45-02382

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor
GARY SPACKMAN
Director

December 18, 2012

RECEIVED
DEC 2 1 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

LAMBERT PRODUCE CO INC
DOUBLE C FARMS
203 E 1100 S
BURLEY ID 83318

45-2382

RE: EXPIRATION OF RENTAL AGREEMENT FOR WATER RIGHT NOS. 45-2254A, 45-2382, AND 45-2520 FROM THE WATER SUPPLY BANK

Dear Applicant:

This letter is to inform you that your Rental Agreement for rental of water from the Water Supply Bank has expired. Further water use under the agreement is unauthorized.

If you still need to rent water from the Bank, please submit a new application. Application forms and information about the Water Supply Bank are available from the Department's web site at www.idwr.idaho.gov.

If you have any questions regarding this matter, please contact me at (208) 287-4907.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

cc: IDWR Southern Regional Office
John Marshall – John Marshall Law PLLC

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 14, 2012

LAMBERT PRODUCE
DOUBLE C FARMS
203 E 1100 S
BURLEY ID 83318

RECEIVED
DEC 18 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

45-2382

RE: NOTIFICATION OF WATER SUPPLY BANK LEASE EXPIRATION FOR WATER RIGHT NO(S). 45-2254A, 45-2382 AND 45-2520.

Dear Lessor:

Idaho Department of Water Resources ("department") records show that a portion of the above referenced water right(s) is leased to the Water Supply Bank ("bank") through December 31, 2012. This letter is notice that the right(s) will be considered released from the bank unless you advise the department within thirty (30) days of the date of this letter that you want to extend the period of the lease. Notice should be submitted in writing or through the attached Lease Term Extension and Release Form.

If you would like the right(s) to remain leased to the bank, please specify the date to which you want the lease extended. All leases expire as of December 31, unless otherwise specified in the lease agreement.

A water right is not protected from forfeiture unless it is accepted into the Bank or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. The five-year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the bank. If a written request is not received with thirty days the right(s) will be released from the bank as of December 31, 2012.

If you have questions regarding this matter, feel free to contact me at (208) 287-4907.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

c: Allen Merritt - IDWR Southern Regional Office
Brian Higgs – Watermaster, Water District 140
John Marshall – John Marshall Law PLLC

State of Idaho
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Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 15, 2012

LAMBERT PRODUCE CO INC
DOUBLE C FARMS
203 E 1100 S
BURLEY ID 83318

RECEIVED
MAY 17 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

45-2382

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 45-2254A, 45-2382, 45-2520

Dear Renter:

I have enclosed an executed copy of your Water Supply Bank Rental Agreement for your records. I have also included a copy of the receipt of payment for the rental application in the amount of $3,847.20. Upon your receipt of the executed copy, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

If you have any questions, please contact me at (208) 287-4949.

Nicholas Van Dyke
Sr. Water Resource Agent

Enclosures: Rental Agreement
Receipt Copy

c: Allen Merritt – IDWR ~~Western~~ SOUTHERN Regional Office
Brian Higgs – Watermaster, Water District 140
John Marshall – John Marshall Law PLLC

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

RECEIVED
APR 24 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor
GARY SPACKMAN
Interim Director

April 20, 2012

LAMBERT PRODUCE CO INC
DOUBLE C FARMS
203 E 1100 S
BURLEY ID 83318

RE: APPLICATION TO LEASE AND RENT WATER RIGHT NO(S). 45-2254A, 45-2382 AND 45-2520 TO THE WATER SUPPLY BANK

45-2382

Dear Applicant:

The Department of Water Resources ("Department") has completed its review of your applications to lease and rent the above-mentioned water right numbers to the Water Supply Bank ("Bank"). The offered water rights are accepted into the Bank in accordance with the attached Water Supply Bank Lease Acceptances. If you do not agree with the conditions of the Lease Acceptance and would like to withdraw your water right from the Bank, you must contact the Department within thirty (30) days of receipt of this notification. The rights will automatically be released from the bank on **November 15, 2012**.

I have enclosed Water Supply Bank Rental Agreement for your review and signatures. Upon signature and return of the original agreements, together with the rental fees described below, the Department will also sign the original agreement and return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

The rental fees were was calculated based on the current rental rate of $14.00 per acre-foot times the diversion volume. The total fees due are $3,847.20.

Please send a check made payable to the Idaho Department of Water Resources, together with the signed rental agreement, to my attention within 14 days so I can complete the processing.

Please review the conditions of acceptance listed on the acceptances and contact me if you have any questions at (208) 287-4907.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

Enclosure(s): Receipt C095113 for $500 lease application fee

c: Allen Merritt – IDWR Southern Regional Office
Brian Higgs – Watermaster, Water District 140
John Marshall – John Marshall Law PLLC

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

RECEIVED
JAN 24 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor
GARY SPACKMAN
Interim Director

January 23, 2012

LAMBERT PRODUCE CO INC
203 E 1100 S
BURLEY ID 83318

45-2382

RE: EXPIRATION OF RENTAL AGREEMENT FOR WATER RIGHT NO(S). 45-2254A, 45-2520 AND 45-2382 FROM THE WATER SUPPLY BANK

Dear Applicant:

This letter is to inform you that your Rental Agreement for rental of water from the Water Supply Bank has expired. Further water use under the agreement is unauthorized.

If you still need to rent water from the Bank, please submit a new application. Application forms and information about the Water Supply Bank are available from the Department's web site at www.idwr.idaho.gov.

If you have any questions regarding this matter, please contact me at (208) 287-4907.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

c: Allen Merritt – IDWR Southern Regional Office
John Marshall – John Marshall Law

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

December 29, 2011

RECEIVED
JAN 03 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

C. L. "BUTCH" OTTER
Governor
GARY SPACKMAN
Interim Director

LAMBERT PRODUCE
DOUBLE C FARMS
203 E 1100 S
BURLEY ID 83318

RE: NOTIFICATION OF WATER SUPPLY BANK LEASE EXPIRATION FOR WATER RIGHT NO(S).45-2254A, 45-2382 AND 45-2520.

Dear Lessor:

Idaho Department of Water Resources ("department") records show that all or a portion of the above referenced water right(s) is leased to the Water Supply Bank ("bank") through December 31, 2011. This letter is notice that the right(s) will be considered released from the bank unless you advise the department within thirty (30) days of the date of this letter that you want to extend the period of the lease. Notice should be submitted in writing or through the attached Lease Term Extension and Release Form.

45-2382

If you would like the right(s) to remain leased to the bank, please specify the date to which you want the lease extended. All leases expire as of December 31, unless otherwise specified in the lease agreement. Since you last applied to place the water rights in the Water Supply Bank, a new fee was instituted. The fee is $250 per water right for an extension, capped at $500 for overlapping water rights.

A water right is not protected from forfeiture unless it is accepted into the Bank or unless an exception or defense to forfeiture applies as described under Idaho Code § 42-223. The five-year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the bank. If a written request is not received with thirty days the right(s) will be released from the bank as of December 31, 2011.

If you have questions regarding this matter, feel free to contact me at (208) 287-4907.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent

c: Allen Merritt - IDWR Southern Regional Office
Brian Higgs – Watermaster, Water District 140
John Marshall – John Marshall Law PLLC

State of Idaho
License and Certificate of Water Right

Water License No. G-22183 Amount 10.3 second feet

Water District No. Priority June 14, 1951.

THIS IS TO CERTIFY that VICTOR R. SMITH

of Burley, Idaho , made application for a permit to appropriate the public waters of the State of Idaho, dated June 14, 1951 , ~~19~~ ; that Permit No. G-22183 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10.3 second feet, was issued thereunder on July 19 , 1956 , showing that said works were completed on the 15th day of March , 1956 ; and that on the 15th day of March , 1956 ,

VICTOR R. SMITH

of Burley , State of Idaho , made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of three wells ~~contributary~~ (subterranean flow) , for the purpose of irrigation and domestic uses , under Use Permit No. G-22183 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 9 of Licenses at page 5761 , on the 19th day of July , 1956 ;

The right hereby confirmed dates from June 14 , 1951 ;

The Point~~s~~ of Diversion are located in the $SW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$ and $SW\frac{1}{4}NE\frac{1}{4}$ Section 33, in ~~the~~ ~~the~~ ~~the~~. , Tp. 11 S., R. 23 E. , B. M. Cassia 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 10.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	23 E.	33	$NE\frac{1}{4}$ $NE\frac{1}{4}$	40	40
			$NW\frac{1}{4}$ $NE\frac{1}{4}$	40	40
			$SW\frac{1}{4}$ $NE\frac{1}{4}$	40	40
			$SE\frac{1}{4}$ $NE\frac{1}{4}$	40	40
			$NE\frac{1}{4}$ $NW\frac{1}{4}$	40	40
			$NW\frac{1}{4}$ $NW\frac{1}{4}$	40	40
			$SW\frac{1}{4}$ $NW\frac{1}{4}$	40	40
			$SE\frac{1}{4}$ $NW\frac{1}{4}$	40	40
			$NE\frac{1}{4}$ $SW\frac{1}{4}$	40	40
			$NW\frac{1}{4}$ $SW\frac{1}{4}$	40	40
			$SW\frac{1}{4}$ $SW\frac{1}{4}$	40	40
			$SE\frac{1}{4}$ $SW\frac{1}{4}$	40	40
			$NE\frac{1}{4}$ $SE\frac{1}{4}$	40	40
			$NW\frac{1}{4}$ $SE\frac{1}{4}$	40	40
			$SW\frac{1}{4}$ $SE\frac{1}{4}$	40	40
			$SE\frac{1}{4}$ $SE\frac{1}{4}$	40	40
			Total Number of Acres Actually Irrigated - - - -		640

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 19th day of July , 1956 .

MARK R. KULP
State Reclamation Engineer.

(SEAL)

15 2982

G-22183

45-2382

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

General Delivery
Burley, Idaho

Application No. G- 29911
Permit No. G- 22183
District No.

1. Name of Applicant: VICTOR R. SMITH

   Postoffice address: Burley County: Cassia State: Idaho

2. Quantity of water claimed:

   (a) Rate of withdrawal in cubic feet per second. 12.80 or Idaho Miners' inches 640 or gallons per minute.

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean from wells

4. Location of point of diversion or well is in the S.W. ~~¼ of the~~ ¼ of Section 33 Twp. 11 S. , Rge. 23 E. , B. M., County of Cassia

   corner of each quarter section

5. Water is to be used for: Irrigation and domestic purposes.

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B. M

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B. M.

7. Kind of works: Four wells, pumps and ditches.

8. Estimated cost of works: $ 50,000.00

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(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) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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.

VICTOR R. SMITH *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 11:30 A. M. June 14, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-22183

Recorded in Book 79 Page 22183 Approved June 18, 1951

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 August 18, 1951 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 December 18, 1953

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before June 18, 1956

Witness my hand this 18th day of June, 1951

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, 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 18th day of June, 19 51

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS
Secretary of State.

By LEN JORDAN
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11 S.	23 E.	33	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Permit No. G-22183
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that VICTOR R. SMITH of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-22183, issued upon Application No. G-29911 bearing date of priority of June 14, 1951, authorizing the diversion of 12.80 second feet of the waters of subterranean from four wells, County of Cassia, State of Idaho, for irrigation and domestic 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 10.3 second feet of the waters of three wells; that the points of diversion of said waters are in the SW¼SW¼, SW¼NW¼ and SW¼NE¼ Section 33, Township 11 South, Range 23 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All of Section 33, Township 11 South, Range 23 East, B. M.

Witness my hand this 19th day of July, A. D. 1956.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made March 15, 1956.
Certificate of Completion of Works issued July 19, 1956.

LICENSE ISSUED FOR 10.3 SEC. FT.
Page 5761

July 30, 1956

RE: Permit No. G-22183

Mr. Victor R. Smith
Clearfield
Utah

Dear Mr. Smith:

We are today in receipt of your check in the amount of $1.00 to take care of the fee for a copy of the Engineers Report in connection with completion of works and beneficial use proofs on your Permit No. G-22183.

We enclose a copy of the Engineer's report together with departmental receipt No. G-2035 for the $1.00 fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

G-22183

July 30, 1956

RE: Permit No. G-22183

Mr. Victor R. Smith
P. O. Box 1
Clearfield, Utah

Dear Mr. Smith:

We enclose Certificate of Completion of Works also License and Certificate of Water Right issued under Permit No. G-22183 confirming your right to the use of 10.3 second feet of water from three wells with points of diversion in the SW¼SW¼, SW¼NW¼ and SW¼NE¼ Section 33, Township 11 South, Range 23 East, S. L. M., with priority date of June 14, 1951, for irrigation and domestic purposes on All of Section 33, Township 11 South, Range 23 East, S. L. M.

We also enclose departmental receipt No.G-2004 for the $37.00 which includes $5.00 Completion of Works fee and $32.00 License fee.

A copy of the Engineer's Report, showing the actual amount of water delivered by each of the three wells, as requested in your letter of July 16, 1956, will be sent you upon the receipt of the $1.00 fee for making same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:eu
Enc.

G-22183

c/c and $37.00

VICTOR R. SMITH

P. O. BOX 1
CLEARFIELD, UTAH

July 16, 1956

RECEIVED
JUL 17 1956
Department of Reclamation

Department of Reclamation
Boise, Idaho

Attn: Edna P. Rutledge,
Chief Clerk

Re: Permit # G-22183

Gentlemen:

Enclosed is our check in the amount of $37.00 for the Statutory fees and license fee.

Would you be able to furnish us a copy of the Field Engineer's Report showing the actual amount of water delivered by each of our three wells.

Thank you.

Yours very truly,

Victor R. Smith

Victor R. Smith

Enc:

ss

G-22183

July 5, 1956

RE: Permit No. G-22183

Mr. Victor R. Smith
Clearfield
Utah

Dear Mr. Smith:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on your Permit No. G-22183 which shows that your three wells located in the SW¼NW¼, SW¼NE¼, and S½SW¼ Section 33, Township 11 South, Range 23 East, B.M., will deliver 515 inches or 10.3 second feet of water which has been used to irrigate all of Section 33.

A Certificate of completion of works and License can, therefore, be issued for 10.3 second feet of water upon receipt of the Statutory fees amounting to $5.00 for completion of works and $32.00 license fee, the latter being at the rate of $2.00 for each 40 acre subdivision irrigated.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

G-22183

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-22183

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

1. Name of applicant Victor R. Smith

2. Source of water supply: Subterranea flow from three wells

3. Location of point of diversion: Is in the Well No. 1 is located in $SW\frac{1}{4}SW\frac{1}{4}$., Well No. 2 is in $SW\frac{1}{4}NW\frac{1}{4}$., Well No. 3 is in $SW\frac{1}{4}NE\frac{1}{4}$ of Section 33

T. 11 S R. 23 E., B. County of Cassia

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

Each pump is driven by a 200 hp. Vert. motor
Pumps are all deep well turbines
Lift is over 300 feet on each
Delivery is either into a concrete (large) head box
or head box and pipe line.

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):

Sec. 33., Twp. 11 S., Rge. 23 E., B.M.

See map.

(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 are hay, grain, row crops.

All primary water, is fields by gravity.

This examination was made on the 31 day of May, 19 56

(Signed) E. N. Humphreys
Examiner.

G 22183

#2 = G.E. 200HP
440V 235a. 1775 rpm
#NKJ1204001

Layne B. Turb. 19788
Conc. base 7'x7'
no protect

Whse & G.E. Controls
on panel on East 4'

300 cf in 8 4 8.
add 5" Leakage
185"

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUN 27 1956
Department of Reclamation

Victor R. Smith
Clearfield, Utah
Call.
OR 8-2164 = Madsen, Chesley
Permit No. G-22183

Examination for Completion of Works & Beneficial Use

County Cassia

33-11S.-23E.

Q = 12.8 c.f.s.

S = Wells.

P.D. = SW.NE., SW.NW., SW.SW. Sec. 33, T.11S.-R.23E.

Use = Irrigation & Domestic

500 in 21.328
12
1502

165" = #1

Filed = June 14, 1951

Due = June 18, 1956

#1

500 cf in 2m. 375.
12
1875.

160" see 2nd trial,

200 hp. U.S. Motor
#913680 440V 240a.

Layne B. Turb.
#18223

Conc. Base 6'x6'
No protect.

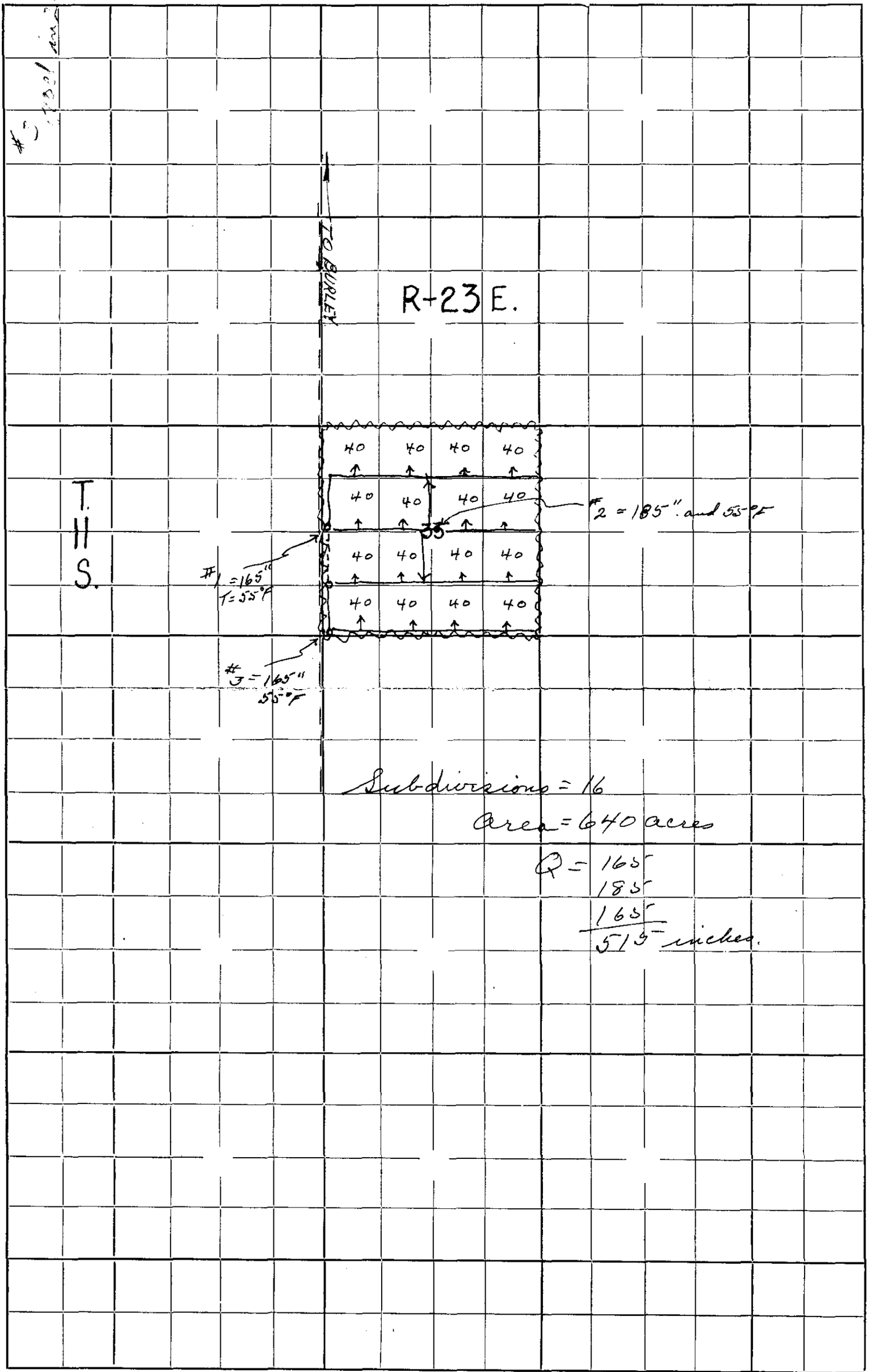
D G.E. Controls
on Panel to W. 4'

Plank fence around
Pump. approx. 16'x10'

10" ditch to S. into
Conc. headbox size
5'x10'x4' h.

Ditch to E. & N.

12" Steel pipe line
1/4 mi. to S.



Subdivisions = 16

Area = 640 acres

Q = 165"
185"
165"
515" inches.

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

I-22183

#53 G. E. 200 hp. RJT414 3/
4400' 2350 @ 1775 rpm
F. Bowlen Ferd.
#1 cast iron 4-panel 8 blade

Building #6 G. E. motor at Co shop
mc. Base & floor
frame 8'x8'x8½'
3 windows & door,
all penetrated hot.

del & s. thru 10"x10'
pipe - into large
pipe head 6'x8'x10'x4½'
deep head 6'x8'x10'x4½'
ditch to C. & M.

500 gal in 2 hr. 51 s.
165' "
165'

Form 2

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

185'
165'
165'
515' for 640

PERMIT NO. G-22183

~~REPORT ON PROOF OF~~ Completion of Works & Beneficial Use

gpp. 12.80 cfs
Sub. 16
acres 640

10.3 cfs
mrk

May 28, 1956

RE: Permit No. G-22183

Mr. Chesley M. Madsen
1442 Oriental Avenue
Burley, Idaho

Dear Mr. Madsen:

At your request and since you are the foreman of Mr. Smith's farm, I am notifying you that I intend to make inspection in connection with the above numbered Permit on Thursday afternoon, May 31. I will be there after making inspection on one for the Golden Valley Farms, Inc., about noon or shortly thereafter.

Please be prepared to accompany me on this inspection.

In case you wish to contact me, I will be at the National Hotel in Burley on Wednesday night.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

G-22183

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

April 1, 1956

Mr. Victor R.Smith
Burley
Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-22183. This notice should be filled cut in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than June 19, 1956.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

G-22183

March 30, 1956

Re: Permit No. G-22183

Nielson & Nielson
P. O. Box 367
Burley, Idaho

ATTENTION: Mr. Norman H. Nielson

Dear Mr. Nielson:

We acknowledge receipt of the depositions of Mr. Victor R. Smith, the holder of the Permit and two witnesses, also affidavit of publication in The Burley Herald, all submitted in proof of completion of works and beneficial use on the above captioned Permit.

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 Mr. Smith at the time he makes the examination so that arrnagements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
cc: Victor R. Smith

G-22183

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

March 24, 1956

A. H. NIELSON
N. H. NIELSON

RECEIVED
MAR 26
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed you will find the Depositions of Victor Smith and his witnesses, together with the Affidavit of Publication for Permit No. G 22183.

Would you please process this application?

Very truly yours,

NIELSON & NIELSON

By Norman H. Nielson

Norman H. Nielson

NHN/fg
Encl.

G-22183

[redacted] hereby given that at 2:00 p.m., on the 14th day of March, 1956, at Burley, County of Cassia, State of Idaho, before Norman H. [redacted], Notary Public, proof will be submitted of the completion of works for the diversion of 12.5 cubic feet per second of the waters of three (3) subterranean wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22183 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 are VICTOR R. SMITH of Clearfield, Utah.

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, in accordance with the plans accompanying the application for such permit, is 12.5 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 12.5 cubic feet per second.

4. The place where said water is used in Section Thirty-three (33), Township Eleven (11) South, Range Twenty-three (23) East, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 18, 1951.

MARK R. KULP
State Reclamation Engineer

Published in the Burley Herald, Feb. 16-23, March 1-8, 1956.

Affidavit of Publication. **The Burley Herald-Bulletin**

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 12 1956

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Junior W. Ross, first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or sterotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Feb. 16 19 56, and ending with the issue dated Mar. 8, 19 56.

Junior W. Ross

Subscribed and sworn to before me this 8th day of March 19 56

Hazel P. Woodall

Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

My Commission Expires June 4, 1959

G-22183

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

Notice is hereby given that at 2:00 p.m., on the 15th day of March, 1956, at Burley, County of Cassia State of Idaho, before Norman H. Nielson, Notary Public, proof will be submitted of the completion of works for the diversion of 12.5 cubic feet per second of the waters of three (3) subterranean wells and of the application to beneficial use of said water, in accordance with the *terms and conditions* of Permit No. 2-22183 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 are VICTOR R. SMITH of *Clearfield, Utah.*

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, in accordance with the plans accompanying the application for such permit, is 12.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, an the amount applied to beneficial use is 12.5 cubic feet per second.

4. The place where said water is used in Section Thirty-three (33), Township Eleven (11) South, Range Twenty-three (23) East, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 18, 1951.

MARK R. KULP
State Reclamation Engineer

Published in the Burley Herald, Feb. 16-23, March 1-8, 1956.

Affidavit of Publication. **The Burley Herald-Bulletin**

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
COUNTY OF CASSIA } ss.

Junior W. Ross, first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or sterotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Feb. 16, 1956, and ending with the issue dated Mar. 8, 1956.

Junior W. Ross

Subscribed and sworn to before me this 12 day of March, 1956.

Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

My Commission Expires June 4, 1959

2-22183

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

Notice is hereby given [redacted] 2:00 p.m., on the 15th day o[redacted] 1956, at Burley, County o[redacted] State of Idaho, before No[redacted] Nielson, Notary Public, pr[redacted] be submitted of the compl[redacted] works for the diversion of [redacted] bic feet per second of the w[redacted] three (3) subterranean wells [redacted] the application to beneficial [redacted] said water, in accordance wi[redacted] terms and conditions of Per[redacted] G-22183 heretofore issued by t[redacted] partment of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation h[redacted] said permit are VICTOR R. [redacted] of Clearfield, Utah.

2. Said works of diversion were fully completed on the date of such completion, and the amount of water which said works are capable of conveying to the place of use in accordance with the plans accompanying the application for such permit, is 12.8 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, an the amount applied to beneficial use is 12.8 cubic feet per second.

4. The place where said water is used in Section Thirty-three (33), Township Eleven (11) South, Range Twenty-three (23) East, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 18, 1951.

MARK R. KULP
State Reclamation Engineer

Published in the Burley Herald, Feb. 16-23, March 1-8, 1956.

Affidavit of Publication. **The Burley Herald-Bulletin**

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 26 1956
Department of Reclamation

STATE OF IDAHO
COUNTY OF CASSIA } ss.

Junior W. Ross, first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or sterotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Feb. 16 19.56, and ending with the issue dated Mar. 8, 19.56.

Junior W. Ross

Subscribed and sworn to before me this 7th day of March, 19.56

Hazel G. Nordell

Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

My Commission Expires June 4, 1959

G-22183

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

Notice is hereby given that at 2:00 p.m., on the 15th day of March, 1956, at Burley, County of Cassia State of Idaho, before Norman H. Nielson, Notary Public, proof will be submitted of the completion of works for the diversion of 12.5 cubic feet per second of the waters of three (3) subterranean wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22183 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 are VICTOR R. SMITH of Clearfield, Utah.

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, in accordance with the plans accompanying the application for such permit, is 12.8 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, an the amount applied to beneficial use is 12.5 cubic feet per second.

4. The place where said water is used in Section Thirty-three (33), Township Eleven (11) South, Range Twenty-three (23) East, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 18, 1951.

MARK R. KULP
State Reclamation Engineer

Published in the Burley Herald, Feb. 16-23, March 1-8, 1956.

Affidavit of Publication. **The Burley Herald-Bulletin**

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 1956

STATE OF IDAHO
COUNTY OF CASSIA } ss.

Junior Jackson, first being duly sworn, deposes and says: That he is the printer of The Burley Herald and/or The Burley Bulletin, a weekly newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published weekly and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or sterotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Feb. 16, 1956, and ending with the issue dated Mar. 8, 1956.

Junior Jackson

Subscribed and sworn to before me this 8th day of March, 1956.

Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

My Commission Expires June 4, 1959

G-22183

Form 16.

RECEIVED
MAR 24 1955
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22183

Proof of Application of Water to Beneficial Use and Completion of Works

Deposition of Holder

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

Ans. VICTOR R. SMITH Residence and post office address: Clearfield, Utah

Occupation: Food Processor

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

Ans.

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

Ans. Permit No. G-22183. Date of Permit is June 18, 1951. Date of Priority is June ~~18~~ 1951.

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

Ans. Three subterranean wells, Well No. 1 is located in the SW¼ of the SW¼ of Sec. 33, Twp. 11 S., Rge. 23, E.B.M. Well No. 2 is located in the SW¼ of the NW¼. Well No. 3 is located in the SW¼ of the NE¼ of Sec. 33, Twp. 11 S., Range 23, E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The Works of diversion consist of a steel pipe line that has a carrying capacity of 225" and open ditches that have a carrying capacity of 225". Well No. 1 is 462 ft. deep. Well No 2. 465 ft. deep and Well No. 3 is 465 ft. deep. Each of the wells have a 16 inch casing that goes down 240 feet. The depth to water in Well No. 1 is 285 ft. and No. 2 is 282 ft. and No. 3 is 280 ft. Well No. 1 discharges 195 miner inches, Well No. 2 discharges 205 miner inches, Well No. 3 discharges 225 miner inches of water. Well No. 1 has a GE motor. Well No. 2 has a U.S. motor and well No. 3 has a GE motor, each one having a 200 h.p. capacity that is used on the pumps to pump the water from the wells.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and is used to irrigate all of Section 33, Township 11 South, Range 23, E.B.M. All of the land in the NE¼, in the NW¼ and the SW¼ and in the SE¼ of Sec. 33, Twp. 11 S., Rge. 23, E.B.M. has been irrigated. The land has been irrigated since the spring of 1952 and the wells that were drilled on the property cost $21,000.00. The pumps that were placed in the wells cost $36,000.00. Leveling was done on the land at a cost of $8,000.00. The property was fenced at a cost of $1200.00 and ditches were constructed at a cost of $3500.00.

G-22183 RMS

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

Ans. .....

.....

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

Ans. The minimum amount of water required for the beneficial use is 12.8 second feet of water.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. .....

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

Ans. The water was first pumped from the wells in Sept. of 1951 to irrigate fall wheat. The water was pumped from the wells during the cropping season of May 1952, 1953, 1954 and 1955; and ~~12.5 second feet of water has been used on the said land.~~

.....

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. There is no other water available to the land except a slight amount of rain fall, other than the water that is pumped from the three wells mentioned in this deposition.

.....

.....

.....

(Sign) Oscar B. 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 Burley, County of Cassia, State of Idaho, on this 15 day of March, A. D. 19 56

Vernon H. Nielson

My commission expires May 12, 1958

22183

Form 17-A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22183

Proof of Application of Water to Beneficial Use and Completion of Works

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. CHESLEY M. MADSEN Age: 45 years Residence and postoffice address: Burley, Idaho Occupation: Farmer

Ques. 2. Are you acquainted with VICTOR R. SMITH, the holder of Permit No. G-22183? How long have you known him and where does he reside?

Ans. I have known Victor Smith for approximately 15 years and he resides at the present time at Clearfield, Utah.

Ques. 3. Have you read or heard read said Permit No. G-22183, and are you familiar with its provisions and conditions?

Ans. I am familiar with the provisions and conditions of said permit.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water supply is subterranean wells. The wells are located in the SW¼ of the SW¼, the SW¼ of the NW¼, the SW¼ of the NE¼ of Section 33, Township 11 South, Range 23, E.B.M. The water is carried from the wells to place of diversion by use of a subterranean pipe that will carry 225 inches of water and by open ditches that will carry 225 inches of water.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. The ditches and pipe line will carry 225 second feet from the well that they carry water from to subditches that put the water upon the land.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have been the renter on the land for over 4 years. Well No. 1 discharges 195 miner inches of water; Well No. 2 discharges 205 miner inches of water and well No. 3 discharges 225 miner inches of water.

G-22183

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and is used on all of Section 33, Township 11 South, Range 23, E.B.M. All of the land in Sec. 33, Twp. 11 S., Rge. 23 can be irrigated from the three wells. The land is cultivated land and has been reclaimed from Desert-land entry. Wells and pumps have been put upon the land and leveling has been done on the land. The land has been fenced and ditches and subterranean pipes have been put on the land.

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

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The character of the land that has been reclaimed was desert land and the amount of water for profitable irrigation is 12.8 second feet of water.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the land or water.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have ran the property for approximately 4 years and am well acquainted with the amount of water that each well produces, and the land itself.

(Signed) Chesley M. Madsen

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 Burley County of Cassia, State of Idaho, on this 15 day of March, A. D. 19 54.

Norman H. Nielson
Notary Public.

My commission expires May 12, 1958

S-22183

Form 17-A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-22183

Proof of Application of Water to Beneficial Use and Completion of Works

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. ARTHUR J. PAHL Age: 45 years Resides at Burley, Idaho. Occupation is Farming. Postoffice address: Burley, Idaho.

Ques. 2. Are you acquainted with VICTOR R. SMITH, the holder of Permit No. G-22183? How long have you known him and where does he reside?

Ans. I have known Victor Smith for 4 years and he resides at Clearfield, Utah.

Ques. 3. Have you read or heard read said Permit No. G-22183, and are you familiar with its provisions and conditions?

Ans. I am familiar with the provisions and conditions of said Permit No. G-22183.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water supply is subterranean wells. The wells are located in the $SW\frac{1}{4}$ of the $SW\frac{1}{4}$, the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$, the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 33, Township 11 South, Range 23, E.B.M. The water is carried from the wells to place of diversion by the use of a subterranean pipe to carry 225 inches of water and by open ditches that will carry 225 inches of water.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. The ditches and pipe line will carry 225 ~~second feet from~~ the well that they carry water from to subditches that put the water upon the land.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen Well No. 1 discharge 195 miner inches of water; Well No. 2 discharge 205 miner inches of water and Well No. 3 discharge 225 miner inches of water.

G-22183

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and is used on all of Section 33, Township 11 South, Range 23, E.B.M. All of the land in Sec. 33, Twp. 11 S., Rge 23 can be irrigated from the three wells. The land is cultivated land and has been reclaimed from a Desert Land Entry. Wells and pumps have been put upon the land and leveling has been done on the land. The land has been fenced and ditches and subterranean pipes have been put on the land.

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

Ans. .....

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The character of the land that has been reclaimed is desert land and the amount of water for profitable irrigation is 12.8 second feet of water.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the land or water.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been on the land numerous occasions when water was being converted from the wells and have examined the pumps as an employee of the Reclamation District and know the amount of water that the pumps discharge.

(Signed) Arthur J. Tabb

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 Burley, County of Cassia, State of Idaho, on this 15th day of March, A. D. 1956.

Warren H. Nielson
Notary Public.

My commission expires May 12, 1958

G-22183

Burley, Idaho
Fe 15, 1956

Dear Mr. Kulp:

The legal for Victor R. Smith of Clearfield, Utah received today and will place it in Burley Herald, Feb. 16-23, Mar. 1-8, 1956.

Thanks.

Very truly yours
Burley Herald-Bulletin

By
Mrs. Hazel B. Woodall

G-22193

THIS SIDE OF CARD IS FOR ADDRESS ONLY

RECEIVED
FEB 17 1956
Department of Reclamation

Mr. Mark R. Kulp,
State Reclamation Engineer
Dept. of Reclamation
Boise, Idaho

22183

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: **February 14, 1956**

RE: Permit No. G-22183

Burley Herald
Burley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 15, 1956** the date set for proof, the expense of the publication to be paid by the applicant, **Victor R. Smith** of **Clearfield, Utah**, 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

G. 22183

Form 36

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

Notice is hereby given that at 2:00 P. M., on the 15th day of March, 1956, at Burley, County of Cassia State of Idaho, before Norman H. Nielson, Notary Public, proof will be submitted of the completion of works for the diversion of 12.5 cubic feet per second of the waters of three (3) subterranean wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22183 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 are VICTOR R. SMITH of Clearfield, Utah

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, in accordance with the plans accompanying the application for such permit, is 12.8 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 12.5 cubic feet per second.

4. The place where said water is used is Section Thirty-three (33), Township Eleven (11) South, Range Twenty-three (23) East, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 18, 1951.

MARK R. KULP

State Reclamation Engineer

G-22183

February 14, 1956

RE: Permit No. G-22183

Messrs. Nielson & Nielson
P. O. Box 367
Burley, Idaho

ATTENTION: Mr. Norman H. Nielson

Dear Mr. Nielson:

We have your letter of February 10, enclosing notice for completion of works and beneficial use proof on Permit No. G-22183 in the name of Victor R. Smith, to be made on the 15th day of March, 1956, before you as notary public.

We shall send to the Burley Herald a copy of the notice with instructions to publish it once a week for four weeks prior to that date and to send Mr. Smith the affidavit of publication together with statement of costs.

At the time set, Mr. Smith should appear before you as notary, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.
cc - Mr. Victor R. Smith
Clearfield
Utah

G-22183

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

February 10, 1956

A. H. NIELSON
N. H. NIELSON

RECEIVED
FEB 13 1956
Department of Reclamation

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Gentlemen:

Enclosed you will find a Notice of Proof of Completion of Works and Application of Water to Beneficial Use, in the name of Victor R. Smith, of Clearfield, Utah, together with Form No. 11, the authorization to publish at Victor R. Smith's expense.

Very truly yours,

NIELSON & NIELSON

By Norman H. Nielson

Norman H. Nielson

NHN/fg
Encl.

G-22183

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) February 10, 1956

(P. O.) Burley, 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 Burley Herald of Burley, Cassia County, Idaho, published in the county in which the works are situated.

Lucian B. 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.

J. 22183

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

B O I S E

Permit No. G-22183 Date June 20, 1951

We enclose herewith the above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SALE as given under approval of the State Reclamation Engineer, on the fourth page.

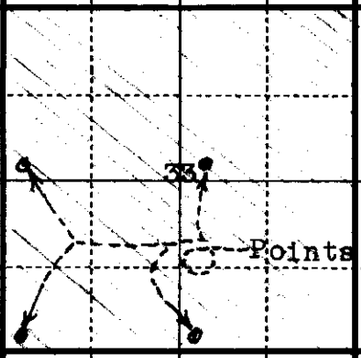
MARK R. KULP
State Reclamation Engineer

Mr. Victor R. Smith
General Delivery
Burley, Idaho

G-22183

NAME OF APPLICANT Viet R. Smith, Form No. 0

Twp. 11.S. R. 23.E.



L-22113

Permit Map No. ~~L-2218.3~~

As Approved

JUN 18 1951

MARK R. KULP

State Reclamation Engineer

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

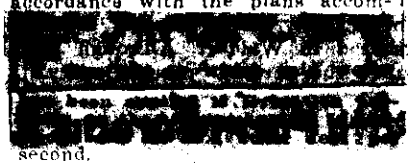
LEGAL NOTICE

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

Notice is hereby given that at 2:00 p.m., on the 15th day of March, 1956, at Burley, County of Cassia, State of Idaho, before Norman W. Nielson, Notary Public, proof will be submitted of the completion of works for the diversion of 12.5 cubic feet per second of the waters of three (3) subterranean wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22183 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 are VICTOR R. SMITH of Clearfield, Utah.

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, in accordance with the plans accom-



second.

4. The place where said water is used in Section Thirty-three (33), Township Eleven (11) South, Range Twenty-three (23) East, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 18, 1951.

MARK R. KULP
State Reclamation Engineer

Published in the Burley Herald, Feb. 16-~~Mar. 1-8~~, 1956.