

AFFIDAVIT OF PUBLICATION

The Rigby Star

DEC 4 1967

Department of Reclamation

STATE OF IDAHO,

ss.

County of Jefferson

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for Two consecutive issues thereof; first publication having been made on the

30th day of September, 1967 and the last publication on the

5th day of October, 1967

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this _____

day of DEC 1 - 1967, 19____.

(SEAL)

[Signature]
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 529

MY COMMISSION EXPIRES JULY 15, 1967

31-7001

NOTICE OF FOR V.

Notice is hereby given that H. Smith has applied for permit to divert water from a subterranean source application No. 31-7001. Water to be diverted by pump with a capacity of 100 g.p.m. from SE 1/4, Sec. 11, T. 7N, R. 3E, B.M., Jefferson County and is to be used from April 1 to October 15 for irrigation in E 1/2, Sec. 11, T. 7N, R. 3E, B.M.

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

R. KEITH HIGGINSON
State Reclamation
Engineer

Publish: Sept. 30, Oct. 5, 1967.

RECEIVED
JUL 11 1967
Department of Reclamation

AFFIDAVIT OF PUBLICATION
The Rigby Star

STATE OF IDAHO,

ss.

County of Jefferson

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ment issue thereof, for Two consecutive issues thereof; first publication having been made on the

3rd day of August, 1967
and the last publication on the

10th day of August, 1967

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 10th
day of August, 1967
(SEAL)

R. H. Hammond
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 552

MY COMMISSION EXPIRES JULY 15, 1969

**NOTICE OF
APPLICATION FOR WATER**

Notice is hereby given that Victoria H. Smith has on July 20, 1967 applied for permit to (divert) - 6.4 (cubic feet per second) of water from a subterranean source under application No. 31-7001. Water will be diverted by pump and motor within the SE 1/4 NW 1/4, Sec. 2, T. 7N, R. 36E, B.M., Jefferson County and is to

be used from April 1 to October 15 for irrigation in W 1/2 Sec. 2, T. 7N, R. 36E, B.M.

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

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Rigby Star, Rigby, Idaho, on August 3 and August 10.

31-7001

T.
7
N

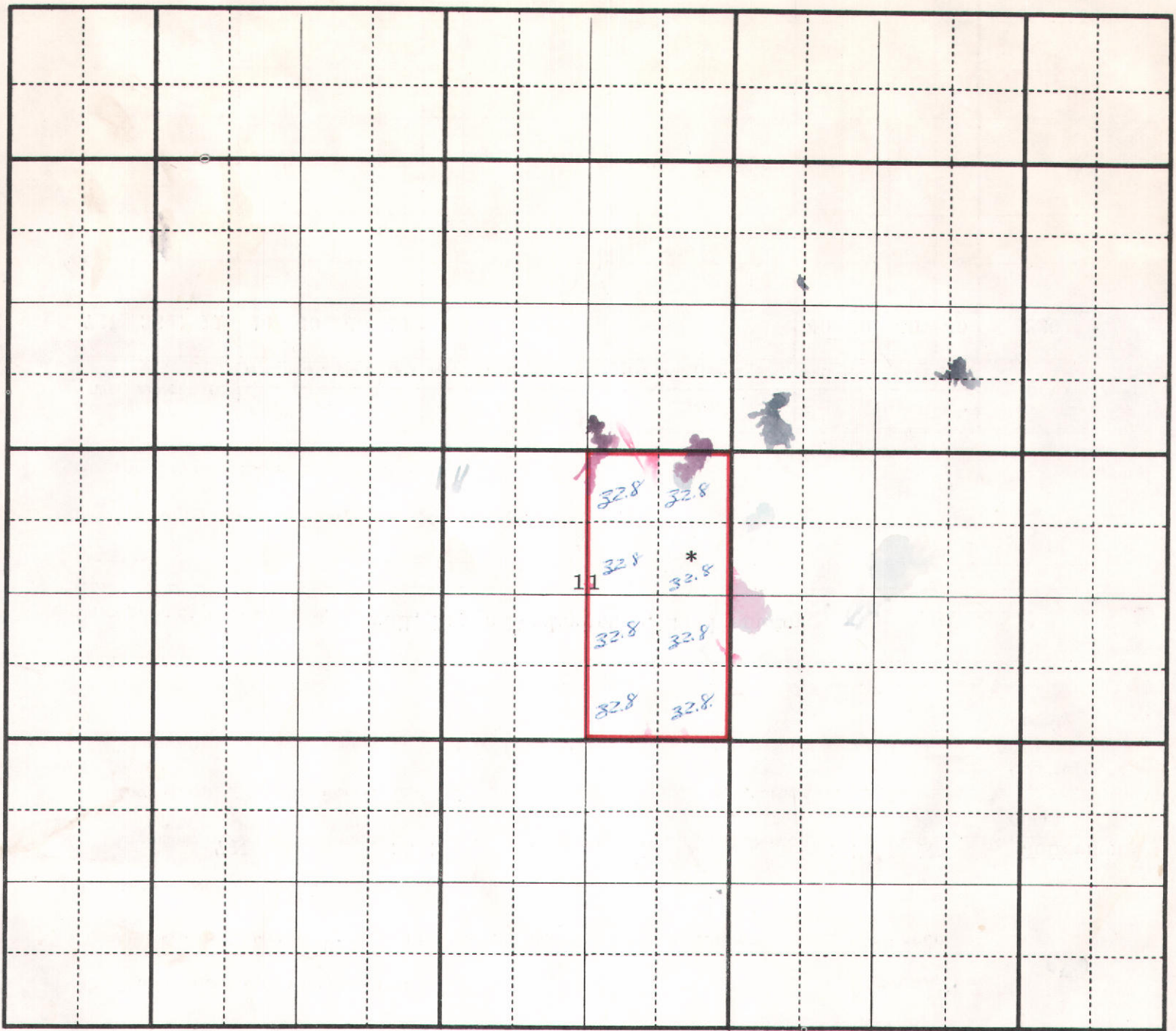
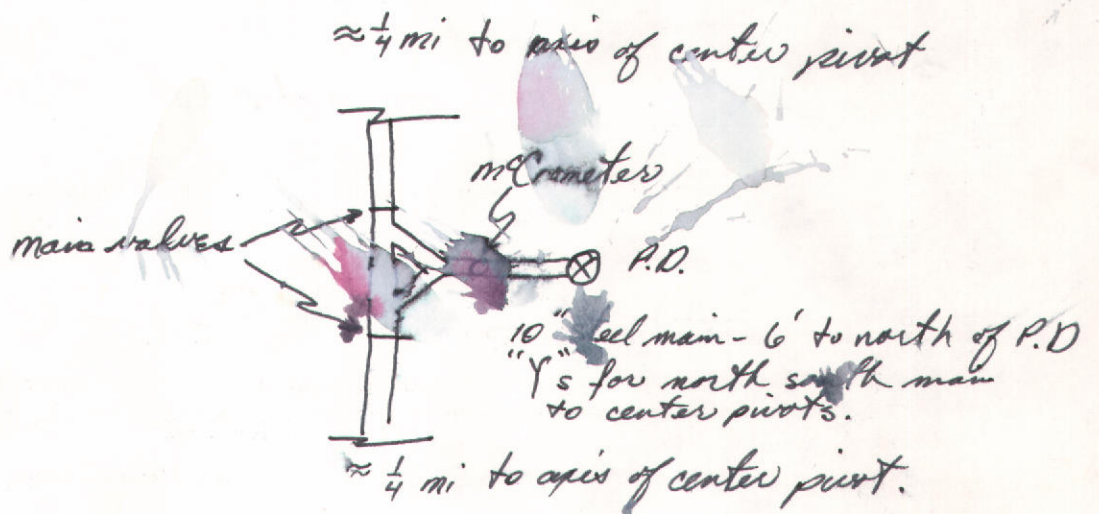


Diagram of System



EMC 12/9/76



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31-7001 Priority July 20, 1967 Amount 4.84 cfs

THIS IS TO CERTIFY, that Victoria H. Smith
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 31-7001 issued pursuant to Application for Permit dated July 20, 1967,
and has submitted proof to the Department of Water Resources on November 29, 1972,
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 4.84 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>October 15</u>	at <u>4.84</u> cfs and	<u>792</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ 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
792 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, Twp. 7 N.,
Rge. 36 E., B.M. in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$
7 N	36 E	11	33	33	33	33									33	33	33	33

Total number of acres irrigated 264

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 23 day of

January, 1979.

Director

Identification No.

31-7001

Application No.

41960

1176: John H. H. & Co.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Victoria H. Smith
post office address R.F.D. # 1, Boise, Idaho
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 Township 7 N
Range 36 E B.M. Jefferson 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. Quantity to be appropriated:
a. 6.4 cubic feet per second and/or
b. _____ acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from April 1 to Oct 15 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump, motor, sprinkler system

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

- 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 \$ 75,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

(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: _____

31-7001

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

[illegible]

c. Describe any other water rights used for the same purposes _____ None

Total number of acres to be irrigated _____ 320

None

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

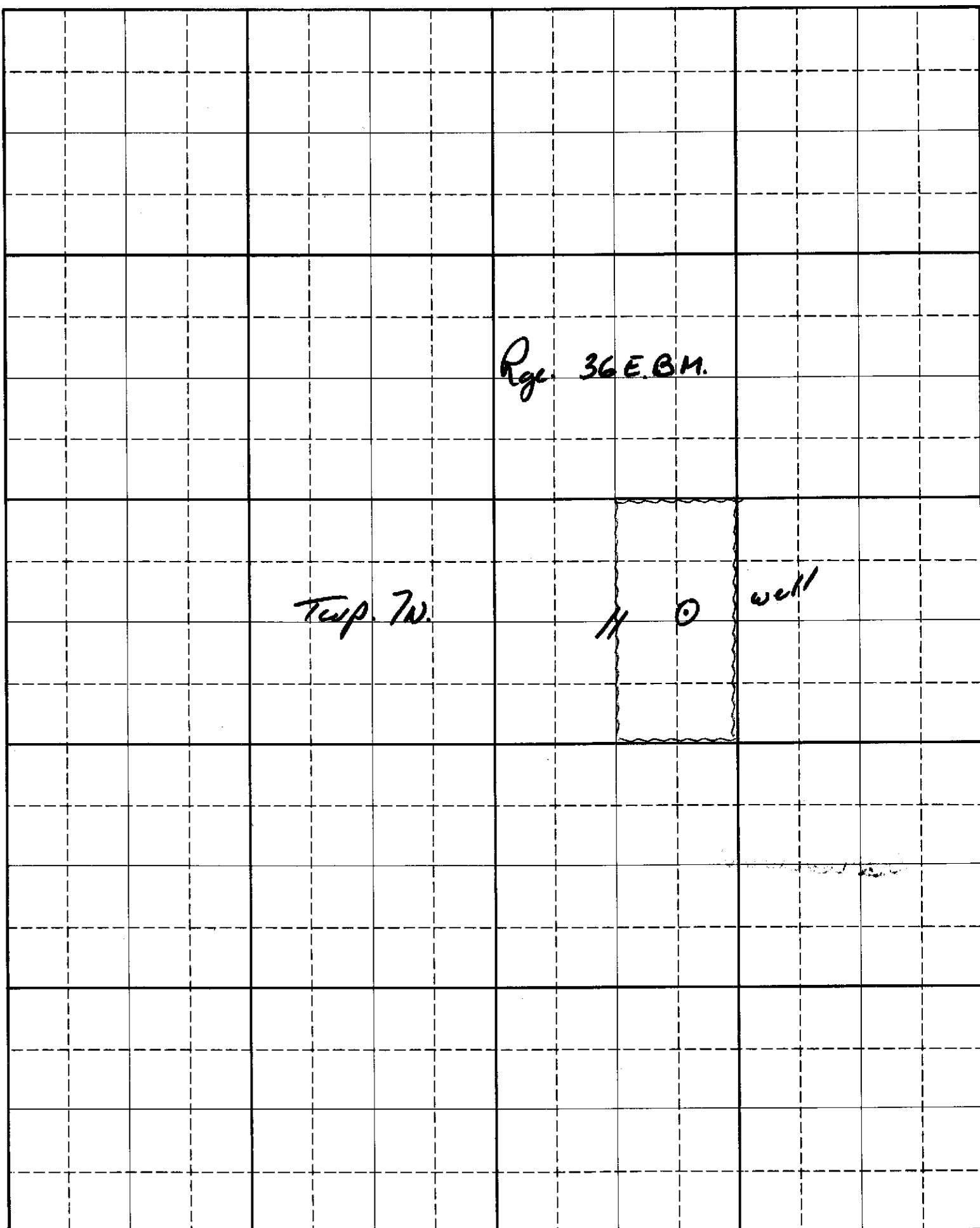
b. Who owns the land to be irrigated or place of use—

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

applicant to make this filing-

10. Remarks

11. Map of proposed project:



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.

Victor H. Smith
(Applicant)

31-7001

Received by DW Date 7-20-67 Time 4:PM

Preliminary check by NW Fee \$ 50⁰⁰

33883

Receipted by _____ Date _____

2nd Publication prepared by KS Date 9-22-67

Published in Big Sky Star

Publication dates 9-30-67, 10-5-67

Publication approved KS Date Halley Croft

Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EDW

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7001, 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 December 1, 1972.
- c. Other: The applicant shall permanently install a measuring device of a type approved by the Department as part of the diverting works.

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

Witness my hand this 7th day of December 19 67.

Jack A. Barnett
Deputy State Reclamation Engineer

40: 4 587

55

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supple-

_____ day of October, 1967
and the last publication on the _____

Jefferson County.

(SEAL)

My commission expires _____, 19__

Publication Fee: \$ 0.29

Notice is hereby given that
 to a M. Smith has on July 20, 1914
 applied for permit to (discharge)
 (cubic feet per second) of water
 from a sub-terranean source
 application No. 31-7001. Water
 be diverted by pump water
 SPANISH, Sec 11, T. 1 N.,
 R. M., Jefferson County and to be
 used from April 1 to October 15 for
 irrigation in E 1/4 Sec 11, T. 1 N., R.
 30E, R. M.

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

R. KEITH WILKINSON
State Registration
Engineer

Publish: Sept. 30, Oct. 5, 1967

31-7001

AFFIDAVIT OF PUBLICATION

The Rigby Star

DEC 4 1967

STATE OF IDAHO,

ss.

Department of Reclamation

County of Jefferson

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and the last publication on the

5th day of October, 1967

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Hope B Jones

Subscribed in my presence and sworn to before me this _____

day of DEC 1 - 1967, 19____

(SEAL)

[Signature]
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 529

MY COMMISSION EXPIRES JULY 15, 1969

31-7001

The Rigby Star

PRINTERS - PUBLISHERS

DIAL 745-7011

RIGBY, IDAHO
Dec. 1st. 1967

Dept. of Reclamation,
107 State House,
Boise, Idaho

Sept. 30, 1967 Notice of Application for Water--Victoria H. Smith

5.29

This is to certify that the above notice was published
according to instructions and that we have not received
payment thereof.

THE RIGBY STAR

By-

Hope B Jones

RECEIVED
1967
Department of Reclamation

AFFIDAVIT OF PUBLICATION
The Rigby Star

STATE OF IDAHO, }
County of Jefferson } ss.

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Hope B. Jones

Subscribed in my presence and sworn to before me this 10th
day of August, 1967
(SEAL)

R. H. Hamme
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 552

MY COMMISSION EXPIRES JULY 15, 1969

31-7081

December 29, 1978

Re: Permit No.'s 31-7000 & 31-7001

Victoria H. Smith
RFD #2
Boise, Idaho

Dear Ms. Smith:

A representative of this Department made an examination of the works covered by your Permit No. 31-7000 on July 19, 1976 and has found the following:
31-7001 July 19, 1976

Amount of water that can be recognized as beneficially used under Idaho Law:
31-7000 - 5.07 cfs Source: groundwater
31-7001 - 4.84 cfs groundwater

The maximum quantity diverted shall not exceed: 31-7000 - 792 acre feet per year.
31-7001 - 792 acre feet

Point of diversion: 31-7000 - SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Twp. 7N, Rge. 36E, B. M.
31-7001 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, Twp. 7N, Rge. 36E, B. M.

Beneficial use: 31-7000 - Irrigation of 264 acres within the NW $\frac{1}{4}$, SWP, Sec. 2, Twp. 7N, Rge. 36E, B. M.
31-7001 - Irrigation of 264 acres within the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 11, Twp. 7N, Rge. 36E, B. M.

Priority date established: 31-7000 - July 21, 1967
31-7001 - July 20, 1967

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

1

MICROFILMED

DATE OF EXAM 19 July 76.

ACREAGE
Found 262
Recommended 262 → 264

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 4.84 c.f.s. V = 786 AF/Ann. from April 1 to Oct 15.
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

Name source exchanged with: _____
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 4.84 cfs. Method of measurement inline meter.

Total Q recommended 4.84 cfs. Meter No. 10 75 392 Type MC Crummetts. Condition std Condition.

Total V recommended 792 1779 Timed reading: .01 AF/90 sec.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

$Q = .01 \text{ AF/90 sec} = 435.6 \text{ CF/90 sec} = 4.84 \text{ cfs.}$

$V = 3 \times 262 = 786 \text{ AF/Ann.}$
792 CMO 12/9/76

SYSTEM DESCRIPTION:

Motor: GE - 200 HP, 3 phase, Ser# CB5316167 w/ Verfi Line pump model 14RM
ser# P12898 (2200 GPM), 10" steel main extending 6' to west "Y" section
connecting N, S. mains to center pivots. (NE 1/4) "Valmont" model 1160 Ser# 8767
(SE 1/4) "Valmont" model 1160 ser# 8794. ea. w/ 13 towers.
WATERING RADIUS = 1360 ft.

REMARKS:

Examiner's Signature Ernest M. Carlson Date 12/9/76.
Checked by Anthony R. Kozlowski Date 2/22/76.
Approved by _____ Date _____

measuring device
July 7, 1960

320

ENC 12/9/76

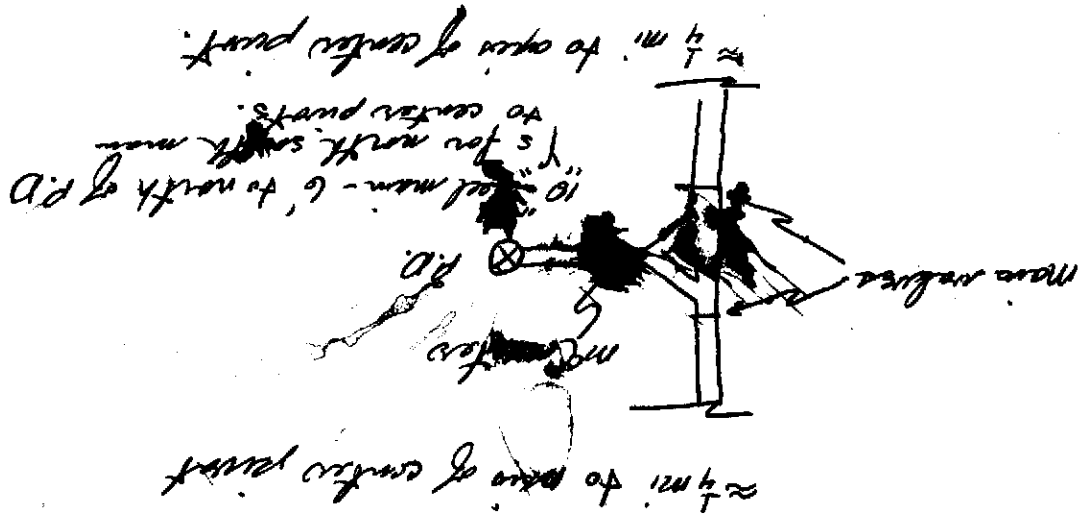
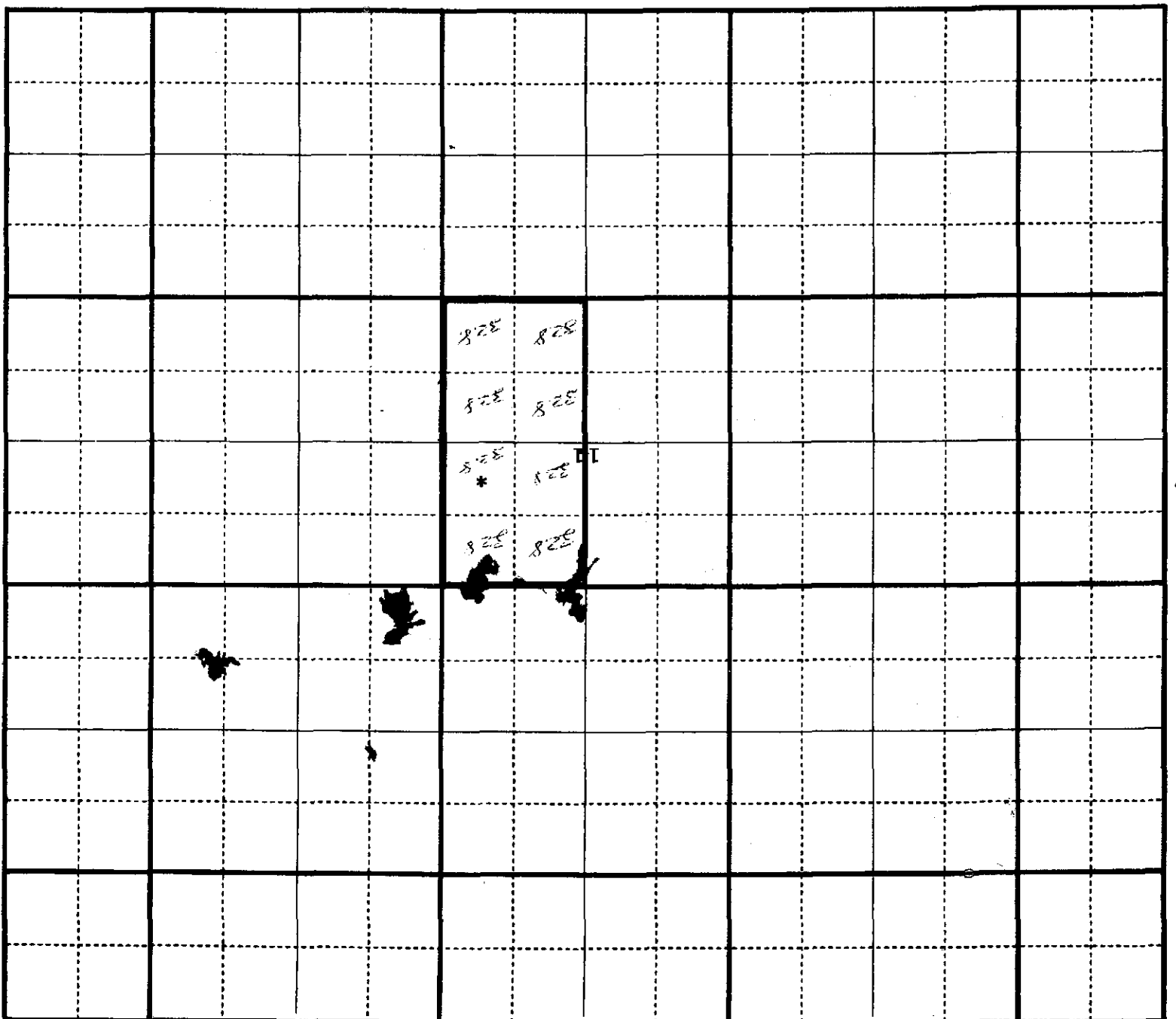


Diagram of System



36.11

51-1001

B
156.2

A
160.1

A145

A241

A154

A257

July 12, 1976

RE: Permit No. 31-7000 and 31-7001

Mr. Golden C. Linford
Premium Produce
Box 380
Rexburg, Idaho 83440

Dear Mr. Linford:

On July 7, 1976, personnel from this office again visited the well under your Permit No. 31-7000 and 31-7001. This examination was to finalize the water permits and collect data required for the licensing of the wells.

The examination indicated that the system is being operated as stated in the proof of beneficial use except for the fact that measuring devices approved by this Department have still not been installed at the points of diversion. Because of this non-compliance where the measuring devices are concerned, the priority dates that you have established for this ground-water source may be in jeopardy.

This office will hold the field reports until August 1, 1976. At that time we will submit our findings to the State Office in Boise. Hopefully, before that time you will contact this office and indicate that the measuring devices have been purchased and/or installed. We would then be willing to do a re-exam to submit to the State Office.

Compliance with the conditions on your permits is the only way a license can be issued pursuant to the Idaho Code for your water right development and the land included under the above referenced permits.

If you have any questions concerning this matter, please don't hesitate to contact me.

Very truly yours,

WILLIAM G. BRAHAM
Senior Water Resource Agent

WGG:CW

RECORDED

V. J. Gold
Phone (208) 356-5761

Quality Pak

P. O. BOX 382
REXBURG, IDAHO 83440

September 24, 1975

MAX MORTENSEN
Partner

GOLDEN LINFORD
Partner

RECEIVED

SEP 26 1975

Department of Water Resources
Eastern District Office

RE: Permit Nos. 31-7000
31-7001

Mr. Ken Flowerdew
Department of Water Resources
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

Dear Mr. Flowerdew;

I have made arrangements with Gem State Irrigation of Rexburg to install the measuring devices as required. These will be installed late this fall or during the winter if this time schedule is satisfactory with your office

Sincerely,

Golden C. Linford
Golden C. Linford
Premium Produce

GCL/mb

c.c.: Vernon K. Smith



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

copy
IDAHO FALLS, IDAHO 83401

September 23, 1975

RE: Permit Nos. 31-7000
31-7001

Mr. Golden C. Linford
Premium Produce
Box 380
Rexburg, Idaho 83440

Dear Mr. Linford:

The following information pertains to each of the permits in question:

- 1) On 31-7000 the well is located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 7N, R. 36E for the irrigation of 320 acres in the W $\frac{1}{2}$, Sec. 2, T. 7N, R. 36E.
- 2) On 31-7001 the well is located within the DE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 7N, R. 36E for the irrigation of 320 acres in the E $\frac{1}{2}$, Sec. 11, T. 7N, R. 36E.

The proof of beneficial use was filed indicating that orifices and discharge gages were installed for measuring devices. However, a visit by one of our office personnel indicated that there were no measuring devices as required as a condition for the approval of the permit.

Please contact this office immediately and notify us if it is your intention to install these devices.

If we can be of any further assistance, please feel free to contact this office.

Very truly yours,

A handwritten signature in cursive script that reads "Ken Flowerdeew".

KEN FLOWERDEW
Senior Water Resource Agent

KF:me

MICROFILMED

RECEIVED AUG 14 1975



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

IDAHO FALLS, IDAHO 83401

1516 Lincoln Rd

August 13, 1975

RECEIVED

SEP 22 1975

Department of Water Resources
Eastern District Office

RE: Permits No. 31-7000 and 31-7001

Mr. Vernon K. Smith
1900 Main Street
Boise, Idaho 83707

Dear Mr. Smith:

It is apparent that the systems operated under the above permits were in compliance with the measuring device requirement when proof of beneficial use was filed, but when the systems were converted to sprinkler irrigation suitable in-line meters were not installed. Information concerning in-line meters can be obtained from irrigation equipment companies.

If meters are installed while the irrigation systems are still in full operation this season, I would appreciate your informing this office so that the field exam can be completed this year.

If we can be of any further assistance, please do not hesitate to contact us.

Very truly yours,

Loren O. Holmes

LOREN O. HOLMES
Assistant to the
District Engineer

LOH:mb

Gentlemen:
Mr. Smith referred this letter to me inasmuch as we have a long term lease and own the pumps. Could you give me a legal description on these permits as I am not sure which wells they refer to.

Sincerely yours

Golden C. Linford
Premium Produce
Box 382

Perburg, Idaho 83440

MICROFILMED

August 13, 1975

RE: Permits No. 31-7000 and 31-7001

Mr. Vernon K. Smith
1900 Main Street
Boise, Idaho 83707

Dear Mr. Smith:

It is apparent that the systems operated under the above permits were in compliance with the measuring device requirement when proof of beneficial use was filed, but when the systems were converted to sprinkler irrigation suitable in-line meters were not installed. Information concerning in-line meters can be obtained from irrigation equipment companies.

If meters are installed while the irrigation systems are still in full operation this season, I would appreciate your informing this office so that the field exam can be completed this year.

If we can be of any further assistance, please do not hesitate to contact us.

Very truly yours,

LOREN O. HOLMES
Assistant to the
District Engineer

LOH:mb

MICROFILMED

RECEIVED

AUG 7 1975

Department of Water Resources
Eastern District Office

August 6, 1975

State of Idaho Department of Water Resources
Eastern District
Idaho Falls, Idaho 83401

ATTENTION: Loren O. Holmes, Assistant to the District Engineer

RE: Permit No. 31-7000 and 31-7001, Mrs. Victoria H. Smith,
Executrix of the Estate of Vernon K. Smith, Route #2,
Boise, Idaho 83702

Dear Mr. Holmes:

*Law Offices
Vernon K. Smith
1900 Main Street
Boise, Idaho*

Please be advised that I am assistant counsel in reviewing the matters related to the Estate of Vernon K. Smith, deceased, and have received on the 4th day of August, 1975, correspondence submitted through your office to Victoria H. Smith, Executrix of the above referred estate.

Prior to the lease entered into with Max Mortenson and Golden Lindford, of Quality Pack, Inc., each of the wells in question were utilized for water source and met all criteria pertinent to beneficiary use.

Upon the execution of the lease with the above parties, a different system of irrigation was utilized incorporating the use of circular valley sprinkling systems which necessitated the location of new pivot points and discussion was had pertaining to the possibility of locating additional sources of groundwater diversion at the pivot point of the new installation.

At this time, I am not personally acquainted with the procedure employed relative to points of diversion on the property in question and therefore, must make a personal inspection at the first opportunity to ascertain the facts needed to review your informative more thoroughly.

At this time, I am not familiar with the type of measuring device you have referred to in your letter. I believe the estate was under the impression that any new sprinkling system installation or motor, pumps, columns and bowls would necessarily

MICROFILMED

Mr. Loren O. Holmes
Page 2

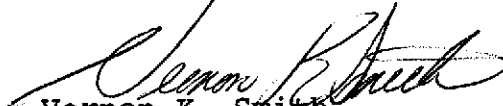
August 6, 1975

comply with standard criteria as set out by your department, and any measuring devices required in those systems would have been installed.

As to this particular issue, I also will make further investigation to ascertain the type of device and method and means of installation to accommodate your request.

Once again, I appreciate your correspondence and your time in bringing this matter to our attention, and our efforts will be directed toward conforming with the conditions set forth in all permits for the issuance of licenses pursuant to the Idaho Code as you have outlined in your letter relative to water right developments and beneficiary use upon agricultural land.

Yours very truly,



Vernon K. Smith

Law Offices
Vernon K. Smith
1900 Main Street
Boise, Idaho VKS/kw

July 29, 1975

RE: Permit No. 31-7000 and 31-7001

Ms. Victoria H. Smith
RFD #2
Boise, Idaho 83702

Dear Ms. Smith:

On July 28, 1975, personnel from this office visited the wells under your Permit No. 31-7000 and 31-7001. This examination was to finalize the water permit and collect data required for the licensing of the wells.

The examination indicated that the system may possibly not be operated as you stated in your proof of beneficial use. Measuring devices approved by this Department have not been installed at the points of diversion. Because of this non-compliance where the measuring devices are concerned, the priority date that you have established for this ground-water source may be in jeopardy.

This office will hold the field reports until August 10, 1975. At that time we will submit our findings to the State Office in Boise. Hopefully, before that time you will contact this office and indicate that the measuring devices have been purchased and/or installed. We would then be willing to do a re-exam to submit to the State Office.

Compliance with the conditions on your permits is the only way a license can be issued pursuant to the Idaho Code for your water right developments and the land included under the above referenced permits.

Very truly yours,

LOREN O. HOLMES
Assistant to the
District Engineer

LOH:CW

RECEIVED

DEC 1 1972

Department of Water Administration
Eastern District Office

November 30, 1972

Re: Permit No. 31-7001

Mrs. Victoria H. Smith
RFD # 1
Boise, Idaho

(Joseph Smith)

Dear Mrs. Smith:

We acknowledge receipt of your 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 exam so that you may show him the system.

If someone other than you should be contacted by the examiner, please notify our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho, 83401.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

cc: Vernon K. Smith

bc: Eastern District Office ✓
Enc: Field exam report

leased by
Mac Mortenson
& Golden Linford
↓
Quality Pack
Box 382
Rexburg, ID

MICROFILMED

November 30, 1972

Re: Permit No. 31-7001

Mrs. Victoria H. Smith
RFD # 1
Boise, Idaho

Dear Mrs. Smith:

We acknowledge receipt of your 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 exam so that you may show him the system.

If someone other than you should be contacted by the examiner, please notify our Eastern District Office at 240 South Holmes, Idaho Falls, Idaho, 83401.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

cc: Vernon K. Smith

bc: Eastern District Office
Enc: Field exam report

31-7001

RECEIVED

November 27, 1972
Department of Water Administration

November 27, 1972

State of Idaho
Department of Reclamation
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 31-7001

Attention: Mr. R. Keith Higginson

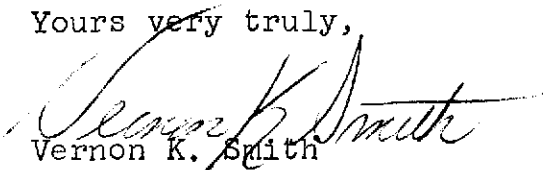
Dear Mr. Higginson:

Enclosed herewith is a completed affidavit form containing the necessary facts sufficient to prove an application of water to a beneficial use in accordance with the laws of the State of Idaho.

Would you please forward your acknowledgement of receipt of this proof as submitted so that I might have a copy in my files.

If you are in need of any additional facts please advise.

Yours very truly,


Vernon K. Smith

Law Offices
Vernon K. Smith
1900 Main Street
Boise, Idaho

31 7001

Identification No. _____

Permit No. _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
Nov 29 1967

1. a) Name of Permit Holder Victoria H. Smith
b) Post Office Address R. F. D. #2, Boise, Idaho
2. Permit Number 31-7001
3. Date of Priority that you are prepared to establish Irrigation season, 1967
4. a) Source from which water was appropriated Subterranean from well
b) Location of the point of diversion: SE ¼ NE ¼, Section 11
Township 7N, Range 36E Boise Meridian, Other points of diversion: _____
The location is best described as the center of the well
East ½ of Section 11, T7N R36E
5. a) The amount of water and use to which the water has been applied:
amount 6.4 cfs for irrigation purposes from April 1st to Oct. 15th incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6.4 cfs 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: Well and pump testing by Mebco Pump Co., Idaho Falls, Idaho
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: _____
b) Describe the agreement or understanding by which you take water from the works: _____
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) Layne Bowler Pump w/10 inch pump column, 200 h.p. General Electric Motor, 20 inch well casing, well depth approx. 200 feet maximum; actual lift is less
b) Describe the type and size of measuring device which you have installed at your point of diversion: orifice discharge w/attached pressure gauge.
c) Give well drillers name and address and date the well was completed _____
Driller unknown to the applicant.

Exam typed 11-30-72 by AW

31 7001

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

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			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
7N	36E	11	40	40	40	40					40	40	40	40				
TOTALS																		320

Total number of acres irrigated 320

10. Remarks:

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

November 8, 1972 (Date)

(Signature)

State of Idaho ss. County of Ada

On this 27th day of November, 1972, 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 Boise, Idaho

My commission expires 7-18-76

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

24005

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

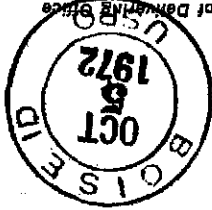
OCT 5 1978

3

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

31 7001

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

- Print in the space below your name, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
 - Moistened gummed ends and attach to back of article.

RETURN
TO



DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83702

31 7001

October 2, 1972

CERTIFIED MAIL

#24005

Re: Permit No. 31-7001

Victoria H. Smith
RFD # 1
Boise, Idaho

Dear Mrs. Smith:

One of the conditions of approval of your water Permit No. 31-7001 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

31 7001

January 5, 1968

Re: Permit 31-7001

Victoria H. Smith
R.F.D. # 1
Boise, Idaho

Dear Mrs. Smith:

We enclose a copy of your approved application for permit 31-7001 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:kd

Enclosure: Copy of Application

P.S. Receipt No. 33883 for \$100.00 was given to you.

31-7001

Form 4

December 5, 1967

Re: Application No. 31-7001
Victoria H. Smith

The Rigby Star
Rigby,
Idaho 83422

Gentlemen:

Please be advised that we are in receipt of the affidavit of publication and the bill of publication on the above referenced application.

In regard to your note which was attached, please note that the first series of advertisements were in error when advertised and that they were to be at the expense of the Rigby Star. The second series of advertisements, the affidavit and bill of which were received today, are correct and payment for this series will be made immediately. You may expect our payment soon.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:KS

31-7001

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

107 STATE HOUSE

BOISE, IDAHO 83701

December 5, 1967

RECEIVED
DEC 7 1967
Department of Reclamation

Re: Application No. 31-7003
Robert McSpadden

The Rigby Star
Rigby,
Idaho

Gentlemen:

Returned herewith is the bill of publication for the above referenced application. Please be advised that until we are in receipt of a signed certified bill, we are unable to submit the bill for a State Warrant.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: Bill of publication
Copy of transmittal letter for legal notice

For the first time in our doing business with the State Reclamation Department you have placed all error blame on us in the Victora H. Smith publications. Under Mark R. Kupp and his predecessors, we never had a single complaint-billings were always met and now it seems that each publication, brings back an additional directive or a criticism.

THE RIGBY STAR
H. R. Jones
Editor

CSA.
has contacted
DWM

File in
31-7001

31-7001

Gentlemen:

We have never received payment for the first sets of affidavits we mailed you for Victoris H. Smith publications last July.

The Regley Star

RECEIVED

DEC 4 1967

Department of Reclamation

31-7001

November 9, 1967

Re: Application No. 31-7001

Rigby Star
Rigby,
Idaho

Gentlemen:

As of the date of this letter, the Department of Reclamation has not received the bill of publication or the affidavit of publication for the above referenced application. The advertisement for this application was run on September 30 and October 5, 1967.

Please forward the affidavit and certified bill to this department as soon as possible so that further action may continue.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: none

31-7001

October 23, 1967

Re: Application 31-7001

The Rigby Star
Rigby,
Idaho 83442

Gentlemen:

Please be advised that as of the date of this letter we have not received the bill or the affidavit of publication for the second series of advertisements for the above referenced application. Please forward an affidavit and a certified bill to this office as soon as possible.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

31-7061

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Victoria H. Smith has on July 20, 1967 applied for permit to (divert) 6.4 (cubic feet per second) of water from a sub-terranean source under application No. 31-7001. Water will be diverted by pump within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 7N, R. 36E, B.M., Jefferson County and is to be used from April 1 to October 15 for irrigation in E $\frac{1}{2}$ Sec. 11, T. 7N, R. 36E, B.M.

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

R. KEITH HIGGINSON
State Reclamation
Engineer

Publish: Sept. 30, Oct. 5, 1967.

31-7001

September 22, 1967

Re: Permit 31-7001
Victoria H. Smith

The Rigby Star
Rigby, Idaho 83442

Gentlemen:

We have an affidavit of publication on the above referenced application to appropriate the public waters of the State of Idaho.

The affidavit of publication is not acceptable. There are many errors in the publication of this permit. Apparently, the notice published in the newspaper contained part of the legal notice submitted under application 31-7000 and part of the legal notice of application 31-7001. Therefore, you are requested to advise the Department of Reclamation whether or not permit 31-7001 was published as indicated in the legal notice submitted July 26, 1967, or whether the affidavit of publication is the only thing that is incorrect. If the permit was published incorrect, you are requested to republish the legal notice in its correct form for two consecutive weeks, following which, you should submit an affidavit of publication of the correct legal notice and a certified bill for two weeks publication to the Department of Reclamation.

Your prompt attention to this matter will be appreciated.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

31-7001

July 26, 1967

Re: Application 31-7001

The Rigby Star
Rigby,
Idaho 83442

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 proofing before publication.

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

The expense of this publication is to be paid by the Department of Reclamation to whom you must furnish an affidavit of publication with the bill as soon as the publication is completed.

Very truly yours,

Donald W. McElowney
Water Right Clerk

DWM:ks

Enclosures: legal notice

P.S. Please send a certified bill to receive prompt payment.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Victoria H. Smith
has on July 20, 1967 applied for permit to (divert) ~~(store)~~
6.4 (cubic feet per second) ~~(acre feet)~~ of water from a sub-
terranean source under application No. 31-7001. Water will be
diverted by pump within the SE 1/4, Sec. 11, T. 7N,
R. 36E, S.M., Jefferson County and is to be used from April 1
to October 15 for irrigation
in SE 1/4, Sec. 11, T. 7N, R. 36E, S.M.

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

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Rigby Star Rigby
August 3 August 10
Idaho, on _____ and _____.

31-7001
Form 2