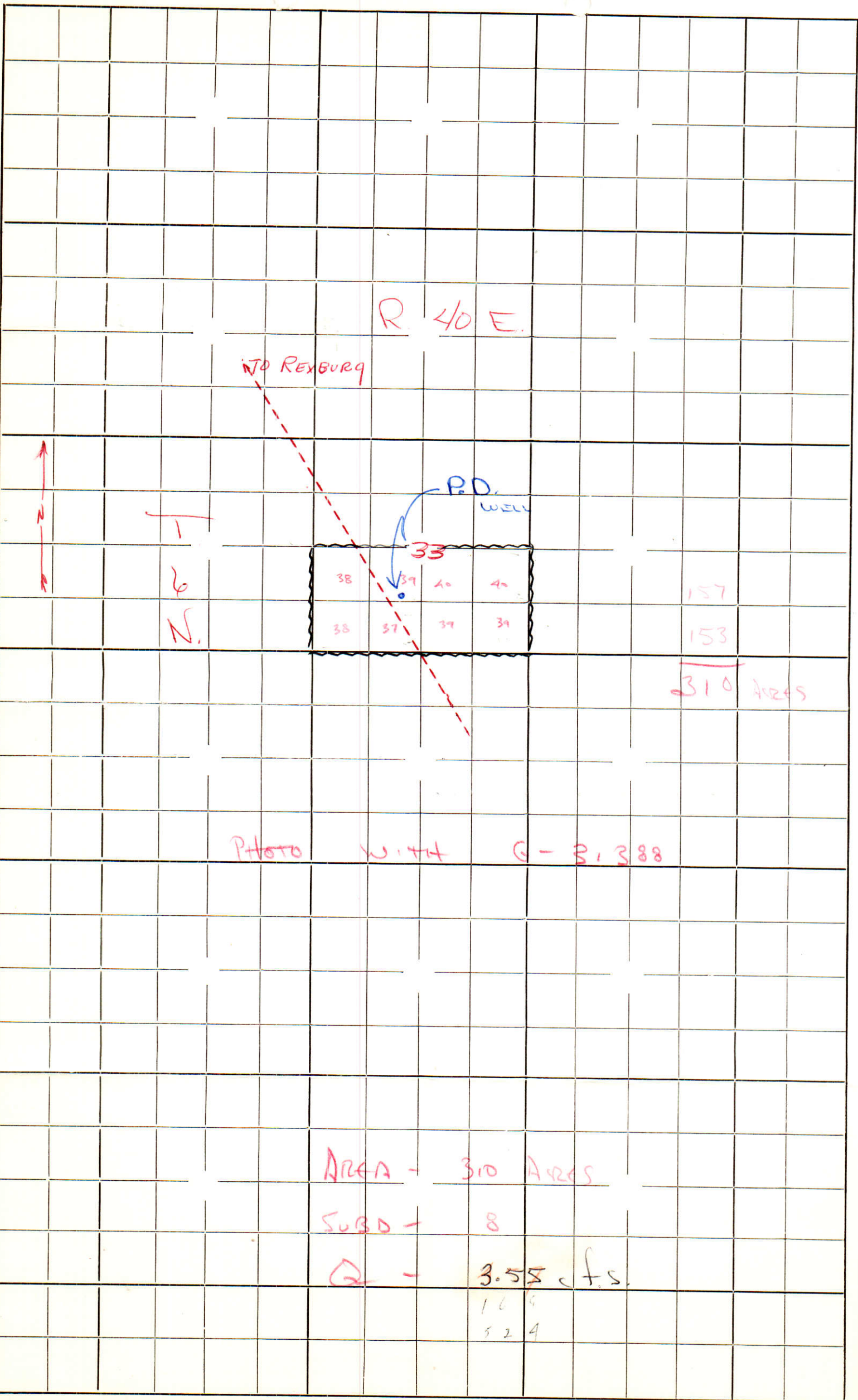




The REXBURG STANDARD and
The REXBURG JOURNAL
REXBURG, IDAHO

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 A.M., on the 20th day of July
1964, at Rexburg, County of Ma-
dison, 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 di-
version of 6.4 cubic feet per sec-
ond 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 29-
064, heretofore issued by the De-
partment of Reclamation of the
State of Idaho.

1. The name and postoffice
address of the person or corpora-
tion holding said permit is El-
don 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 con-
veying to the place of use is 6.4
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 6.4
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, in Madi-
son County, Idaho.

5. The place where said water
is used is S $\frac{1}{2}$ Section 33, Town-
ship 6 North, Range 40 East,
Boise Meridian, Madison Coun-
ty, Idaho.

6. The date of priority which
said user is prepared to estab-
lish is October 3, 1960.

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

29064

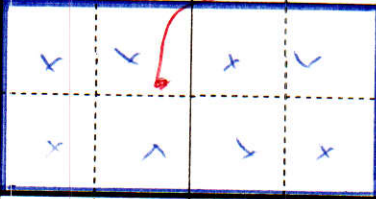
NAME OF APPLICANT ELDON W SMITH

Form No. 0

R40E

SEC. 33

Well



Permit Map No. 29064
As Approved
GEO. N. CARTER
Reclamation Engineer
OCT 7 1960

State of Idaho

License and Certificate of Water Right

Water License No. G-29064 Priority October 3, 1960 Amount 3.55 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 October 3, 1960; that Permit No. G-29064 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.55 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-29064 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~~ ~~xx~~, on the 22nd day of March, 1968.

The right hereby confirmed dates from October 3, 1960.

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 33, Twp. 6 N, R. 40 E, B.M. Madison County.

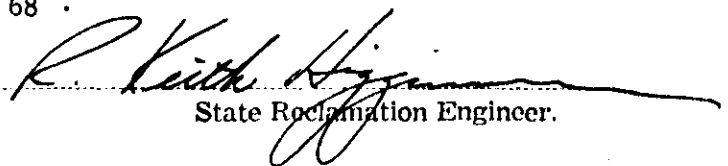
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.55 cubic feet per second.

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	N $\frac{1}{2}$ SE $\frac{1}{4}$	80	80
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	39
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	39
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	37
			Total acres to be irrigated:		310

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.


State Reclamation Engineer.

32-2184

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37058
Permit No. G- 29064
District No.

1. Name of Applicant: Eldon W. Smith
Postoffice address: Route #2, Rexburg County: Madison State: Idaho
2. Quantity of water claimed: 320 miner inches
 - (a) Rate of withdrawal in cubic feet per second 6.4 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 1/4 of the SW 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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Turbine pump & sprinkler irrigation
8. Estimated cost of works: \$48,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 6.4 (cubic feet per second, inches or gallons per minute) is for new lands.

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

s/ Eldon W. Smith

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. October 3, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 29064

Recorded in Book 102 Page 29064 Approved October 7, 1960

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 April 7, 1963

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 October 7, 1965

Witness my hand this 7th day of October, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 7th
day of October, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE
Governor

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	
6 N	40 E	33									X	X	X	X	X	X	X	X	320
TO ALL WHOM IT MAY CONCERN:			Permit No. G-29064 CERTIFICATE OF COMPLETION OF WORKS ✓																
			This is to certify that ELDON W. SMITH of Rexburg, County of Madison, and State of Idaho, the holder of Permit No. G-29064, issued upon Application No. G-37058, bearing date of priority of October 3, 1960, authorizing the diversion of 6.4 second feet of waters of a well, County of Madison, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.55 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is the NE ¹ / ₄ SW ¹ / ₄ , Section 33, Township 6 North, 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:																
			S ¹ / ₂ , 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. 1968																
			s/ R. KEITH HIGGINSON State Reclamation Engineer																
			LICENSE ISSUED FOR 3.55 SEC. FT. LICENSE PAG NO. 29064																

WATER RIGHT NUMBER 22-2184

OWNER LAST NAME - SMITH

FIRST NAME - ELDON W.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - REXBURG

STATE - ID ZIP CODE - 83440 ✓

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 10-03-1960 COUNTY - MADISON

TOTAL DIV. RATE -

3.5500 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESW 33 06N 40E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

3.5500 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 40E SEC 33

TRACT NESW LOT

AC 39 TRACT

NWSW LOT

AC 38

TRACT SWSW LOT

AC 38 TRACT

SESW LOT

AC 37

TRACT NESE LOT

AC 40 TRACT

NWSE LOT

AC 40

TRACT SWSE LOT

AC 39 TRACT

SESE LOT

AC 39

DECREE NAME -

DATE -

TOTAL ACRES

310 ✓

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 29064

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO. 22-2184

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 29064 1 ~~2901~~ 22-2184
 Old No. New No.

Record

1. Original Owner: Eldon W. Smith

Present Owner: _____

2. Address:

3. City: Repuburg State: ID 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: 10-3-1960

D. County: 65

E. Total Diversion Rate: 3.55

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>NESW</u>	<u>33</u>	<u>6N</u>	<u>40E</u>		

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

from _____ to _____ for A purposes. Amount 3.55
 (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 _____

CHA 7-18-79

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: 29064

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

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-29064 , issued upon
 Application No. G-37058 bearing date of priority of October 3, 1960 , authorizing the
 diversion of 6.4 second feet of waters of a well

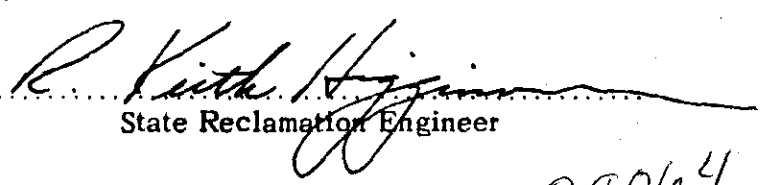
County of Madison , State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 3.55 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 North, ...
 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: S $\frac{1}{2}$, 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


 State Reclamation Engineer

29064

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)

29064



Mr. Donald W. McElowney, Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

29064

DICK SMITH

REXBURG, IDAHO

January 25, 1968

Mr. Donald W. McEldowney, Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

29064

Dear Mr. McEldowney:

As suggested in your letter of the 28th, there is enclosed herewith twenty one(21) dollars in order that Certificate of Completion can be issued on Permit Number G-29064.

My records as well as my attorney's who made the applications for me indicate that Completion Certificate should be available also on Permit Number G-31388. Please refer to letter, August 5, 1964 Re: G-29064 and G-31388 to Eldon W. Smith in care of Mary Smith, Attorney from Mr. Carl E. Tappan.

Information on status of G-31388 permit is requested.

Gratefully,

RECEIVED
JAN 30 1968
Department of Reclamation

29064

December 28, 1967

Re: Permit No. G-29064

Eldon W. Smith
Route #2
Rexburg, Idaho

Dear Mr. Smith:

A representative of this department has made an examination of the works covered by your permit G-29064 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: 3.55 c.f.s.

Purpose of use: irrigation of 310 acres in S $\frac{1}{2}$, sec. 33, T. 6 N, R. 40 E, B.M.

The priority date established is: October 3, 1960.

A fee totaling \$ 21.00 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:ka

29064

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

Permit No. G-29064This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Eldon W. Smith2. Source of water supply: Subterranean3. Location of point of diversion: Is in the NE 1/4 SW 1/4 of Section 33T. 6 N R. 40 EBM County of Madison4. Describe works as they exist, giving dimensions and capacities of same: U.S. Motor 400 HP

Ser. # 1280573 Peerless Pump Ser. # 201228
10" Discharge To Check Valve To Y with 0-100 PSI gauge To
10" Gate Valves on east & South mainlines South line 24" to Tee
and west main line with gate valve all underground
West line 2 mile then North

5. Water is used for: irrigation6. State whether or not water has been turned into works of diversion: Yes

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

S 1/2 Sec. 33., Twp. 6 N., Rge. 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: _____

Crops - Potatoes & Grain

14 - 1/4 mile LAT - MAINLINE 200 5/8" @ 5.165

$$Q = (162 \text{ woz}) \left(\frac{5.08 \text{ gpm}}{5.23} \right) = 5.23 \text{ cfs}$$

ALLOW .572 / inch / 14.8 gpm / 14.8 gpm / PERMITS G-31378
 G-29064 same system

This examination was made on the 30TH day of Aug., 1967(Signed) D. 2

Examiner.

29064

Plat ✓
2nd on
aw

Eldon W. Smith
% Mary Smith
Rexburg, Idaho
Permit No. G-29064

Examination for Completion of Works & Beneficial Use

County Madison

Sec. 33 T. 6N R. 40 EBM

Quantity: 6.4 ccs.

Source: WELL

P. D.: NE 1/4 SW 1/4 Sec. 33 Twp. 6N
Rge. 40E EBM

Use: irrigation

Filed: OCTOBER 3 1960

Due: OCTOBER 11 1960

Extension: _____

Protest: _____

Completion of Works: _____

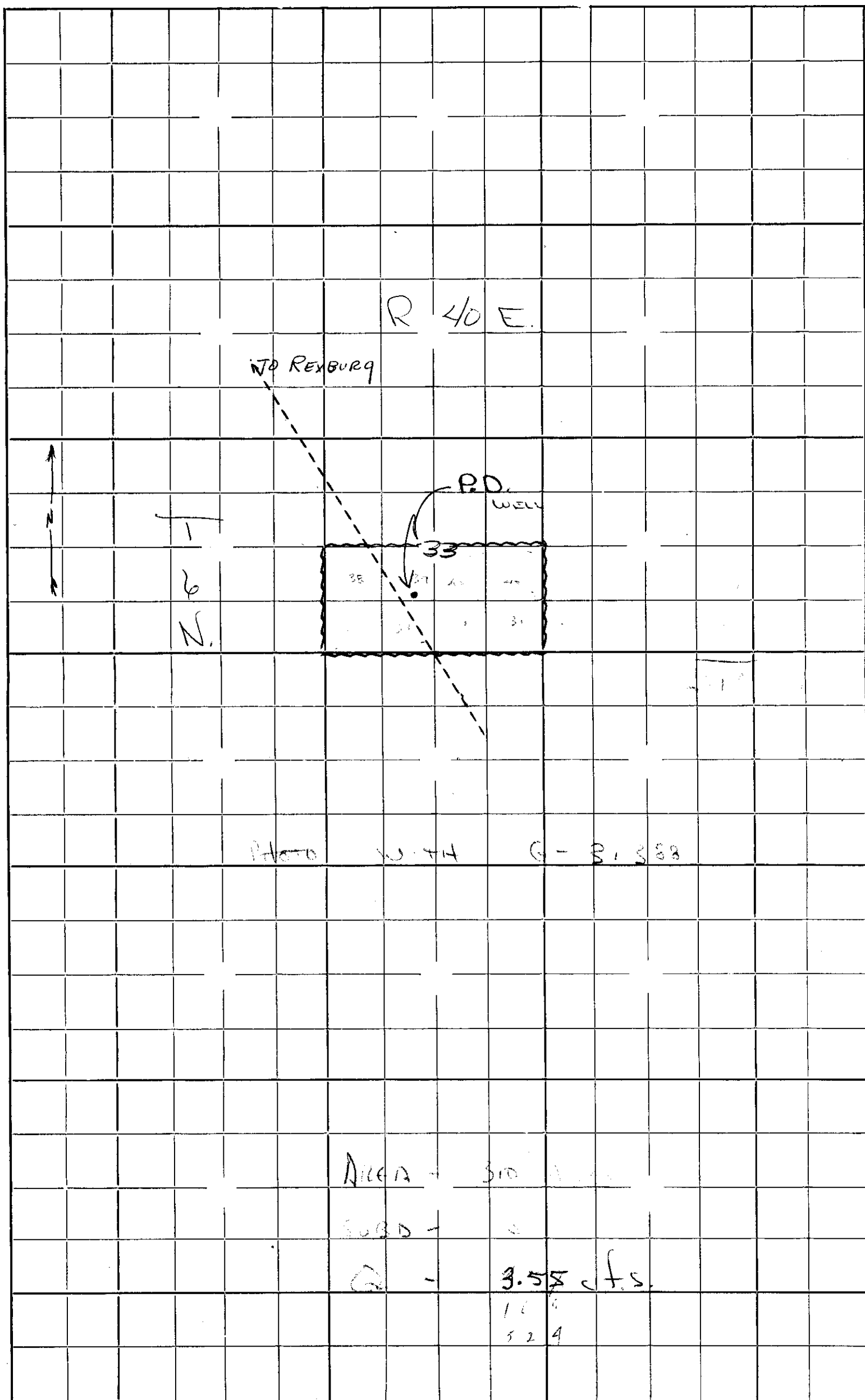
Other Rights: NONE

Made: July 20, 1964
Priority: Oct. 3, 1960

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.

29064



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

29064

31388
20964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29064

REPORT ON PROOF OF Completion of Works & Beneficial Use

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

29064

1M April 1962

August 5, 1964

Re: Permit No 0-29064
and 0-31388

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. 0-29064 & 0-31388.

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:

29064

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 3 1964
DEPT. OF RECLAMATION

Permit No. G29064

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: _____

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; G29064, October 7, 1960; October 3, 1960.

Ques. 4. State source of water supply: deep 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. G 31388) 9.4 cfs /; Give name of canal or ditch

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,

state discharge of pump: (refer to Permit No. G 31388) 9.4 cfs /; tell how it was measured or determined: open discharge with 8 in. orifice 6.4 ; if sprinkler irrigation, give number and size of nozzles and

operating pressure: 540 nozzles - 5/16's. 80 lbs at well & about 40 at aprinklers. (refer to Permit No. G 31388)

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 S $\frac{1}{2}$ Section 33, Township 6 North, Range 40 E. B. M., consisting of 320 acres, has been irrigated with this water.

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

The land was dry farm land, and has been changed to irrigated land, which permits greater crop diversification.

29064

None

6.4 cfs

have been used every crop season since - 1962, 1963 and 1964.

None

(sign)

County of Madison

State of Idaho, on this 20th day of July, A.D. 19 64.

Notary Public, residing at
Rexburg, Idaho.

My Commission expires: June 25, 1967.

29064

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G29064

RECEIVED

AUG 8 1964

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:

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

Ques. 2. Are you acquainted with Eldon W. Smith, the holder of
Permit No. G29064 ? 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. G29064 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: 6.4 cfs. How much water have you seen being so
conveyed: 6.4 cfs.

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

320 acres have been irrigated from this well consisting of the
S $\frac{1}{2}$ Sec. 33, T. 6 N., R 40 E. B. M.

29064

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:

This is a sandy loam soil and requires the full 6.4 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: Every irrigation season since this
including 1964.

(Signed)

J. P. Timmon

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.

29064

RECEIVED
AUG 3 1964

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G29064

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:

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

Ques. 2. Are you acquainted with Eldon W. Smith, the holder of
Permit No. G29064? 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. G29064 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: 6.4 cfs How much water have you seen being so
conveyed: 6.4 cfs.

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:
320 acres irrigated with this water - S $\frac{1}{2}$ Sec. 33, T 6 N., R 40 E. B. M.

29064

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. This acreage requires the full 6.4 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: Through the irrigation seasons of 1962,
1963 and now 1964.

(Signed)

William J. 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., 196⁶⁴₂.

Mary Smith

Notary Public for State of Idaho

Residing: Rexburg, Idaho

My commission expires: June 25, 1967.

29064

**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

29064

Re: Permit No. G-29064

June 8, 1964

Mary Smith
70 East 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-29064, 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 11:00 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 five 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 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

29064

RECEIVED JUN 8 1964 10/1/63

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 11 A. M., on the 20th day of July 1964, at Rexburg, County of Madison, State of Idaho, before Mary Smith, Notary Public, at (address) 70 East Main, Rexburg, Idaho, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 29064, 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 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 6.4 cubic feet per second.
3. The use to which said water has been applied is irrigation, purposes, and the amount applied to beneficial use is 6.4 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, in Madison County, Idaho.
5. The place where said water is used is S $\frac{1}{2}$ 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 October 3, 1960.

State Reclamation Engineer

29064 JK

Re: Permit No. 0-29064

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 Eldon W. Smith, Rexburg, Idaho
of _____ 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

29064

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.

Edna 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

29064

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.

Elbow 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

29064

October 17, 1960

Re: Permit No. G-29064

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

Dear Mr. Smith:

We enclose Permit No. G-29064 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-5268 which was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29064

NAME OF APPLICANT ELDON W SMITH

Form No. 0

P40E

SEC. 33

Wells

Permit Map No. 29064

As Approved

OCT 7 1960

GEO. N. CARTER

Reclamation Engineer

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

29064

Idaho

25 cents per m.
RECEIVED
OCT 3 1960

Department of Reclamation

WHEAT COMMISSION

YATES BUILDING

PHONE 4-3013

BOISE, IDAHO

September 30, 1960



HAROLD WEST
Administrator

COMMISSIONERS

CHARLES E. GABBY
Chairman

J. ADRIAN NELSON

ELDON W. SMITH

A. G. CONDIE

KEITH STROM

State Reclamation Engineer
Department of Reclamation
State of Idaho
Boise, Idaho
Attention: Ralph W. Thomas, Office Engineer

Dear Mr. Thomas:

Please find enclosed herewith twenty Five cents(\$0.25) as requested in your letter of September 26th. I regret this mistake and certainly hope that it has not inconvenienced you or your staff.

Thank you for your cooperation in expediting this permit.

Sincerely,

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

29064

September 26, 1960

RE: Application for Permit

Eldon W. Smith
Rt 2
Rexburg, Idaho

Your application for permit to appropriate subterranean water for irrigation of the S $\frac{1}{2}$ of Section 33, Township 6 North, Range 40 East is satisfactory except for the fee enclosed which is only \$6.25. You claimed 32 miner's inches of 2880 gallons per minute which is equivalent to 6.4 cubic feet per second for which the fee is \$6.50.

Kindly remit the balance of \$0.25 or authorize us to reduce the amount of water claimed to 380 miner's inches of water.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Office Engineer

RWT:mr

29064