

# 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.

Frank Smitchger & Sons *will, ditches*  
Route #2 *6"-107'*  
Boise, Idaho *H-12-20'*  
Permit No. G-29917 *Q-130"*

Examination for Completion of Works & Beneficial Use

County Ada

Quantity: 2.4 c.f.s. *Sec. 33 T.4N R.1E*

Source: *63* subterranean

P.D.: *SE 1/4 SW 1/4*, Sec. 33, T. 4 N, R. 1 E, B.M.

Use: *irrigation*

Extension:

Protest:

Completion of Works:

Other Rights: *Settlers Canal*

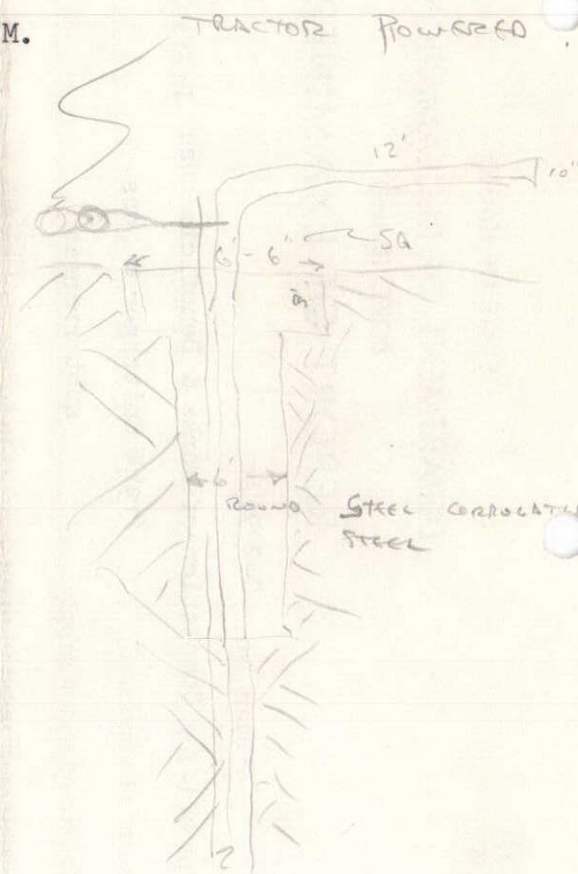
Filed: July 10, 1961

Due: July 11, 1966

Made: November 18, 1966

Priority: November 17, 1964

*6' - CORRUGATED IRON  
WELL 20'*



*PRODUCES 125"-135"  
NO MEASUREMENT POSSIBLE  
WATER USED SUPPLEMENTAL  
WHEN NEEDED.*

*11-18-66  
7-11-66*

*4-7  
7-10*

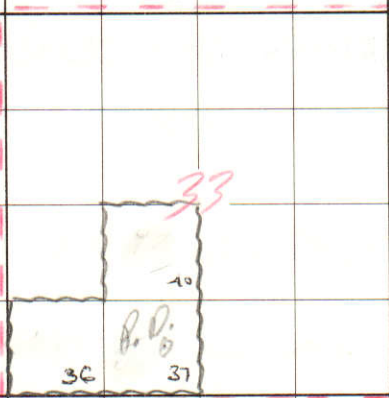
*11-17-61*

*29917*

*low proof*

Rge. 1 E.

Twp 4 N.



10

73

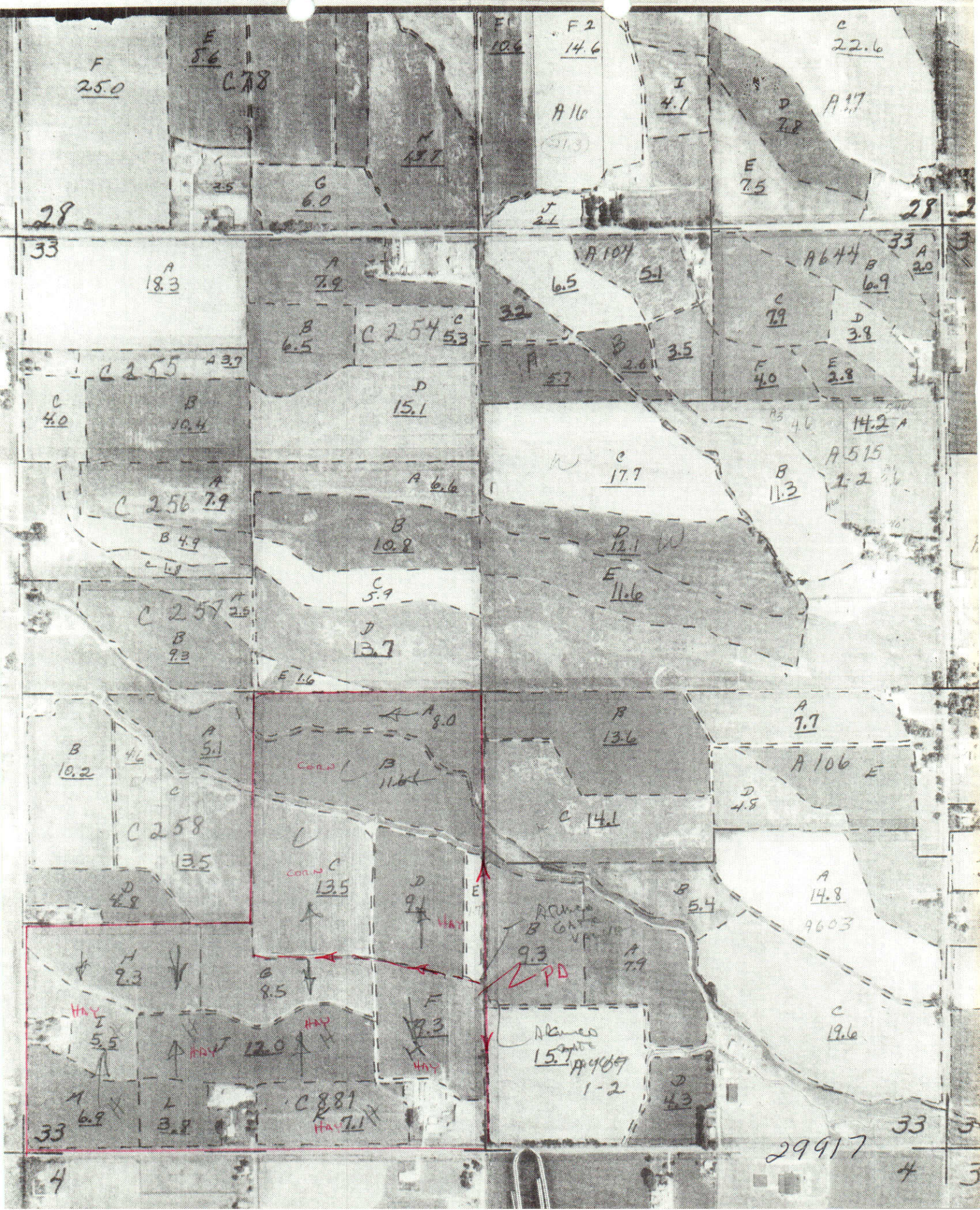
113 Acres

← To Meridian

AREA - 113 Acres

SUB - 3

allow - Q - 2.26 c. f. s. supplemental



RECEIVED  
NOV 21 1966

Department of Reclamation

## PROOF OF PUBLICATION

State of Idaho, }  
County of Ada } ss.

I, E. Carol Smith, being first duly sworn, depose and say, that I am over twenty-one years of age, and Chief Clerk of MERIDIAN NEWS-TIMES, a weekly newspaper of general circulation, published at Meridian, County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for 4 consecutive weeks, the first publication being on the 20<sup>th</sup> day of October, 1966, and the last publication being on the 10<sup>th</sup> day of November, 1966.

That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

E. Carol Smith  
Chief Clerk

Subscribed and sworn to before me this 10<sup>th</sup> day of November, 1966.

R. F. Marks  
Notary Public in and for Idaho

Residence or Postoffice Address Boise, Idaho.

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

NOTICE is hereby given that on the 18th day of November, 1966, at Meridian, County of Ada, State of Idaho, before Dorothy Bolen, Notary Public, at (address) Meridian, Idaho, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of the waters of a well (subterranean), and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29917 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: Frank Smitchger and Sons, Route 2, Boise, 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 2.4 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 2.4 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 33, T. 4 N., R. 1 E., B.M., Ada County.

5. The place where said water is used is NE $\frac{1}{4}$  SW $\frac{1}{4}$ , S $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec. 33, T. 4 N., R. 1 E., B.M.

6. The date of priority which said user is prepared to establish is July 10, 1961.

R. KEITH HIGGINSON  
State Reclamation Engineer  
Oct. 20, 27; Nov. 3, 10, 1966

29917

October 21, 1966

Re: Permit No. G-29917

Gentlemen:

Attached notice was received from Mr. R. Keith Higginson, State Reclamation Engineer, for Mr. Don Smitchger, Rt. 2, Boise, Idaho.

### First time published

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

NOTICE is hereby given that on the 18th day of November, 1966, at Meridian, County of Ada, State of Idaho, before Dorothy Bolen, Notary Public, at (address) Meridian, Idaho, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of the waters of a well (subterranean), and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29917 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: Frank Smitchger and Sons, Route 2, Boise, 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 2.4 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 2.4 cubic feet per second.

4. The point of diversion of said water is SE 1/4 SW 1/4, Sec. 33, T. 4 N., R. 1 E., B.M., Ada County.

5. The place where said water is used is NE 1/4 SW 1/4, Sec. 33, T. 4 N., R. 1 E., B.M.

6. The date of priority which said user is prepared to establish is July 19, 1961.

R. KEITH HIGGINSON  
State Reclamation Engineer  
Oct. 20, 27; Nov. 3, 10, 1966

RECEIVED  
OCT 24 1966  
Department of Reclamation

29917

## State of Idaho

## License and Certificate of Water Right

Water License No. G-29917 Priority November 17, 1961 Amount 2.26 c. f. s.  
(late proof)

THIS IS TO CERTIFY that FRANK SMITCHGER & SONS

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 10, 1961; that Permit No. G-29917 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 2.26 second feet, was issued thereunder on March 13, 1968, showing that said works were completed on the 18 day of November, 1966; and that on the 18 day of November, 1966 FRANK SMITCHGER & SONS

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

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-29917 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 ~~xxx~~ ~~Volume~~ ~~xx of Licenses, at Page~~, on the 13 day of March, 1968.

The right hereby confirmed dates from November 17, 1961. (late proof)

The Point of Diversion is located

in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 33, Twp. 4 N, R. 1 E, B.M. Ada 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 2.26 cubic feet per second.

Description and location of use:

| Twp. | Range | Section | Forty-Acre Tract                  | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|---------|-----------------------------------|-------------------------------|------------------------------|
| 4 N  | 1 E   | 33      | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                            | 40                           |
|      |       |         | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                            | 36                           |
|      |       |         | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                            | 37                           |
|      |       |         | Total number of acres 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 13 day of March, 1968.

*R. Keith Higgins*  
State Reclamation Engineer.

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37932  
Permit No. G- 29917  
District No.

1. Name of Applicant: Frank Smitchger & Sons  
Postoffice address: Rt. #2, Boise County: Ada State: Idaho
2. Quantity of water claimed: 2.4 cubic feet per second  
 (a) Rate of withdrawal in cubic feet per second or Idaho  
 Miners' inches or gallons per minute  
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: subterranean
4. Location of point of diversion or well is in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 33  
 Twp. 4 N , Rge. 1 E , B.M., County of Ada
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  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
 Rge. , B.M.  
 (b) Waste water or sewage effluent is to be returned to  
 at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$1500
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 5 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:  
 Settlers Canal  
 (a) 2.4 (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.

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.

s/ Frank Smitchger & Sons *Applicant.*

By Don Smitchger Agent.

Date of first receipt at Department of Reclamation: 9:45 A. M. July 10, 1961

**Returned to applicant for correction:**

**Corrected application received:**

## Approval of State Reclamation Engineer

The number of this permit is G— 29917

Recorded in Book 105      Page 29917      Approved      July 11, 1961

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 \_\_\_\_\_ 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 January 11, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before July 11, 1966

Witness my hand this 11th day of July, 1961

s/ GEO. N. CARTER  
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ..... ROBERT E. SMYLIE ....., Governor of the State of Idaho,  
and ..... ARNOLD WILLIAMS ....., 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 July, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS  
Secretary of State.

By s/ ROBERT E. SMYLLIE  
Governor

**12.**

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Range | Sec. | NE <sup>1</sup> / <sub>4</sub>                                                                                                 | NW <sup>1</sup> / <sub>4</sub>                                                                                                 | SW <sup>1</sup> / <sub>4</sub>                                                                                                 | SE <sup>1</sup> / <sub>4</sub>                                                                                                 | Totals |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |       |      | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub>  NW <sup>1</sup> / <sub>4</sub>  SW <sup>1</sup> / <sub>4</sub>  SE <sup>1</sup> / <sub>4</sub> |        |
| 4 N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 1 E   | 33   | 40                      40      40                                                                                             |                                                                                                                                |                                                                                                                                |                                                                                                                                | 120    |
| PERMIT NO. G-29917                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
| CERTIFICATE OF COMPLETION OF WORKS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
| TO ALL WHOM IT MAY CONCERN:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
| This is to certify that FRANK SMITCHGER & SONS of Boise, County of Ada, and State of Idaho, the holders of Permit No. G-29917, issued upon Application No. G-37932 bearing date of priority of November 17, 1961 (late proof), authorizing the diversion of 2.4 second feet of waters of a well County of Ada, State of Idaho, for irrigation purposes, have 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 2.26 second feet of the waters of a well, from subterranean flow that the point of diversion of said waters is in the SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 33, Township 4 North, Range 1 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
| E <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub> , SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 33, Township 4 North, Range 1 East, Boise Meridian.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
| Proof of Completion of Works made: November 18, 1966                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
| Witness my hand this 13 day of March, A.D. 1968                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
| /S/ R. KEITH HIGGINSON<br>State Reclamation Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |
| LICENSE ISSUED FOR 2.26 SEC. FT.<br>LICENSE PAG NO. 29917                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |       |      |                                                                                                                                |                                                                                                                                |                                                                                                                                |                                                                                                                                |        |

WATER RIGHT NUMBER 63-3248

OWNER LAST NAME - FRANK SMITCHGER &amp; SONS

FIRST NAME - ORIG OWNER -

ADDRESS LINE 1 - RT. 2

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83703

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 11-17-1961 COUNTY - ADA

TOTAL DIV. RATE - 2.2600 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESW 33 04N 01E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

2.2600 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - T4N 04N R4G 01E SEC 33 TRACT NESW LOT AC 40 TRACT SWSW LOT AC 36

TRACT SESW LOT AC 37

DECREE NAME -

DATE -

TOTAL ACRES 113

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 29917

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

## Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that ..... FRANK SMITCHGER & SONS .....  
of .... Boise ..... , County of .... Ada ..... , and State of  
..... Idaho ..... , the holderS..... of Permit No. G-29917 , issued upon  
Application No. G-37932 bearing date of priority of ... November 17, 1961, authorizing the  
diversion of ... 2.4 ..... second feet of waters of ... a well .....  
(late proof)

County of ...Ada....., State of Idaho, for .....irrigation.....  
purposes, have.....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 .....2.26..... second feet of the waters of ..a well, from subterranean...  
.....flow.....

that the point of diversion of said waters . . . is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 33, Township . . . . .  
 . . . 4 North, Range 1 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: ... E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> Section 33, Township 4 North, ..... Range 1 East, Boise Meridian.

Proof of Completion of Works made: November 18, 1966

Witness my hand this 13 day of March, A. D. 19 68

**State Reclamation Engineer**

29917

March 13, 1968

Re: Permit No. G-29917

Frank Smitchger & Sons  
Route # 2  
Boise, Idaho

Gentlemen:

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

Also enclosed is departmental receipt No. 243 in the amount of \$11.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kd

Enclosures: Certificates  
Receipt

29917

29917

December 4, 1967

Re: Permit G-29917

Frank Smitchger & Sons  
Route #2  
Boise, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit G-29917 and has found the following:

Quantity of water diverted: 2.26 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.26 c.f.s.

Purpose of use: irrigation of 113 acres in NE 1/4 SW 1/4, S 1/4 SW 1/4, Sec. 33, T. 4 N, R. 1 E, B.M.

The priority date established is: November 17, 1961.

A fee totaling \$ 11.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney  
Water Rights Clerk

DWM:nw

29917

December 4, 1967

Re: Permit G-29917

Frank Smitchger & Sons  
Route #2  
Boise, Idaho

Gentlemen:

A representative of this department has made an examination of the works covered by your permit G-29917 and has found the following:

Quantity of water diverted: 2.26 c.f.s.  
Amount of water that can be recognized as beneficially used  
under Idaho Law: 2.26 c.f.s.  
Purpose of use: irrigation of 113 acres in NE  $\frac{1}{4}$ SW  $\frac{1}{4}$ , S  $\frac{1}{2}$ SW  $\frac{1}{4}$ ,  
Sec. 33, T. 4 N, R. 1 E, B.M.

The priority date established is: November 17, 1961.

A fee totaling \$ 11.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald W. McEldowney  
Water Rights Clerk

DWM:nw

*for paid*

*29917*

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

Permit No. G-29917

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

1. Name of applicant Frank Smitchger & Sons
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the SE 1/4 SW 1/4 of Section 33  
T. 4N R. 1E County of Ada

4. Describe works as they exist, giving dimensions and capacities of same:  
6' DIA - CORRUGATED STEEL LINED - HAND DUG  
WELL - APPROX 20' TO WATER. TRACTOR  
POWERED PULVER LIFT - 10" DISCHARGE 12'  
INTO EARTH DITCHES

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):  
NE 1/4 SW 1/4, S 1/4 SW 1/4, Sec. 33, T. 4 N, R. 1 E, B.M. (120 acres)

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

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

Remarks: M.R. FRANK SMITCHGER CONTACTED  
WATER IS USED TO SUPPLEMENT THE  
SETTLERS CANAL WATER.  
THE SYSTEM WAS NOT BEING UTILIZED UPON  
INSPECTION - I RECOMMEND LICENSE BE ISSUED  
1" / ACRE AS SYSTEM (PUMP - DITCHES) APPEAR TO  
BE CAPABLE OF SUCH CAPACITY.

This examination was made on the 17TH day of OCT, 1967

(Signed) D.R. Examiner.

29917

DW  
Plz + ✓

Frank Smitchger & Sons *well, ditches*  
Route #2 *6"-107'*  
Boise, Idaho *H-12-20'*

Permit No. G-29917 *Q-130"*

Examination for Completion of Works & Beneficial Use

County Ada

Quantity: 2.4 c.f.s. *Sec. 33 T.4N R.1E*

Source: subterranean

P.D.: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 33, T. 4 N, R. 1 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Settlers Canal

Filed: July 10, 1961

Due: July 11, 1966

Made: November 18, 1966

Priority: November 17, 1966

### 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.

*6' - GRADUATED INCH  
- 100' WELL 20'*

*TRACTOR POWERED*

*STEEL GRADUATED  
STEEL*

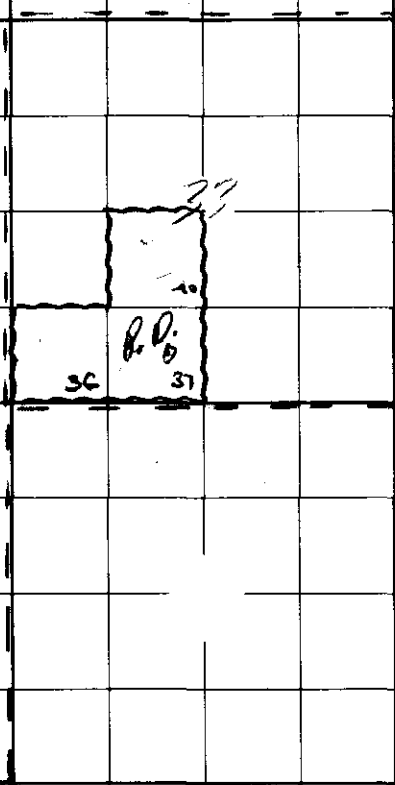
*NO SIGNATURE  
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*11-18-66  
7-11-66*

*29917*

R. 1E.

T. 4N.



10

73

113 ACRES

AREA - 113 ACRES

SUBS - 3

allow-Q - 2.26 c.f.s. supplemental

Form 23  
2M-4-65

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29917

REPORT ON PROOF OF Completion of Works & Beneficial Use

AL 2103

F  
250

F2  
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C  
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A110

I  
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133

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C256

A66

C  
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A515  
B  
11.3  
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C257

C  
5.9

D  
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B  
10.2

C258

13.5

C  
13.5

C141

A  
7.7

A106

D  
4.5

A  
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Alameda  
157  
A4067  
1-2

29917

33

14

3

*aaa*  
~~XXXXXXXXXX~~

November 25, 1966

Re: Permit No. G-29917

Frank Smitchger & Sons  
Route #2  
Boise, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Meridian News-Times all submitted in proof of completion of works and beneficial use on Permit No. G-29917.

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

Very truly yours,

M. R. Bosch  
Office Manager

MRB:nw

*29917*

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

RECEIVED  
NOV 21 1966

Permit No. G-29917

Department of Reclamation

\*\*\*\*\*

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: \_\_\_\_\_

Frank Smitchger and Sons Rt. #2 Boise, Idaho - Farming

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: \_\_\_\_\_

Ques. 3. State number, approval date of permit, and date of priority: \_\_\_\_\_

G-29917 - , Nov. 18, 1966 , July 10, 1961

Ques. 4. State source of water supply: Well

Give location of point of diversion, showing subdivision, section, township and range

SE 1/4 SW 1/4, Sec. 33, T. 4N, R. 1E, B.M., Ada County

Ques. 5. Describe your works of diversion: Water is pumped from well into

irrigation ditches; state amount of water they are capable of con-

veying from point of diversion to place of use: up to 200 inches Give name of canal or ditch

or other works by which water is conducted to such place of use: our own irrigation

ditches; if a well, state depth of well 107 ft; depth and size of

casing 77 ft depth - 6 inch casing; depth to water from 12 to 20 ft; if pump is used,

state discharge of pump: up to 120 in. tell how it was measured or determined \_\_\_\_\_

estimated at 120 inches or more if sprinkler irrigation, give number and size

of nozzles and operating pressure: \_\_\_\_\_

Ques. 6. State for what purpose water is used: Irrigation

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

NE 1/4 SW 1/4, S 1/2 SW 1/4, Sec. 33, T. 4N, R. 1E, B.M. Total - 120 acres

This is a 30 ft. dug well and drilled, with a 6 inch casing,

77 ft. below this dug well. This water is pumped out

with a 4-s Parma Water Lifter. The water flows  
out of the 6 inch casing into the dug well where  
it is then pumped up the 30 ft to the surface.

29917

Chaville

m log

State nature of all improvements which have been made as a direct result of said use:

irrigation of land whenever there is a shortage of water.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Fred Clayville 3817 Greenbriar Drive

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1948 - 60 to 70 inches - Time used since first use:

The years since 1948 that were dry years and there was a shortage of ditch water for irrigation.

Ques. 10. Describe all other water rights appurtenant to same place of use: \_\_\_\_\_

93 inches of Settler's Water Rights

Mark Switzer + Sons

(sign) Don Switzer

\*\*\*\*\*

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

Mendon, County of Ada

State of Idaho, on this 18th day of November, A. D. 1966.

Dorothy Bolen

My commission expires: March 13, 1969

29917

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

Permit No. G-29917

\*\*\*\*\*

RECEIVED  
NOV 21 1966

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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:

Tom Davis 27 Farming RT 2 Meridian Idaho

Ques. 2 Are you acquainted with Frank Smitchger and Sons, the holder of Permit No. G-29917? <sup>Yes</sup> How long have you known him and where does he reside?

Since 1953 Route #2 Boise Idaho

Ques. 3. Have you read or heard said Permit No. G-29917 read, and are you familiar with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 33 T. 4N., R. 1E., B.M., Ada County

Describe works for conveying water to place of use: Water is pumped from well to irrigation ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2.4 cu. ft. How much water have you seen being so conveyed? at least 2.4 cu. ft. or more

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

170 acres - NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , S  $\frac{1}{2}$  SW  $\frac{1}{4}$ , Sec. 33 T. 4N., R. 1E., BM

29917

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (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.

Pasture - raising small grain and hay - 120 inches

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? July 1961

Other times you have seen such use: Nov 1 1966

(Signed):

Tom E. Davis

\*\*\*\*\*

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

Mendota, County of Ada, State of Idaho, on this 18th day of November, A. D. 1966

Dorothy Bolen

Notary Public for the State of Idaho

Residing Mendota, Idaho

My commission expires March 13, 1969

29917

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

RECEIVED  
NOV 21 1966

Department of Reclamation

Permit No. G-29917

\* \* \* \* \*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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:

Norman Steele 68 FARMER MERIDIAN, IDA.  
ROUTE ONE

Ques. 2 Are you acquainted with Frank Smitchger and Sons, the holder of  
Permit No. G-29917? <sup>Yes</sup> How long have you known him and where does he reside?

Since 1931 Route 2 Boise Idaho

Ques. 3. Have you read or heard said Permit No. G-29917 read, and are you familiar  
with its provisions and conditions: Yes ✓ No.       

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SE 1/4 SW 1/4, Sec. 33, T. 4 N., R. 1 E., B.M., Ada County

Describe works for conveying water to place of use: water is pumped from  
well to irrigation ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 2.4 cu. ft. How much water have you seen being so  
conveyed? at least 2.4 cu. ft. or more

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving  
full legal description:

120 acres - NE 1/4 SW 1/4, S 1/2 SW 1/4, Sec. 33 T. 4 N., R. 1 E., B.M.

29917

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (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.

Pasture - raising small grain and hay. 120 inches.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? No  
If so, in what way and to what extent?

Ques. 10. When did you first see this water used? JUNE 1964

Other times you have seen such use: NONE

(Signed):

Norman C. Steele

\*\*\*\*\*

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

Mesa, County of Ada, State of Idaho, on  
this 18th day of November, A. D. 1966

Dorothy Bolen

Notary Public for the State of Idaho

Residing Mesa, Idaho

My commission expires March 13, 1969

29917

RECEIVED  
NOV 21 1966

Department of Reclamation

## PROOF OF PUBLICATION

State of Idaho, }  
County of Ada } ss.

I, E. Carol Smith, being first duly sworn, depose and say, that I am over twenty-one years of age, and Chief Clerk of MERIDIAN NEWS-TIMES, a weekly newspaper of general circulation, published at Meridian, County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for 4 consecutive weeks, the first publication being on the 20<sup>th</sup> day of October, 1966, and the last publication being on the 10<sup>th</sup> day of November, 1966.

That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

E. Carol Smith  
Chief Clerk

Subscribed and sworn to before me this 10<sup>th</sup> day of November, 1966.

R. J. Manka  
Notary Public in and for Idaho

Residence or Postoffice Address Boise, Idaho.

29917

# **MERIDIAN News-Times**

Ralph W. Hunter, Jean L. Hunter, Publishers

Telephone 888-4423

Meridian, Idaho 83642

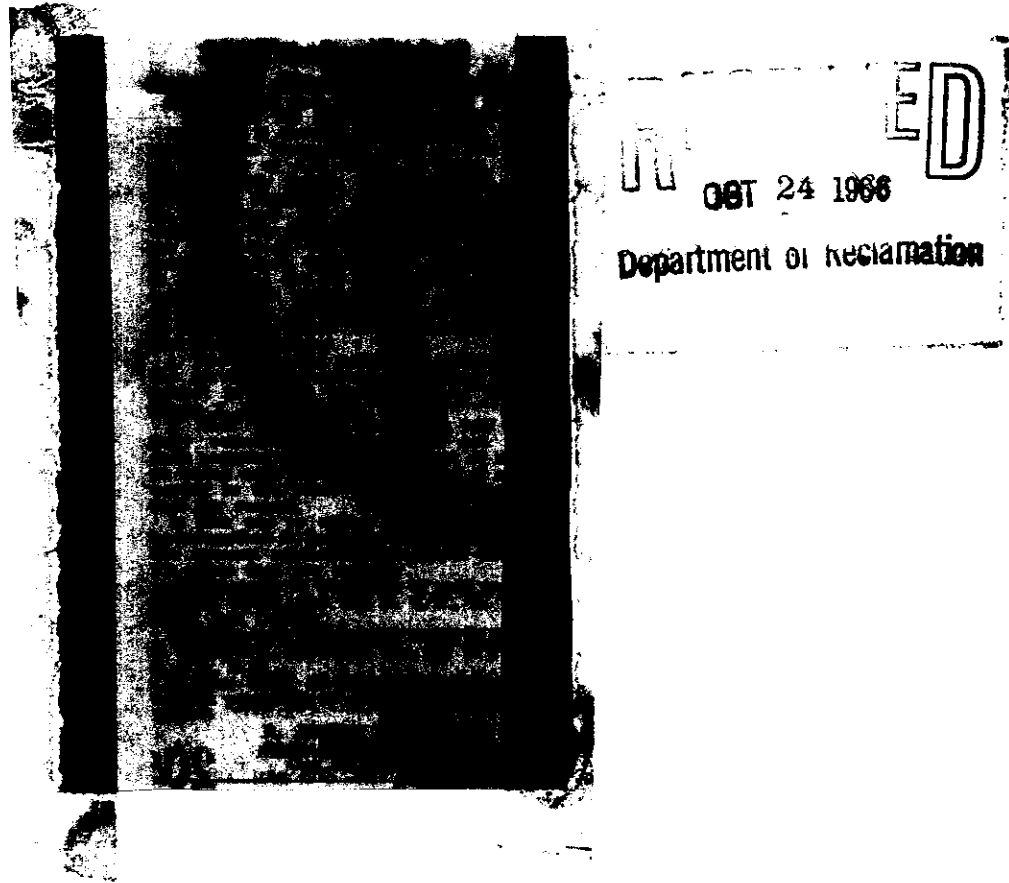
Post Office Box 365

October 21, 1966

Re: Permit No. G-29917

Gentlemen:

Attached notice was received from Mr. R. Keith Higginson, State Reclamation Engineer, for Mr. Don Smitchger, Rt. 2, Boise, Idaho.



29917

October 12, 1966

Re: Permit No. **G-29917**

**Don Smitchger**  
**Frank Smitchger & Sons**  
**Route #2**  
**Boise, Idaho**

**Dear Mr. Smitchger:**

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-29917**. The proofs are to be made at ~~11~~ ~~eleven~~, on the **18th** day of **November**, 19 **66**, before **Dorothy Belen** **Meridian, Idaho** Notary Public.

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

It is important that the enclosed depositions 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, and 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, 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,

**M. Russell Bosch**  
**Office Manager**

Encl.

cc: Notary

**MRB:rw**

29917

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

NOTICE is hereby given that at 11:30 A M., on the 18 day of October 1966, at Meridian, Idaho, County of Ada, State of Idaho, before Northy Bolen, Notary Public, at (address) Meridian, Idaho, proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of the waters of a well (Subterranean), and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29917 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: Frank Smitchger and Sons. Route #2 Boise, 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 2.4 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 2.4 cubic feet per second.

4. The point of diversion of said water is SE 1/4 SW 1/4 Sec. 33, T. 4N., R. 1E., B.M., Ada County

5. The place where said water is used is Same NE 1/4 SW 1/4 Sec. 33, T. 4N., R. 1E., B.M.

Total 120 acres.

6. The date of priority which said user is prepared to establish is July 10, 1961.

State Reclamation Engineer

29917

11/12

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) \_\_\_\_\_

(P. O.) \_\_\_\_\_

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published  
at my expense in the Meridian News Times of  
Meridian, Idaho Published in  
the county in which the works are situated.

Don Switche  
Dorothy Bolin, Notary Public Oct. 11, 1966

(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

29917

October 12, 1966

Re: Permit No. G-29917

Meridian News Times  
Meridian, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to November 18, 1966. The expense of the publication is to be paid by Don Smitchger of Route #2, Boise, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

~~XXXXXXXXXXXX~~

State Reclamation Engineer

RKH:nw

29917

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

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

RECEIVED  
AUG 31 1966  
BOISE IDAHO  
AUG 30 1966

POSTMARK OF  
DELIVERING OFFICE

BOISE, IDAHO  
AUG 30 1966  
RETURN  
TO

Department of Reclamation

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107 Statehouse

CITY, STATE, AND ZIP CODE

Boise, Idaho 83701

29917

# INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Show to whom and when delivered

☐

Show to whom, when, and address where delivered

☐

Deliver ONLY to addressee

(Additional charges required for these services)

## RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

19219

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

AUG 29 1966

SHOW WHERE DELIVERED (only if requested)

Frank L. Mitchell  
G-29917  
Frank L. Mitchell

055-10-71548-7 GPO

29917

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

August 25, 1966

Re: Permit No. G-29917

To Frank Smitchger & Sons  
Route #2  
Boise, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 29917 to appropriate the Public Waters of the State of Idaho, have not been complied with as to \_\_\_\_\_

Completion of Works and Beneficial Use Proofs due July 11, 1966

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 29917 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- 29917 claims the use of 2.4 cubic feet per second of the Subterranean Waters a well with point of diversion located SE 1/4 Sec. 33, T. 4 N., R. 1 E., B. M., Ada County and was approved July 11, 1961.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 25 day of August, 1966.

\_\_\_\_\_  
State Reclamation Engineer

29917

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-29917

May 1, 1966

Frank Smitchger & Sons  
Route #2  
Boise, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 29917 are due not later than **July 11, 1966**

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 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 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 two Forms 36.

At the time we send the notice to the newspaper we 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,

*Carl E. Daffan*

State Reclamation Engineer

Enclosures **Forms 36 and 11**

29917

July 21, 1961

Re: Permit No. G-29917

Frank Switchger & Sons,  
Rt. #2,  
Boise, Idaho.

Gentlemen:

We enclose Permit No. G-29917 in which we 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-6193 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

Encl.  
EPR:pmk

29917