

Form No. 3
5 M-1-65

Rec. No. 11-11165

1600
Partner of Atty
Address all communications to:
Wallace M. Transtrum, Department of Recl.
159 South Main
Soda Springs, Idaho 83276
DEC 7 1964
8100

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41589

Permit No. G 33396

Water District No. _____

1. Name of applicant: Delmo Smith
Post office address Bancroft County Caribou State Idaho
2. Quantity of water claimed: 4.8 Cu. Ft. per second
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23
Twp. 7S, Rge. 88E, B.M., County of Caribou
5. Water is to be used for: Irrigation
6. If for domestic, municipal, industrial or recreational purposes give:
 - (a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____
Twp. _____, Rge. _____, B.M.
 - (b) Waste water or sewage effluent is to be returned to _____
at a point in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Twp. _____, Rge. _____, B.M.
7. Kind of Works: Well, pump, sprinkler system
8. Estimated cost of works: \$9,000.00
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
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: _____

33396

Rec. No. 27-11162

1600
Carter of Atty
Address all communications to:

Wallace M. Transtrum, Department of Recl
159 South Main
Soda Springs, Idaho 83276

RECEIVED
DEC 7 1965
\$1.00

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

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7. Kind of Works: Well, pump, sprinkler system
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9. (a) Is reservoir to be used? No
(b) Capacity of reservoir: _____
10. The time required for the completion of such work and complete application of the water to the proposed use is:
5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation: _____
(b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____
(d) Names and addresses of directors: _____

OK

33396

(Continued)

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:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 2000 Shares

Toponce Creek decreed - No water available

(a) 4.8 (Cubic feet per second, inches or gallons per minute) of the water herein applied for to be supplemental to the existing water rights.

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

32396

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.

Delmo Smith

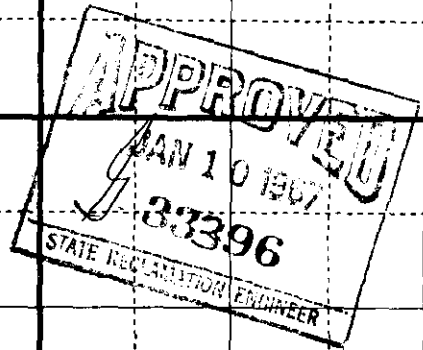
Applicant

By

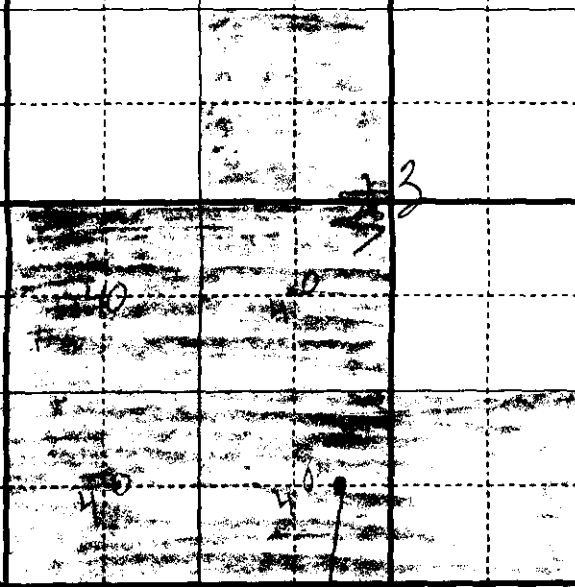
Wallace M. Tranch

Agent

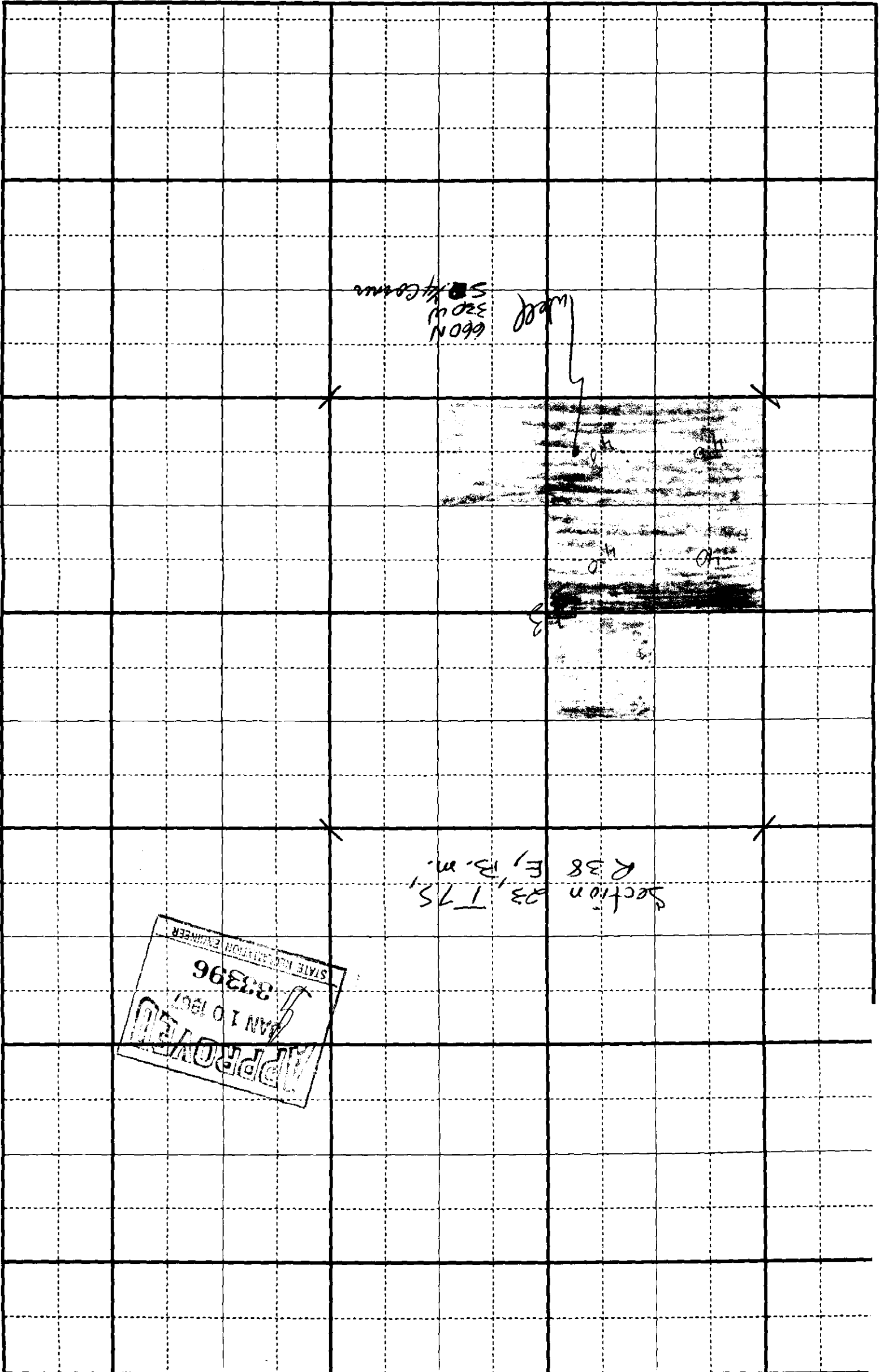
33396



Section 23, T7S,
R38 E, B. m.



Well 660N
320W
SE 1/4 Corner



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

33396

WATER LICENSE

Water License No. G-33396 Priority December 7, 1966 Amount 1.75 c.f.s.

THIS IS TO CERTIFY, that DELMO SMITH
of Bancroft, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated December 7, 1966; that Permit G-33396 was issued pursuant
to said application; that the proposed works were completed on or about April 10, 1967,
with a storage/or carrying capacity of 1.75 c.f.s., said works consisting of
well, pump, motor, and sprinkler system; and that on March 18, 1969,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 312
acre feet per season, with a maximum rate of diversion of 1.75 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SE 1/4 SW 1/4, Sec. 23, T. 7 S, R. 38 E, B.M., and
other additional points _____, in the County of
Caribou; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 312 acre feet per year.

Description and location of place of use:

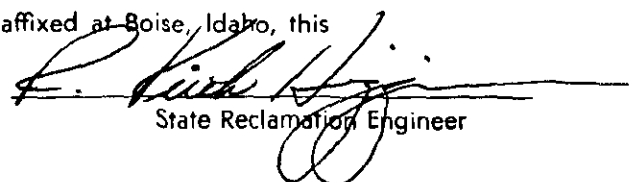
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 S	38 E	23								36	33	15	10	10					104

Total number of acres irrigated 104

The right to the use of the water 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

4th day of August, 19 69.


State Reclamation Engineer

29 2545

33396
29-2545 gpb

33396
K.O.

29-3545

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41589
Permit No. G- 33396
District No.

Power of Attorney
Wallace M. Transtrum, Attorney
159 South Main
Soda Springs, Idaho 83276

1. Name of Applicant: Delmo Smith
Postoffice address: Bancroft County: Caribou State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 4.8 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23
Twp. 7 S , Rge. 38 E , B.M., County of Caribou
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: well, pump and sprinkler system
8. Estimated cost of works: \$ 9,000.00
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
years. 5
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: 2000 shares Toponce Creek decreed -
No water available.
 - (a) 4.8 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supple-
mental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

/s/ DELMO SMITH

Applicant.

By WALLACE M. TRANSTRUM, Attorney

Agent.

Date of first receipt at Department of Reclamation: December 7, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33396

Recorded in Book 116 Page 33396 Approved January 10, 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 on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **July 10, 1969**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **January 10, 1972**

Witness my hand this 10th day of January, 1967

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, DON W. 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 10th
day of January, 19 67.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ EDSON H. DEAL

By /s/ DON SAMUELSON

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
7 S	38 E	23							40	40	40	40	40				40	240	
LICENSE ISSUED FOR <u>1.75</u> SEC. FT. LICENSE PAG- NO. <u> </u>																			

August 4, 1969

Re: Permit No. G-33396

Mr. Delmo Smith
Bancroft,
Idaho 83217

Dear Mr. Smith:

Enclosed you will find your Water License issued on the above numbered permit.

Also enclosed is departmental receipt No. 3349 in the amount of \$15.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

cc. Mr. Wallace M. Transtrum, Attorney
159 South Main
Soda Springs, Idaho 83276

33396

1-30-69

THE EXAM HAS BEEN
COMPLETED & IS BEING
DELO IN MY FILE

DRR

33396

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707
June 30, 1969

R. KEITH HIGGINSON
State Reclamation Engineer

Department of Reclamation

Re: Permit No. G-33396

Delmo Smith
Bancroft, Idaho 83217

Dear Mr. Smith:

33396

A representative of this department has made an examination of the works covered by your Permit G-33396 and has found the following:

Quantity of water diverted: 1.75 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.75 c.f.s.

The maximum quantity diverted shall not exceed 312 acre feet per season.

Purpose of use: Irrigation of 104 acres in SE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SW 1/4, SE 1/4 SW 1/4, Sec. 23, T. 7S, R. 38E.

The priority date established is: December 7, 1966

A fee totaling \$ 15.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script, reading "Dean R. Reynolds".

Dean R. Reynolds
Field Examiner

33396

DRR/mh

June 30, 1969

Re: PermithNo. G-33396

Delmo Smith
Bancroft, Idaho 83217

Dear Mr. Smith:

A representative of this department has made an examination of the works covered by your Permit G-33396 and has found the following:

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The maximum quantity diverted shall not exceed 312 acre feet per season.

Purpose of use: Irrigation of 104 acres in SE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SW 1/4, SW 1/4 SW 1/4, SE 1/4 SW 1/4, Sec. 23, T. 7S, R. 36E.

The priority date established is: December 7, 1966

A fee totaling \$ 15.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR/mh

June 30, 1969

Re: PermithNo. G-33396

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Bancroft, Idaho 83217

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Very truly yours,

Dean R. Reynolds
Field Examiner

DRR/mh

*Fee Paid
7-22-69
License Pending*

33396

Twp 7 South

Range 38 East



33390

Source of supply SUBKARUN
a tributary of _____
Location of P.D.(s) SE SW SEC 23 T5 S30E

Water is used for IRRIGATION
Quantity of water found _____
How was the measurement made? SPRINKLER NOZ PRESSURE
Measurement calculations _____

3 1/4 mile LAT 1 3/4" RAINBIRD 30WS @ 42 lbs

$$Q = (3 \text{ LAT}) (33 \text{ NOZ}) (7.73 \text{ gpm}) = 1.75 \text{ cfs.}$$

148.8 gpm

Diversion works description and diagram

30 HP GE ELEC MOTOR # F24 615466
2 1/2" V.T.P. # D15266
700 gpm 240' 1770 RPM
8" DISCHARGE THROUGH STEEL UNDERPASS
main line - SPRINKLER SYSTEM
8" - 2600'
6" - 600'
4" - 600'

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

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.

Who represented the permit holder at the examination?

MR. DELIA SANTI

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

IRRIGATION REQUIREMENT = 3.0 AC-FT / ACRE / SEASON

Report checked? _____

Examination date 7-25-68

Signature

DR
[Signature]
33396

April 10, 1969

C
O
P
Y

Re: Permit No. G-33396

Wallace Transtrum
Attorney at Law
35 West Center
Soda Springs, Idaho

Dear Mr. Transtrum:

We acknowledge receipt of the depositions and the affidavit of publication from the Caribou County Sun submitted in connection with the above referenced permit in the name of Delmo Smith.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

33396

LAW OFFICES

WALLACE M. TRANSTRUM

ATTORNEY AT LAW

PHONE 547-3944

35 WEST CENTER

SODA SPRINGS, IDAHO 83276

March 27, 1969

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

RECEIVED
DEPT. OF RECLAMATION
MAY 1 1969

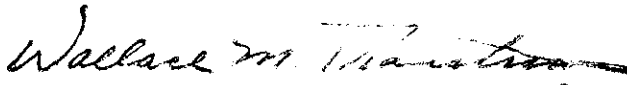
Gentlemen:

Re: Permit No. G-33396

Enclosed is an Affidavit of Publication by the Caribou County Sun, along with the Deposition of the Holder and two witnesses on the above-referenced application. On August 20, 1968, no person appeared in contest or even to question the application and no objections have been filed to our knowledge. We now submit the depositions in support of that application.

You will note that the amount proved upon is 2.8 feet rather than 4.8 feet. I understand that this measurement has already been confirmed by your office.

Very truly yours,


Wallace M. Transtrum 

WMT/jl

Enc.

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

V. E. Lansberry.....
being first duly sworn on his
oath, states:

NOTICE OF PROOF OF COM- PLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on
August 30, 1968, at Soda Springs,
County of Caribou, State of Idaho,
before notary public Wallace M.
Transtrum, 35 West Center, Soda
Springs, Idaho, proof will be sub-
mitted of the completion of works
for the diversion of 4.8 c.f.s. of
the waters of a subterranean
source, and the application to
beneficial use of said water, in
accordance with the terms and
conditions of permit G-13306,
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

1. The name and address of
permit holder is Delmo Smith,
Bancroft, Idaho.

2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said works
are capable of conveying to the
place of use is 4.8 cubic feet per
second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount ap-
plied to beneficial use is 4.8 c.f.s.

4. The point of diversion of
said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23,
T. 7 S., R. 38 E., B.M., Caribou
County.

5. The place where said water
is used is SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 7 S., R. 38
E., B.M.

6. The date of priority which
said user is prepared to estab-
lish is December 7, 1966.

R. KEITH HIGGINSON
State Reclamation
Engineer

Pub. Aug. 8, 15, 22, 29

That he is publisher....
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said county
uninterruptedly and continuously
for over seventy-eight consecu-
tive weeks, prior to the first pub-
lication of the annexed notice or
advertisement:

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for four.....
successive weekly issues thereof,
the date of the first publication

being the ...8th..... day

of August....., 19.68

The date of the last publication

being the 29th..... day of

.....August....., 19.68

X V. E. Lansberry

Subscribed and sworn to be-

fore me this ..4th.... day

of September, 19.68

Wallace M. Transtrum

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

27. day of Oct.....

19.70..

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. G-33396

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

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

Delmo Smith - Farmer - Bancroft, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: App. No. G-41589
Permit No. G-33396, Priority Date - January 10, 1967

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range
SE 1/4 SW 1/4, Section 23, Township 7 South, Range 38 E., B.M.

Ques. 5. Describe your works of diversion: Well, pump and sprinkler system
_____; state amount of water they are capable of conveying from point of diversion to place of use: 2.8 cfs.; Give name of canal or ditch or other works by which water is conducted to such place of use: None
_____; if a well, state depth of well 45 feet; depth and size of casing 16 inches by 40 feet; depth to water 16 inches; if pump is used, state discharge of pump: 12,600 gpm; tell how it was measured or determined
pressure gauge; if sprinkler irrigation, give number and size of nozzles and operating pressure: 100 13/64 in. nozzles at 70 pounds pressure

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
SE NW 1/4, SW 1/4, and SW 1/4 SE 1/4, Section 23, Township 7 South, Range 38 E
approximately 150 acres irrigated with areas to the West side of the SW 1/4
and to the East side of the SW 1/4 and the SW of the SE 1/4 not being irrigated

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

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Forrest Kegle

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

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: _____ - Time used since first use:

On or about April 10, 1967, used annually since that time during irrigation season

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

2000 shares Toponce Creek but no water available

(sign)

Delmo 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

Soda Springs, County of Caribou

State of Idaho, on this 30th day of August, A. D. 1968.

My commission expires: 8-28-69

Wallace M. Transtrum
WALLACE M. TRANSTRUM
Notary Public

55372

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. G-33396

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

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

Delmo Smith - Farmer - Bancroft, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: App. No. G-41589
Permit No. G-33396, Priority Date - January 10, 1967

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range
SE 1/4 SW 1/4, Section 23, Township 7 South, Range 38 E., B.M.

Ques. 5. Describe your works of diversion: Well, pump and sprinkler system
_____; state amount of water they are capable of conveying from point of diversion to place of use: 2.8 cfs.; Give name of canal or ditch or other works by which water is conducted to such place of use: None
_____; if a well, state depth of well 45 feet; depth and size of casing 16 inches by 40 feet; depth to water 16 inches; if pump is used, state discharge of pump: 12,600 gpm; tell how it was measured or determined pressure gauge; if sprinkler irrigation, give number and size of nozzles and operating pressure: 100 13/64 in. nozzles at 70 pounds pressure

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
SE NW 1/4, SW 1/4, and SW 1/4 SE 1/4, Section 23, Township 7 South, Range 38 E
approximately 150 acres irrigated with areas to the West side of the SW 1/4
and to the East side of the SW 1/4 and the SW of the SE 1/4 not being irrigated

33396

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
G-33396

Permit No. _____

* * * * *

RECEIVED
MAY 14 1965
Department of Reclamation

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

DEPOSITION OF WITNESS

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

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

Thomas G. Hatch - Age 41 - residence, Bancroft, Idaho - occupation, farmer

Ques. 2 Are you acquainted with Delmo Smith, the holder of
Permit No. G-33396? How long have you known him and where does he reside?

Yes, I have known him approximately 25 years. He resides in Bancroft, Idaho

Ques. 3. Have you read or heard said Permit No. G 33396 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

SE 1/4 SW 1/4, Section 23, Township 7 South, Range 38 E., B.M.

Describe works for conveying water to place of use: well, pump, underground

steel mainline, aluminum lateral lines

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.8 cfs. How much water have you seen being so
conveyed? 2.8 cfs.

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

SE NW 1/4, SW 1/4, and SW 1/4 SE 1/4, Section 23, Township 7 South, Range 38 E

approximately 150 acres irrigated with areas to the West side of the SW 1/4

and to the East side of the SW 1/4 and the SW of the SE 1/4 not being irrigated

33396

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

light sandy bam requiring about one inch to the acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? On or about April 10, 1967

Other times you have seen such use: annually since then during irrigation season

(Signed):

Thomas J. Hatch

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 Soda Springs

 , County of Caribou, State of Idaho, on

this 18 day of March, A. D. 1968

Wallace M. Transtrum
WALLACE M. TRANSTRUM
Notary Public for the State of Idaho
Residing Soda Springs

My commission expires 8-28-69

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho **G-33396**

Permit No. _____

* * * * *

Department of Reclamation

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

DEPOSITION OF WITNESS

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

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

John C. White - Age 47 - Residence, Bancroft, Idaho - Occupation - farmer

Ques. 2 Are you acquainted with Delmo Smith, the holder of
Permit No. G-33396? How long have you known him and where does he reside?

Yes. I have known him approximately 25 years. He resides in Bancroft, Idaho.

Ques. 3. Have you read or heard said Permit No. G-33396 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

SE 1/4 SW 1/4, Section 23, Township 7 South, Range 38 E. B.M.

Describe works for conveying water to place of use: Well, pump, underground

steel mainline, aluminum lateral lines

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.8 cfs. How much water have you seen being so

conveyed? 2.8 cfs.

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

SE NW 1/4, SW 1/4, and SW 1/4 SE 1/4, Section 23, Township 7 South, Range 38 E

approximately 150 acres irrigated with areas to the West side of the SW 1/4

and to the East side of the SW 1/4 and the SW of the SE 1/4 not being irrigated

33396

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

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

light sandy loam requires about one inch to the acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? On or about April 19, 1967

Other times you have seen such use: annually since then during irrigation season

(Signed):

John G. White

* * * * *

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 Soda Springs

 , County of Caribou, State of Idaho, on this 30th day of August, A. D. 1968

Wallace M. Transtrum
WALLACE M. TRANSTRUM
Notary Public for the State of Idaho

Residing Soda Springs, Idaho

My commission expires 8-28-69

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

March 5, 1969

Re: Permit No. G-33396

Wallace Transtrum
35 West Center
Soda Springs, Idaho

Dear Mr. Transtrum:

As of this date we have not yet heard from your office regarding the above referenced permit. In our letter of February 4, 1969, we asked you to advise us as to whether Mr. Smith was going to submit proof of beneficial use or to republish for two weeks.

Please advise this Department as to Mr. Smith's wishes in this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:TG

33396

February 4, 1969

Re: Permit No. G-33396

Mr. Wallace M. Transtrum
35 West Center
Soda Springs, Idaho 83276

Dear Mr. Transtrum:

We are in receipt of your letter of February 3, 1969. Please be advised that Mr. Smith could either submit the affidavit concerning the August 30, 1968 Proof of Beneficial Use, or if this affidavit is not available, then he will have to publish for two weeks under a different system.

Please advise us if the original affidavit is available.

Very truly yours,

Donald W. McEldowney
Appropriations Examiner

DWM:kh

33396

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
PHONE 547-3944

35 WEST CENTER
SODA SPRINGS, IDAHO 83276

February 3, 1969

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

Attention: Donald W. McEldowney

Dear Mr. McEldowney:

Re: Permit No. G-33396, Delmo Smith

Thank you for your letter of January 28, 1969. Is there any way which the proof under Mr. Smith's application can be filed at this time without further publication.

Thank you for your help.

Very truly yours,


Wallace M. Transtrum

WMT/jl

January 28, 1969

Re: Permit No. G-33396
Delmo Smith

Mr. Wallace Transgrum
Attorney at Law
35 West Center
Soda Springs, Idaho 83276

Dear Mr. Transtrum:

On July 26, 1968, your office forwarded to the Department of Reclamation the department's form 11 and 36 in order that proof of beneficial use could be initiated under Permit No. G-33396.

On July 29, 1968, the department forwarded to the Caribou County Sun a legal notice advising the public that on August 30, 1968, the permit holder, Delmo Smith, would appear before notary public Wallace M. Transtrum and submit proof of beneficial use for the permit in question.

As of this date we have not received the proof which was initiated on July 26, 1968. Inasmuch as the permit holder has until January 10, 1972 within which to submit proof of beneficial use under the permit in question, we are wondering if the permit holder would like to request withdrawal of the proof initiated on July 26, 1968.

Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

33396

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
Phone 547-3944

December 5, 1966

The \$6.00 check was not enclosed

159 SO. MAIN
SODA SPRINGS, IDAHO

RECEIVED
DEC 6 1966

Department of Reclamation

33396

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

Gentlemen:

Re: Delmo Smith, Bancroft, Idaho

Enclosed is Application for Water Permit together with my check number 357 in the amount of \$6.00 to cover filing costs.

Very truly yours,

Wallace M. Transtrum
WALLACE M. TRANSTRUM

WMT/ehd

ENCLOSURES

33396

July 29, 1968

Re: Permit No. G-33396
Delmo Smith

Caribou County Sun
Soda Springs, Idaho 83276

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to August 30, 1968, . The expense of the publication is to paid by Delmo Smith, Bancroft, Idaho 83217

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

8-6-68

I HAVE INSPECTED THIS PERMIT - DON'T TYPE
NEW TRAIL .

DR

33390

**NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

RECEIVED
JUL 29 1968

Department of Reclamation

Notice is hereby given that on August 30, 1968, at Soda Springs
County of Caribou, State of Idaho, before notary public (name & address) _____
Wallace M. Transtrum, 35 West Center, Soda Springs, Idaho, proof will be
submitted of the completion of works for the diversion of 4.8 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-33396, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Delmo Smith, Bancroft, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
4.8 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 4.8 c.f.s.

4. The point of diversion of said water is SE1/4SW1/4, Sec. 23, T. 7 S, R. 38 E,
B.M., Caribou County

5. The place where said water is used is SE1/4NW1/4, SW1/4, SW1/4SE1/4, Sec. 23,
T. 7 S, R. 38 E, B.M.

6. The date of priority which said user is prepared to establish is _____
December 7, 1966

R. KEITH HIGGINSON

State Reclamation Engineer

33396

Form 36

RECEIVED

JUL 29 1968
Department of ReclamationNOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on August 30, 1968, at Soda Springs
County of Caribou, State of Idaho, before notary public (name & address) _____
Wallace M. Transtrum, 35 West Center, Soda Springs, Idaho, proof will be
submitted of the completion of works for the diversion of 4.8 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-33396, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Delmo Smith, Bancroft, Idaho

648-7774

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
4.8 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 4.8 c.f.s.

4. The point of diversion of said water is SE~~1~~SW~~1~~, Sec. 23, T. 7 S, R. 38 E,

B.M., Caribou County

5. The place where said water is used is SE~~1~~NW~~1~~, SW~~1~~, ~~SW~~1~~SE~~1~~~~, Sec. 23,
T. 7 S, R. 38 E, B.M.

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

December 7, 1966R. KEITH HIGGINSON

State Reclamation Engineer

33396

RECEIVED
JUL 29 1968
Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Caribou County Sun of Soda Springs, Idaho 83276; published in the county in which the works are situated.

Delmo Smith by:

Wallace M. Transtrum, his attorney

(signature)

Wallace M. Transtrum

35 West Center, Soda Springs, Idaho
(address)

July 26, 1968
(date)

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

33394

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
PHONE 547-3944

35 WEST CENTER
SODA SPRINGS, IDAHO 83276

July 26, 1968

State of Idaho
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Re: Delmo Smith, Permit No. G-33396

Enclosed are original Forms 11 and 36 of your Department.
I completed the authorization on behalf of my client, Mr.
Smith and would appreciate it if you would fill in the
appearance date at the time you send the same to the
newspaper office.

Thank you for your cooperation.

Very truly yours,


Wallace M. Transtrum

WMT/jl

Enc.

RECEIVED
JUL 29 1968
Department of Reclamation

33396

May 10, 1968

C Re: Permit No. G-33396
Delmo Smith

O Wallace M. Transtrum
Attorney At Law
35 West Center
Soda Springs, Idaho 83276

Dear Mr. Transtrum:

P Pursuant to your letter of May 9, 1968, we are forwarding forms
for proof of completion of works and beneficial use of water.

Please follow the instructions on Form 36A in completing Forms 36
and 11. If we can be of further help, please contact us.

Very truly yours,

Y Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: Forms 36A 36 & 11

33396

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
PHONE 547-3944

35 WEST CENTER
SODA SPRINGS, IDAHO 83276

May 9, 1968

RECEIVED

MAY 10 1968

Department of Reclamation

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

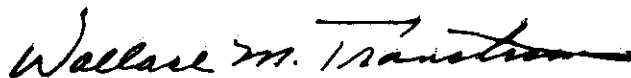
Gentlemen:

Re: Permit G-33396 - State Rec. Dept.
BLM Application I-666

Would you kindly send me the forms necessary for the proving
completion of works and an application of beneficial use.

Thank you kindly for your assistance.

Very truly yours,



Wallace M. Transtrum

WMT/jp

33396

January 19, 1967

Re: Permit No. **8-33396**
Saline Switch

Wallace M. Transtrum
Attorney at Law
159 South Main
Soda Springs, Idaho

Dear Mr. Transtrum:

We enclose Permit No. **8-33396** in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~XXXXXXXXXXXX~~ Departmental Receipt No. **8-11163** which was issued covering payment in the amount of \$ **6.00** for the filing fee of the above mentioned permit, was given to you at the time you were in our office.

Very truly yours,

Enc.

M. RUSSELL BOSCH
Office Manager

MRB:fw

Encl: Permit

83396

RECEIVED
DEC 16 1966

STATE OF IDAHO
OFFICE OF STATE RECLAMATION ENGINEER
POWER OF ATTORNEY
Department of Reclamation

33396

The undersigned owner (s) of Permit (Application) No. 41589
of the State Reclamation Engineer of the State of Idaho hereby nominates
and appoints Wallace M. Transtrum, Attorney, whose address is
159 South Main, Soda Springs, Idaho, as attorney-in-fact, with full author-
ity to act for and on behalf of the undersigned in all matters pertaining
to Application or Permit. Such acts shall include, but not be limited
to the filing of applications, receiving of all notices, the signing and
filing of applications for extension of time and for amendment of said
Permit, and the submission of proofs of completion of works and beneficial
use of water.

Dated this 15th day of December, 1966.

_____ Delores Smith

STATE OF IDAHO)
County Caribou) ss

On this 15th day of December, 1966, personally
appeared before me the signer (s) of the above instrument, who duly
acknowledged to me that he (she) (they) executed the same.

Samuel M. Jones
Notary Public of District Court

My Commission expires:

33396

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
Phone 547-3944

December 15, 1966

G 33396

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

Gentlemen:

Re: Delmo Smith, Bancroft, Idaho Permit No. G-41589

I am resubmitting these papers, Application for Permit and my letter of transmittal of December 5, together with the Power of Attorney requested by you.

Very truly yours,


WALLACE M. TRANSTRUM

WMT/jm
Enclosures

159 SO. MAIN
SODA SPRINGS, IDAHO

RECEIVED
DEC 16 1966
Department of Reclamation

33396

JAN 23 1964

OF TWIN FALLS



January 22, 1969

Department of Health and Human Services

[illegible]

Re: Hope Land and Water Co.
Butte County, Idaho
Well License

Thank you very much for the certified copies of the claims, permits and licenses ordered from you earlier. The \$9 fee will be processed and on its way to you shortly.

In May of 1968, Mr. W. T. Williams, President of HopeLand and Water Company, made the claim to a water right (your identification no. 33-4000). He claimed 5 C.F.S. for a well located in the SE NE of Section 21, Township 6 No., Range 29 E.B.M.

Do your records show any permits, licenses or claims to the latter well described above? It was drilled sometime during or before 1951.

He has been using the well continually since before 1951 to irrigate lands in Section 23 and 25 of Township 6 No., 29 E.B.M. and Section 30, Township 6 No., Range 30 E.B.M.

Sincerely,

David R. Mead, A.R.A.
Assistant Vice President &
Mgr Farm Management Dept

DRM:lsj

33296

Re: Permit No. G-33396

July 29, 1968

Delmo Smith
Bancroft, Idaho 83217

Dear Mr. Smith:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No.

G-33396.

We have mailed the notice to the Caribou County Sun to be published once a week for four consecutive weeks prior to August 30, 1968, which is the hearing date when the permit holder

Delmo Smith

and two disinterested witnesses must appear before

Wallace H. Transtrum, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Delmo Smith.

Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McKidowney
Appropriation Examiner

DWM:dj

Enc: Depositions

cc: Notary

33396