

Don Smith  
Route #1  
Thornton, Madison  
20" 620'  
H-2221  
G-32373  
Permit No. Q-26009pm

## Examination for Comp. of Works & Beneficial Use

County Madison 29

Quantity: 4.3 c.f.s.

**Source:** subterranean

P.D.: ~~NE 1/4~~ Sec. 29, T. 5 N, R. 40 E, B.M.

**Use:** irrigation

**Extension:**

### Protest:

### Completion of Works:

### Other Rights:

**Filed:** May 24, 1965

**Due:** May 24, 1970

Made: December 21, 1966

Priority: May 24, 1965

## 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

Zoo HP US Holograph  
# 13006700

704m 50m Jet Pump 20 #



5/32 RAIN B.C.D 30 5.3.5.

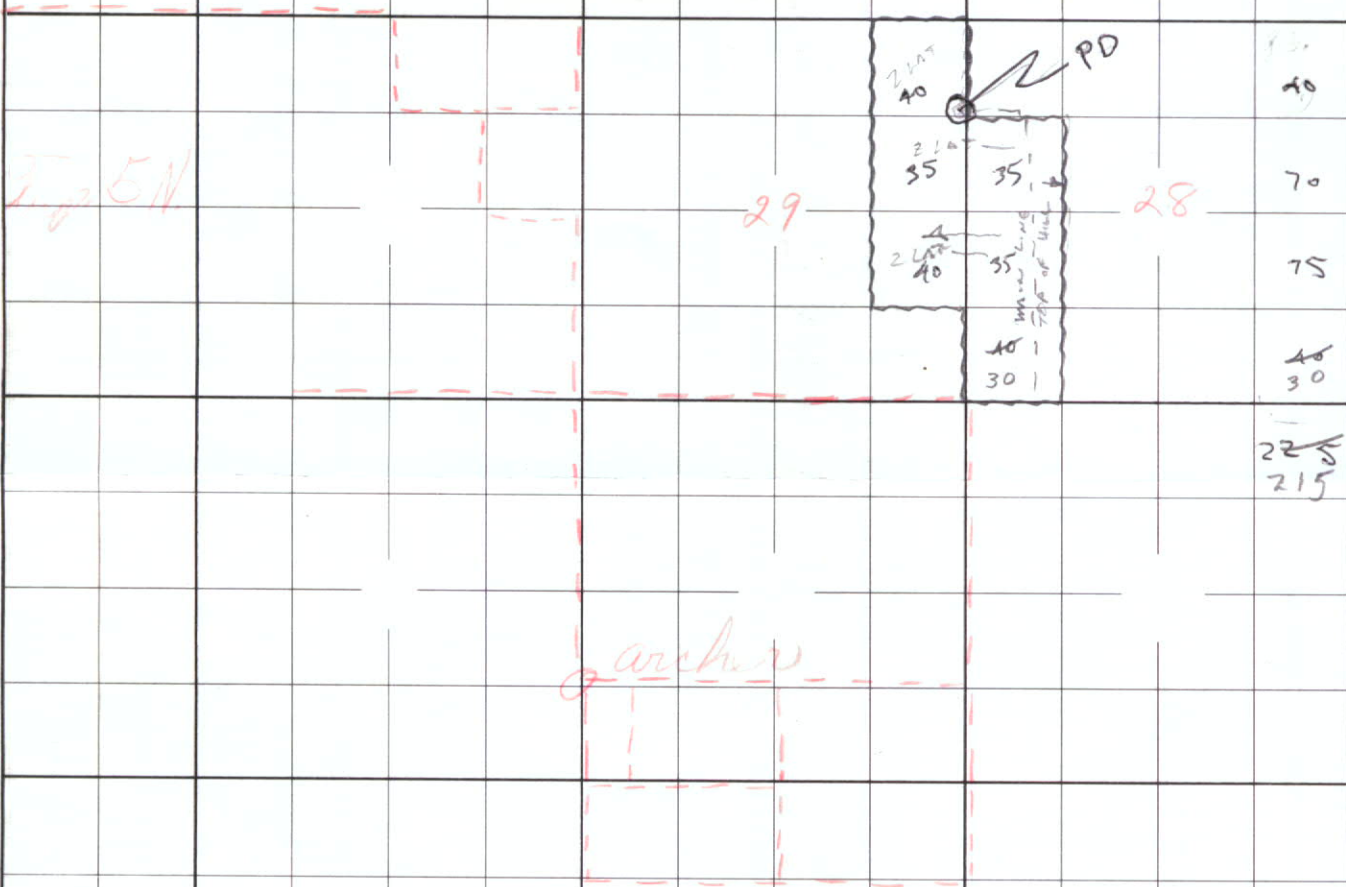
67 9

67 9

Mr. J. J. J. J. J.

32373

Apr. 96 T.



AREA - ~~225~~ 215  
SUBD - 6  
Q - 1.30 c f.s.

The REXBURG STANDARD and  
The REXBURG JOURNAL  
REXBURG, IDAHO

**Affidavit of Publication**

STATE OF IDAHO }  
County of Madison } ss.

I, Annette 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  
of Works and Application of  
Water to Beneficial Use

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 November 17, 1966  
and the last publication having been made

on December 3, 1966.

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.

*Annette Porter*



Subscribed to and sworn to before me

this 3rd day of December, 1966.

*John C. Porter*  
Notary Public.

(SEAL)

My commission expires 6-5-68

RECEIVED  
DEC 28 1966  
Department of Reclamation

Gordon S. Thatcher, Notary  
Public, at 25 North Second East,  
proof will be submitted of the  
completion of works for the  
diversion of 4.3 cubic feet per  
second of underground water  
from a well, and of the ap-  
plication to beneficial use of  
said water, in accordance with  
terms and conditions of  
Permit No. G-32373, heretofore  
issued by the Department of  
Reclamation of the State of  
Idaho.

1. The name and postoffice  
address of the person or cor-  
poration holding said permit is  
Don Smith, Route 1, 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 con-  
veying to the place of use is  
4.3 cubic feet per second.

3. The use to which said wa-  
ter has been applied is irriga-  
tion purposes, and the amount  
applied to beneficial use is 4.3  
cubic feet per second.

4. The point of diversion of  
said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$  of  
Sec. 29, Twp. 5 N., R. 40,  
E.B.M., Madison County, Idaho.

5. The place where said wa-  
ter is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ -  
NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 29  
and SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
and SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 28, all  
in Twp. 5 N., R. 40, E.B.M.  
in Madison County, Idaho.

6. The date of priority which  
said user is prepared to estab-  
lish is May 24, 1965.

R. KEITH HIGGINSON  
State Reclamation Engineer  
(Publ. Nov. 17, 24, Dec. 1, 8,  
1966).

**NOTICE OF PROOF OF COM-  
PLETION OF WORKS and AP-  
PLICATION OF WATER TO  
BENEFICIAL USE**

Notice is hereby given that  
on the 21st day of December  
1966, at Rexburg, County of  
Madison, State of Idaho, before

32373

DONALD SMITH

Twp. 5 N., R. 40 E., Boise Mer.



CODE  
Well  
Mainline  
Lateral Lines

Permit Mch No. 32373  
As Approved  
CARL E. TAPPAN  
State Reclamation Engineer  
MAY 24 1965

PERMIT NO. G-32373

## 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-32373, issued upon Application No. G-40522 bearing date of priority of May 24, 1965, authorizing the diversion of 4.3 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 4.30 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 29, Township 5 North, Range 40 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:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$  Section 28 and E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 29, Twp. 5 North, Range 40 East, B.M.

Proof of completion of works made: December 21, 1966

Witness my hand this 22 day of April, A. D. 1968

/S/ R. KEITH HIGGINSON  
State Reclamation Engineer

LICENSE ISSUED FOR 4.3 SEC. FT.  
LICENSE PAG NO. 32373

Wet  
2/8

State of Idaho

## License and Certificate of Water Right

Water License No. G-32373 Priority May 24, 1965 Amount 4.3 c. f. s.

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 May 24, 1965; that Permit No. G-32373 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 4.3 second feet, was issued thereunder on April 22, 1968, showing that said works were completed on the 21 day of December, 1966; and that on the 21 day of December, 1966 DON SMITH

of Thornton, 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-32373 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 X of Licenses, at Page X, on the 22 day of April, 1968.

The right hereby confirmed dates from May 24, 1965.

The Point of Diversion is located

in the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Sec. 29, Twp. 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 4.3 cubic feet per second.

Description and location of use:

| Twp. | Range | Section | Forty-Acre Tract                 | No. Acres Described In Permit | No. Acres Actually Irrigated |  |
|------|-------|---------|----------------------------------|-------------------------------|------------------------------|--|
| 5N   | 40 E  | 28      | SW $\frac{1}{4}$                 | 35                            | 35                           |  |
|      |       |         | NW $\frac{1}{4}$                 | 35                            | 35                           |  |
|      |       | 29      | SW $\frac{1}{4}$                 | 30                            | 30                           |  |
|      |       |         | NE $\frac{1}{4}$                 | 40                            | 40                           |  |
|      |       |         | SE $\frac{1}{4}$                 | 35                            | 35                           |  |
|      |       |         | NE $\frac{1}{4}$                 | 40                            | 40                           |  |
|      |       |         | <hr/>                            |                               |                              |  |
|      |       |         | 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 22 day of April, 1968.

*R. Keith Higgins*  
State Reclamation Engineer.

32373

# APPLICATION FOR PERMIT

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

Application No. G-40522  
Permit No. G-32373  
District No.

1. Name of Applicant: Don Smith  
Postoffice address: Rt. #1, Thornton County: Madison State: Idaho
2. Quantity of water claimed: 4.3 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 Well
4. Location of point of diversion or well is in the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 28  
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: Drilled well, pump, motor, mainline, lateral lines
8. Estimated cost of works: \$ 35,000.00
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 five 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) 4.3 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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

s/ Don Smith Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. May 24, 1965

Returned to applicant for correction:

Corrected application received:

## Approval of State Reclamation Engineer

The number of this permit is G-32373

Recorded in Book 113 Page 32373 Approved May 24, 1965

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 November 24, 1967

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 May 24, 1970

Witness my hand this 24th day of May, 1965 s/ CARL E. TAPPAN  
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 24th day of May, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By ARNOLD WILLIAMS  
Secretary of State.

By s/ ROBERT E. SMYLLIE  
Governor

s/ By: Paula L. Fleenor  
Deputy Secretary of State

12.

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Range | Sec. | NE 1/4                            | NW 1/4                            | SW 1/4                            | SE 1/4                            | Totals |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|--------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |      | NE 1/4   NW 1/4   SW 1/4   SE 1/4 | NE 1/4   NW 1/4   SW 1/4   SE 1/4 | NE 1/4   NW 1/4   SW 1/4   SE 1/4 | NE 1/4   NW 1/4   SW 1/4   SE 1/4 |        |
| 5 N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 40 E  | 28   |                                   |                                   |                                   |                                   | 100    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       | 29   | 40                                | 35                                | 35 30                             | 40                                | 115    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |      |                                   |                                   |                                   | TOTAL                             | 215    |
| Application for Amendment<br>POINT OF DIVERSION<br>Permit No. G-32373                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |       |      |                                   |                                   |                                   |                                   |        |
| Comes now DON SMITH, and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-32373. That the point of diversion is described in said permit as being located: SW 1/4 NW 1/4 of Section 28, T 5 N., R 40 E., B.M., Madison County, Idaho. That he now requests that the point of diversion be changed to a point located: NE 1/4 NE 1/4 of Section 29, T 5 N., R 40 E., B.M., Madison County, Idaho. That the reason for desiring to make such change is as follows: Drilling was done at the original point of diversion which was very difficult due to formations, and which resulted in a crooked and unusable hole, which necessitated drilling again at the new location. That no one will be injured by such change, and that such change will be made at Permit holder's own risk. |       |      |                                   |                                   |                                   |                                   |        |
| /s/ DON SMITH<br>Permit Holder                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |       |      |                                   |                                   |                                   |                                   |        |
| Date of Receipt at Department of Reclamation: March 14, 1966.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |      |                                   |                                   |                                   |                                   |        |
| APPROVAL OF STATE RECLAMATION ENGINEER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       |      |                                   |                                   |                                   |                                   |        |
| I, CARL E. TAPPAN, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for Amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-32373. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.                                                                                                                                                                                                                                                                                                                                                                                                                                |       |      |                                   |                                   |                                   |                                   |        |
| /s/ CARL E. TAPPAN<br>State Reclamation Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |       |      |                                   |                                   |                                   |                                   |        |

Recorded in Book 113 of permits at page G-32373, March 15, 1966.

April 22, 1968

Re: Permit No. G-32373

Don Smith  
Rt. # 1  
Thornton, Idaho

Dear Mr. Smith:

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. 532 in the amount of \$17.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kd

Enclosures: Certificates  
Receipt

cc. Regby & Thatcher  
P.O. 362  
Rexburg, Idaho 83440

32373

# 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-32373, issued upon  
 Application No. G-40522 bearing date of priority of May 24, 1965, authorizing the  
 diversion of 4.3 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 4.30 second feet of the waters of a well from subterranean flow

that the point of diversion of said waters is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 29, Township 5  
North, Range 40 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: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$  Section 28 and E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 29, Township 5 North, Range 40 East, Boise Meridian.

Proof of completion of works made: December 21, 1966

Witness my hand this 22 day of April, A. D. 19 68

*R. Keith Higgins*  
 State Reclamation Engineer

32373

Dear Sir

enclosed please find the check for  
Seventeen dollars for payment of certificate  
of Completion of Works and the License and  
Certificate of Water Right as described in  
your letter of February 8 - 1968.

permitt no. G - 32373

Yours Truly  
Alon Smith

RECEIVED

FEB 19 1968

Department of Reclamation

32373

February 8, 1968

Re: Permit No. G-32373

32373

Don Smith  
Route #1  
Thornton, Idaho

Dear Mr. Smith:

A representative of this department has made an examination of the works covered by your permit G-32373 and has found the following:

Quantity of water diverted: 4.31 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 4.30 c.f.s.

Purpose of use: irrigation of 215 acres  
in the SW1/4, N1/2S1, sec. 28; N1/2S1, N1/2E1, sec. 29,  
T. 5 N, R. 40 E, B.M.

The priority date established is: May 25, 1965.

A fee totaling \$ 17.00 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. McElldowney  
Water Rights Clerk

DSM:ks

32373

February 8, 1968

Re: Permit No. G-32373

Don Smith  
Route #1  
Thornton, Idaho

Dear Mr. Smith:

A representative of this department has made an examination of the works covered by your permit G-32373 and has found the following:

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Amount of water that can be recognized as beneficially used  
under Idaho Law: 4.30 c.f.s.  
Purpose of use: irrigation of 215 acres  
in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , sec. 28; E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 29,  
T. 5 N, R. 40 E, B.M.

The priority date established is: May 25, 1965.

A fee totaling \$ 17.00 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:ks

*fees paid  
2-19-68  
HO*

32373

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

Permit No. G-32373 -

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

1. Name of applicant Don Smith

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 29

T. 5 N R. 40 E County of Madison

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

200 HP. U.S. HOLLOSHAFT # 13886708

JOHNSTON VERTICAL PUMP, NO #

10" DISCHARGE THROUGH GATE VALVE

4" 10" UNDERGROUND, 4" STUB FOR

PORTABLE PUMP

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 28; E $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 29, T. 5 N, R. 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: \_\_\_\_\_

$$Q = \frac{(10 \text{ in} \times 4 \text{ in}) (25 \text{ ft}) (5.87 \text{ gpm})}{1.48 \text{ ft}^3/\text{s}} = 4.31 \text{ cfs}$$

This examination was made on the 27 day of Aug, 1967

(Signed) D.R. Examiner.

32373

Plat  
DW

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.

Don Smith pump, pipeline  
Route #1  
Thornton, Madison 20" 620'  
Permit No. G-32373 H-2221 Q-2600gpm

Examination for Comp. of Works & Beneficial Use

County Madison 29

Quantity: 4.3 c.f.s. Sec. 28 T. 5N R. 40E

Source: subterranean

P.D.: NE 1/4 NE 1/4 Sec. 29, T. 5 N, R. 40 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: May 24, 1965

Due: May 24, 1970

Made: December 21, 1966

Priority: May 24, 1965

200 HP US Hollowshaft  
# 13886708

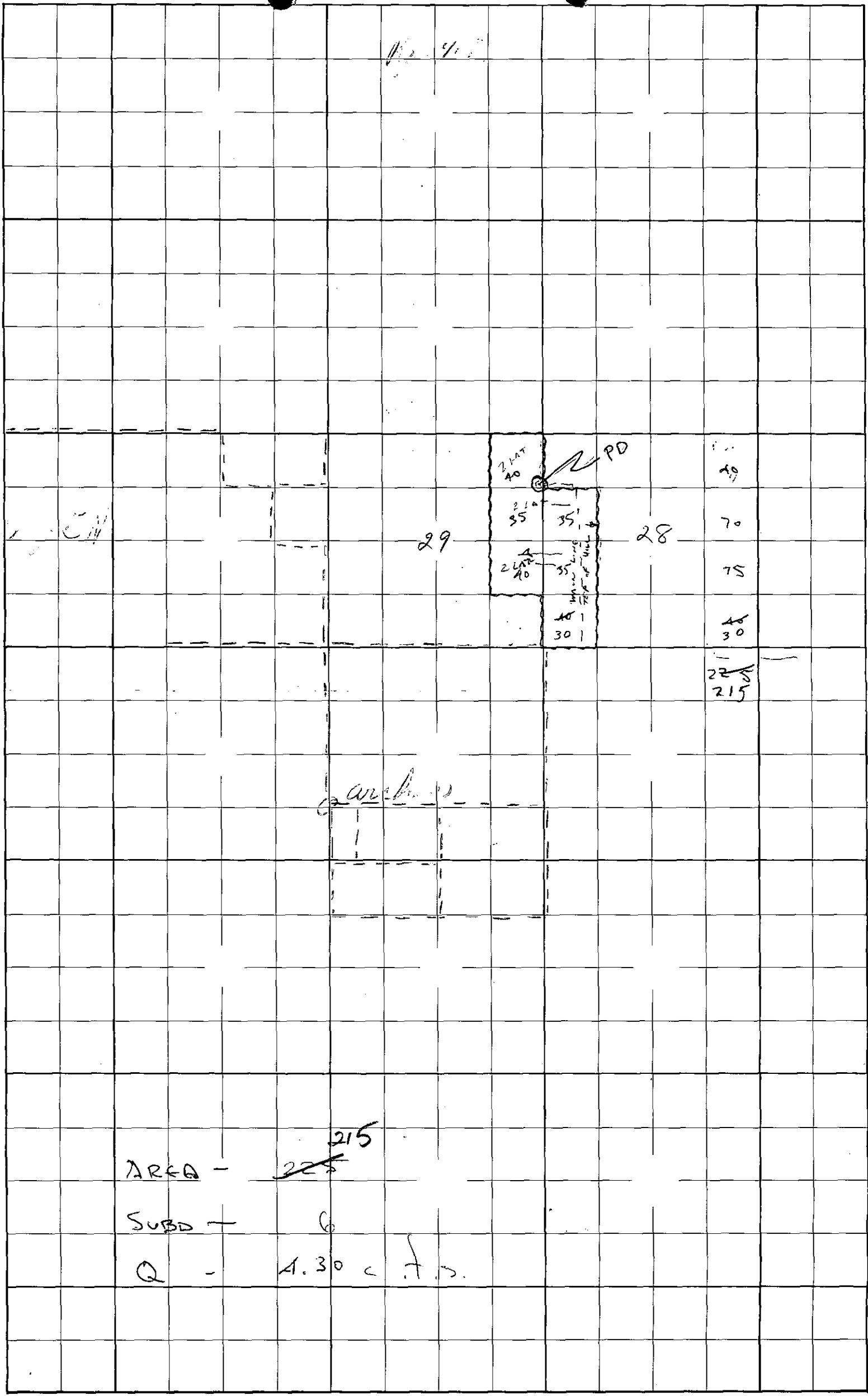
JOHN STON JET PUMP  
No #



5/32 RAIN BIRD 30 W.S.

28  
21  
14 67  
65  
66 65

22  
23  
24



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32373

REPORT ON PROOF OF Completion of Works & Beneficial Use

January 19, 1967

Re: Permit No. G-32373

Don Smith  
Route 1  
Thornton, Idaho

Dear Mr. Smith:

We acknowledge receipt of the depositions of holder and two witnesses,  
also affidavit of publication in the Rexburg Journal,  
all submitted in proof of completion of works and beneficial use on  
Permit No. G-32373.

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. Russell Bosch  
Office Manager

MRB:nw

32373

Madison

January 18, 1967

Re: Permit No. G-32373

Don Smith  
Lyman, Idaho

Dear Mr. Smith:

We acknowledge receipt of the depositions of holder and two witnesses,  
also affidavit of publication in the Rexburg Journal,  
all submitted in proof of completion of works and beneficial use on  
Permit No. G-32373.

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. Russell Bosch  
Office Manager

MRB:nw

32373

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

January 18, 1967

Re: Permit No. G-32373

Don Smith  
Lyman, Idaho

Dear Mr. Smith:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Rexburg Journal, all submitted in proof of completion of works and beneficial use on Permit No. G-32373.

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. Russell Bosch  
Office Manager

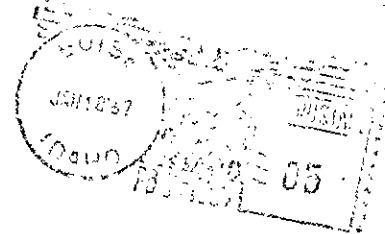
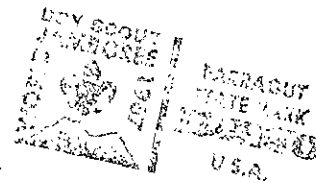
MRB:nw

32373

Route #1  
Thornton, Idaho

Thornton, Idaho  
July 1, 1900  
Dear Sir,  
I have the honor to acknowledge the receipt of your letter of the 28th inst. in relation to the above mentioned route.  
I am sorry that I cannot give you a more definite answer at this time, but I am sure that you will understand my position.  
Very respectfully,  
J. H. [Name]  
[Title]

AFTER FIVE DAYS RETURN TO  
DEPARTMENT OF RECLAMATION  
ROOM 107, STATE HOUSE  
BOISE, IDAHO 83701



NO SUCH OFFICE IN STATE NAMED

Mr. Don Smith  
Lyman, Idaho

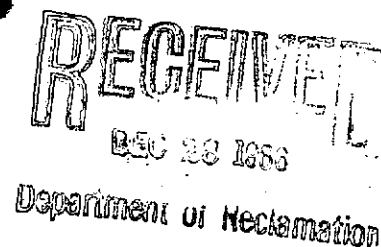
RECEIVED  
JAN 18 1967  
Department of Reclamation

32373

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho.

Permit No. G 32373

\* \* \* \* \*



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: Don Smith,  
Lyman, Madison County, Idaho, farmer.

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:  
Not applicable

Ques. 3. State number, approval date of permit, and date of priority: \_\_\_\_\_  
Permit No. G 32373, May 21, 1965, May 24, 1965

Ques. 4. State source of water supply: Subterranean Well  
Give location of point of diversion, showing subdivision, section, township and range  
NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 29, Twp. 5 N. R. 40, E.B.M., Madison County, Idaho

Ques. 5. Describe your works of diversion: Drilled well, pump, motor, power line,  
mainline, laterals and sprinklers; state amount of water they are capable of conveying from point of diversion to place of use: 4.3 C.f.p.s.; Give name of canal or ditch or other works by which water is conducted to such place of use: Not applicable,  
sprinkler pipe; if a well, state depth of well 620 ft.; depth and size of casing 355 ft. 20" casing, 265 ft. 16" casing; depth to water 222 FT.; if pump is used, state discharge of pump: 2600 gal./per minute, tell how it was measured or determined  
pump motor; if sprinkler irrigation, give number and size of nozzles and operating pressure: 264 nozzles (8 lines with 33 nozzles per line) 95 lbs. 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:  
Twp. 5N, R. 40E. Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$  35 acres, NW $\frac{1}{4}$ SW $\frac{1}{4}$  35 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$  30 acres, Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$  35 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$  40 acres. Total 215 acres  
Irrigated crops have been raised on the land; it was formerly dry farm land.

*Well Log in.*

32373

H

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

Irrigated crops have been raised on the land. It was formerly farm land.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: R. P. Cope, Idaho Falls, Idaho

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

None

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:

Not applicable

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 4.3 C.f.p.s., March, 1966 Time used since first use:

1966 crop season

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

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 21st day of December, A. D. 1966.

My commission expires: 8-26-70

Andon S. Thatcher  
Notary Public for Idaho  
Rexburg, Idaho

32373

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 32373

\* \* \* \* \*

RECEIVED  
DEC 28 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:

Jewel Hansen age 50

265 S. 3rd W., Rexburg, Idaho Farmer

Ques. 2 Are you acquainted with Don Smith, the holder of  
Permit No. G 32373? How long have you known him and where does he reside?

30 years. Lyman, Madison County, Idaho

Ques. 3. Have you read or heard said Permit No. G 32373 read, and are you familiar  
with its provisions and conditions: Yes Yes No.       

Ques. 4. State source of water supply: subterranean well

Give location of place of diversion, showing subdivision, section, township and range  
of  
NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 29, Twp. 5 N. R. 40, E.G.M., Madison County, Idaho

Describe works for conveying water to place of use: Drilled well, pump, motor,  
power line, mainline, laterals and sprinklers.

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 2600 gal. per minute How much water have you seen being so  
conveyed? 2600 gal per minute

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

Twp. 5 N, R. 40E.; Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$  35 acres, NW $\frac{1}{4}$ SW $\frac{1}{4}$  35 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$  30 acre  
Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$  35 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$  40 acres. Total 215 acres.

32373

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

None

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.

It is former dry farm land on Rexburg Bench; excellent soil for the production of potatoes through sprinkler irrigation; about 4.3 C.f.p.s.

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? June 10, 1966

Other times you have seen such use: Various times throughout the 1966 irrigation season.

(Signed):

*Genevieve Hansen*

\*\*\*\*\*

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 21st day of December, A. D. 1966

*Ernest S. Thatchers*

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires 8-26-70

32373

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho  
Permit No. G 32373

RECEIVED  
DEC 28 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:

Ed S. Covington, age 57

125 E. 2nd North, Rexburg, Idaho, farmer

Ques. 2 Are you acquainted with Don Smith, the holder of  
Permit No. G 32373? How long have you known him and where does he reside?

30 years. Lyman, Madison County, Idaho

Ques. 3. Have you read or heard said Permit No. G32373 read, and are you familiar  
with its provisions and conditions: Yes Yes No.       

Ques. 4. State source of water supply: subterranean well

Give location of place of diversion, showing subdivision, section, township and range  
NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 29, Twp. 5N. R. 40, E.B.M., Madison County, Idaho

Describe works for conveying water to place of use: Drilled well, pump, motor,  
power line, mainline, laterals and sprinklers.

Ques. 5. How many second feet of water do you estimate said works will safely conduct  
to place of use: 2600 gal. per minute How much water have you seen being so  
conveyed? 2600 gal. per minute.

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

Twp. 5N, R. 40E.; Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$  35 acres, NW $\frac{1}{4}$ SW $\frac{1}{4}$  35 acres, SW $\frac{1}{4}$ SW $\frac{1}{4}$  30 acres  
Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$  40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$  35 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$  40 acres. Total 215 acres

32373

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

None

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.

It is former dry farm land on Rexburg Bench; excellent soil for the production of potatoes through sprinkler irrigation; about 4.3 C.f.p.s.

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? June 10, 1966

Other times you have seen such use: Various times throughout the 1966 irrigation season.

(Signed):

Ed L. Cunningham

\*\*\*\*\*

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 21st day of December, A. D. 1966

John S. Fisk

Notary Public for the State of Idaho

Residing Rexburg, Idaho

My commission expires 8-26-70

32373

The REXBURG STANDARD and  
The REXBURG JOURNAL  
REXBURG, IDAHO

RECEIVED  
DEC 28 1966  
Department of Reclamation

**Affidavit of Publication**

STATE OF IDAHO }  
County of Madison } ss.

I, Annette 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  
of Works and Application of  
Water to Beneficial Use

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 November 17, 1966  
and the last publication having been made  
on December 8, 1966

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.

*Annette Porter*

~~~~~

Subscribed to and sworn to before me

this 3th day of December, 1966

*John C. Porter*  
Notary Public.

(SEAL)

My commission expires 6-5-68

Gordon S. Thatcher, Notary  
Public, at 25 North Second East,  
proof will be submitted of the  
completion of works for the  
diversion of 4.3 cubic feet per  
second of underground water  
from a well, and of the ap-  
plication to beneficial use of  
said water, in accordance with  
terms and conditions of  
Permit No. G-32373, heretofore  
issued by the Department of  
Reclamation of the State of  
Idaho.

1. The name and postoffice  
address of the person or cor-  
poration holding said permit is  
Don Smith, Route 1, 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 con-  
veying to the place of use is  
4.3 cubic feet per second.

3. The use to which said wa-  
ter has been applied is irriga-  
tion purposes, and the amount  
applied to beneficial use is 4.3  
cubic feet per second.

4. The point of diversion of  
said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$  of  
Sec. 29, Twp. 5 N., R. 40,  
E.B.M., Madison County, Idaho.

5. The place where said wa-  
ter is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ -  
NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 29  
and SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
and SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 28, all  
in Twp. 5 N., R. 40, E.B.M.  
in Madison County, Idaho.

6. The date of priority which  
said user is prepared to estab-  
lish is May 24, 1965.

R. KEITH HIGGINSON  
State Reclamation Engineer  
(Publ. Nov. 17, 24, Dec. 1, 8,  
1966).

**NOTICE OF PROOF OF COM-  
PLETION OF WORKS and AP-  
PLICATION OF WATER TO  
BENEFICIAL USE**

Notice is hereby given that  
on the 21st day of December  
1966, at Rexburg, County of  
Madison, State of Idaho, before

32373

RIGBY & THATCHER  
ATTORNEYS AT LAW  
25 NORTH SECOND EAST  
P. O. BOX 362  
REXBURG, IDAHO 83440

RAY W. RIGBY  
GORDON S. THATCHER

TELEPHONE  
356.3633  
AREA CODE 208

RECEIVED  
DEC 28 1966

December 21, 1966

Department of Reclamation

Mr. Keith Higginson  
State Reclamation Engineer  
107 State House  
Boise, Idaho

RE: Permit No. G 32373  
Don Smith

Dear Mr. Higginson:

Enclosed are original deposition of holder and  
deposition of two witnesses in the above matter, together  
with affidavit of publication.

Yours very truly,

  
of RIGBY & THATCHER

b1

32373

November 14, 1966

Re: Permit No. G-32373

Rexburg Journal  
Rexburg, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to December 21, 1966. The expense of the publication is to be paid by Don Smith of Route 1, Thornton, 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,

XXXXXXXXXXXXXX  
CARL E. TAPPAN  
State Reclamation Engineer

RKH:nw

32373

RECEIVED 10/1/63  
NOV 10 1966

## NOTICE OF PROOF OF COMPLETION OF WORKS

and  
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10/4/66, on the 21st day of December 1966, at Rexburg, County of Madison, State of Idaho, before Gordon S. Thatcher, Notary Public, at (address) 25 North Second East, proof will be submitted of the completion of works for the diversion of 4.3 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-32373, 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, Route 1, 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 4.3 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 4.3 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 29, Twp. 5 N., R. 40, E.B.M., Madison County, Idaho.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 29 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 28, all in Twp. 5 N., R. 40, E.B.M. in Madison County, Idaho.

6. The date of priority which said user is prepared to establish is May 24, 1965.

State Reclamation Engineer

32373

RECEIVED  
NOV 10 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 9, 1966

(P. O.) Route 1, Thornton, 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 Journal of  
Rexburg, Idaho, published in the  
county in which the works are situated.

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

32373

RIGBY & THATCHER  
ATTORNEYS AT LAW  
23 NORTH SECOND EAST  
P. O. BOX 362  
REXBURG, IDAHO 83440

RAY W. RIGBY  
GORDON S. THATCHER

November 9, 1966

RECEIVED  
NOV 10 1966

TELEPHONE  
356-3633  
AREA CODE 208

Department of Reclamation

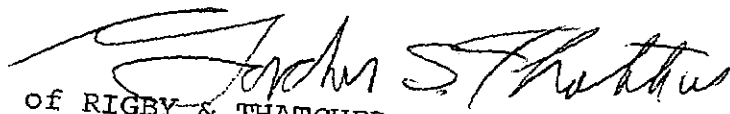
Mr. R. Keith Higginson  
State Reclamation Engineer  
State House  
Boise, Idaho

Re: Permit No. G-32373  
Don Smith

Dear Mr. Higginson:

I enclose herewith Form 11, Notice, and two copies of Form 36, Notice of Proof of Completion of Works and Application of Water to Beneficial Use concerning the above numbered permit. Will you please send the forms for taking the depositions to this office.

Yours very truly,

  
of RIGBY & THATCHER

ss  
Enclosures

Please send us some additional copies of Forms 11 and 36. Thank you. *GST*

32373

March 15, 1966

RE: Permit No. G-32373  
Don Smith

Rigby and Thatcher  
Attorneys at Law  
P.O. Box 362  
Rexburg, Idaho 83440  
Attn: Mr. Gordon S. Thatcher

Dear Mr. Thatcher:

Enclosed is amendment to Point of Diversion which has been recorded in this office under the above numbered permit.

Also enclosed is departmental receipt No. G-10210 in the amount of \$1.00 covering the fee.

As per your request for application forms for amendment to Point of Diversion, please find the same enclosed.

Very truly yours,

(Mrs.) EDNA P. RULE  
Chief Clerk

EPR:ejw  
Encl: Amendment  
Receipt  
Application forms

32373

APPLICATION FOR AMENDMENT

POINT OF DIVERSION

Permit No. G-32373

\* \* \* \* \*

Comes now DON SMITH and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-32373.

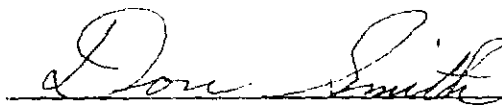
That the point of diversion is described in said Permit as being located: SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 28, Twp. 5 N., R. 40, E.B.M., Madison County, Idaho.

That he now requests that the point of diversion be changed to a point located: NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 29, Twp. 5 N., R. 40, E.B.M., Madison County, Idaho.

That the reason for desiring to make such change is as follows: Drilling was done at the original point of diversion which was very difficult due to formations, and which resulted in a crooked and unusable hole, which necessitated drilling again at the new location.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Rexburg, Idaho, this 11th day of March, 1966.

  
Don Smith

Date of Receipt at Department of Reclamation: March 14, 1966

APPROVAL OF STATE RECLAMATION ENGINEER

I, CARL E. TAPPAN, STATE RECLAMATION ENGINEER OF THE STATE OF IDAHO, hereby approve the above and foregoing Application for

22373

Amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-32373. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 113 of  
Permits, at Page G-32373  
March 15, 1966.

Carl E. Hapman  
STATE RECLAMATION ENGINEER

32373

Re: Permit No. G-32373

November 14, 1966

Gordon S. Thatcher  
25 North Second East  
Rexburg, Idaho

Dear Mr. Thatcher:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-32373 in the name of Don Smith. Final Proof is to be made before you, as Notary on the 21st day of December, 19 66, at Rexburg, Idaho.

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

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

In returning the depositions to this office, be sure that all copies have been signed, that your 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,

MRB:rw

Encl.

cc: Applicant

M. Russell Bosch  
Office Manager

32373

RIGBY & THATCHER  
ATTORNEYS AT LAW  
25 NORTH SECOND EAST  
P. O. BOX 362  
REXBURG, IDAHO 83440

RECEIVED  
MAR 14 1966

Department of Reclamation  
TELEPHONE  
356.3633  
AREA CODE 208

RAY W. RIGBY  
GORDON S. THATCHER

March 11, 1966

Mr. Carl E. Tappan  
State Reclamation Engineer  
State House  
Boise, Idaho

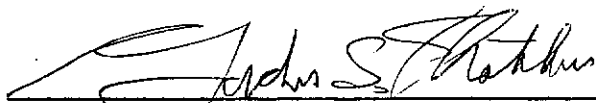
Re: Don Smith - Permit No. G-32373

Dear Mr. Tappan:

Enclosed herewith is Application for Amendment of Point of Diversion for the above numbered permit, together with our check in the sum of \$1.00 for filing the same.

Will you please send us a dozen forms for Application for Amendment of Point of Diversion. Thank you.

Yours very truly,

  
of RIGBY & THATCHER

SS  
Enclosures

32373

June 3, 1965

Re: Permit No. **G-32373**  
Don Smith

Rigby & Thatcher,  
Attorneys at Law,  
Box 362,  
Rexburg, Idaho.

Gentlemen:

We enclose Permit No. **G-32373** 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-9281** which was issued covering payment in the amount of \$ **6.00** for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl.

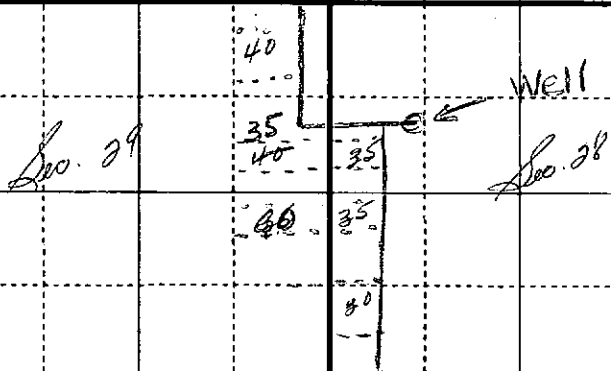
EPR:pmk

cc: Don Smith  
Rt. 1,  
Thornton, Idaho

32373

DONALD SMITH

Twp. 5 N., R. 40 E., Boise Mer.



CODE  
Well   
Mainline   
Lateral Lines

Permit Map No. 9 32373  
As Approved  
CARL E. TAPPAN MAY 24 1965  
State Reclamation Engineer

**NOTICE OF PROOF OF COM-  
PLETION OF WORKS and AP-  
PLICATION OF WATER TO  
BENEFICIAL USE**

Notice is hereby given that on the 21st day of December 1966, at Rexburg, County of Madison, State of Idaho, before Gordon S. Thatcher, Notary Public, at 25 North Second East, proof will be submitted of the completion of works for the diversion of 4.3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with terms and conditions of Permit No. G-32373, 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, Route 1, 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 4.3 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 4.3 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 29, Twp. 5 N., R. 40, E.B.M., Madison County, Idaho.

5. The place where said water is used is NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 29 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 28, all in Twp. 5 N., R. 40, E.B.M. in Madison County, Idaho.

6. The date of priority which said user is prepared to establish is May 24, 1965.

R. KEITH HIGGINSON  
State Reclamation Engineer  
(Publ. Nov. 17, 24, Dec. 1, 8, 1966).

RIGBY & THATCHER  
ATTORNEYS AT LAW  
25 NORTH SECOND EAST  
P. O. BOX 362  
REXBURG, IDAHO 83440

RECEIVED  
MAY 24 1965

Department of Reclamation

May 21, 1965

TELEPHONE  
356-8701  
356-8238  
AREA CODE 208

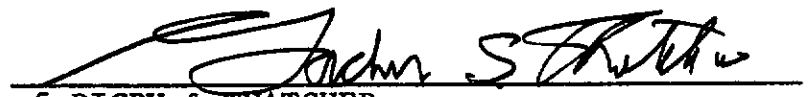
RAY W. RIGBY  
GORDON S. THATCHER

Department of Reclamation  
State of Idaho  
State House  
Boise, Idaho

Gentlemen:

Enclosed are two signed copies of Application for Permit to Appropriate the Subterranean Waters of the State of Idaho of Don Smith. Also enclosed is our check for \$6.00 to cover the filing fee.

Yours very truly,

  
of RIGBY & THATCHER

Enc:  
mh

32373