

5000 gal tank

R-25E.

STATE HWY. No. 27

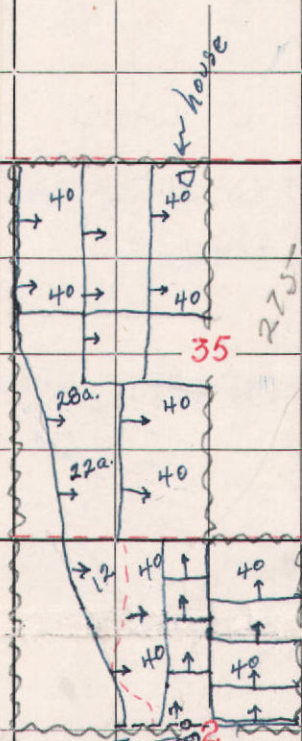
DARLINGTON

171 246 = 5008
6/24

300"

T. 6 N.

T. 5 N



ANTELOPE Cr.

160
80
22
28
290

160
12
462

70 ARCE

Subdivisions = 13

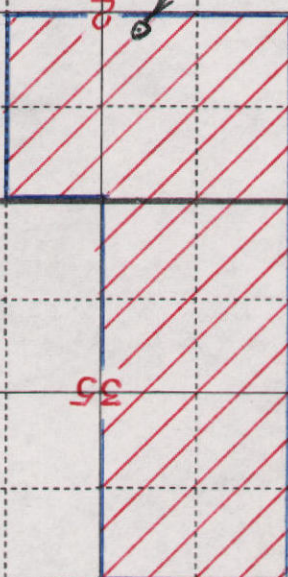
Area = 462 acres.

Q = 300 inches.

25433

Permit Map No. 25433
As Approved
FEB 11 1955
MARK R. KULP
State Reclamation Engineer

Point of Diversion-Well



T.6N.-R.25E.
T.5N.-R.25E.

State of Idaho
License and Certificate of Water Right

Water License No. G-25433

Amount 6.0 second feet

Water District No.

Priority February 8, 1955

THIS IS TO CERTIFY that HAROLD E. SMITH
of Darlington, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 8, 1955; that Permit No. G-25433
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
6.0 second feet, was issued thereunder on September 20, 1956, showing that said works
were completed on the 23rd day of September, 1955; and that on the 23rd
day of September, 1955,

HAROLD E. SMITH

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
~~subterranean flow~~ (subterranean flow), for the purpose of irrigation and domestic
use, under Use Permit No. G-25433 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5810, on the 20th day of September, 1956;
The right hereby confirmed dates from February 8, 1955;

The Point of Diversion is located

in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Tp. 5 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 6.0 cubic feet per second.

Description and location of use.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	25 E.	2	NW ¹ / ₄ NE ¹ / ₄	40	40
			SW ¹ / ₄ NE ¹ / ₄	40	40
			N ¹ / ₂ N	40	40
			NW ¹ / ₄ NW ¹ / ₄	40	12
			SW ¹ / ₄ NW ¹ / ₄	4	--
6 N.	25 E.	35	SE ¹ / ₄ NW ¹ / ₄	40	40
			NE ¹ / ₄ NW ¹ / ₄	40	40
			NW ¹ / ₄ NW ¹ / ₄	40	40
			S ¹ / ₄ NW ¹ / ₄	40	40
			S ¹ / ₄ NW ¹ / ₄	40	40
			NE ¹ / ₄ SW ¹ / ₄	40	40
			N ¹ / ₂ S	40	28
			S ¹ / ₄ S	40	22
			SE ¹ / ₄ SW	40	40
			Total Number of Acres Actually 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
20 th day of September, 1956.

..... MARK R. KULP

State Reclamation Engineer.

(SEAL)

34 2521

9-3300
34-311

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33305
Permit No. G- 25433
District No.

1. Name of Applicant: WILLIAM L. SMITH,
Postoffice address: Darlington, County: Butte, State: Idaho.
2. Quantity of water claimed: 6.0 cubic feet per second,
(a) Rate of withdrawal in cubic feet per second. 6.0 or Idaho
Miners' inches 300 or gallons per minute.
(b) Annual withdrawal in acre feet per annum
- 3 Source of water supply: Subterranean Flow, (Well)
- 4 Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2
Twp. 5.N., Rge. 25.E., B.M., County of Custer
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: Well, pump and ditches,
- 8 Estimated cost of works: \$ 15,000.00
9. (a) Is reservoir to be used?
(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 Two,
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 onhand: \$
(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: 140 inches, 1880 priority,
40 inches 1893, and 150 inches, 1893, 100 inches 1905, from Antelope Creek, 100 in. 1885, 80
inches, 1897 from El Lost River
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supple-
mental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks. This filin supplemental to existing water rights.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

UNITED STATES

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3-P. . February 3, 1955

Returned to applicant for correction.

Corrected application received

Approval of State Reclamation Engineer

The number of this permit is C-25433

Recorded in Book 90 Page 25433 Approved Feb. 11, 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 April 11, 1955

Work to begin on or before April 11, 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 February 11, 1956

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 11,

Witness my hand this 11th day of February, 1955

MARK R. KULP
State Reclamation Engineer

IN TESTIMONY WHEREOF, We, _____, ROBERT H. STALLER, Governor of the State of Idaho, and _____, ILLIANN TOSSE, 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 11th day of February, 1955.

Countersigned.

STATE OF IDAHO

(SEAL)

By IRVING L. TERS _____
Secretary of State

By ROBERT E. SHALLE
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	
5. N	25. E.	2			40	40			40	40	0	40						240	
6. N	25. E.	35							40	40	40	40			40	40	40	<u>320</u>	
Total Number of Acres to be Irrigated																	-	560	
Permit No. G-25433																			
CERTIFICATE OF COMPLETION OF WORKS																			
BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing application, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.																			
This is to certify that _____, of _____, County of Butte, and State of Idaho, the holder of Permit No. G-25433, issued upon Application No. G-33345 bearing date of priority of February 3, 1955, authorizing the diversion of 6.0 second feet of the waters of subterranean flow from a well, County of Butte, 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 6.0 second feet of the waters of said well; that the point of diversion of said waters is in the _____ Section 2, Township 5 North, Range 25 East, E. . . and that the lands proposed to be irrigated by the said water are described as follows, to-wit: _____ Section 35, Township 6 North, Range 25 East, E. . .; _____, _____, _____ Section 2, Township 5 North, Range 25 East, E. . .																			
Witness my hand this 20th day of September A. D. 1956.																			
_____ State Reclamation Engineer																			
to of completion of works made September 22, 1955																			
Certificate of Completion of Works issued September 20, 1956.																			
25. E. 25. E.																			

Page 5810

September 27, 1956

RE: Permit No. G-25433

Mr. Harold E. Smith
Darlington
Idaho

Dear Mr. Smith:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued under your Permit No. G-25433 confirming your right to the use of 6.0 second feet of the waters of a well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 5 North, Range 25 East, B.M., with priority of February 8, 1955, for irrigation of land in the W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 5 North, Range 25 East, B.M.; NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 35, Township 6 North, Range 25 East, B.M.

We also enclose departmental receipt No. G-2121 for the \$31.00 completion of works and beneficial use proof fees.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

hll
Enc.

25433

September 6, 1956

RE: Permit No. G-25433

Mr. Harold E. Smith
Darlington
Idaho

Dear Mr. Smith:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. G-25433, which shows that your well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 5 North, Range 25 East, B.M. will deliver 300 inches or 6.0 second feet of water which has been used to irrigate 462 acres of land in the NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 35, Township 6 North, Range 25 East; and the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 5 North, Range 25 East, B.M.

A Certificate of Completion of Works and License can, therefore, be issued for 6.0 second feet of water upon receipt of the statutory fees amounting to \$5.00 for completion of works and \$26.00 license fee, or a total of \$31.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

25433

5000 in. Antp

R-25E.

STATE HWY. No. 27

DARLINGTON

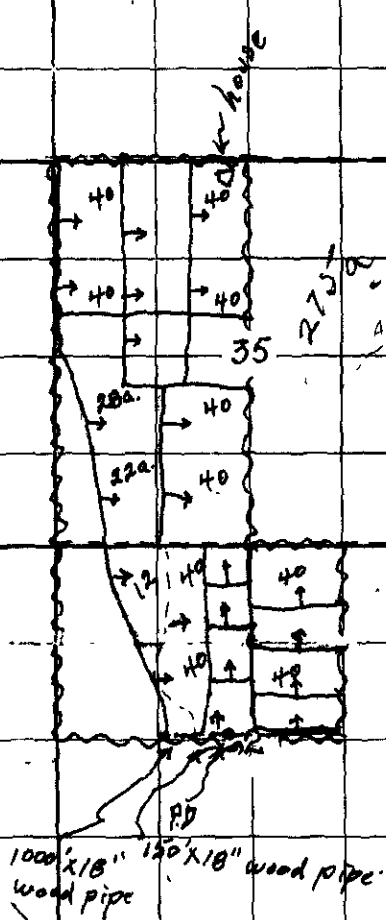
76 ARD

174 246

300

T. 6 N.

T. 5 N.



220

Subdivisions = 13

Area = 462 acres.

Q = 300 inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25433

REPORT ON PROOF OF Completion of works & Beneficial Use

app. 6.0 cfs
Surf. 13
acres 462

6.0 cfs
measured

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

Permit No. G-25433

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

1. Name of applicant Harold E. Smith2. Source of water supply: Subterranean Flow a well.3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2T. 5 N R. 25 E B.M. County of Custer

4. Describe works as they exist, giving dimensions and capacities of same: 165 hp. Diesel (Allis Chalmers)
Layne Bowler Turbines #21508 U.S. angle drive.
10" delivery to S. then 10" to 18" line into a stand pipe
approx. 12' high. Pipe line to west. Short pipe line
to East then thru ditches - to fields by gravity

5. Water is used for: Irrigation & Domestic6. 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):

NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2, and W $\frac{1}{2}$ Section 35, in Twp. 5N and 6N
Range 25 E B.M.

See map.

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

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

Remarks: _____

This is Supplemental water.

Crops are hay-grain & potatoes

This examination was made on the 8 day of August, 19 56(Signed) E. H. Humphrey Examiner.

25433

Harold E. Smith
Darlington, Idaho

Permit No. G-25433

Examination for Completion of Works & Beneficial Use

County Custer

2-5N.-25E.

D = 6.0 a.f.s

S = Well

P.S. = SE. NW. Sec. 2, T.5N.-R.25E.

Irrigation & Domestic

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 29 1956

Department of Reclamation

Filed = Feb. 8, 1955
Sec = Feb. 11, 1957

180' x 20' W
h = 95' L = 115'

width 14"

Col. & pump = 170'

Allis Chalmers Eff

Model 7361 1/2 hp

Model D & 44

On base = 148'

Pump also on base

No protect

Lange R. L. Co. ()

21508

U.S. L. drive = 220'

10" del to SW

to 18" pipe

July 31, 1956

RE: Permit No. G-25433

Mr. Harold E. Smith
Darlington
Idaho

Dear Mr. Smith:

I expect to make inspection in connection with your permit as required by law on any permit being brought to license in the State of Idaho.

I intend to make your inspection in the middle of the morning, on August 8, and will drive to the farm where the well is located. Please meet me there to accompany me on the inspection.

Yours truly,

MARK E. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hl1

25433

January 30, 1956

Re: Permit No. G-25433

Mr. Harold E. Smith
Darlington, Idaho

Dear Mr. Smith:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Mackay Miner, all submitted in proof of completion of works and beneficial use on Permit No. G-25433.

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,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

25433

C. V. BOYATT
ATTORNEY AT LAW
ARCO, IDAHO

January 23, 1956

RECEIVED

DEPARTMENT OF RECLAMATION

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

Re: Proof on Permit No. G-25433
Harold E. Smith
Darlington, Idaho

Dear Mr. Kulp:

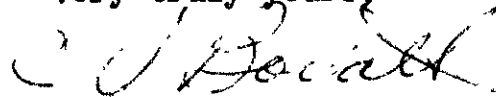
Pursuant to your letter of October 3, 1955,
further proof has been taken on the above Proof of
Application of Water to Beneficial Use, as regards
Question No. 5 of Deposition of Holder; and Question
No. 4 in the Deposition of witnesses.

These amended affidavits are inclosed.

Also inclosed is the Affidavit of Publication
of the Mackay Miner.

This delay has been occasioned by my absence
from my office due to illness.

Very truly yours,



C. V. Boyatt
Notary Public for Idaho
Residing at Arco, Idaho.

G-25433

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 3 1955
Department of Reclamation

Permit No. G-25433

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. Harold E. Smith
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-25433 date of priority Feb. 11, 1955

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

Ans. Subterranean flow at point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2
Twp 5 N, Rge 25 EBM in Custer County, Idaho.

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

Ans. Well 180 feet depth, 20" casing, depth to water 90'.
Pump test approx. 6 to 7 c f s --Well tested by Layne & Bowler, Pump
Engineers of Idaho Falls with a Pitot tube. Pump test showed between 300
and 325 inches. Allis-Chalmers Deisel 165 h.p. motor now in use with a
Layne & Bowler pump with 10" column and 14" bowls.

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. Irrigation upon the following:

NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2; and W $\frac{1}{2}$ Section 35, in Twp 5 N and 6Nn
R. 25 E B. M.

J 25433

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

Ans. No

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.

Personal permit

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.

(Sign)

Harold E. 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 Arco, County of Butte

State of Idaho, on this 23rd day of September, A. D. 1955

C. V. Boyett
Notary Public for Idaho
Residing at Arco, Idaho

My commission expires 9-1-58

8254.33

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-25433

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. John W. Bell, age 42, Res: Darlington, Idaho, occupation: farmer.

Ques. 2. Are you acquainted with Harold E. Smith, the holder of Permit No. G-25433? How long have you known him and where does he reside?

Ans. I have known Mr. Smith for the past 20 years who resides at Darlington, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-25433, 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. Well and private ditches. Well is 180 feet deep, 20" casing & depth to water is 90'. Well tested by Layne & Bowler of Idaho Falls with a Pitot tube. Now in use on this well is an Allis-Chalmers Deisel 165 h.p. motor with a Layne & Bowler pump with 10" column and 14" bowls.

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. 7 cfs

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. 6 $\frac{1}{2}$ csf

G 25433

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. Used as supplementary supply for irrigation of NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$
of Sec. 2; and W $\frac{1}{2}$ of Sec 35 in Twps 5 & 6 N., R 25 EBM.

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

Ans. Irrigation

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

Ans. Irrigation of potatoes, hay and grain and estimate the
needs as 7 cfs.

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. Witnessed the test and pumping capacity, and have seen the
water applied to beneficial use as described above.

(Signed) John W. Bell

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 23 day of September,
A. D. 1955

C. V. Boyatt
Res: Arco, Idaho Notary Public.

My commission expires 9-1-58

25433

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-25433

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. C. Boyd Lambert, Res: Darlington, Idaho; age 27; occupation
Farmer, P. O. Address: Darlington, Idaho.

Ques. 2. Are you acquainted with Harold E. Smith, the
holder of Permit No. G-25433? How long have you known him and where does
he reside?

Ans. I have been acquainted with Harold E. Smith for 10 years whose
residence is Darlington, Idaho

Ques. 3. Have you read or heard read said Permit No. G-25433, 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 con-
veying water from point of diversion to place of use.

Ans. Well and private ditches. Well is 180 feet deep with 20" casing.
Depth to water is 90 ft. Well tested by Layne & Bowler of Idaho Falls with
a Pitot tube. An Allis-Chalmers Deisel 165 H. P. Motor with a Layne &
Bowler pump is now in use, using 10" column and 14 inch bowls.

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

Ans. 7 C. f. s.

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. 6 $\frac{1}{2}$ c s f

S 25433

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. Used as supplementary supply for irrigation of potatoes, hay
and grain on NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 2; and W $\frac{1}{2}$ of Sec. 35 in Tpts
5 & 6 N. R. 25 EBM.

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

Ans. Irrigation

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

Ans. Irrigation of potatoes, hay and grain, and estimate
7 c. f. s.

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

Ans. No

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

Ans. I helped drill the well, saw it tested, and have seen the water
applied to the purposes aforesaid.

(Signed) C. Boyd Lambert

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 23 day of September,
A. D. 1955.

C. V. Boyett

Notary Public.
Res: Arco, Idaho.

My commission expires 9-1-58

25433

LEGAL NOTICES

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 3:00 o'clock P M, on the 23rd day of September, 1955, at Arco, County of Butte, State of Idaho, before C. V. Boyatt, a Notary Public, proof will be submitted of the completion of works for the diversion of six cubic feet

per second of the waters of subterranean flow (well) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 5 North, Range 25, East, B. M. and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25433 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 Harold E. 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, in accordance with the plans accompanying the application for such permit, is six 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 six cubic feet per second.

4. The place where said water is used is W $\frac{1}{2}$ of Section 35, Township 6 N, Range 25 East of the Boise Meridian; and NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2, Township 5 N, Range 25 East of the Boise Meridian in Custer County, Idaho.

5. The date of priority which said user is prepared to establish is February 18, 1955.

MARK R. KULP

State Reclamation Engineer

Pub Aug 25, Sept. 1, 8, 15

Affidavit of Publication

State of Idaho

County of Custer

ss.

I, Ruth Hanawalt
~~F. A. Spradles~~, Editor of THE MACKAY MINER, a weekly

newspaper of General Circulation published weekly at Mackay, Idaho,

continuously since February 16, 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 4 consecutive weeks, commencing with the

issue dated Aug 25, 1955, and ending with

the issue dated Sept 15, 1955.

Ruth Hanawalt

Subscribed and sworn to before me this 4th day

of November, 1955.

C. V. Boyatt
Notary Public

f 25433

December 20, 1955

RE: Permit No. G-25433

Mr. Harold E. Smith
Darlington
Idaho

Dear Mr. Smith:

We are again writing you in regard to your proofs of completion of works and beneficial use on the above numbered Permit. Depositions of yourself and two witnesses were returned to you on October 3 for certain corrections. We also called attention to the fact that the affidavit of publication from the Mackay Miner was a necessary part of the proof.

To date we have received no reply to these letters nor have we received the corrected proofs, and it is important that you give the matter your prompt attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

December 20, 1955

G-25433

✓
November 1, 1955

RE: Permit No. G-25433

Mr. Harold T. Smith
Darlington
Idaho

Dear Mr. Smith:

On October 3 we returned the depositions of yourself and two witnesses offered in proof of completion of works and beneficial use on the above numbered Permit for certain corrections.

To date, these have not been returned and we are, therefore, bringing it to your attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

825433

October 3, 1955

RE: Permit No. G-25433

Mr. Harold E. Smith
Darlington
Idaho

Dear Mr. Smith:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of completion of works and beneficial use on Permit No. G-25433.

We return the depositions in order that your own may give the kind and power of the pump under Question 5; and, Question 4 of the depositions of your two witnesses should give more detail in regard to the well and also the pump.

The affidavit of publication from the Mackay Miner is a necessary part of the proof and if you have not received it, we suggest you take the matter up with them at once. The clipping which you enclosed is not sufficient but an affidavit of publication is required.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

S 25433

September 12, 1955

Re: Permit No. G-25433

The Mackay Miner
Mackay
Idaho

Gentlemen:

We have checked the notice in connection with Permit No. G-25433 of Harold E. Smith appearing in your issue of September 8 and find what appears to be two errors:

1. The priority date as shown in the last line of the fifth paragraph should be February 8 and not February 18.
2. In listing your issues in which this notice is to appear you have August 25, September 1, 18 and 25. Should this not be August 25, September 1, 8 and 15?

Please see that these corrections are made in your subsequent issues.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1

825433

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

Notice is hereby given that at
3 00 o'clock P M., on the 23rd
day of September, 1955, at Arco,

County of Butte, State of Idaho,
before C V Bo 't, a Notary
Public, proof was submitted
of the completion of works for
the diversion of six cubic feet
per second of the waters of sub-
terranean flow (well) located in
the SE¹/₄ NW¹/₄ Section 2, Town-
ship 5 North, Range 25, East, B
M and of the application to
beneficial use of said water, in
accordance with the terms and
conditions of Permit No G-
25433 heretofore issued by the
Department of Reclamation of
the State of Idaho

1 The name and postoffice
address of the person or corpor-
ation holding said permit is Har-
old E 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 con-
veying to the place of use, in ac-
cordance with the plans accom-
panying the application for such
permit, is six cubic feet per sec-
ond

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

4 The place where said water
is used is W¹/₂ of Section 35,
Township 6 N, Range 25 East
of the Boise Meridian; and
NW¹/₄ and W¹/₂NE¹/₄ of Section
2, Township 5 N, Range 25 East
of the Boise Meridian in Custer
County, Idaho

5. The date of priority which
said user is prepared to estab-
lish is February 18, 1955.

MARK R KULP

State Reclamation Engineer

Pub Aug 25, Sept 1, 18, 25

September 6, 1955

RE: Permit No. G-25433

The Mackay Miner
Mackay
Idaho

Gentlemen:

On August 19, 1955, you acknowledged receipt of Notice on Permit No. G-25433 in the name of Harold E. Smith which you stated would start publication on August 25.

To date we have not received a copy of your paper containing the Notice and would appreciate having you send the same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

25433

The Mackay Miner

Printers - Publishers

Mackay, Idaho

August 19, 1955

RECEIVED
AUG 22 1955
Department of Reclamation

Dept. of Reclamation

Jeanne L. Anderson;

This is to acknowledge receipt of publication of Notice of Proof of Completion of Works and Application of Water to Beneficial Use for Harold E. Smith, legal will appear in the Mackay Miner August 25, Sept. 1, 8 and 15th.

Yours Truly

Ruth Hanawalt

J25433

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-25433

Date: August 18, 1955

Mackay Miner

Mackay, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 23, 1955 the date set for proof, the expense of the publication to be paid by the applicant, Harold L. Smith of Darlington 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, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

25433

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

Notice is hereby given that at 3:00 o'clock P.M., on the 23rd
day of September, 1955, at Arco, County of
Butte, State of Idaho, before C. V. Loyatt, a
Notary Public, proof will be submitted of the completion of works for
the diversion of six cubic feet per second of the waters of subterranean
the SW 1/4 NW 1/4 Section 2, Township 5 North, Range 25, East, B.M.
flow (well) located in / and of the application to beneficial use of
said water, in accordance with the terms and conditions of Permit No.
3-25433 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~~ is Harold L. 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 con-
veying to the place of use, in accordance with the plans accompanying the appli-
cation for such permit, is six 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 six cubic feet per second.

4. The place where said water is used is W 1/2 of Section 35, Township 6 N.,
Range 25 East, Boise Meridian; and NW 1/4 and W 1/2 NE 1/4 of Section 2,
Township 5 N., Range 25 East of Boise Meridian in Custer Count, Idaho.

5. The date of priority which said user is prepared to establish is
February 6, 1955

MARK R. KULP

State Reclamation Engineer

7
25433

August 18, 1955

RE: Permit No. G-25433

Mr. Harold E. Smith
Darlington
Idaho

Dear Mr. Smith:

We have your notice of completion of works and beneficial use proof to be made September 23 on your Permit No. G-25433.

However, we note that you describe part of the land as being in the E¹/₄NE¹/₄ of Section 2. We think this is a typographical error as your Permit describes the NW¹/₄ and W¹/₄NE¹/₄ of section 2 and we have changed the notice accordingly.

We are sending a copy of the notice to the Mackay Miner with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. C. V. Boyatt, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

25433

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 16, 1955

(P. O.) Darlington, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

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

Harold E. Smith

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

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

Engineer.

825433

✓
May 17, 1955

RE: Permit No. G-25433

Mr. Harold E. Smith
Darlington
Idaho

Dear Mr. Smith:

We have your letter of May 14 and note that you are prepared to make proof of Completion of Works and Beneficial Use on your Permit No. G-25433.

Before these proofs are made the law requires publication of a notice once a week for four weeks in a county newspaper. This notice should be made in duplication on Form 36 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made.

The proofs may be made at any place convenient for yourself and your two witnesses, but the time must be set far enough ahead to allow for four weeks publication.

Both copies of Form 36 to be returned to this Department together with form 11 which is authorization for us to have the notice published at Permit holder's expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the depositions to be executed by yourself and two witnesses in making this proof.

The priority to be established under the Permit is the date that the Application is filed in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

25433

Darlington, Idaho
May 14, 1955

Department of Reclamation
State House
Boise, Idaho

RECEIVED
MAY 17 1955
Department of Reclamation

Dear Sirs;

Having completed the development of the well for subterranean water as applied for on permit No. G 25433, for 6.0 cubic feet per second, am ready to make final proof on said works. Would you please send me the forms and information necessary for making this final proof?

Also would like to know if date of priority on subterranean water is made from date of application for permit or date of final proof on such water.

Thanking you kindly for your assistance.

Yours truly,
Harold E. Smith

G 25433

February 16, 1955

RE: Permits Nos. G-25432 and G-25433

C
Mr. Harold E. Smith
Darlington
Idaho

Dear Mr. Smith:

O
We enclose Permits Nos. G-25432 and G-25433 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

P
We also enclose departmental receipt No. G-981 for the \$12.00 filing fees on both these permits.

Very truly yours,

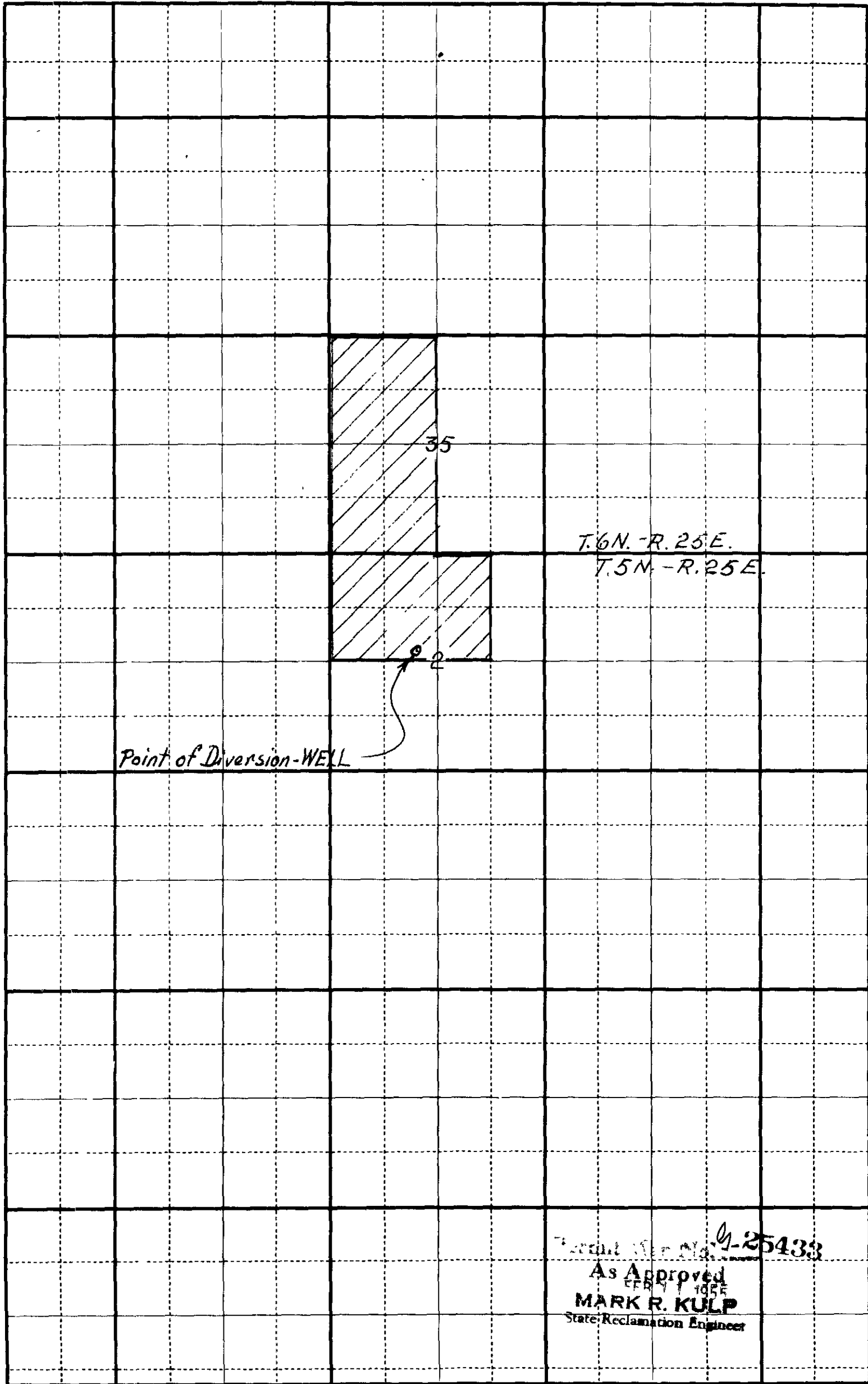
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Y
A:hll
Enc.

25433

NAME OF APPLICANT. HAROLD SMITH

Form No. 0

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

25433

LEGAL NOTICES

NOTICE OF PROOF OF COMPLETION OF WORKS

and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 3 00 o'clock P M, on the 23rd day of September, 1955, at Arco, County of Butte, State of Idaho, before C V. Boyatt, a Notary Public, proof will be submitted of the completion of works for the diversion of six cubic feet

per second of the waters of subterranean flow (well) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 5 North, Range 25, East, B M and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No G-25433 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 Harold E 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, in accordance with the plans accompanying the application for such permit, is six 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 six cubic feet per second

4 The place where said water is used is W $\frac{1}{2}$ of Section 35, Township 6 N, Range 25 East of the Boise Meridian; and NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2, Township 5 N, Range 25 East of the Boise Meridian in Custer County, Idaho

5 The date of priority which said user is prepared to establish is February 18, 1955

MARK R KULP

State Reclamation Engineer

Pub Aug 25, Sept 1, 8, 15

per second of the waters of subterranean flow (well) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 5 North, Range 25, East, B M and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No G-25433 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 Harold E 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, in accordance with the plans accompanying the application for such permit, is six 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 six cubic feet per second

4 The place where said water is used is W $\frac{1}{2}$ of Section 35, Township 6 N, Range 25 East of the Boise Meridian; and NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2, Township 5 N, Range 25 East of the Boise Meridian in Custer County, Idaho

5 The date of priority which said user is prepared to establish is February 18, 1955

MARK R KULP

State Reclamation Engineer

Pub Aug 25, Sept 1, 8, 15