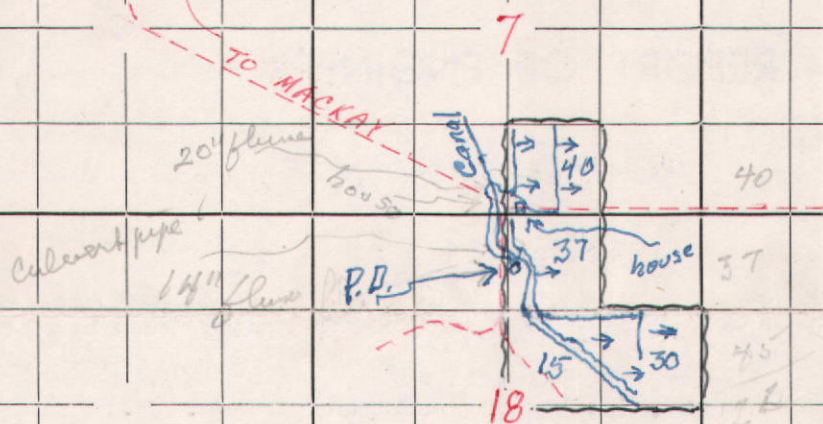


300 of in 17.388 148"

6
981

R-25 E.

T.
6
N.



Sub. = 4
Area = 122 acres
Q = 122"

C/W = 135"
C/W = 135"

Subdivisions = 4
Area = 122 acres
Q = 122" or
2.44 cfs.

Q = 148" thru sparkling meter

RECEIVED

Affidavit of Publication

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

JUN 3 1959

Department of Reclamation

State of Idaho

County of Custer

ss.

Ted

1, ~~Ruth~~ Hanawalt, Editor of

THE MACKAY MINER, a weekly newspaper of General Circulation published weekly at Mackay, Idaho, continuously since Febr. 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for Three consecutive weeks, commencing with the issue dated February 5, 1959, and ending with the issue dated February 19, 1959.

Ted Hanawalt

Subscribed and sworn to before me this 1st day of

June, 1959

O. Leon McQuilly
Notary Public.

Notice is hereby given that at 2:00 P. M., on the 14th day of March, 1959, at Arco, County of Butte, State of Idaho, before M. B. Hiller, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 2.7 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25484 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 is Earl K. Smith, Darlington, 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 2.7 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 2.7 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, Twp. 6 N., Rge. 25 E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, all in Sec. 18; SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, Twp. 6 No., Rge. 25 E.B.M.

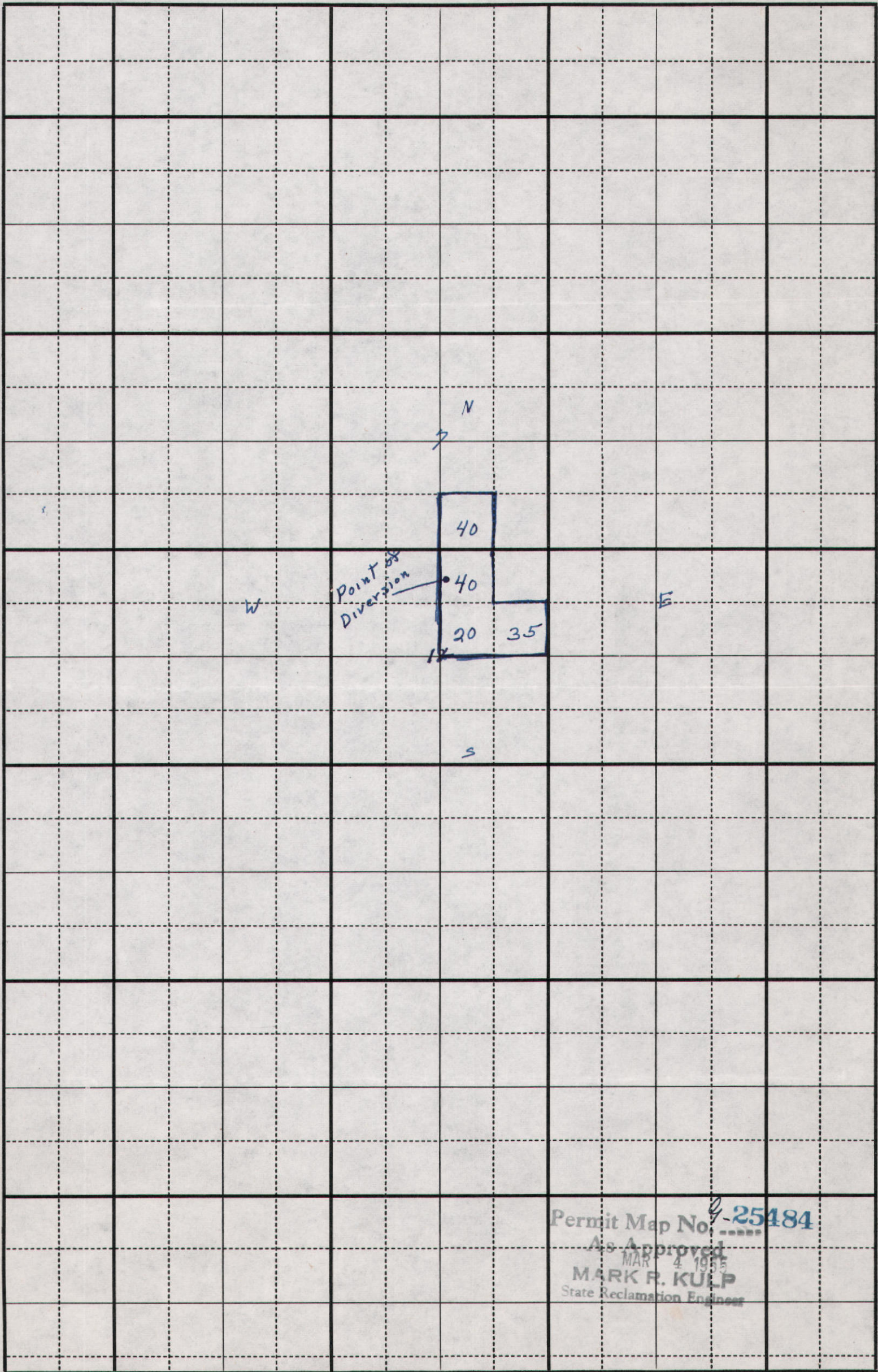
6. The date of priority which said user is prepared to establish is Feb. 28, 1955.

GEO. N. CARTER,
State Reclamation Engineer
Pub. 1-29, 2-5-12-19, 1959.

B25484

NAME OF APPLICANT Earl K. Smith

Form No. 0



Permit Map No. 25484
As Approved
MAR 4 1955
MARK R. KULP
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25484

State of Idaho
License and Certificate of Water Right

Water License No. G-25484

Amount 2.44 c.f.s.

Water District No.

Priority February 28, 1955

THIS IS TO CERTIFY that EARL K. SMITH ESTATE
of Darlington, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 28, 19 55 ; that Permit No. G-25484
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.44 second feet, was issued thereunder on April 20, 19 65, showing that said works
were completed on the 14th day of March, 19 59 ; and that on the 14th
day of March, 19 59 ,

EARL K. SMITH ESTATE

of Darlington, 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

, under Use Permit No. G-25484 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
13 of Licenses at page 8129, on the 20 day of April, 1965 ;

The right hereby confirmed dates from February 28, 19 55 ;

The Point of Diversion is located

in the NW 1/4 NE 1/4, Sec. 18, Tp. 6 N, R.25 E, B. M. Custer 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 2.44 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	25 E	7 18	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	37
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	20	15
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	35	<u>30</u>
			Total number of acres to be irrigated:		

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

40th day of April, 19 65 .

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

34 22

34-2324

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33352
 Permit No. G- 25484
 District No.

1. Name of Applicant: EARL K. SMITH
 Postoffice address: Darlington County: Custer State: Idaho
2. Quantity of water claimed: 2.7 c.f.s.
 (a) Rate of withdrawal in cubic feet per second. 2.7 or Idaho
 Miners' inches 135 or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground (subterranean)
4. Location of point of diversion or well is in the NW 1/4 of the NE 1/4 of Section 18
 Twp. 6 N , Rge. 25 E , B.M., County of Custer
5. Water is to be used for: Irrigation
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 Water will be used from one piece of land to another.
 at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased, pump and motor.
8. Estimated cost of works: \$ 5,040.00
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 4 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:
 (a) (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) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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.

EARL K. SMITH *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A.M. Feb. 28, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25484

Recorded in Book 90 Page 25484 Approved Mar. 4, 1955

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 May 4, 1955 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 4, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 4, 1955

Witness my hand this 4th day of March, 1955 MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE 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 4th day of March 19 55.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS Secretary of State.

By ROBERT E. SMYLIE Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 N	25 EBM	7															40	40	
6 N	25 EBM	18			40													40	
6 N	25 EBM	18														35		35	
6 N	25 EBM	18				20												20	
Total Number of Acres to be Irrigated																		-	135
Permit No. G-25484 ✓																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that EARL K. SMITH ESTATE of Darlington, County of Custer, and State of Idaho, the holder of Permit No. G-25484, issued upon Application No. G-33352, bearing date of priority of February 28, 1955, authorizing the diversion of 2.44 second feet of waters of a well, County of Custer, State of Idaho, for irrigation 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 2.44 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NW¼, Sec. 10, T. 6 N., R. 25 E., S. 1.; and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit:																			
SW¼, Sec. 7, NW¼, Sec. 12, T. 6 N., R. 25 E., S. 1.																			
Witness my hand this 20th day of April, A. D. 1955.																			
s/ RALPH W. THOMAS Deputy State Reclamation Engineer																			
Proof of Completion of Works Made: March 14, 1959																			
COPIES ISSUED FOR 2.44 SEC. FI. LICENSE PAGE NO. 8129																			

April 20, 1965

Re: Permit No. G-25484

Harold E. Smith, Administrator
Earl K. Smith Estate
Darlington, Idaho

Dear Mr. Smith:

Enclosed are the Certificate of Completion of Works
and License and Certificate of Water Right issued on the above
numbered permit.

Also enclosed is departmental receipt No. G-9222,
to Hilda Smith, for the amount of fees of \$13.00.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

f 25484

Earlington, Idaho
April 16, 1965

Department of Reclamation
George W. Carter State Reclamation
Engineer
Boise, Idaho

RECEIVED
APR 19 1965

Department of Reclamation

Dear Sir,

In reply to your letter about
Permit No. G-25484 dated April 9, 1965.

I do not understand how this was
overlooked when the Estate of Carl K.
Smith was settled. Am enclosing check
for fees on this permit. If any
further charge, please advise

Yours truly,

Harold C Smith
(Hilda Smith)

J25484

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Deliver *ONLY* to
addressee

☐

Deliver at address where
delivered

(Additional charges required for these services)

RECEIPT

Received the numbered article described on other side.

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

Harold E. Smith

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Hilda Smith

DATE DELIVERED

4-9-65

SHOW WHERE DELIVERED (only if requested)

825484

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTAGE PAID
DELIVERING OFFICE

10
A.M.
1965

RETURN
TO

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

REGISTERED NO

NAME OF SENDER

Department of Reclamation

CERTIFIED NO

STREET AND NO OR P O BOX

19552

Room 107 Statehouse

INSURED NO

CITY, ZONE AND STATE

Boise, Idaho 83701

POD Form 3811 Apr 1962

925484

C55-16-71548-5-F

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

April 9, 19 65

Re: Permit No. G- 25484

To Harold E. Smith, Administrator
Earl K. Smith Estate
Darlington, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 25484 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Non-payment of fees totaling \$13.00, as shown in letter dated August 11, 1959, copy attached hereto.

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 25484 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- 25484 claims the use of 2.44 cubic feet per second of the Subterranean Waters a well with point of diversion located NW1/4, Sec. 18, T. 6 N., R. 25 E., E. M. and was approved March 4, 1955.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 9th day of April, 19 65.


_____, Deputy
State Reclamation Engineer

P. S. Kindly forward papers to present owner of the land, if it was sold

25484

August 11, 1959

RE: Permit No. G-25484

Harold E. Smith, Administrator
Earl K. Smith Estate
Darlington, Idaho

Dear Mr. Smith:

Our field engineer's report on his inspection of the completion of works and beneficial use of the water under the terms of Permit No. G-25484 shows that the well is capable of conveying 122 miner's inches (2.44 c.f.s.) of water for irrigation of 122 acres.

Upon receipt of the statutory fees, totaling \$13.00, we will issue the Certificate of Completion of Works (for which the fee is \$5.00) and the License and Certificate of Water Right (\$8.00 at the rate of \$2.00 for each 40-acre subdivision) confirming the right with priority of February 28, 1955, to the use of 2.44 second feet of subterranean water, with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, for irrigation of 122 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 6N., Range 25 E.B.M.

Very truly yours,

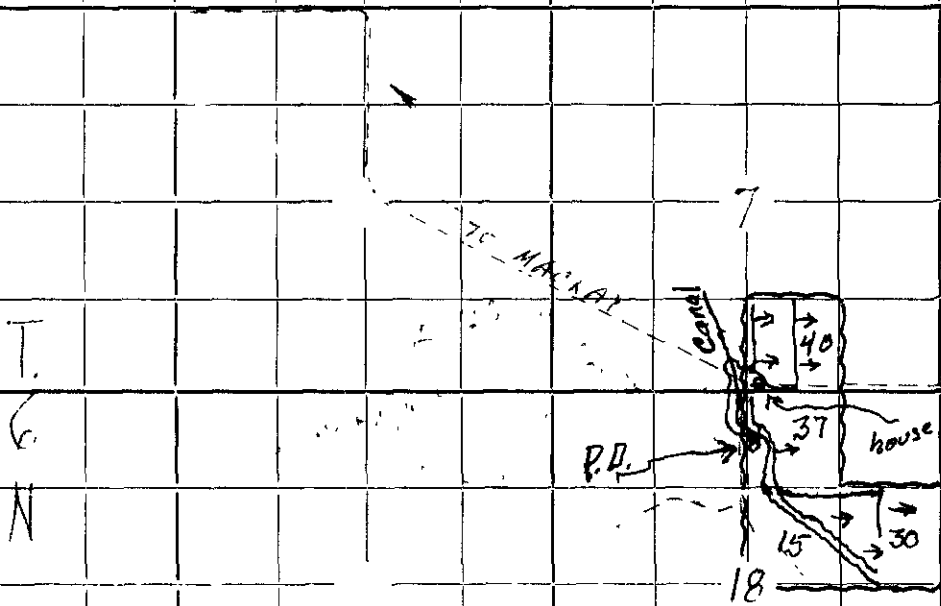
GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:mr

25484

R-25E.



$C/W = 135''$

Subdivisions = 4

Area = 122 acres

$Q = 122''$ or
2.44 cfs.

$Q = 148''$ thru sparkling meter

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25484

REPORT ON PROOF OF Completion of Works and Beneficial Use

(Earl Smith (Deceased)
Harold E. Smith, Administrator, Darlington, Idaho

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

Permit No. G-25484

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

1. Name of applicant (Earl K. Smith, Deceased) Harold E. Smith, Administrator

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

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18

T. 6 N R. 25 E.B.M. County of Custer

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

50hp G. E. Motor T.M.T. 531212

Layne Bowler Turbine #22342

Delivery three 8" x 4' pipe to west into open ditch
To fields by gravity

5. Water is used for: irrigation

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):

SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7; NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18; SE $\frac{1}{4}$ NE $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 18., all in
Twp 6 N., Rge. 25 E.B.M.

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

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

Remarks: _____

Talked to Earl's bro. Harold.
Bro. Lloyd was along

This examination was made on the 20 day of July, 1957

(Signed) E. H. Thompson Examiner.

25484

Earl K. Smith (Deceased)
Harold E. Smith, Administrator
Mac No. 2263
Darlington, Idaho
Permit No. G-5544

1 1/2 mi. W. on R.

Examination for Classification of Water & Official Use

County: Custer
18-6N.-25E

Q2 2.7 a.f.s.

S= Well

P.D. = NW. NE, Sec. 18, T. 6N. - R. 25E

Use = Irrigation

Filed = Feb. 28, 1955

Due = March 4, 1959

no other rights given.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plot same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plot 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 4 1959

Department of Reclamation

Royd & Harold Lambert
bought well drill

S.E. corner 50 hp. 220 V.
TMT 531017

Layne W. Lusk.
22342

Cone base 5' x 5'

no protect

Cutler Hammer

without controls

disch. three 8" x 4'

to vent into open ditch

Thrued 1.5 ft on

pipe water jumps
full and free 2"

June 3, 1959

RE: Permit No. G-25484

Mr. Harold E. Smith, Administrator
Earl K. Smith Estate
Darlington, Idaho

Dear Mr. Smith:

We acknowledge receipt of the Deposition of Holder, and two witnesses, all properly signed, a copy of the Court Order appointing the Administrator, also affidavit of publication in The Mackay Miner, all submitted in proof of completion of works and beneficial use on Permit No. G-25484.

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,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR

J 25484

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 3 1959
Department of Reclamation

Permit No. G-25484

Proof of Application of Water to Beneficial Use

Deposition of Holder and Completion of Works

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

Ans. Earl K. Smith (Deceased)

Mrs. Earl K. Smith (Widow) Darlington, 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. Permit No. G-25484 3-4-55 Date, Feb. 28, 1955

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

Ans. Underground (Subterranean) NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, TWP. 6N., Rge. 25, E.B.M.

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. Total depth of well is 230 ft. Casing is 20 in. in diameter and is 210 ft. deep. Water stands at 100ft. Pump is used. Has a 50 Horse power moter and discharge is 3 cu. ft. per second. Well was measured by Mel Brown Co. from Idaho Falls, Idaho.

The ditch used is a private ditch. (Measured by 8" to 16" Crossbar Device)

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. Water is used for irrigation. Used on NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres, SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres, all in sec. 18, then SW $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres, in sec. 7, Twp. 6 No., Rge. 25 E.B.M.

All land under cultivation.

J 25484

RT

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. ✓

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. 2.7 cu. ft. per second. Used for test period.

Tested Sept 29, 1955

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. 83.3 acres approved storage in the Big Lost River Irrigation Dist.

(Sign)

Harold E. Smith
by Mrs Earl K. Smith

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Hrcy, County of Butte,

State of Idaho, on this 14 day of March, A. D. 1959.

Wm. J. Allen

My commission expires 12-12-61

25484

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

RECEIVED
JAN 10 1934
DEPT. OF RECLAMATION
BOISE, IDAHO

Permit No. G 25484

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Test

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. Lloyd L. Smith 79 Mackay Idaho
Intersect Box 483 Mackay Idaho

Ques. 2. Are you acquainted with Earl K. Smith (Deceased) yes, the holder of Permit No. G 25484? How long have you known him and where does he reside?

Ans. All my life (Deceased)

Ques. 3. Have you read or heard read said Permit No. G 25484, 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. Subterranean NW 1/4 NE 1/4 Sec. 18, TWP. 4N. R2E.
25

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. 4 None (Just the test)

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. 3 cu. ft. per sec. Measured by Mel Smith Co.
by telephone call to office.

G 25484

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 Will be used on NW 1/4 NE 1/4, 40 Acres,
40 Acres, in Sec. 7, Twp. 4 N., R. 25 E., B. 11.
All under cultivation.

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. Fair To Good Approx. 3 To 4 Acre ft.

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

Ans. None

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. used for test period. Tested Well Sept 29,
1955.

(Signed) Floyd L. Smith

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 Arco,
County of Butte, State of Idaho, on this 14 day of March,
A. D. 1959.

G. B. Heenan
Notary Public.

My commission expires 12-12-61.

825484

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 13 1959
Department of Reclamation

Permit No. 6-25484

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. WILLIE E SMITH 36 DARLINGTON IDAHO
FARMER DARLINGTON IDAHO

Ques. 2. Are you acquainted with EARL K. SMITH (DECEASED) YES, the holder of Permit No. 6-25484? How long have you known him and where does he reside?

Ans. ABOUT 15 YEARS (DECEASED)

Ques. 3. Have you read or heard read said Permit No. 6-25484, 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. SUBTERRANEAN 1/4 NE 1/4 SEC. 18, Twp 6N
RGE 25, E.B.M. 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. 4 NONE (JUST THE TEST)

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. 3 cu. ft per second estimate

25484

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 will be used on NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres all in sec 18
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres sec 7, TWP 6N. R6E 25 E.B.M

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. FAIR TO GOOD 3 TO 4 cu. ft. per second.

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

Ans. NONE

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. USED FOR TEST SEPT 29, 1955

(Signed) Erville E. Smith

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 Arco,
County of Butte, State of Idaho, on this 14 day of March,
A. D. 1959.

Winton B. Shien
Notary Public,

My commission expires 12-12-61

825484

RECEIVED
DEC 23 1958
Department of Reclamation

IN THE PROBATE COURT OF THE COUNTY OF CUSTER
STATE OF IDAHO

In the Matter of the Estate of	}	LETTERS OF ADMINISTRATION AND OATH
EARL K. SMITH,		
Deceased.		

STATE OF IDAHO)
County of Custer } ss.

Harold Smith is hereby appointed Administrator of the
Estate of Earl K. Smith, deceased.

WITNESS: Lessil Sharp, Clerk of the Probate Court of the
County of Custer, State of Idaho, with the seal thereof affixed,
the 19th day of December, A.D. 1958.

By order of the Court.

J. Lessil Sharp
Clerk.

STATE OF IDAHO)
County of Custer } ss.

I, Harold Smith, do solemnly swear that I will perform,
according to law, the duties of Administrator of the Estate of
Earl K. Smith, deceased.

Harold K. Smith

Subscribed and sworn to before me, this 19th day of December,
A.D. 1958.

J. Lessil Sharp

825484

Affidavit of Publication

NOTICE OF PROGRESS COMPLETION OF WORKS and Department APPLICATION OF WATER TO BENEFICIAL USE

1959

State of Idaho

County of Custer

ss

Ted

1, ~~Rex~~ Hanawalt, Editor of

THE MACKAY MINER, a weekly newspaper of General Circulation published weekly at Mackay, Idaho, continuously since Febr. 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for Three consecutive weeks, commencing with the issue dated February 5, 1959, and ending with the issue dated February 19, 1959.

Ted Hanawalt

Subscribed and sworn to before me this 19 day of

January, 1959
C. L. [Signature]

Notary Public.

Notice is hereby given that at 2:00 P. M., on the 14th day of March, 1959, at Arco, County of Butte, State of Idaho, before M. B. Hiller, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 2.7 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25484 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 is Earl K. Smith, Darlington, 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 2.7 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 2.7 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, Twp. 6 N., Rge. 25 E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, all in Sec. 18, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, Twp. 6 No., Rge. 25 E.B.M.

6. The date of priority which said user is prepared to establish is Feb. 28, 1955.

GEO. N. CARTER,
State Reclamation Engineer
Pub. 1-29, 2-5-12-19, 1959.

5252184

May 20, 1959

Re: Permit G-25484
Earl K. Smith (deceased)

Mrs. Earl K. Smith
Darlington, Idaho

Dear Mrs. Smith:

Enclosed is the deposition of holder, proof of completion of works and application of water to beneficial use which you signed. The form should have been signed by the Administrator of the estate, Harold E. Smith; provided that he had been appointed at that time.

We must have the affidavit from the publisher of the notice and a copy of the Court Order appointing the Administrator.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew
Enc. deposition
of holder

825484

May 14, 1959

Re: Permit No. G-25484
Earl K. Smith (Deceased)

Mackay Miner,
Mackay, Idaho.

Gentlemen:

On January 20, 1959, we mailed a Notice of Publication in the name of Earl K. Smith, and asked for proof of publication. However, to date this affidavit has not been received in this Department.

Will you please give this your immediate attention and mail same to us?

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR/pak

25484

3-12-59 RECEIVED
MAY 13 1959
U.S. DEPT. OF RECLAMATION

Dear Sir,

It was my responsibility to
get this final proof in by your
set date. So if any penalty please
notify me, and will take care of
it.

Yours truly,

Harold C. Smith,
Administrator
(HS)

J25484

January 20, 1959

Re: Permit No. G-25484

Mr. Earl K. Smith
Darlington, Idaho

Dear Mr. Smith:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use, under Permit No. G-25484. The proofs are to be made at 2:00 P.M., on the 14th day of March, 1959, before M. B. Miller, Notary Public, at Arco, Idaho.

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

It is important that the enclosed deposit ones be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, that the Notary's seal has been placed on each and that all depositions (Holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEORGE N. CAPT R
State Reclamation Engineer
By

(Mrs.) Mona P. Rutledge
Chief Clerk

TPR/lw

Encls. (3)

cc: M. B. Miller
Notary Public
Arco, Idaho

25484

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. G-25484
Earl K. Smith

Date: January 20, 1959

Mackay Miner
Mackay, Idaho

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to March 14, 1959 the date set for proof; the expense of the publication is to be paid by the applicant

Earl K. Smith of Barlington

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 or tear-sheet of the first publication.**

Very truly yours,

Geo. N. Carter
State Reclamation Engineer
By
(Mr.) Edna P. Rutledge

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

825484

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

Notice is hereby given that at 2 :00 P.M., on the 14th day of March, 1959, at Arco, County of Butte, State of Idaho, before M. B. Miller, Notary Public, at (address) Arco Idaho, proof will be submitted of the completion of works for the diversion of 2.7 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25484 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 is Earl K. Smith, Darlington, 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 2.7 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 2.7 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, Twp. 6 N., Rge. 25 E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, all in Sec. 18; SW SE $\frac{1}{4}$ Sec. 7, Twp. 6 No., Rge. 25 E.B.M.

6. The date of priority which said user is prepared to establish is Feb. 28, 1955 ✓

J 25484

GEO. N. CARTER
State Reclamation Engineer

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

Notice is hereby given that at 2:00 P.M., on the 14 day of March, 1959, at B. Arco, County of Butte, State of Idaho, before M. B. Hiller, Notary Public, at (address) Arco Idaho, proof will be submitted of the completion of works for the diversion of 3.2 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-2548 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 is M. B. Hiller Atty Arco 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 & 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 NW 1/4 of NE 1/4 of section 18 Twp 6 N Rge. 25 E B. M. County of Custer

5. The place where said water is used is NW 1/4 of NE 1/4 of sec 18; SW 1/4 of NE 1/4 of Sec 18; SE 1/4 of NE 1/4 of Sec 18; SW 1/4 of SE 1/4 of Sec 2 Twp. 6 N 25 E B. M.

6. The date of priority which said user is prepared to establish is _____.

25484

State Reclamation Engineer

RECEIVED
JAN 20 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

Jan 17, 1959

Address

Darlington, 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 Mackay Miner of Mackay Idaho published in the county in which the works are situated.

Carter Co. ✓

By Earl K. Smith
Mrs Earl K. Smith

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

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

825484

Engineer

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

RECEIVED
JAN 20 1959
Department of Reclamation

Notice is hereby given that at 2:00 P.M., on the 14 day of March,
1959, at Arco, County of Butte, State of Idaho,
before M.B. Haller, Notary Public, at (address) Arco
Idaho, proof will be submitted of the completion of
works for the diversion of 2.7 cubic feet per second of underground water
from a well, and of the application to beneficial use of said water, in accord-
ance with the terms and conditions of Permit No. G-25484 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 is Earl K. Smith Darlington, Idaho
M.B. Haller (att'y)

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 con-
veying to the place of use is 3.2 cubic feet per second.

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

4. The point of diversion of said water is NW 1/4 of the NE 1/4
of Section 18, Twp 6 N, Rge. 25 E.B.M.

5. The place where said water is used is NW 1/4 of NE 1/4 of Sec. 18;
SW 1/4 of NE 1/4 of Sec. 18; SE 1/4 of NE 1/4 of Sec. 18; all in Sec. 18;
SW 1/4 of SE 1/4 of Sec. 7, Twp 6 N, Rge. 25 E.B.M.

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

Feb. 28, 1955

G25484

State Reclamation Engineer

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

RE: Permit No. G-25484

Date January 1, 1959

Earl K. Smith
Darlington, Idaho

Dear Sir:

The date for proofs of completion of works and application of water to beneficial use, as set out under the terms of Permit No. G-25484 are due not later than March 4, 1959.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list which has been recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least forty (40) days before the above mentioned date, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point or points of diversion; and the location of use or the lands which are irrigated--all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with Form 36.

At the time we send the notice to the newspaper will will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named and before the notary public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enclosures

J 25484

December 6, 1957

RE: Permit No. G-25484

Mr. Earl K. Smith
P.O. Box 106
Darlington, Idaho

Dear Mr. Smith:

We have your letter of December 1st, requesting forms for making final proof on your Permit No. 25484.

Before these proofs can be made, the statutory requirement is that a Notice of your intention of proof be published once a week for four consecutive weeks in the County newspaper in which the land is located. For this required information, we have enclosed Form 36 and 11, and, instructions as to completing them.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge, (Mrs.)
Chief Clerk

EPR:vm
Encl.

25484

RECEIVED
DEC 3 1957

Department of Reclamation

Darlington, Idaho

Dec. 1, 1957

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Would you please send
me forms for filing
proof of completion of works
on well permit No. G-25484

yours truly

Earl K. Smith

P.O. Box 106

Darlington, Idaho

Due March 4, 1959

D25484

November 29, 1957

Re: Permit No. G-25484

Mr. Earl K. Smith
Darlington,
Idaho

Dear Mr. Smith:

In reply to your letter of November 22nd, we wish to acknowledge receipt of your well log in this department as of August 27, 1957.

Completion of Works and Application of Water to Beneficial Use are not due until March 4, 1959, according to the terms of the permit. Prior to that date we will send you a letter stating that the Proofs are due and instructions for procedure.

However, if you wish to make proofs prior to that date, we will issue you the forms and instructions upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw

1525484

1117-10-11-1957
Department of Reclamation

Darlington, Idaho
Nov 22, 1957

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

I am writing in regards
to the publication of my well
completion.

I sent in the final - well
log and report around the - first
part of - sept. and as - yet it has
not been published.

My permit ~~no~~ was G. 25484
Do more information needed
before this can be completed?

yours truly
Earl K. Smith
Darlington, Idaho

G. 25484

March 8, 1955

Re: Permit No. G-25484

Mr. Earl K. Smith
Darlington
Idaho

Dear Mr. Smith:

We enclose Permit No. G-25484 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-1024 for the \$5.50 filing fee. Since your check was for \$5.93, there is a refund of forty-three cents due you which we enclose in stamps.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

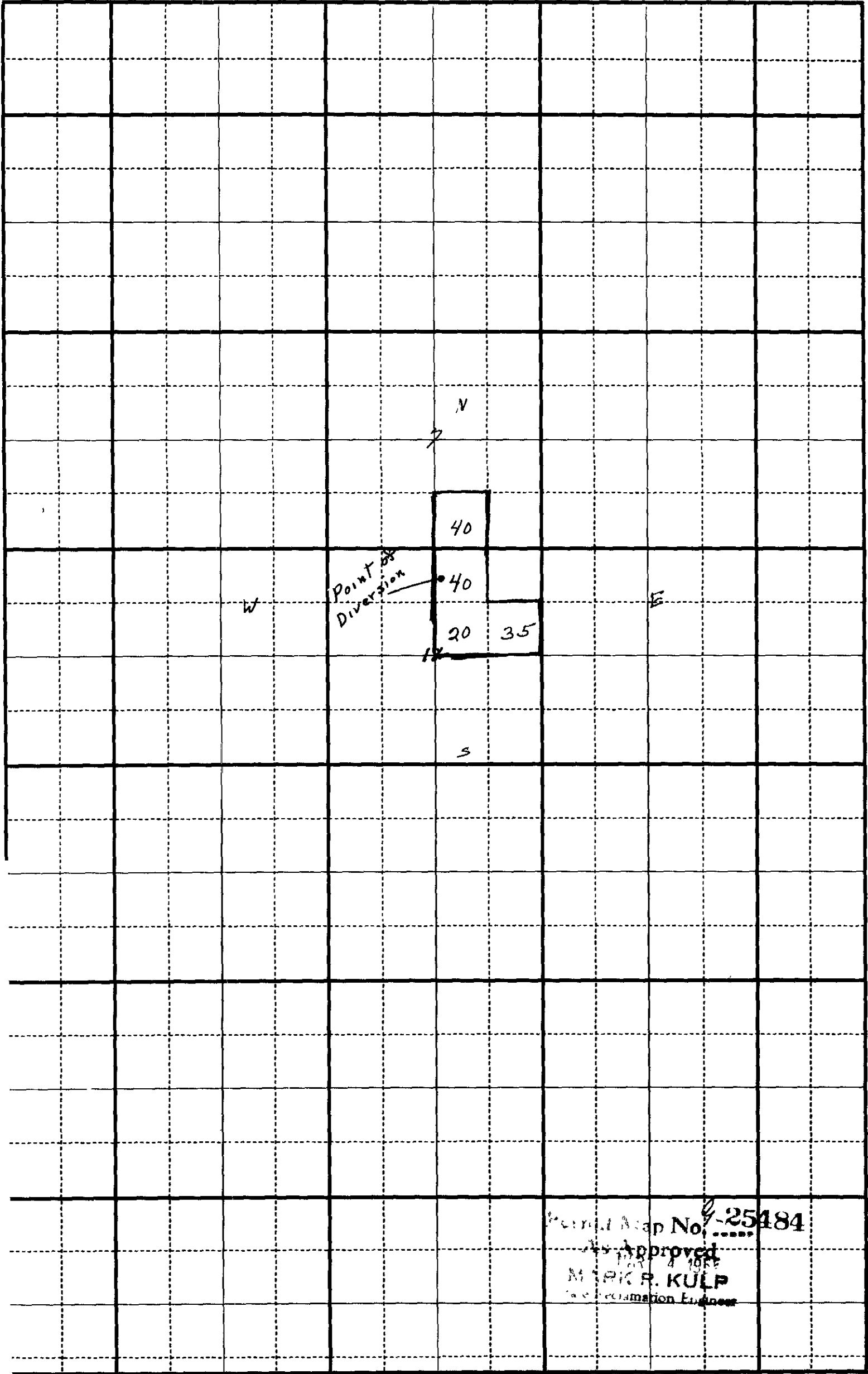
Chief Clerk

A:hll
Enc.

J 25484

NAME OF APPLICANT Earl K. Smith

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25484

app. # J. 33352
Permit # J-25484

February 10, 1955

Mr. Earl K. Smith
Darlington, Idaho

Dear Mr. Smith:

In reply to your letter of February 8, 1955, we enclose a form of application for permit to appropriate subterranean water from a well together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application.

In order to complete your water right, proofs of Completion of Works and application of the water to Beneficial Use are required. The time required for making these proofs should be indicated under Question 10.

Very truly yours,

MARK R. RULF
State Reclamation Engineer
By

Chief Clerk

A:Gu
Enc.

J 25484

Darlington, Idaho

Feb 8, 1955

Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Would you please send me
2 application for Permit
Form - no. 3. for underground
water.

Yours truly,
Earl F. Smith
Darlington, Idaho

FEB 10 1955

Dept of Reclamation

25484

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

Notice is hereby given that at 2.00 P. M., on the 14th day of March, 1959, at Arco, County of Butte, State of Idaho, before M. B. Hiller, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 2.7 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25484 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 is Earl K. Smith, Darlington, 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 2.7 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 2.7 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 18, Twp. 6 N., Rge. 25 E.B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, all in Sec. 18; SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, Twp. 6 No., Rge. 25 E.B.M.

6. The date of priority which said user is prepared to establish is Feb. 28, 1955. ✓

GEO. N. CARTER,
State Reclamation Engineer
Pub. 1-29, 2-5-12-19, 1959.