

REXBURG

R. 40 E.

T.

6

N.



P.O.

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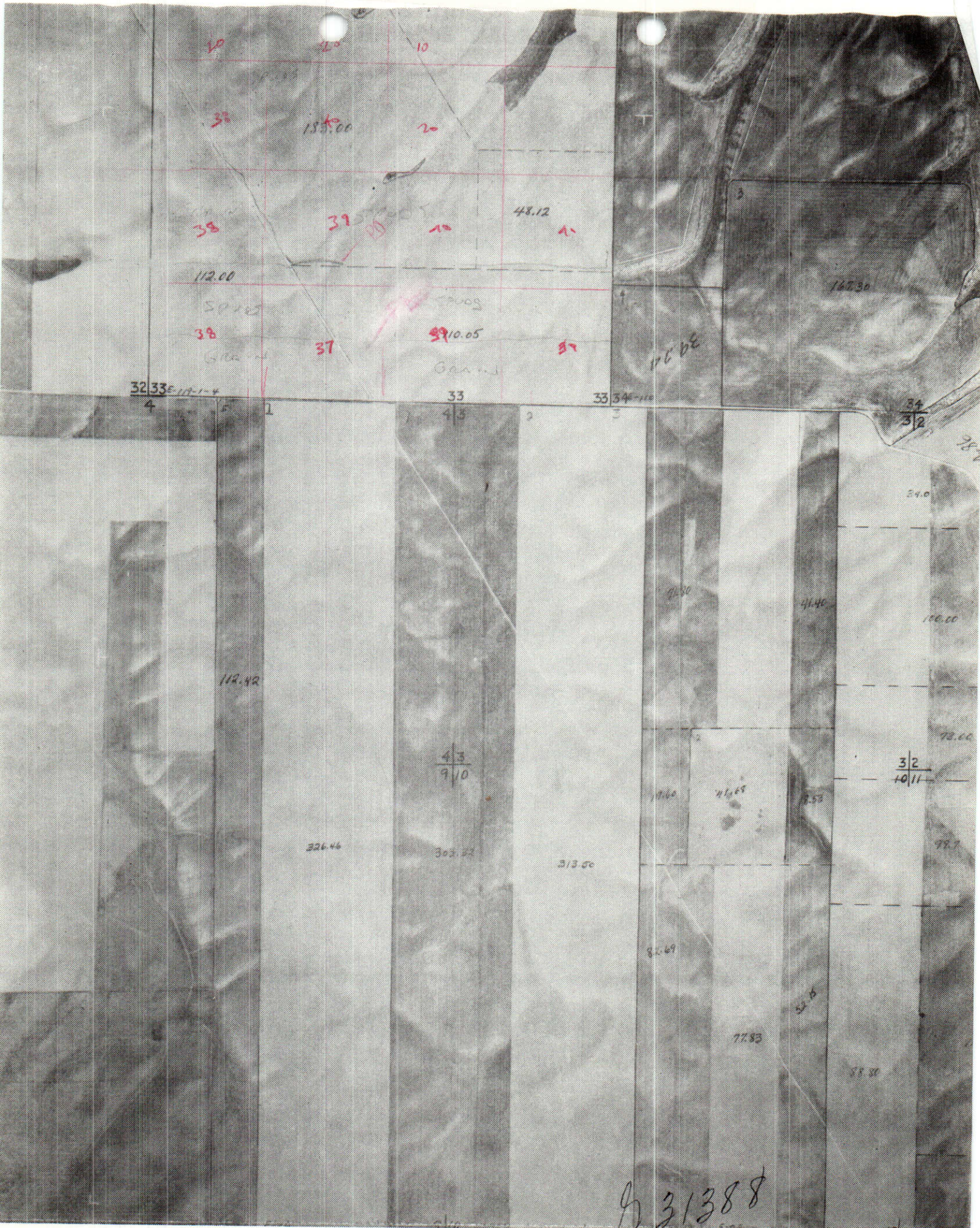
98

148 Acres

AREA - 148 ACRES

SUBD - 6

Q - 1.68 cfs.



9 31388

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

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

NOTICE OF PROOF

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 June 16, 1964
and the last publication having been made

on July 7, 1964.

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 8th Day of July, 1964.

John C. Porter
Notary Public.
(SEAL)

My commission expires 6/5/68

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

Notice is hereby given that at
11:30 A.M., on the 20th day of
July, 1964, at Rexburg, County
of Madison, State of Idaho, be-
fore Mary Smith, Notary Public,
at 70 East Main, Rexburg, Ida-
ho, proof will be submitted of
the completion of works for the
diversion of 3.0 cubic feet per
second of underground water
from a well, and of the applica-
tion to beneficial use of said wa-
ter, in accordance with the
terms and conditions of Permit
No. G 31388, heretofore issued
by the Department of Reclama-
tion of the State of Idaho.

1. The name and postoffice ad-

dress of the person or corpora-
tion holding said permit is Eldon
W. Smith, Rexburg, Idaho.

2. Said works of diversion will
be fully completed on the date
set for such completion, and the
amount of water which said
works are capable of conveying
to the place of use is 3.0 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 3.0
cubic feet per second.

4. The point of diversion of
said water is NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section
33, Township 6 North, Range 40
East, Boise Meridian, Madison
County, Idaho.

5. The place where said water
is used, is SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$,
S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33, Township
6 North, Range 40 East, Boise
Meridian, Madison County, Ida-
ho.

6. The date of priority which
said user is prepared to establish
is September 18, 1963.

Carl E. Tappan
State Reclamation Engineer
(Publ. June 16, 23, 30, July 7,
1964)

531388

NAME OF APPLICANT Edna W. Smith

Form No. 0



J L N.
R 40 6 B M.

Permit Map No. 931388
As Approved
CARL E. TAPPAN SEP 20 1963
State Reclamation Engineer

931388

State of Idaho

License and Certificate of Water Right

Water License No. G-31388 Priority September 18, 1963 Amount 1.68 c.f.s.

THIS IS TO CERTIFY that

ELDON W. SMITH

of Rexburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 18, 1963; that Permit No. G-31388 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.68 second feet, was issued thereunder on March 22, 1968, showing that said works were completed on the 20th day of July, 1964; and that on the 20th day of July, 1964 ELDON W. SMITH

of Rexburg, 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-31388 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 of Licenses, at Page, on the 22nd day of March, 1968.

The right hereby confirmed dates from September 18, 1963.

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 33, Twp. 6N, 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 1.68 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	40 E	33	NW 1/4 NE 1/4	10	10
			SW 1/4 NE 1/4	20	20
			NE 1/4 NW 1/4	20	20
			NW 1/4 NW 1/4	20	20
			SW 1/4 NW 1/4	40	38
			SE 1/4 NW 1/4	40	40
			Total acres to be irrigated:		148

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 22nd day of March, 1968.

R. Keith Higgins
State Reclamation Engineer.

22 1968

G 31388

APPLICATION FOR PERMIT 22-2255

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39494
Permit No. G- 31388
District No.

1. Name of Applicant: Eldon W. Smith
c/o Mary Smith
Postoffice address: Rexburg County: Madison State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 3.0 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33
Twp. 6 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: Pump and sprinkler system
8. Estimated cost of works: \$ 5,000
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 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) (cubic feet per second, inches or gallons per minute) is for new lands.

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	
6 N	40 E	33	10 20	20 20 40 40)))			150
Permit No. G-31388 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that ELDON W. SMITH of Rexburg, County of Madison, and State of Idaho, the holder of Permit No. G-31388, issued upon Application No. G-39494, bearing date of priority of September 18, 1963, authorizing the diversion of 3.0 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 3.0 second feet of the water of a well from subterranean flow; that the point of diversion of said waters is NE¹/₄SW¹/₄, Section 33, Township 6 N., Range 40 E., B. M., and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: W¹/₂NE¹/₄, NW¹/₄, Section 33, Township 6 North, Range 40 E., B. M. Completion of Works Made: July 20, 1964 Witness my hand this 22nd day of March, A. D. 1968. s/ R. Keith Higginson State Reclamation Engineer LICENSE ISSUED FOR <u>1.68</u> SEC. FT. LICENSE PAG: NO. <u>31388</u>.							

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 31388 122-2230
 Old No. New No.

Record

1. Original Owner: Eldon W. Smith

Present Owner: _____

2. Address:

3. City: Lexburg State: 10 Zip: _____

4. A. Source of Water: gw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 9-18-1963

D. County: 65

E. Total Diversion Rate: 1.68

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank):

H. Water District: _____

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>N/2SW</u>	<u>33</u>	<u>6N</u>	<u>40E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 1.68
 (cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 31388

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

$$\begin{array}{r}
 23.75 \\
 5.50 \\
 7.50 \\
 \hline
 36.75 \\
 5.50 \\
 \hline
 31.25
 \end{array}$$

b 31388

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that ELDON W. SMITH
 of Rexburg, County of Madison, and State of
Idaho, the holder of Permit No. G-31388, issued upon
 Application No. G-39494, bearing date of priority of September 18, 1963, authorizing the
 diversion of 3.0 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 1.68 second feet of the waters of a well from subterranean
 flow.

that the point of diversion of said waters NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 6 N.,
Range 40 E., B. M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 33, Township 6 North,
Range 40 E., B. M.

Proof of Completion of Works Made: July 20, 1964

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

R. Keith Higgins
 State Reclamation Engineer

G31388

March 22, 1968

Re: Permits G-29064; G-31388

Mr. Eldon W. Smith
Route #2
Rexburg, Idaho 83440

Dear Mr. Smith:

Enclosed are Certificates of Completion of Work and
Licenses and Certificates of Water Right on the above numbered permits.

Also enclosed is departmental receipt No. 430, in the
amount of \$21.00 and receipt No. 389, in the amount of \$17.00, covering
the fees.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

KRH:ew

Enclosure: certificates (4)
receipts (2)

31388

December 28, 1967

Re: Permit No. G-31388

Eldon W. Smith
c/o Mary Smith
Rexburg, Idaho

Dear Mr. Smith:

A representative of this department has made an examination of the works covered by your permit G-31388 and has found the following:

Quantity of water diverted: 5.23 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.68 c.f.s.

Purpose of use: irrigation of 148 acres in W¹NE¹, NW¹, sec. 33, T. 6 N, R. 40 E, B.M.

The priority date established is: September 18, 1963.

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

31388

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

Permit No. G-31388

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

1. Name of applicant Eldon W. Smith

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NE 1/4 SW 1/4 of Section 33

T. 6 N R. 40 E.B.M. County of Madison

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

5. Water is used for: irrigation

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

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):

30 acres in W 1/4 NE 1/4, NW 1/4 Sec. 33, Twp. 6 N., Rge. 40 E.B.M. 120 acres

Total of 150 acres.

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

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

Remarks: _____

.572

5.08

5.23

This examination was made on the _____ day of _____, 19____

(Signed) _____ Examiner.

G 31388

Adv OK
DW
Flat

Eldon W. Smith
% Mary Smith
Rexburg, Idaho
Permit No. G-31388

Examination for Completion of Works & Beneficial Use

County Madison
Quantity Sec. 33 T. 6N R. 40 EBM

Source: 10516

P. D.: NE 1/4 Sec 33 T. 6N R. 40 E

Use: irrigation

Filed: July 20, 1964

Due: Sept. 18, 1963

Extension: _____

Protest: _____

Completion of Works: _____

Other Rights: None
Made: July 20, 1964
Priority: Sept. 18, 1963

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.

G 31388

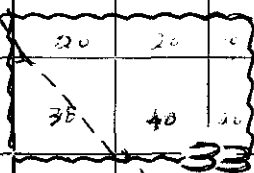
REXBURG

R. 40 E.

T.

6

N.



33

R.D.

9

143

AREA - 142 ACRES

SUBD - 6

Q - 1.68 S.

20964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

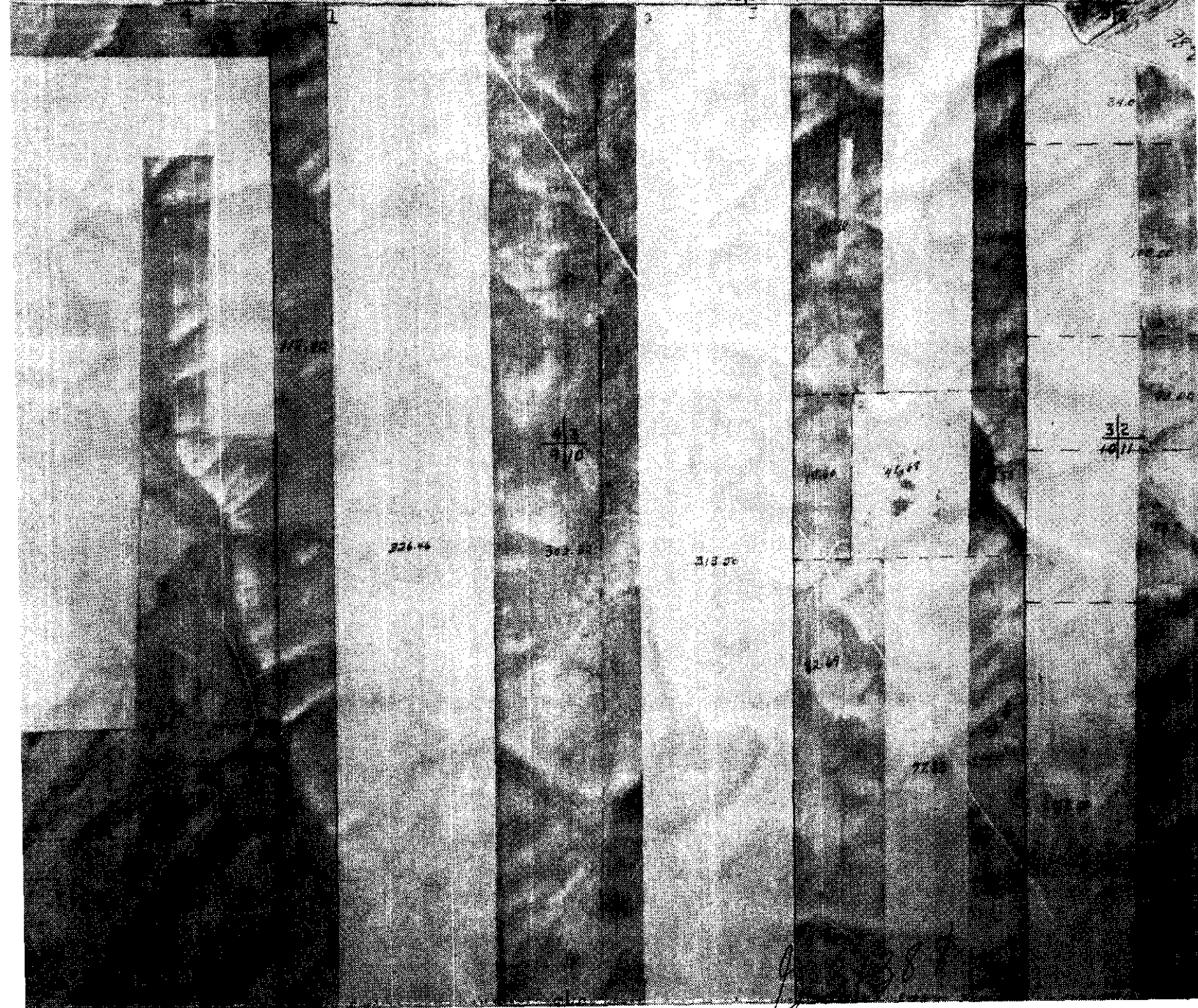
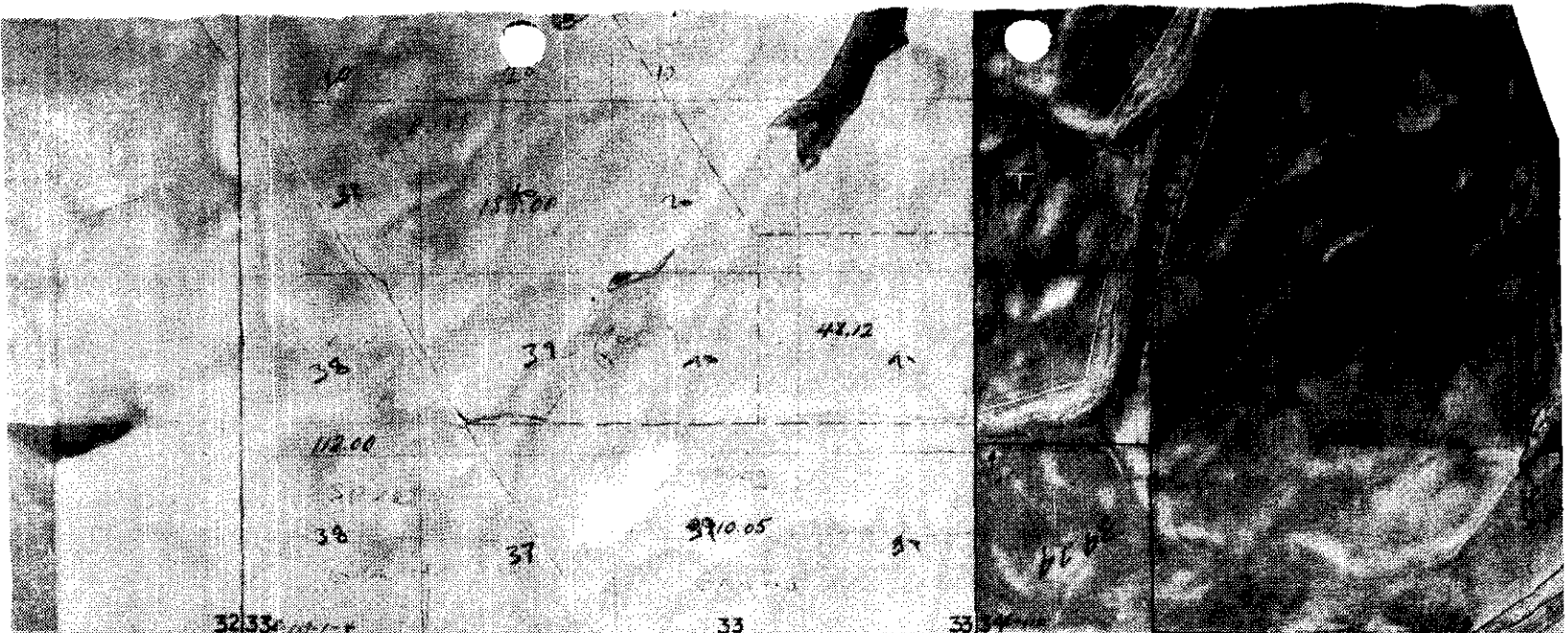
PERMIT NO. G-31388

REPORT ON PROOF OF Completion of Works & Beneficial Use

Eldon W. Smith, % Mary Smith, Rexburg, Idaho

5/30/67

31388



DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 28, 1967

Re: Permit No. G-31388

Eldon W. Smith
c/o Mary Smith
Rexburg, Idaho

Dear Mr. Smith:

RECEIVED
JAN 11 1968
Department of Reclamation

31388

A representative of this department has made an examination of the works covered by your permit G-31388 and has found the following:

Quantity of water diverted: 5.23 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.68 c.f.s.

Purpose of use: irrigation of 148 acres in W¹NE¹, NW¹, sec. 33, T. 6 N, R. 40 E, B.M.

The priority date established is: September 18, 1963.

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.

DR
1-23-68

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Water Rights Clerk

DWM: ks

31388

1M April 1962

August 5, 1964

Re: Permit NO-29064
and G-31388

Eldon W. Smith, Rexburg, Idaho
& Mary Smith,
Rexburg, Idaho

Dear Mr. Smith:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the REXBURG STANDARD, all submitted in proof of completion of works and beneficial use on Permit No. G-29064 & G-31388.

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:

31388

RECEIVED
AUG 8 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

Permit No. G31388

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Work

DEPOSITION OF HOLDER

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

Eldon W. Smith, Rexburg, Idaho; farming; Rexburg, 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:

Ques. 3. State number, approval, date of permit, and date of priority you propose to establish under the permit; G31388, September 20, 1963; September 18, 1963.

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

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

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Township 6 North, Range 40 E. B. M.

Ques. 5. Describe your works of diversion: Pump and sprinkler system.

_____ ; state amount of water they are capable of conveying from point of diversion to place of use (Refer to Permit No. G29064)

0.4 cfs/ ; Give name of canal or ditch 3.0

or other works by which water is conducted to such place of use: Sprinkler system.

_____ ; if a well, state depth of well 440 ft. ; depth and size of casing:

100 feet, 20 in. ; depth to water 380 ft. ; if pump is used,

(Refer to Permit No. G29064)

state discharge of pump: 0.4 cfs/ ; tell how it was measured or determined: open discharge
3.0

with 8 in. orifice ; if sprinkler irrigation, give number and size of nozzles and

operating pressure: 5/16's - 540 nozzles. 80 lbs at well & about 40 at sprinklers,
(Refer to Permit No. G29064)

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 : The entire 150 acres -

SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 33, Township 6 North, Range 40,

E. B. M. have been irrigated with this water.

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

Dry farm land has become irrigated land which permits greater crop diversification.

G31388

H

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Andrews Well Drilling Co., Idaho Falls, Idaho.

Ques. 7. If for other than irrigation purposes, state purpose and how used:
None

Ques. 8. What is the minimum amount of water required for the purpose specified above:
3.0 (See permit No. G.29064. Pump on existing well was enlarged to provide water for this land)

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: 1961 Time used since first use:

3.0 cfs have been used ever crop season since - 1962, 1963 and 1964.

Ques. 11. Describe all other water rights appurtenant to same place of use:
None ✓

(sign)

Eldon W. 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 20th ✓ day of July ✓, A.D. 19 64 ✓.

✓
Mary Smith
Notary Public, residing at
Rexburg, Idaho

My Commission expires: June 25, 1967.

531388

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G31388

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:

Wm. L. Webster, 38, Rexburg, Idaho; farming; Rexburg, Idaho

Ques. 2. Are you acquainted with Eldon W. Smith, the holder of

Permit No. G31388? How long have you known him and where does he reside:

35 years. Rexburg, Idaho

Ques. 3. Have you read or heard said Permit No. G 31388 read, and are you familiar with its provisions and conditions: Yes: Yes No:

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

State place of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T 6 N., R 40 E. B. M.

Describe works for conveying water to place of use: Sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 3.0 cfs. How much water have you seen being so conveyed: 3.0 cfs.

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

SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 33 T 6 N., R 40 E.B.M.

consisting of 150 acres, which have been irrigated.

\$31388

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Sandy loam soil which requires the full 3.0 cfs for profitable irrigation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: None

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

Other times you have seen such use: All through the irrigation seasons of 1962, 1963 and now 1964.

(Signed)

William L. Webster

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 20th day of July,

A. D., 196⁶⁴~~62~~

Mary Smith

Notary Public for State of Idaho

Residing: Rexburg, Idaho

My commission expires: June 25, 1967.

531388

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G31388

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:

Jack C. Timmons, 60, Rexburg, Idaho; machinery dealer; Rexburg, Idaho

Ques. 2. Are you acquainted with Eldon W. Smith, the holder of
Permit No. G31388? How long have you known him and where does he reside:

6 years. Rexburg, Idaho

Ques. 3. Have you read or heard said Permit No. G31388 read, and are you familiar
with its provisions and conditions: Yes: Yes No:

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

State place of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T 6 N., R 40 E. B. M.

Describe works for conveying water to place of use: Pump and sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3.0 cfs. How much water have you seen being so
conveyed: 3.0 cfs.

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

150 acres - SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 33, T 6 N., R 40 EBM

G 31388

Ques. 7. If for power or other purposes than irrigation, state how water has been 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:

Sandy loam soil, which requires 3.0 cfs for profitable cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: None

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

Other times you have seen such use: I have seen it used during the irrigation season every year since then.

(Signed)

Jack C. Timmerman

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 20th day of July,

A. D., 1964.

Mary Smith

Notary Public for State of Idaho

Residing: Rexburg, Idaho

My commission expires: June 25, 1967.

931388

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

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

NOTICE OF PROOF

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 June 16, 1964
and the last publication having been made

on July 7, 1964.

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 8th Day of July, 1964.

John C. Porter
Notary Public.

(SEAL)

My commission expires 6/5/68

531388

LAW OFFICES
W. LLOYD ADAMS
AND
MARY SMITH
REXBURG, IDAHO

RECEIVED
AUG 3 1964
Department of Reclamation

July 31, 1964

Mrs. Edna P. Rule
Chief Clerk
Department of Reclamation
107 State House
Boise, Idaho

Dear Mrs. Rule:

Re: Permits G-31388 and G-29064 - Eldon W. Smith

I am enclosing herewith Depositions of Holder and Depositions of Witnesses pertaining to Proof regarding the above numbered permits, also affidavits of publication of notice.

Kindest regards,

Mary Smith
Mary Smith

s
encls.

B 31388

Re: Permit No. G-31388

June 8, 1964

Mary Smith
70 West Main
Rexburg, Idaho

Dear Madam:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-31388, in the name of Eldon W. Smith. Final Proof is to be made before you, as Notary on the 20th day of July, 19 64, at 11:30 o'clock A.M., at Rexburg, Idaho, Idaho.

As of this date, we have mailed the Notice to the Rexburg Standard Journal, with instructions to publish it once a week for 3 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 hereunder, 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 used, 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pnk
cc: Applicant

§ 31388

RECEIVED
JUN 8 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 5, 1964

(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.

Eldon W. 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

B 31388

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

RECEIVED
JUN 8 1964
Department of Reclamation

Notice is hereby given that at _____ M., on the _____ day of _____
19____, at _____ **11:30 A.** County of **20th**, State of Idaho,
before **64** **Rexburg**, Notary Public at (address) _____
_____ **Mary Smith**, proof will be submitted of the completion of works for
the diversion of **Rexburg, Idaho** cubic feet per second of underground water from a well, and of
the application to beneficial use of **3.0** said water, in accordance with the terms and
conditions of Permit No. _____, heretofore issued by the Department of Reclamation
of the State of Idaho.

G 31388

1. The name and postoffice address of the person or corporation holding said permit
is _____
2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is _____ cubic feet per second.
3. The use to which **3.0** said water has been applied is _____
_____ purposes, and the amount applied to beneficial use is **Irrigation.**
cubic feet per second.

3.0 4. The point of diversion of said water is _____

NE 1/4 SW 1/4 Section 33, Township 6

5. The place where said water is used is **North, Range 40 East, Boise Meridian, Madison County, Idaho.**

SW 1/4 NE 1/4, W 1/2 SW 1/4, S 1/4 NW 1/4,

S 1/4 NW 1/4 Section 33, Township 6 North, Range 40 East, Boise Meridian,

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

September 18, 1964.

State Reclamation Engineer

B 31388

AK

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

Notice is hereby given that at 11:30 A.M., on the 20th day of July, 1964, at Rexburg, County of Madison, State of Idaho, before Mary Smith, Notary Public, at 70 East Main, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 3.0 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 31388, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice ad-

dress of the person or corporation holding said permit is Eldon W. Smith, Rexburg, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.0 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 3.0 cubic feet per second.

4. The point of diversion of said water is NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho.

5. The place where said water is used, is SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho.

6. The date of priority which said user is prepared to establish is September 18, 1963.

C. E. T.

Re: Permit No. G-31388

Date: June 8, 1964

Rexburg Standard Journal
Rexburg, Idaho

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to July 20, 1964 the date set for proof; the expense of the publication is to be paid by the applicant Elden W. Smith of Rexburg, 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,

Carl E. Tappan
CARL E. TAPPAN
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

B 31388

LAW OFFICES
W. LLOYD ADAMS
AND
MARY SMITH
REXBURG, IDAHO

RECEIVED
JUN 8 1964
Department of Reclamation

June 5,
19 64

Mrs. Edna P. Rule
Chief Clerk,
Department of Reclamation
State House,
Boise, Idaho

Dear Mrs. Rule:

Permit No. G29064 & G31388 - Eldon W. Smith

I am enclosing herewith Notice of Proof of Completion of Works and Publication authorization pertaining to the above numbered permits. If everything is in order I would appreciate you having the Notice published. If any corrections are necessary I would appreciate it if you would make the same.

Yours very truly,

Mary Smith
Mary Smith

s
Enclosures

G31388

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 5, 1964

(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.

Eldon W. 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

B 31388

September 30, 1963

Re: Permit No. G-31388
Eldon W. Smith

Mary Smith,
Attorney at Law,
Rexburg, Idaho.

Dear Miss Smith:

We enclose Permit No. G-31388 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-8256 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAMPAN
State Reclamation Engineer
By

(MPS.) EDNA P. RULE
Chief Clerk

Encl. Permit
Receipt

EPR:pmk

cc: Eldon W. Smith
c/o Mary Smith, Attorney
Rexburg, Idaho

631388

Edward C. Smith

Form No. 0

931388

As Approved

CARL E. TAPPAN SEP 20 1963
State Reclamation Engineer

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

631388