

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33484/29-2551 Priority Feb. 27, 1967 Amount 4.78 cfs
(late proof)

THIS IS TO CERTIFY, that ANTONE SMITH
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 33484/29-2551 issued pursuant to Application for Permit dated February 17, 1967,
and has submitted proof to the Department of Water Administration on February 27, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 6.06 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 4.78 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 4.78 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, Twp. 6 S, Rge. 33 E, B.M.

in the county of Power; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 836.5 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

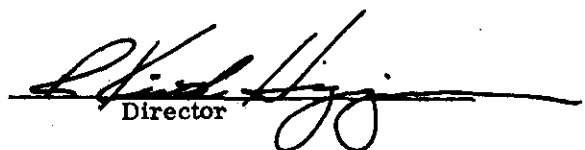
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	33E	22	40	39			40	40	40	40									239

Total number of acres irrigated 239

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of

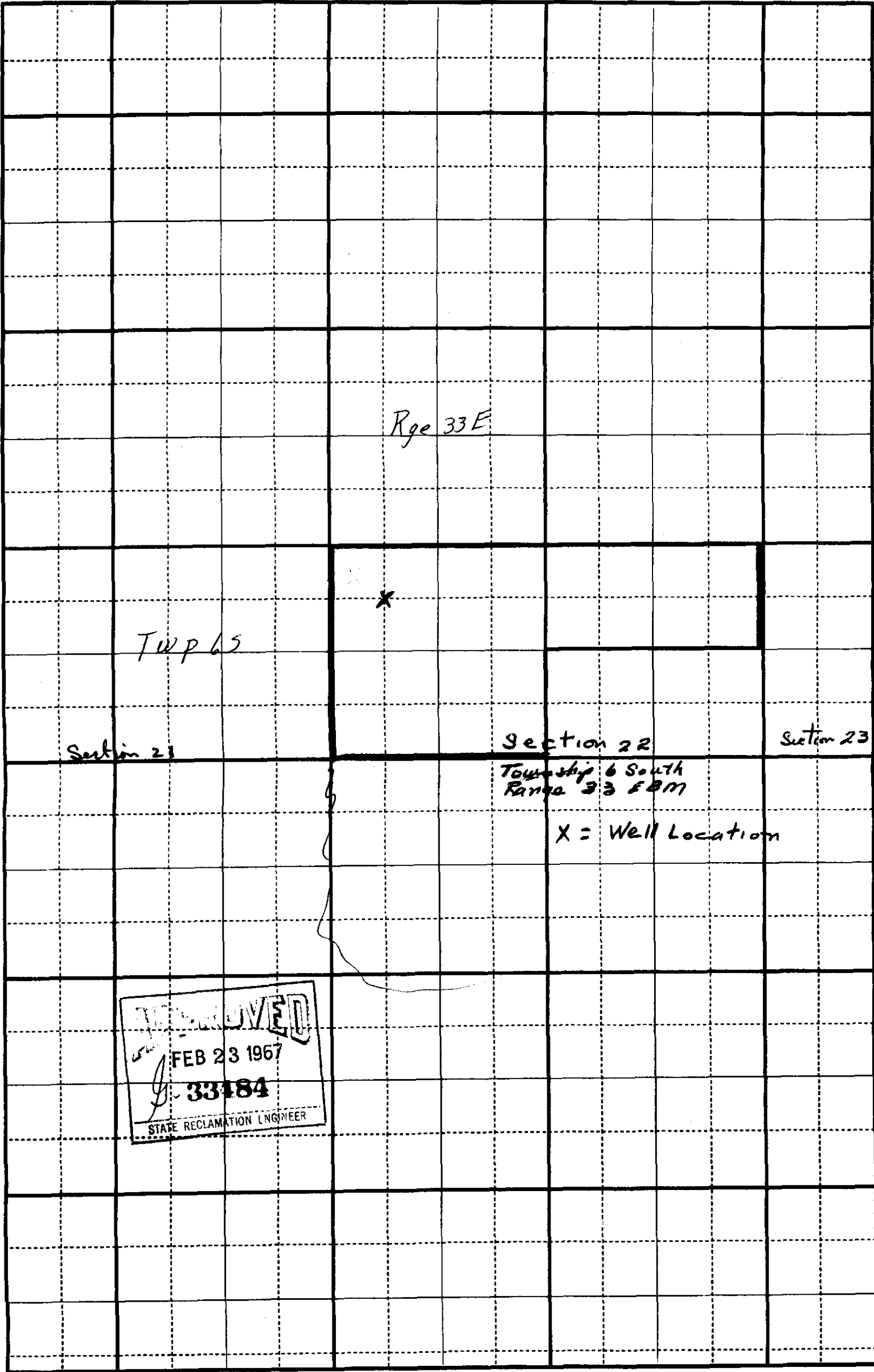
April, 1972.


Director

29 2551

NAME OF APPLICANT Andane Smith

Form No. 0



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

33484

29-2551

Application No. G- 41724
Permit No. G- 33484
District No.

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

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

Applicant.

Agent.

Correction application received:

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

STATE OF IDAHO

By /s/ DON SAMUELSON Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	33 E	22	40	40			40	40	40	40									240

R-13
 125 E 1/4

LAPSE

LICENSE ISSUED FOR 4.78 SEC. FT.
 LICENSE PAGE NO. _____

Address all communications to:

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41724

Permit No. G 33484

Water District No. _____

RECEIVED
FEB 16 1967
8:00 A.M.
Department of Reclamation

1. Name of applicant: Antone Smith

Post office address Star Route Pocatello County Bannock State Idaho

2. Quantity of water claimed: 4.8 cfs

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of the SW 1/4 of Section 22
Twp. 6S, Rge. 33 E., B.M., County of Bannock

5. Water is to be used for: Irrigation

6. If for domestic, municipal, industrial or recreational purpose, give:

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

(b) Waste water or sewage effluent is to be returned to None
at a point in the _____ of the _____ of Section _____, Twp. _____, Rge. _____, B.M.

7. Kind of Works: Pump and Sprinkler

8. Estimated cost of works: \$ 24,000.00

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
one 2 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: _____

33484

Remarks:

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

Antony Smith
Applicant

By _____, Agent

Approval of State Reclamation Engineer

The number of this permit is G 33484

Recorded in Book 117 Page 33484 Approved FEB 23 1967

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 before _____

One-fifth of the work above specified to be completed on or before February 23, 1968

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 23, 1969

Witness my hand this 23rd day of February, 19 67

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We DON SAMUELSON, Governor of the State of Idaho,

and EDSON H. DEAL, 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 23rd day of February, 19 67.

Countersigned:

By

Edson H. Deal
Secretary of State

STATE OF IDAHO

By

Don Samuelson
Governor.

No. G 33484

PERMIT

Date of first receipt at office of State
Reclamation Engineer

February 7, 1967 8:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.00

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33484

April 11, 1972

C Re: Permit No. 33484/29-2551

O Mr. Antone Smith
Star Route
Pocatello, Idaho 83201

Dear Mr. Smith:

Enclosed herewith is your Water License issued on the above referenced permit.

P Sincerely,

BOBBY D. FLEENOR
Assistant Director

Y
BDF:DR
Enc: License

bc: Eastern District Office

29 2551

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 28, 1972

Mr. Antone Smith
Star Route
Pocatello, Idaho 83201

Dear Mr. Smith:

A representative of this Department has made an examination of the works covered by your Permit No. 33484/20-2551 and has found the following:

Quantity of water diverted: 6.06 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 4.78 cfs

The maximum quantity diverted shall not exceed 836.5 acre feet per season.

Beneficial use: Irrigation of 239 acres within the N $\frac{1}{2}$ NE $\frac{1}{4}$ (79),
NW $\frac{1}{4}$ (160), Sec. 22, Twp. 6 S, Rge. 33 E, B. M.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22

The priority date established is: February 27, 1967 (late proof)

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Our field examination also indicates that your rate of diversion exceeds that authorized by your permit. Unless you have another valid permit for other grounds to be irrigated from this same well or other beneficial uses of this water, you must reduce your rate of diversion to that allowed by law. If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

29 2551

Range 33E

Q measured 606 cfs
 Q recommended 478 cfs
 Volume 336.5 ac ft/sec
 Acreage -
 Found 239
 recommended 239
 Subdiv. 6
 Amendments
☒ None
☐ P.D.
☐ Place of use

6/17/70
 150 gr

not in operation
 10-7-69

Township 6S

Permit No. G-33484/29-2551 29 call after June 15
 Name of Applicant Antone Smith, Star Route, Pocatello, Idaho
 Source of Water Subterranean 232-5731
 a tributary of _____
 Location of P.D. NW 1/4 NW 1/4, Sec. 22 T. 6S, R. 33E.B.M., Power County

Water is used for Irrigation
 Quantity of water claimed: Permit 4.8 c.f.s. Depositions 4.8 c.f.s.
 Type of measuring device installed or method of measurement and general description of diversion works (not required) sprinkler system, pump-5 states of bowls; 250 hp elect. motor; 360' of 20" welded casing; well depth 360'

Land to be irrigated or place of use:				Description
TWP.	RGE.	SEC.		
6S	33E	22	NE 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4	

Total acreage 240
 Filed: February 17, 1967 Due: February 23, 1969
 Made February 27, 1969 Priority: February 27, 1967 (late proof)
 Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)
None

29 2551

Source of supply Groundwater

a tributary of

Location of P.D.(s) NW NW Sec 22 6S-33E

Water is used for irrigation

Quantity of water found

How was the measurement made? Pyrometer

Measurement calculations

12 lines 9/16" @ 60 psi Potatoes 4.38
6 lines 5/32" @ 60 psi grain & Beans 5.44
Potatoes have solid sets other
lines are portable

$$Q = \frac{(12)(32)(4.38) + (6)(32)(5.44)}{4.50} = 6.06$$

$$Q = 6.06 \text{ CFS}$$

$$V = (3.5)(239) = 836.5 \text{ Ac ft/sec}$$

$$A = 239$$

Diversion works description and diagram

US Motors Hollowshaft

250 HP 440 volts

1775 RPM Ser # 1399077

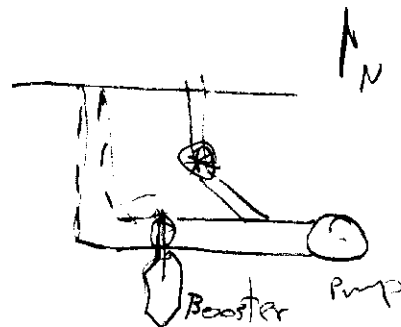
Peeders pump Ser # 250677

12" discharge to 'Y'

with 30 HP Booster

(not used) and gate

valve then to buried E/W mainline



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 239

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Potatoes

Grain

Some Hay

Who represented the permit holder at the examination?

Recommended allowance for licensing

Description of required amendments. Comments.

Report checked?

Examination date 28 July 71

Signature Jones Booker

CITY OF
RICHMOND

29-2551 Antone Smith
Permit # 33484

H

9/10
16/15

10/11
15/14

ANTONE
SMITH

PAUL
EVANS

22

22 23

Paul
EVANS

29 2551

CITY 14
Pecanillo

29-
H

9/10
16/15

10/11
13/14

ANTONE
SMITH

PAUL
SMITH

16/15
22

Antone Smith
Paul
Smith

29 2551

PGE. 33

18.4

0
23.0

8
17.4

5
7.1

0
17.8

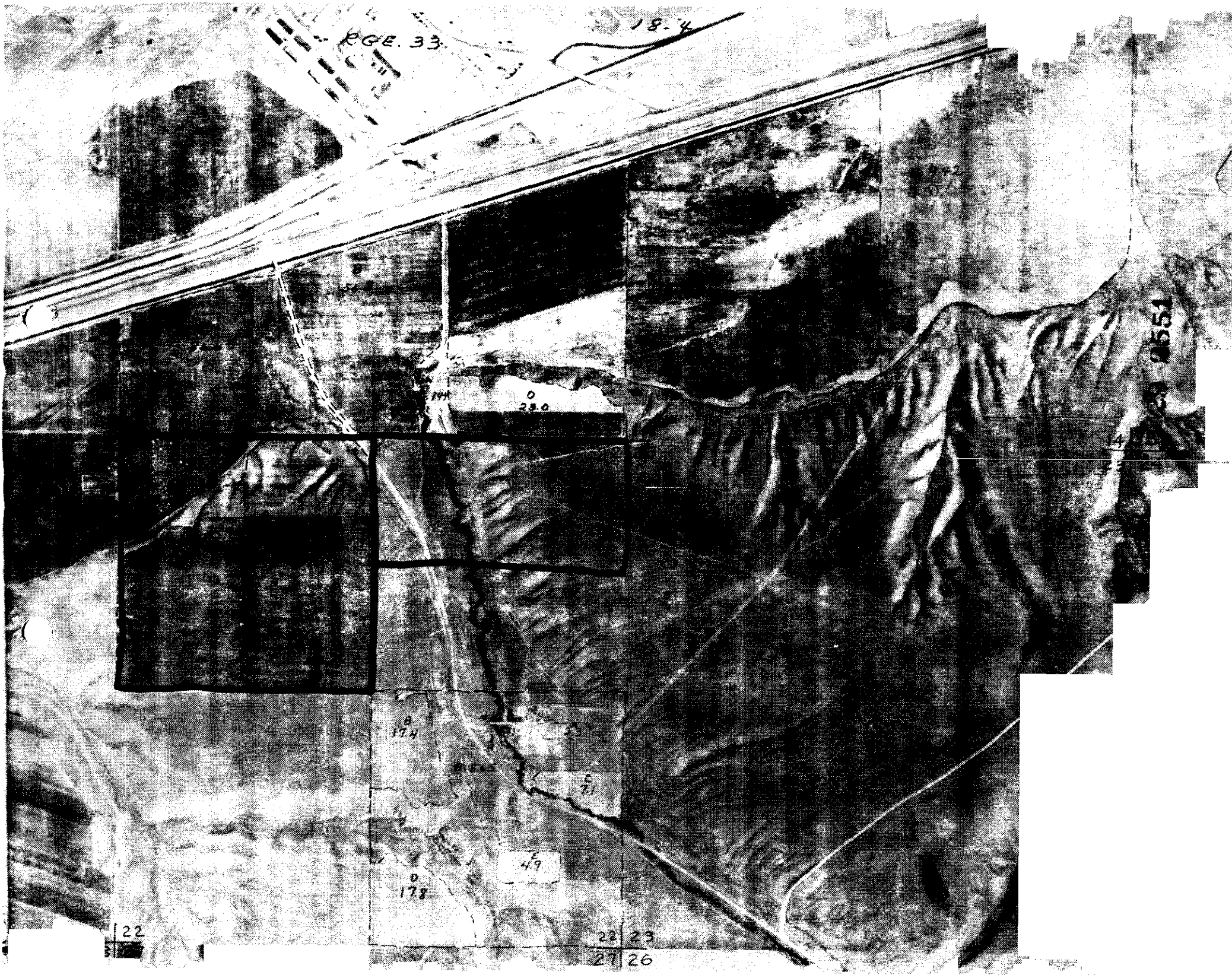
4.9

22

22 23

27 26

24 2551



April 11, 1969

Re: Permit No. G-33484

Antone Smith
Star Route
Pocatello, Idaho

Dear Mr. Smith:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

33454
exam
typed

Affidavit c. Publication

STATE OF IDAHO, }
COUNTY OF POWER. } ss.

Phyllis Ringe being first duly sworn
on oath, states:

That she is the principal clerk of the printer
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2
successive weekly issues thereof, the date of the first publica-

tion being the 13th day of March, 1969

the date of last publication being the

20th day of March, 1969

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

20th day of March, 1969

Glenn Meadows
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) 5th day of August, 1970

Published in The Power
County Press, March 13 and
20, 1969.

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that
Antone Smith, Star Route, Po-
satelle, Idaho has received an
approved permit No. G-53484
to divert 4.8 cubic feet per
second of water from a ground
water source. The priority to
be established under this per-
mit is February 17, 1967. Wat-
er will be diverted by well,
pump and sprinkler within the
NW 1/4 NW 1/4, Sec. 22,
T. 6 S., R. 33 E., B.M.,
Bannock County and is to be
used for irrigation in the N1/2
NE1/4, NW1/4, Sec. 22, T. 6
S., R. 38 E., B.M.

Any protests against the in-
tent of the permit must be
filed with the Department of
Reclamation within ten days
from the last date of publica-
tion of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

L. R. SCHOU
ATTORNEY-AT-LAW
AMERICAN FALLS, IDAHO

April 7, 1969

RECEIVED
APR 10 1969
Department of Reclamation

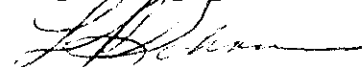
State Reclamation Engineer
Statehouse-Annex 2
Boise, Idaho 83707

Re: Permit No. G 33484

Dear Sir:

Enclosed please find Affidavit of Publication for the above permit.

Very truly yours,


L. R. Schou

LRS:im
Encl.

33484

✓	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Identification No. _____

Permit No. G 33484

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

FEB 27 1969

Department of Reclamation

1. a) Name of Permit Holder Antone Smith
 b) Post Office Address Star Route - Pocatello, Idaho
2. Permit Number G-33484
3. Date of Priority that you are prepared to establish February 23, 1967
4. a) Source from which water was appropriated Subterrean
 b) Location of the point of diversion: NW 1/4 NW 1/4, Section 22
Township 6 So., Range 33 East Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
 amount 4.8 cfs for Irrigation purposes from April 15 to Oct. 15 incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre feet per annum) (Month-Day) (Month-Day)
 b) Total amount appropriated 4.8 cfs and/or acre feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Mel Brown Company - Many years experience in sale and installation of sprinkler irrigation systems.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump-5 stages of bowls; 250 hp electric motor; 360 feet of 20 inch welded casing; well depth 360 feet.
 b) Describe the type and size of measuring device which you have installed at your point of diversion: sprinler system
 c) Give well drillers name and address and date the well was completed R. J. Strasser Drilling Co. - P. O. Box 155 - Rupert, Idaho. Completed Sept. 7, 1966.

33484

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 S	33E	22	40	40			40	40	40	40									240

Total number of acres irrigated 240

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

2-25-69 Assume was signed when
 (Date) notarized Antonia Smith
 (Signature)

State of IDAHO)
 County of Power) ss.

On this 25th day of February, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
 Notary Public residing at Am. Falls, Idaho

My commission expires Aug. 17, 1969

RECEIVED

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Antone Smith, Star Route, Pocatello,
Idaho
 has received an approved permit No. G-33484 to divert ~~about~~
4.8 cubic feet per second ~~at the~~ of water from
a ground water source
 . The priority to be established
 under this permit is February 17, 1967
 Water will be diverted by well, pump and sprinkler
within the NW1/4, NW1/4, Sec. 22,
T. 6 S., R. 33 E., B. M., Power County
 and is to be used for irrigation
 in the NW1/4, NW1/4, Sec. 22, T. 6 S., R. 33 E., B. M.

Any protests against the intent of the permit must be filed with the
 Department of Reclamation within ten days from the last date of publication
 of this notice.

R. KEITH HIGGINSON
 State Reclamation Engineer
 Power County Press - American Falls, Idaho
 Published in the _____
 on March 13 and March 20, 1969

State Reclamation Engineer: _____ Permit No. G-33484
 You are hereby authorized to have the attached notice published at my expense
 in the Power County Press of American Falls, Idaho;
 published in the county in which the works are situated.

Antone Smith
 (signature)
Star Route - Pocatello, Idaho
 (address)
Feb. 26, 1969
 (date)

33484

February 27, 1969

Re: Permit No. G-33484

Power County Press
American Falls, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.
Antone Smith

The expense of the publication is to be paid by _____
Star Route, Pocatello, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: leg& notice

33484

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT NO.)

G-33484 in the name of Antone Smith)

ORDER

WHEREAS, Antone Smith applied to the Department of Reclamation on February 17, 1967, for a permit to appropriate the public waters of the State of Idaho; and,

WHEREAS, the application proposed the diversion of 4.8 cubic feet per second of water of a ground water source for use in sec. 22, T. 6 S, R. 33 E, B. M., Power County, Idaho; and,

WHEREAS, on February 23, 1967, permit G-33484 was approved with the condition that one-fifth of the work was to be completed on or before February 23, 1968, and that the whole of said works be completed and the water be appropriated to beneficial use on or before February 23, 1969; and,

WHEREAS, on December 2, 1968, the Department of Reclamation forwarded to the permit holder an order modifying the requirements for completion of permit G-33484 as adopted under the Rules of Practice and Procedures on August 1, 1968; and,

WHEREAS, on December 2, 1968, the permit holder was notified by certified mail that he was required to submit proof of the application of the water to beneficial use and was instructed as to the steps to be taken to make that proof; and,

WHEREAS, on February 19, 1969, the permit holder was notified by the Department of Reclamation that the permit had lapsed for failure to submit proof of beneficial use of the water; and,

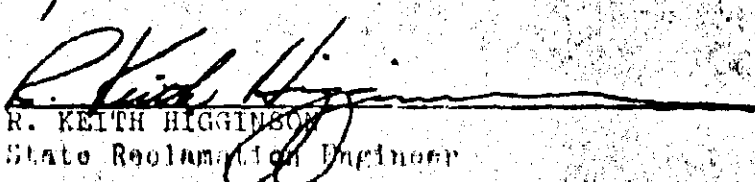
WHEREAS, on February 27, 1969, the Department of Reclamation received the required proof of beneficial use of the water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why the permit should be reinstated; and,

THEREFORE, IT IS ORDERED, that permit G-33484 be reinstated and the priority be reduced to February 27, 1967.

Dated this 28th day of FEBRUARY, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

DWM:lg

33484

February 27, 1969

Re: Permit No. G-33484

L. R. Schou
Attorney at Law
American Falls, Idaho

Dear Mr. Schou:

Please find enclosed an order REINSTATING permit no. G-33484.

We have mailed notice to the Power County Press, American Falls, Idaho, to be published for two consecutive weekly issues of that newspaper. Mr. Smith will be required to obtain an affidavit of publication from this newspaper and to submit it to the Department before a license can be issued. He may obtain this affidavit anytime after the last date of publication which is the 13th of March, 1969.

Also before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact Mr. Smith at the time he makes the examination so that Mr. Smith may show him the system. If someone other than Mr. Smith should be contacted, please advise this office.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

Enc: order

cc: Mr. Antone Smith
Star Route
Pocatello, Idaho

*exam
typed
33484*

L. R. SCHOU
ATTORNEY-AT-LAW
AMERICAN FALLS, IDAHO

February 25, 1969

State Department of Reclamation
State House-Annex 2
Boise, Idaho 83707

Re: Antone Smith
Permit G-33484

Attn: Mr. McEldowney

Dear Sir:

Enclosed please find completed "Proof of Application of Water to Beneficial Use" and "Notice of Approved Application for Water" in connection with the above permit. Will you please consider this to be a request for an extension of time to submit proof under the above permit in accordance with our telephone conversation of last week.

You will recall that the original permit is in error as to the description of property in that the property actually is located in Power County rather than Bannock County. If it is possible to amend the original permit, we request that be done also. I have changed the Notice of Approved Application for Water so that the same will be published in the Power County Press rather than the Idaho State Journal.

If anything further needs to be done in connection with this matter please do not hesitate to write me or call me collect.

Very truly yours,


L. R. Schou

LRS:im
Encls.

33484

60
February 19, 1969

Re: Permit No. G-33484

Antane Smith
Star Route
Pocatello, Idaho

Dear Mr. Smith:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, Permit G-33484 has lapsed.

You are further advised that the department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.

State Reclamation Engineer

RKH:tg

Form 7

33484

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.	1 2 3	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO. 20560		<i>Anton Smith</i>
INSURED NO.		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY <i>Deloris L Smith</i>
DATE DELIVERED	SHOW WHERE DELIVERED (only if requested)	

DEC 6 1968

CG-10-71548-10

9-93484

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33484)

in the name of Antone Smith)

Star Route, Pocatello, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

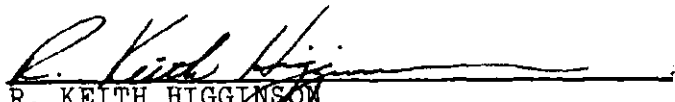
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33484 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before February 23, 1969. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 3 day of December, 1968.


R. KEITH HIGGINSON
State Reclamation Engineer

33484

December 2, 1968

Re: Permit No. G-33484

Antone Smith
Star Route
Pocatello, Idaho

Dear Mr. Smith:

One of the conditions of the approval of your permit
~~G-33484~~ was that proof of application of the water to
beneficial use be submitted to this office on or before _____
~~February 23, 1969~~.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received
by this department on or before the above mentioned date, otherwise
the permit will lapse and be of no further force or effect.

R. Keith Higginson

State Reclamation Engineer

Enclosure: Proof form

Form 5

33484

December 2, 1968

Re: Permit No. G-33484

**Antone Smith
Star Route
Pocatello, Idaho**

Dear Mr. Smith:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

**Donald W. McElwainey
Appropriation Examiner**

**DWM:tg
Enc: order
proof due notice
proof package
advertising package**

33484

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
PHONE 232-3461
Pocatello, Idaho 83201

RECEIVED
MAY 23 1967
Department of Reclamation

T. O. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

May 22, 1967

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Attention: Donald J. Watts, Engineer

Dear Mr. Watts:

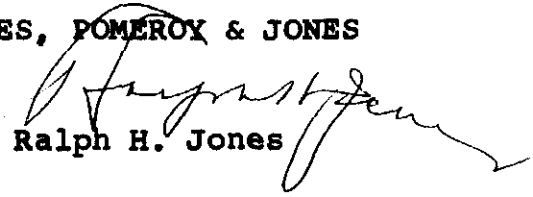
Your letter addressed to Antone Smith, Star Route, Pocatello, Idaho, dated May 3, 1967, has been referred to us for attention. The log of the well, which was forwarded to you, drilled by R. J. Strasser Drilling Co. in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Township 6 South, Range 33 E.B.M., was correlated with Permit No. 33484 of your department. The application for permit was dated February 7, 1967, and Permit No. G 33484 was approved and recorded in Book 117, at Page 33484 on February 23, 1967.

I trust this is the information you desire.

Yours truly,

JONES, POMEROY & JONES

By


Ralph H. Jones

RHJ pb

CC: Antone Smith
Star Route
Pocatello, Idaho 83201

33484

February 28, 1967

Re: Permit No. G-33484

Anton Smith
Star Route
Pocatello, Idaho

Dear Mr. Smith:

We enclose Permit No. G-33484 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-11360 which was issued covering payment in the amount of \$ 6.00 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit, receipt

MRB:ejw

M. RUSSELL BOSCH
Office Manager

33484

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

February 7, 1967

RECEIVED
FEB 16 1967

Department of Reclamation

Ralph H. Jones
Attorney at Law
Central Building
Pocatello, Idaho 83201

J 33484

Dear Mr. Jones:

Returned find the application filed by you for Anton Smith. Note the changes made under questions 2, 4, and 10.

The correct filing fee is \$6 if the quantity of water under question 2 is correct.

Very truly yours,

Donald J. Watts

Donald J. Watts
Engineer

DJW:nw

Enclosure: Application
Check No. 24543

33484

Jones, Pomeroy & Jones
Lawyers
CENTRAL BLDG.
PHONE 232-3461
Pocatello, Idaho 83201

RECEIVED
FEB 7 1967

Department of Reclamation

February 6, 1967

T. D. JONES, DECEASED
C. W. POMEROY, DECEASED
RALPH H. JONES
RALPH H. JONES, JR.
LAMONT JONES

State of Idaho
Department of Reclamation
Boise, Idaho

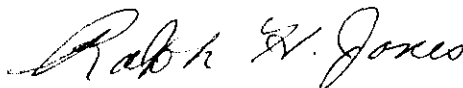
Re: Antone Smith

Gentlemen:

Enclosed please find Application for Permit and
our check in the sum of \$5.00 in the above captioned.

Yours truly,

JONES, POMEROY & JONES



Ralph H. Jones

RHJ bf

33484

33484

February 7, 1967

Ralph W. Jones
Attorney at Law
Central Building
Pocatello, Idaho 83201

Dear Mr. Jones:

Returned find the application filed by you for Anton Smith. Note the changes made under questions 2, 4, and 10.

The correct filing fee is \$6 if the quantity of water under question 2 is correct.

Very truly yours,

Donald J. Watts
Engineer

DJW:nw

Enclosure: Application
Check No. 24843

C
O
P
Y

33484

Published in The Power
County Press, March 13 and
20, 1969.

NOTICE OF APPROVED
APPLICATION FOR WATER.

Notice is hereby given that
Antone Smith Star Route, Po-
catello, Idaho has received an
approved permit No. G-36484
to divert 4.8 cubic feet per
second of water from a ground
water source. The priority to
be established under this per-
mit is February 17, 1967. Wat-
er will be diverted by well,
pump and sprinkler within the
NW 1/4 NW 1/4, Sec. 22,
T. 6 S., R. 33 E., B.M.,
Bannock County and is to be
used for irrigation in the NE 1/2
NE 1/4, NW 1/4, Sec. 22, T. 6
S., R. 33 E., B.M.

Any protests against the in-
tent of the permit must be
filed with the Department of
Reclamation within ten days
from the last date of publica-
tion of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer