Ans. yes
40 years

Ques. 3. Have you read or heard read said Permit No. G-25180, and are you familiar with its provisions and conditions?

Ans. yes

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

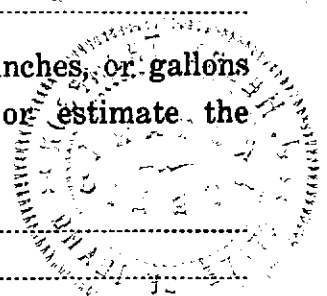
Ans. Deep well.
Southwest corner of ~~NE 1/4~~ Sec 23, Twp 15 S. Range 26 E.B.M.
private ditches.

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. ditch will hold 200 inches - 160 inches.

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. 160 inches.
measured by weir.



G. 25180

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. irrigation and domestic use.

S. 1, N. 1, Sec 23. Twp 15 S. R 26 E.B.M. 70 acres irrigated

N. 1, Sec 23. Twp 15 S. Range 26 E.B.M. 70 acres irrigated.

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

Ans. -----

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. clay loam

it will take 2 irrigations for hay and grain.

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. hay and grain and spud crops raised in 1956 and 1957.

(Signed) Bert Hutchinson

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 Malta, County of Cassia, State of Idaho, on this 18 day of September, A. D. 19 57.

Henry Thompson
Notary Public.

My commission expires January-25-1961.



9 25180

December 12, 1957

Re: Permit No. G-25180

Mr. Ben V. Schmidt
Bridge,
Idaho

Dear Mr. Schmidt:

We are again writing you thinking that you have overlooked our office letter mailed you as of October 1, 1957 and November 14, 1957.

We returned your Proofs of Completion of Works and Application of Water to Beneficial Use in connection with the above stated permit to you for correction, which was thoroughly explained in our letter of October 1, 1957.

These proofs should be returned to this department as soon as possible in order to save your permit from being cancelled for lack of proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

November 14, 1957

Re: Permit No. G-25180

Mr. Ben V. Schmidt
Bridge,
Idaho

Dear Mr. Schmidt:

We wish to refer you to our letter of October 1, 1957 stating that your Proof of Application of Water to Beneficial Use and Completion of Works on the above captioned permit were returned to you for correction.

We wish to state that we have not received the corrected proofs as of this date. In order to protect your right under said permit, proofs should be returned to this department as soon as possible.

Very truly yours,

MARK R. KILP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

G-25180

October 1, 1957

Re: Permit No. G-25180

Mr. Ben V. Schmidt
Bridge, Idaho

Dear Mr. Schmidt:

We are returning herewith your proof of application of water to beneficial use and completion of works on the above captioned permit No. G-25180, for the reason that the lands that you state in the proofs to be irrigated are not the same lands that were published in the publication notice, or is it the same lands that are on your original permit. Your original permit states that the lands to be irrigated are the NE $\frac{1}{4}$ of Section 23. You state in the publication notice that the lands that were to be watered is used on the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Township 15 South, Range 26 East.

You state in your deposition that the land to be irrigated is the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23. You also state that the well is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, while your original permit states that the well is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23. Provided the lands to be irrigated is the same as on your deposition, we will accept same even if published different in the publication notice providing you fill out the amendment form which is enclosed herewith, and return to this department.

We are also enclosing an amendment to change the point of diversion. You state on your original permit that the diversion point is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, and in your deposition of proof you state that the well is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 15 South, Range 26 East. If the well is changed according to what is shown on your depositions, please fill out the enclosed amendment for change of point of diversion and return that to the department also.

Return all papers back to this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. Amendment Forms

J. 25180

The Oakley Herald - Charles Brown, Owner - Oakley, Idaho

9-25180

8-31-57

Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

RECEIVED
SEP 4 1957
Department of Reclamation

Gentlemen:

Attention is called to the fact that the Ben V. Schmidt Notice of Proof now being published in the Oakley Herald gives Sept. 21, 1957. as the date of priority. Copy was checked and it was found that this is the date given there.

I just now notice an error for which I am responsible. After the notice, a line says "Fifth publication September 12, 1957." As I understand it, this should be "Fourth publication Sept. 5, 1957."

Charles Brown
Charles Brown

9-25180

August 14, 1957

RE: Permit No. G-25180

Mr. Ben V. Schmidt
Bridge, Idaho

Dear Mr. Schmidt:

This acknowledges receipt of the Notice of proofs of completion of works and application of water to beneficial use under Permit No. G-25180, to be made at Malta, at 8:00 A.M., September 18th, before J. Henry Thompson, Notary Public.

As of this date, we have mailed the Notice to the Oakley Herald with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and to then mail the affidavit of publication and statement of costs to you.

At 8:00 A.M. September 18th, at Malta, Idaho, you and two disinterested witnesses, who are familiar with the terms of the Permit and the work done thereunder, must appear before Mr. Thompson, Notary Public, to execute the enclosed depositions.

When returning the depositions to this office, please be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vm

encl.

cc. J. Henry Thompson

J. H. Thompson

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. G-25180
Ben V. Schmidt

Date: August 14, 1957

Oakley Herald
Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 18th, 1957** the date set for proof; the expense of the publication is to be paid by the applicant, **Ben V. Schmidt** of **Bridge, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

EPR:vm
Encl.

G 25180

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

Notice is hereby given that at 8:00 A. M., on the 18th
day of September, 1957, at Malta, County of
Cassia, State of Idaho, before J. Henry Thompson
Notary Public, proof will be submitted of the completion of
works for the diversion of 3.2 cubic feet per second of underground waters
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G-25180 heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person of ~~XXXXXXXXXX~~ holding said
permit are Ben V. Schmidt, Bridge, 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 is 3.2 cubic feet per second.

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

4. The point of diversion of said water is NE¹/₄NE¹/₄ Sec. 23, Twp. 15 S.,
Rge. 26 E.

5. The place where said water is used is NE¹/₄NE¹/₄ & S¹/₄NE¹/₄, Sec. 23, Twp. 15 S.
Rge. 26 E.B.M.

6. The date of priority which said user is prepared to establish is
September 21, 1957

25180
MARK R. KULP
State Reclamation Engineer

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
AUG 2 1957

Department of Reclamation

(Date) July-31-1957

Ben V. Schmidt

Address

Bridge: Idaho

City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Oakley Herald of Oakley Idaho published in the county in which the works are situated.

By *Ben V. Schmidt*

(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

925180

RECEIVED
AUG 2 1957
Department of Reclamation

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

Notice is hereby given that at 8.a M., on the 18
day of September, 1957, at BRIDGE, IDAHO, County of
BRIDGE, State of Idaho, before J. Henry Thompson
notary public, proof will be submitted of the completion of
works for the diversion of 3.2 cubic feet per second of underground waters
from a well, and of the application to beneficial use of said water, in accordance
with the terms and conditions of Permit No. G-25180 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 Ben V. Schmidt, of Bridge, 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 is 4 cubic feet per second.

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

well 4. The point of diversion of said water is NE 1/4 NE 1/4 SEC 23 T 15 R 24

NE 1/4 NE 1/4, Sec. 23, T. 15S, -R. 26E, 24N.

5. The place where said water is used is in NE 1/4 NE 1/4 SEC 23 T 15 R 26
S 1/2 NE 1/4 SEC 23 T 15 R 26 E. 26 N.

6. The date of priority which said user is prepared to establish is
Sept 21 1954.

G-25180
State Reclamation Engineer

ADK

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

RE: Permit No. G-25180

July 1, 1957

Mr. Ben V. Schmidt
Bridge, Idaho

Dear Sirs:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-25180. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than September 21, 1957.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

NOTE:- A copy of this notice and forms mailed to:-
Mr. Lynn N. Bradshaw
County Supervisor
Farm Home Administration
Burley, Idaho

vm

G. 25180

December 21, 1955

RE: Permit No. G-25180

Mr. Lynn N. Bradshaw
County Supervisor
Farmers Home Administration
Burley, Idaho

Dear Mr. Bradshaw:

We return acknowledgment of your letter advising of a loan on Permit No. G-25180 in the name of Ben V. Schmidt which has been placed on file.

You will be duly notified in regard to any changes in this Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

Enc.

G-25180

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

Burley, Idaho

December 19, 1955


RECEIVED
DEC 21 1955
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

This is to advise you that we have closed a loan to Mr. Ben V. Schmidt who holds permit No. G 25180 approved by your department under date of September 21, 1954. We are requesting that you sign and return to this office the extra copy of this letter which will be notification to us that you will not permit Mr. Schmidt to assign, transfer, or make any other changes in the permit adverse to the interest of the Farmers Home Administration without our written consent.

Sincerely,


Lynn N. Bradshaw
County Supervisor

The above letter has been placed on file in connection with Permit No. G 25180 and you will be notified accordingly.

Mark R. Kulp
State Reclamation
Engineer

G 25180

October 6, 1955

RE: Permit No. G-25180

Mr. Lynn N. Bradshaw
County Supervisor
Farmers Home Administration
Burley, Idaho

Dear Mr. Bradshaw:

Your letter of October 5 inquiring as to what is required to complete a Homestead proof on the NE $\frac{1}{4}$ Section 23, Township 15 South, Range 26 East in the name of Ben V. Schmidt is evidently intended for the Idaho District Land Office as this Department does not handle Homestead Entries.

However, for your information will say that Mr. Schmidt is the holder of Permit No. G-25180 for 3.2 second feet of water from a well in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, Township 15 South, Range 26 East, B.M. for irrigation of land in the NE $\frac{1}{4}$ of said Section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

2-25-55

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

Burley, Idaho
October 5, 1955

RECEIVED
OCT 6 1955
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Dear Sirs:

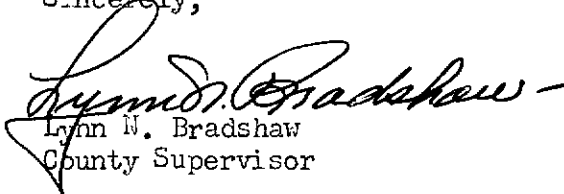
Attention: Mr. Campbell

This office is in the process of writing a soil and water loan for Mr. Ben V. Schmidt of Bridge, Idaho, to drill an irrigation well on the following real estate property:

$N\frac{1}{2}$ $NE\frac{1}{4}$, $S\frac{1}{2}$ $NE\frac{1}{4}$ Section 23 Twp. 15 South
Range 26, East Boise Meridian.

To date Mr. Schmidt has not obtained final homestead proof on the $N\frac{1}{2}$ $NE\frac{1}{4}$ of the above property. Will you please advise this office on what work needs to be completed and when final homestead proof can be expected.

Sincerely,


Lynn N. Bradshaw
County Supervisor

9-25180

September 23, 1954

RE: Permit No. G-25180

Mr. Ben V. Schmidt
Bridge
Idaho

Dear Mr. Schmidt:

We enclose Permit No. G-25180 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. G-780 for the \$5.75 filing fee.

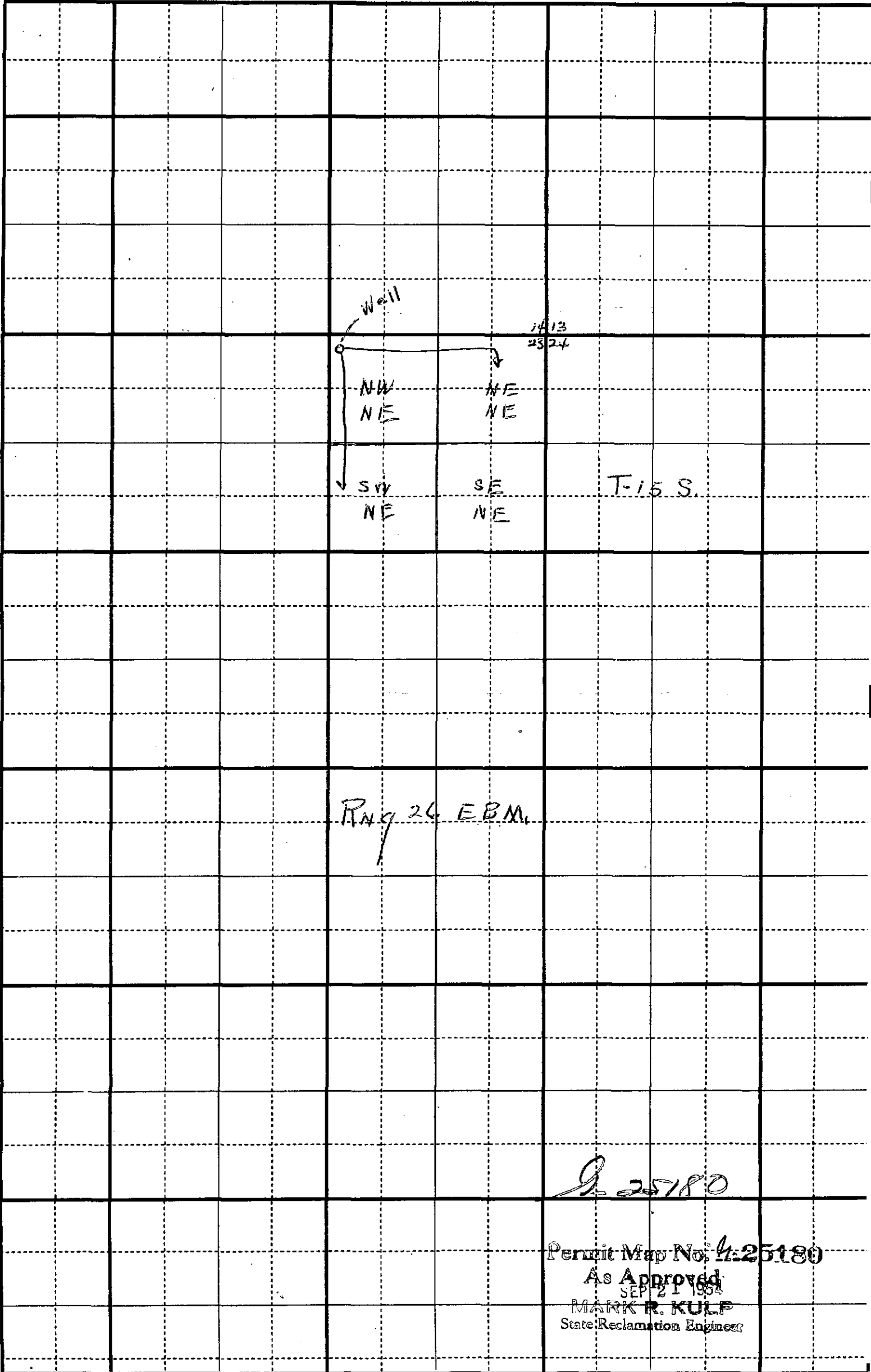
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

G-25180



Ben V. Schmidt, Bridge Bluffs
 NE 1/4 Sec 23 = 160 acres

Township 15 S, Range 26 EBM Meridian.

North

SEC. 36	SEC. 31	SEC. 32	SEC. 33	SEC. 34	SEC. 35	SEC. 36	SEC. 31
SEC. 6	SEC. 5	SEC. 4	SEC. 3	SEC. 2	SEC. 1	SEC. 6	
SEC. 12	SEC. 7	SEC. 8	SEC. 9	SEC. 10	SEC. 11	SEC. 12	SEC. 7
SEC. 13	SEC. 18	SEC. 17	SEC. 16	SEC. 15	SEC. 14	SEC. 13	SEC. 18
SEC. 24	SEC. 19	SEC. 20	SEC. 21	SEC. 22	SEC. 23	SEC. 24	SEC. 19
SEC. 25	SEC. 30	SEC. 29	SEC. 28	SEC. 27	SEC. 26	SEC. 25	SEC. 30
SEC. 36	SEC. 31	SEC. 32	SEC. 33	SEC. 34	SEC. 35	SEC. 36	SEC. 31
SEC. 1	SEC. 6	SEC. 5	SEC. 4	SEC. 3	SEC. 2	SEC. 1	SEC. 6

South

Coyote Pub. Co., Colony, Wyo.

PLOT P-4c

Bluff along West Side of 14 Sec. cuts off about 20 ac. 9-25780

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

Notice is hereby given that at 8:00 A. M., on the 18th day of September, 1957, at Malta, County of Cassia, State of Idaho, before J Henry Thompson, Notary Public, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25180 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person holding said permit are Ben V. Schmidt, Bridge, 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 is 3.2 cubic feet per second.

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

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 23, Twp. 15 S., Rge. 26 E.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ & S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, Twp. 15 S. Rge. 26 E. B. M.

6. The date of priority which said user is prepared to establish is September 21, 1957.

MARK R. KULP
State Reclamation Engineer
First publication August 15, 1957,
Fifth publication September 12, 1957

Fourth 29 9-25/50

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9-25-50

**67-71
NOTICE OF CORRECTION OF
LEGAL NOTICE PUBLISHED
UNDER THE PROVISIONS OF
SECTIONS 42-1 42-217, IDA-
HO CODE**

Notice is hereby given that the legal notice printed in the Oakley Herald on August 15, 22, 29, and September 5, 1957, showing Ben V. Schmidt was to make proof of completion of works and beneficial use of water September 18, 1957 on Permit No. G-25180 was in error and the point of diversion was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E. and the place of use was given as NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E. B. M. whereas, the actual point of diversion is NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 15 S. R. 26 E. B. M. and the place of use is NE $\frac{1}{4}$, Sec. 23, T. 15 S. R. 26 E. B. M.

That any protests against the approval of the depositions made September 18, 1957 must be filed in the Department of Reclamation, at Boise, Idaho, within forty (40) days from the date of this notice, and such protests shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said proof of completion of works and beneficial use of water. Dated this 14th day of October 1966.

R. KEITH HIGGINSON
State Reclamation
Engineer
Date of First Publication March 20, 1967
Date of Last Publication March 27, 1967
Last Date of Protest April 24, 1967
Published in the Burley Herald-Bulletin March 20, 27, 1967.