

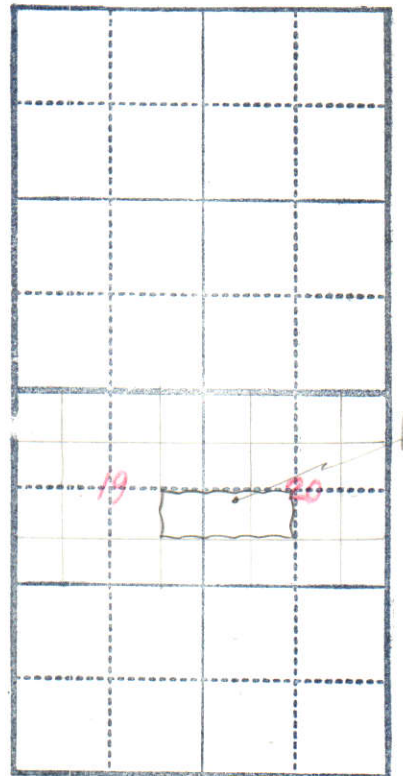
25-2132
22-2297

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

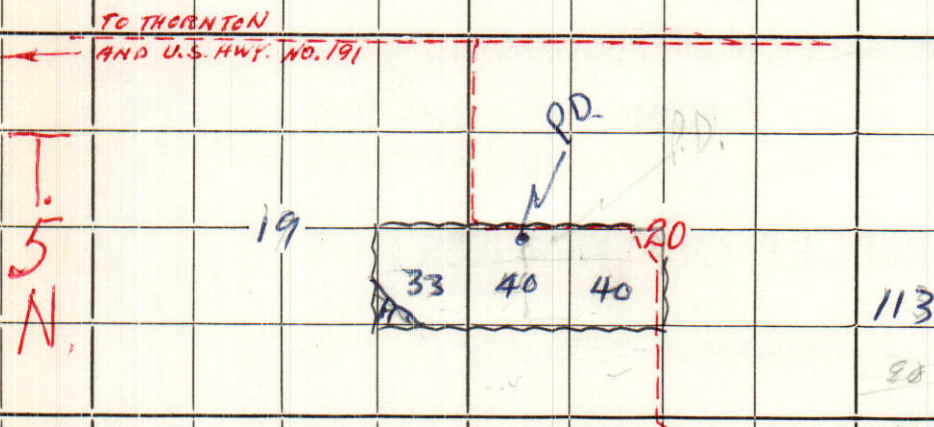
Application No. G- 37027
Permit No. G- 29035
District No.

1. Name of Applicant: Don Smith
Postoffice address: Thornton County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 2.4 or Idaho
Miners' inches 120 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 NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20
Twp. 5 N , Rge. 40 E , B.M., County of Madison
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: Deep well pump, electric motor, main and lateral pipes
8. Estimated cost of works: \$15,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 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: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 2.4 (cubic feet per second, inches or gallons per minute) is for new lands.



3300
1320

R-40E.



Subdivisions

3

AREA

113 acres

Q

152 cfs. or 76 inches

The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, John A. Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG

Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Proof of Completion

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for four
consecutive issues, the first publication hav-

ing been made on Dec. 7, 1961
and the last publication having been made
on Dec. 28, 1961.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

John A. Porter

Subscribed to and sworn to before me

this 29th day of Dec., 1961

John C. Porter
Notary Public.
(SEAL)

My commission expires 5-24-64

NOTICE OF PROOF OF COM-
PLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at
5:00 P. M., on the 15th day of
January, 1962, at Rexburg, Coun-
ty of Madison, State of Idaho be-
fore, W. B. Kennedy, Notary Pub-
lic, at 8 Carlson Ave., proof will
be submitted of the completion
of works for the diversion of 2.4
cubic feet per second of under-
ground water from a well, and
of the application to beneficial
use of said water, in accordance
with the terms and conditions of
Permit No. G-29035, heretofore
issued by the Department of Re-
clamation of the State of Idaho.

1. The name and postoffice ad-
dress of the person or corpora-
tion holding said permit is Don
Smith, Thornton, 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 ap-
plied to beneficial use is 2.4
cubic feet per second.

4. The point of diversion of
said water is NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec-
tion 20, Twp. 5 North, Rge. 40
East Boise Meridian, in Madison
County, Idaho.

5. The place where said water
is used is the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19,
and N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20, Twp. 5
North, Range 40 East Boise Meri-
dian, Madison County, Idaho.

6. The date of priority which
said user is prepared to establish
is September 20, 1960.

GEO. N. CARTER
State Reclamation Engineer
(Publ. Dec. 7, 14, 21, 28, 1961)

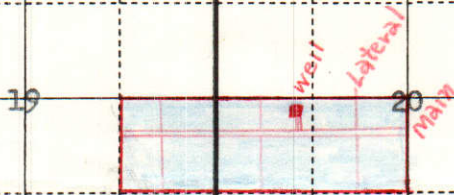
RECEIVED
JAN 24 1962
Department of Reclamation

RECEIVED
JAN 26 1962
Department of Reclamation

29035

NAME OF APPLICANT SMITH, DON THORNTON, IDAHO

Form No. 0



Permit Map No. 29035
As Approved SEP 21 1960
GEO. N. CARTER
Civil Engineer

**NOTICE OF PROOF OF COM-
PLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 5:00 P. M., on the 15th day of January, 1962, at Rexburg, County of Madison, State of Idaho before W. B. Kennedy, Notary Public, at 8 Carlson Ave., proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29035, 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 Don Smith, Thornton, 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Twp. 5 North, Rge. 40 East Boise Meridian, in Madison County, Idaho.

5. The place where said water is used is the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, and N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20, Twp. 5 North, Range 40 East Boise Meridian, Madison County, Idaho.

6. The date of priority which said user is prepared to establish is September 20, 1960.

GEO. N. CARTER
State Reclamation Engineer
(Publ. Dec. 7, 14, 21, 28, 1961)

State of Idaho
License and Certificate of Water Right

Water License No. G-29035 Amount 1.52 c.f.s.
Water District No. Priority September 20, 1960

THIS IS TO CERTIFY that DON SMITH
of Thornton, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 20, 1960; that Permit No. G-29035
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.52 second feet, was issued thereunder on January 11, 1963, showing that said works
were completed on the 15th day of January, 1962; and that on the 15th
day of January, 1962,

DON SMITH

of Thornton, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-29035 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
12 of Licenses at page 7545, on the 11 day of January, 1963;

The right hereby confirmed dates from September 20, 1960;

The Point of Diversion is located
in the NW 1/4 SW 1/4, Sec. 20, Tp. 5 N, R. 40 E, B. M. Madison 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 1.52 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.	40 E.	19 20	NE 1/4 SE 1/4	40	33
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			Total number of acres to be irrigated:		113

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
11th day of January, 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-27101

Amount 1.5 c.f.s.

Water District No.

Priority September 30, 1957

THIS IS TO CERTIFY that H. B. BICKETT
of Gannett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 30, 19 57 ; that Permit No. G-27101
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.5 second feet, was issued thereunder on January 14, 19 63, showing that said works
were completed on the 2nd day of October, 19 62 ; and that on the 2nd
day of October, 19 62 ,

H. B. BICKETT
of Gannett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-27101 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
12 of Licenses at page 7546, on the 14 day of January, 19 63 ;
The right hereby confirmed dates from September 30, 19 57 ;

The Point of Diversion is located
in the SW 1/4 SW 1/4, Sec. 16, Tp. 1 S., R. 19 E., B. M. Blaine 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 1.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	19 E.	16	NE 1/4 NW 1/4	15	33
			NW 1/4 NW 1/4	20	20
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NW 1/4 SE 1/4	25	25
			SW 1/4 SE 1/4	40	39
			SE 1/4 SE 1/4	40	38
		17	NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		20	NE 1/4 NE 1/4	40	35
			NW 1/4 NE 1/4	20	20
			NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
		21	NE 1/4 SW 1/4	40	40

The right to
of use herein des

WITNESS th

14th day of

Total number of acres to be irrigated: 770

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

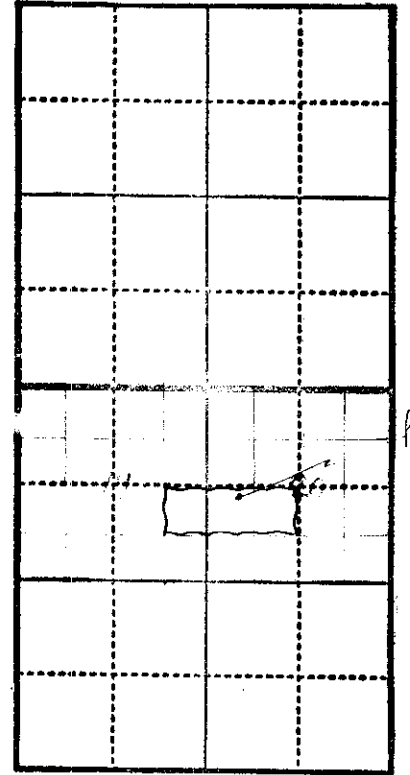
25-2132
22-2297

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37027
Permit No. G- 29035
District No.

1. Name of Applicant: Don Smith
Postoffice address: Thornton County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 2.4 or Idaho
Miners' inches 120 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 NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20
Twp. 5 N , Rge. 40 E , B.M., County of Madison
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: Deep well pump, electric motor, main and lateral pipes
8. Estimated cost of works: \$15,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 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: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 2.4 (cubic feet per second, inches or gallons per minute) is for new lands.



Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
5 N	40 E	19 20			40 40	40 TOTAL	40 80 120
Permit No. G-29035 ✓ CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that DON SMITH of Thornton, County of Madison, and State of Idaho, the holder of Permit No. G-29035, issued upon Application No. G-37027, bearing date of priority of September 20, 1960, authorizing the diversion of 2.4 second feet of waters of a well, County of Madison, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.52 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NW$\frac{1}{4}$SW$\frac{1}{4}$, Sec. 20, T. 5 N., R. 40 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 113 acres in NE$\frac{1}{4}$SE$\frac{1}{4}$, Sec. 19; N$\frac{1}{2}$SW$\frac{1}{4}$, Sec. 20, T. 5 N., R. 40 E., B. M. Witness my hand this 11th day of January, A. D. 1963 s/ RALPH W. THOMAS Deputy State Reclamation Engineer Proof of Completion of Works Made: January 15, 1962 LICENSE ISSUED FOR 1.52 SEC. FT. <i>Page 7545</i>							

January 11, 1963

Re: Permit No. G-29035

Mr. Don Smith
Thornton, Idaho

Dear Mr. Smith:

Enclosed are Certificate of Completion of Works
and License and Certificate of Water Right issued on Permit
No. G-29035.

Also enclosed is departmental receipt No. G-7652
in the amount of \$11.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

29035

January 8, 1963

Re: Permit No. G-29035

Mr. Don Smith
Thornton, Idaho

Dear Mr. Smith:

Returned herewith is your check for \$6.00 which we received. The fees for the certificates total \$11.00, as shown in our letter dated July 24, 1962.

You made proof of Completion of Works and Beneficial Use of the water on January 15, 1962. The field examiner found that you were using 1.52 cubic feet per second of water on July 6, 1962, through a sprinkler system. That is about the normal amount of water per acre used in sprinkler systems in your area.

Your proof of Completion of Works ended your right to development of water under this permit. Further development would have to be a use right or under a new permit.

Your question whether you can use your water on rented land without giving the owner of the land a right to the water. Your water right is appurtenant to certain land. Under this permit, your water is appurtenant to the NE 1/4, Sec. 19; N 1/2 SW 1/4, Sec. 20, T. 5 N., R. 40 E. You can transfer that water to other land by application through this office which involves publication of a notice in the county paper and later you can transfer it back to the same land by another application. The owner of the land would have no right to the water. If you allow your neighbor to use the water for a certain length of time, he can claim a prescriptive right to the water, provided that an agreement had not been signed by both parties. In such cases you should consult legal advice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew
Enc. check for \$6.00

29035

Dear Sir,

This is to complete the application of water
works permit no W-29035.

When I made application I applied for
120 inches and you have 76 minor's inches
on the test sheet I received on July 24-1962
from your office. I was wondering what
the difference is because I am getting a bigger
pump in and will need the 120 inches.

Very truly yours -

Don Smith
Thornton Flaks

RE. 1.

P.S.

I am going to rent some land from my
neighbor and use some of the water on that land.
I have heard that if I do that neighbor can
get a right on my water after a period of time
is there any thing to it. I would appreciate
if you could give me that information.

29035

500 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

July 24, 1962

Re: Permit No. G-29035

Don Smith
Thornton, Idaho

Dear Mr. Smith:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-29035 shows the well is (~~300~~) capable of conveying 76 miner's inches, or 1.52 c.f.s. of water for the irrigation of 113 acres.

Upon receipt of the statutory fees, totaling \$ 11.00, which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 6.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of September 20, 1960 to the use of 1.52 second feet of subterranean water with the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20 for irrigation of 113 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; N $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 5 N., R. 40 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:tr

29035

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-29035

This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Don Smith2. Source of water supply: Subterranean3. Location of point of diversion: Is in the NW 1/4 of Section 20T. 5 N R. 40 E.B.M. County of Madison4. Describe works as they exist, giving dimensions and capacities of same: 75 HP US HallschaftMotor #1240817, Johnston Pump # JS 1319, Columns 2.85' x 8"Well - 414' x 20" reduced to 16" Pumping at 265', 1320' x 8"Portable aluminum Main line - (50# Main line Pressure at pump.)5. Water is used for: irrigation6. 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 Sec. 19., NW 1/4 Sec. 20 all in Twp. 5 N., Rgr. 40 E.B.M.

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

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

Remarks: Mr. Don Smith a longMeasured by taking pressure readings along each lateral.This examination was made on the 6th day of July, 1962

(Signed)

Loren Johnson

Examiner.

29035

356-6222
Don Smith
Thornton, Idaho
Permit No. G-29035

Examination for Completion of Works & Beneficial Use

County..... Madison

Sec. 20 T. 5 N R. 40 E. B.M.

Quantity: 2.4 c.f.s.

Source: Well

P.D.: NW 36, Sec 20 T. 5 N - R. 40 E. B.M.

Use: Irrigation

Filed: Sept. 20, 1960

Due: Sept. 21, 1965

Extension: -

Completion of Works: -

Other Rights: None

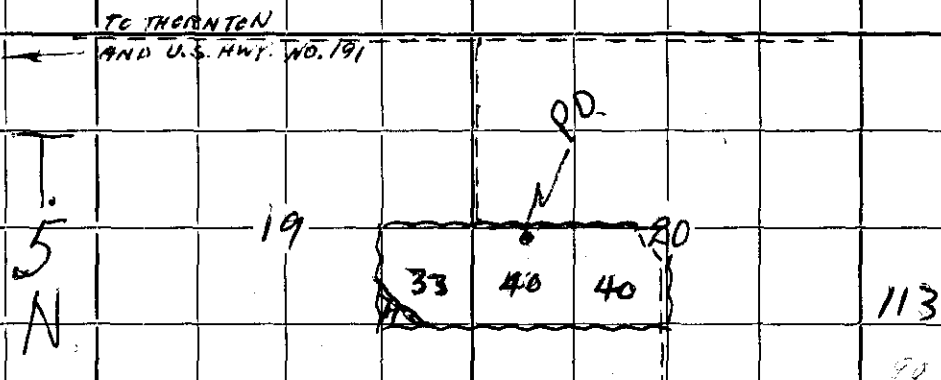
INSTRUCTIONS TO EXAMINERS

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
JUL 24 1961

Department of Reclamation

R-40E.



Subdivisions

3

AREA

113 acres

Q

1.52 cfs or 76 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29035

REPORT ON PROOF OF Completion of Works & Beneficial Use

Don Smith, Thornton, Idaho

29035

January 26, 1962

Re: Permit No. **C-29035**

**Don Smith
Thornton, Idaho**

Mr. Don Smith:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the **Rosburg Journal**, all submitted in proof of completion of works and beneficial use on Permit No. **C-29035**.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: **W. B. Kennedy
Attorney at Law
Rosburg, Idaho**

Enc. - 1- \$1.00 check

Mr. Kennedy: We are returning your check in the amount of \$1.00 which you issued to cover the recording fee for an amendment to this Permit but you corrected the land list on the depositions and therefor the \$1.00 recording fee was not necessary.

29035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 24 1960
Department of Reclamation

RECEIVED
JAN 28 1960
Department of Reclamation

Permit No. G-29035

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. Don Smith - Thornton, Idaho - Farmer. Thornton, 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. None

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

Ans. Permit #G-29035/ dated 9/21/60
Priority date September 20, 1960

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

Ans. Underground - NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Twp. 5 N., Rge. 40 E.B.M.,
Madison 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. Depth of well - 414 feet.

Size of casing - 32 feet of 20 inch & 59 feet of 16 inch. Top of casing at 269', bottom at 328'. Depth to water - 280'. Discharge of pump - 2.4 cubic feet per second. Discharge measured by regular orifice device. 132 11/64th inch nozzles. 60 to 80 lbs pressure at pump. 90 at noz.

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. ~~N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20, Twp. 5 N., Rge. 40 E.B.M. - 80 acres.~~

N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20, Twp. 5 N., Rge. 40 EBM - 80 acres.

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 5 N., Rge. 40 EBM - 40 acres.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Hopkins Brothers, Thornton, Idaho.
(Louis Hopkins)

29035 43

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

Ans. None

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

Ans. 2.4 cubic ft. per second.

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. None

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

Ans. The water was used during the 1961 irrigating season from June 20th, 1961, to September 10, 1961. The entire 120 acres were planted in potatoes and were sprinkled. The entire discharge of 2.4 cubic feet per second was used.

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. None

(Sign)

Don Smith

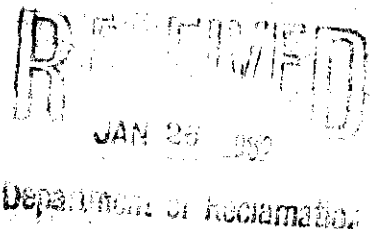
I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Rexburg County of Madison, State of Idaho, on this 15th day of January, A. D. 1962

JMB Kennedy

My commission expires 2/13/62

29035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-29035

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. Glenn L. Hopkins. 53 yrs. Thornton, Idaho. Well driller.
Thornton, Idaho.

Ques. 2. Are you acquainted with Don Smith, the holder of Permit No. G-29035? How long have you known him and where does he reside?

Ans. I am acquainted with him and have known him for 5 years.
He resides at Thornton, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-29035, and are you familiar with its provisions and conditions?

Ans. Yes - 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. Ground water. Diverted at NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20 Twp. 5 N., Rge. 40
E.B.M., Madison County, Idaho. 75 hp. pump with sprinkling system.

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. 2.4 cubic feet per second. I

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. 2.4 cubic feet per second. I estimated the rate of flow from
size of pipe and water velocity.

29035

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 for irrigation on following:

W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20. Twp. 5 N., Rge. 40 EBM - 80 acres.

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 5 N., Rge. 40 EBM - 40 acres.

This was all cultivated land. Dry farm. Now is irrigated farm.

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

Ans. None

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. This was unirrigated dry farm land. The full 120 acres will now grow irrigated crops.

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 generally observed the irrigation of the full 120 acres and the crop grown during the period from June 20, 1961, to September 10, 1961

(Signed)

Alvin L. Hopkins

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 Rexburg, County of Madison, State of Idaho, on this 15th day of January, A. D. 1962.

W B Kennedy

Notary Public.

My commission expires 2/13/62

29035

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation
Boise, Idaho
Permit No. G-29035
Date of Deposition
August 1, 1935

Permit No. G-29035

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.

Ans. Alvin Smith. 60 yrs. Rexburg, Idaho. Ret. farmer and seed salesman. Rexburg, Idaho.

Ques. 2. Are you acquainted with Don Smith, the holder of Permit No. G-29035? How long have you known him and where does he reside?

Ans. I am acquainted with him, and have known him for 20 years. He resides at Thornton, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-29035, and are you familiar with its provisions and conditions?

Ans. Yes - 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. Ground water. Diverted at NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 5 N., Rge. 40 E.B.M., Madison County, Idaho. 75 hp. pump with sprinkling system.

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. 2.4 cubis feet per second.

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. 2.4 cubic feet fper second. I estimated the rate of flow from size of pipe and velocity.

MMB:BMK

29035

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. N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20, Twp. 5 N., Rge. 40 EBM - 80 acres.

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 5 N., Rge. 40 EBM - 40 acres.

This was all cultivated land. Dry farm.

Water was used for irrigation of the above land.

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

Ans. None

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. This was irregular dry farm land. The full 120 acres will now grow any irrigable crop.

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 generally observed the irrigation of the full 120 acres of potatoes during the period from June 20, 1961 to September 10, 1961.

(Signed)

Alvin Smith

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Rexburg, County of Madison, State of Idaho, on this 15th day of January, A. D. 1962.

M. J. Kennedy

Notary Public.

My commission expires 2/13/62

29035

**The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO**

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, John A. Porter,
being first duly sworn, depose and say,
that I am the printer of THE REXBURG
Journal, a newspaper printed and
published weekly at Rexburg, Madison
County, Idaho; and I do solemnly swear
that the

Notice of Proof of Completion

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for four
consecutive issues, the first publication hav-

ing been made on Dec. 7, 1961
and the last publication having been made
on Dec. 28, 1961.

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes; that
it has at least two hundred bona fide sub-
scribers living within the county of publica-
tion; and that it has been continuously and
uninterruptedly published in said county dur-
a period of seventy-eight consecutive weeks
prior to the first publication of the said not-
ice.

John A. Porter
~~~~~

Subscribed to and sworn to before me

this 29th day of Dec., 1961.

*John C. Porter*  
Notary Public.

(SEAL)

My commission expires 5-24-64

NOTICE OF PROOF OF COMPLETION  
REXBURG, IDAHO  
JAN 2 1962  
Department of Reclamation  
RECEIVED  
JAN 2 1962  
The name and address of the  
person or persons who have  
been fully employed in the  
set for such work, and the  
amount of work which  
works are capable of carrying  
to the place of use is 2.4 cubic  
feet per second.  
5. The  
is used  
and  
November 20, 1961  
C. J. C. C. C.  
State Reclamation Engineer  
Rexburg, Idaho (1961)

RECEIVED  
JAN 2 1962  
Department of Reclamation  
RECEIVED  
JAN 2 1962

29035

**W. B. KENNEDY**  
ATTORNEY AT LAW  
REXBURG, IDAHO

RECEIVED  
JAN 26 1962  
Department of Reclamation

January 25, 1962

State of Idaho,  
Department of Reclamation,  
Room 107, State House,  
Boise, Idaho.

Re: Permit No. G-29035  
Don Smith.

Gentlemen:

I apologize for the mistakes and omissions in the  
Depositions. I return the same herewith, corrected,  
together with the Affidavit of Publication and the  
\$1.00 recording fee.

I was extremely busy when this was done and in my haste  
made these errors.

Sorry for the inconvenience.

Yours very truly,

  
W. B. Kennedy

/mj

Encls:

Deposition of Holder  
2 Depositions of Witness  
Affidavit of Publication  
\$1.00 check for recording fee.

29035

January 24, 1962

Re: Permit No. G-29035  
Don Smith

W. B. Kennedy  
Attorney at Law  
Rexburg, Idaho

Dear Mr. Kennedy:

Returned herewith are the depositions of holder and two witnesses with the affidavit of publication

The lands irrigated, in all cases, are probably in error. NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, Sec. 19 is shown, whereas our record of the permit shows NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, Sec. 19. Kindly correct or enclose an amendment to the land list when you return the forms with the \$1.00 recording fee.

The applicants answer to Question 8 and 10 would indicate that the questions were not read.

Kindly see that the depositions are not completed before the questions are really understood.

The Notary Seal is missing

Return all forms promptly after correction.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

Enc. depositions with  
affidavit of publication

29035

**W. B. KENNEDY**  
ATTORNEY AT LAW  
REXBURG, IDAHO

January 23, 1962

Geo. N. Carter,  
State Reclamation Engineer,  
State Department of Reclamation,  
107 State House,  
Boise, Idaho.

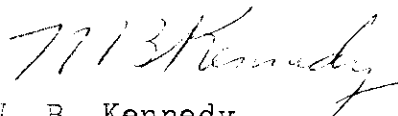
Re: Don Smith.  
Well Permit G29035

Dear Sir:

I enclose herewith the completed Deposition of the  
said Holder and two Depositions of the Witnesses.  
Also, the Affidavit of Publication.

All are duly notarized and in order I trust.

Yours very truly,

  
W. B. Kennedy.

/mj

If anything is omitted or needs correcting please  
return to me.

29035

December 5, 1961

Re: Permit No. 0-29035

Don Smith,  
Thornton, Idaho.

Dear Mr. Smith:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 0-29035. The proofs are to be made at 5:00 o'clock P.M., on the 15th day of January, 1962, before W. B. Kennedy, 8 Carlson Ave., Rexburg, Idaho, Notary Public.

As of this date we have mailed the Notice to the Rexburg Standard Journal Rexburg, Idaho, 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,

GEO. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

Enc.  
EPR:pmk  
cc: Notary

29035

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

Notice is hereby given that at 5:00 P.M., on the 15th day of January, 19 62, at Rexburg, County of Madison, State of Idaho, before W. B. Kennedy, Notary Public, at (address) 8 Carlson Ave., proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29035, 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 Don Smith, Thornton, 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 20, Twp. 5 North, Rge. 40 East Boise Meridian, in Madison County, Idaho.

5. The place where said water is used is the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 19, and N $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 20, Twp. 5 North, Range 40 East Boise Meridian, Madison County, Idaho.

6. The date of priority which said user is prepared to establish is September 20, 1960.

Geo. H. Carter  
State Reclamation Engineer

29035

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

Re: Permit No. G-29035  
Don Smith

Date: December 5, 1961

Rexburg Standard Journal,  
Rexburg, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **January 15, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

**Don Smith**

of **Thornton, 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 or tear sheet of the first publication.\*\*

Very truly yours,

  
GEO. N. CARTER  
State Reclamation Engineer

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

Encl.

29035

DEC 6 1961

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 4th, 1961

(P. O.) Rexburg, 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  
Rexburg Standard-Journal of Rexburg, Idaho published in  
the county in which the works are situated. *Madison Co. ✓*

*Don 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.

29035

September 29, 1960

Re: Permit No. G-29035

Mr. Don Smith,  
Thornton, Idaho.

Dear Mr. Smith:

We enclose Permit No. G-29035 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-5232 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:pak

29035

NAME OF APPLICANT SMITH, JON THORNTON, IDAHO

Form No. 0

19

20

Permit Map No. 29035  
 As Approved SEP 21 1960  
 GEO. N. CARTER  
 Civil Engineer

**NOTICE OF PROOF OF COM-  
PLETION OF WORKS AND  
APPLICATION OF WATER TO  
BENEFICIAL USE**

Notice is hereby given that at 5:00 P. M., on the 15th day of January, 1962, at Rexburg, County of Madison, State of Idaho before W. B. Kennedy, Notary Public, at 8 Carlson Ave., proof will be submitted of the completion of works for the diversion of 2.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29035, 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 Don Smith, Thornton, 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 place where said water is used is NW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 20, Twp. 5 North, Rge. 40 East Boise Meridian, in Madison County, Idaho.

5. The place where said water is used is the NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 19, and N $\frac{1}{2}$ SW $\frac{1}{4}$  Sec. 20, Twp. 5 North, Range 40 East Boise Meridian, Madison County, Idaho.

6. The date of priority which said user is prepared to establish is September 20, 1960.

GEO. N. CARTER  
State Reclamation Engineer  
(Publ. Dec. 7, 14, 21, 28, 1961)