

# APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41746  
Permit No. G- 33506  
District No.

1. Name of Applicant: **Joel A. Smith**  
Postoffice address: **Holbrook** County: **Oneida** State: **Idaho**
2. Quantity of water claimed:
  - (a) Rate of withdrawal in cubic feet per second **1.6** 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 1/4** of the **NE 1/4** of Section **32**  
**Twp. 14 S**, Rge. **33 E**, B.M., County of **Oneida**
5. Water is to be used for: **irrigation**
6. If for municipal, industrial or recreational purposes, give:
  - (a) Point of use of water is in the **1/4** of the **1/4** of Section **32**, Twp.  
Rge. **33 E**, B.M.
  - (b) Waste water or sewage effluent is to be returned to  
at a point in the **1/4** of the **1/4** of Section **32**, Twp. **14 S**, Rge. **33 E**, B.M.
7. Kind of works: **Deep well turbine pump with pressure sprinkling system.**
8. Estimated cost of works: \$ **8,600.00**
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: **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) **1.6** (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.*

Returned to applicant for correction:

Correction application received:

The number of this permit is G— 33506

Recorded in Book 117 Page 33506 Approved March 7, 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 **August 7, 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 March 7, 1972 /s/ JACK A. BARNETT

Witness my hand this 7th

day of March, 1967.

/s/ JACK A. BARNETT, Deputy  
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 named of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this  
7th day of March, 1967

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ DON SAMUELSON

By /s/ EDSON H. DEAL

**Governor**

Secretary of State

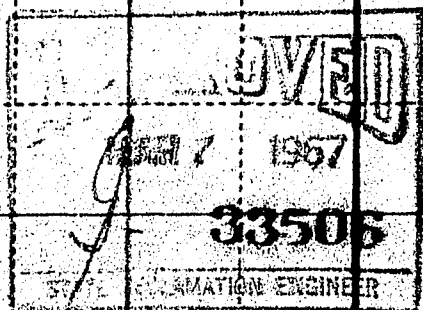
12.

[illegible]

NAME OF APPLICANT

Joe A. Smith Sec 32 T. 14 S. R. 33 E BM.

Form No. 0



Address all communications to:

Joel A. Smith

P.O. Holbrook, Idaho

## APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G

41746

Permit No. G

33506

Water District No.

RECEIVED  
APR 1 1987  
10:00 A.M.  
Department of Reclamation

1. Name of applicant: Joel A. Smith

Post office address: Holbrook County Oneida State Idaho

2. Quantity of water claimed: ~~(750)~~ seven hundred fifty gallons per minute 1.6 cfs

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 32

Twp. 14 S, Rge. 33 E, B.M., County of Oneida

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 ~~SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$~~  of the NE  $\frac{1}{4}$  of Section 32

Twp. ~~14 S~~, Rge. 33 E, B.M.

(b) Waste water or sewage effluent is to be returned to None

at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section, Twp., Rge., B.M.

7. Kind of Works: Deep well turbine pump with pressure sprinkling system

8. Estimated cost of works: \$ 8,600.00

9. (a) Is reservoir to be used? No.

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is

5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

33506

(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: none

(n) none (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) 750 GPM (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

833506

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.

Joel A. Smith Applicant

**Applicant**

By \_\_\_\_\_, Agent

93500

# Approval of State Reclamation Engineer

The number of this permit is G 33506

Recorded in Book 117 Page 33506 Approved MAR 7 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 August 7, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 7, 1972

Witness my hand this 7th day of March, 19 67

Jack A. Barrett  
Deputy, 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 7th day of March, 19 67

Countersigned:

STATE OF IDAHO

By Edson H. Deal  
Secretary of State

By Don Samuelson  
Governor

No. G 33506

## PERMIT

Date of first receipt at office of State  
Reclamation Engineer

March 1, 1967 10:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.25

### FILING FEES FOR USE PERMIT:

For the first Sec. Ft. .... \$5.00

For each additional Sec. Ft. or Fraction

Thereof ..... .25

33506

March 8, 1967

Re: Permit No. G-33506

Joel A. Smith  
Holbrook, Idaho

Dear Mr. Smith:

We enclose Permit No. G-33506 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-11415 which was issued covering payment in the amount of \$ 5.25 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit, receipt

M. RUSSELL BOSCH  
Office Manager

MRB:ojw

G-33506



RECEIVED  
MAR 4 1971  
Department of Water Administration

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Joel A. Smith, Holbrook, Idaho,

has received an approved Permit No.

G-33506/17-2064 issued by the Idaho Department of Water Administration authorizing the diversion ~~of~~ 1.6 cubic feet per second ~~per/second~~ per/second of water from a ground water source.

The priority to be established under this permit is March 1, 1967 and the permit was approved March 7, 1967.

Water is to be diverted by well, pump and sprinkler system from a point within the SE 1/4 Sec. 32, T. 14S, R. 33E, B.M., Oneida County,

to be used for irrigation  
in the SE 1/4 Sec. 32, T. 14S, R. 33E, C/M/ B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before March 7, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director  
Idaho Dept. of Water Administration  
STATEHOUSE, Boise, Idaho

Published in the Idaho Enterprise, Malad City, Idaho,  
on March 18, and March 25, 1971.

Permit No. 17-2064

Director:

You are hereby authorized to have the above notice published at my expense in the Idaho Enterprise of Malad City, Idaho; published in the county in which the works are situated.

Joel A. Smith  
(Signature)

(Address)

(Date)

17 2064

November 10, 1970

Re: Permit No. G-33506 (New No. 17-2064)

Mr. Joel A. Smith  
Holbrook,  
Idaho 83243

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 these 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; 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 them upon request at any time.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:DR  
Enc: Order  
Advertising package

17 2064

March 5, 1971

Re: Permit No. 33506/17-2064 - Joel A. Smith

Idaho Enterprise  
P.O. Box 205  
Malad, Idaho 83252

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 to 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 cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Joel A. Smith, Holbrook, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/BB  
Enc: legal notice

17 2064

March 5, 1971

Re: Permit No. 33506/17-2064

Mr. Joel A. Smith  
Holbrook,  
Idaho 83243

Dear Mr. Smith:

The legal notice for the above-referenced permit is being published in the  
Idaho Enterprise, Malad City, Idaho on March 18th  
and March 25th.

You will be required to submit an affidavit of publication to this department.  
The affidavit may be obtained from the above-mentioned newspaper upon payment of  
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/BB

17 2064

July 16, 1971

Re: Permit No. G-33506/17-2064

C  
O  
Mr. Joel A. Smith  
Holbrook,  
Idaho 83243

Dear Mr. Smith:

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

P  
Since proof of beneficial use is not required until March 7, 1972, the Department will notify you sixty days in advance of the due date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under this permit, you may submit proof at any time prior to the above mentioned date.

Very truly yours,

Y  
Donald W. McEldowney  
Appropriation Supervisor

DWM:DR

17 2064

December 29, 1971

CERTIFIED MAIL # 23252

Re: Permit No. G-33506/17-2064

Joel A. Smith  
Holbrook,  
Idaho 83243

Dear Mr. Smith:

One of the conditions of approval of your water Permit No. G-33506/17-2064 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 7, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time 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  
Director

Enc: Proof affidavit  
dr

17 2064

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).  
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address  
where delivered

☐ Deliver ONLY  
to addressee

**RECEIPT**

*Received the numbered article described below.*

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

23252

1

Joel Smith

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3

17 2064

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.

RETURN  
TO

DEPARTMENT OF WATER ADMINISTRATION  
STATEHOUSE - ANNEX #2  
BOISE, IDAHO 83707

17 2064

POD Form 3811 Apr. 1969 c55-16-71548-11

Identification No. \_\_\_\_\_

Permit No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

MAR 8 1972

Department of Water Administration

1. a) Name of Permit Holder Joel A. Smith  
b) Post Office Address Holbrook, Idaho
2. Permit Number G-3350 6/17-2064
3. Date of Priority that you are prepared to establish March 1, 1967
4. a) Source from which water was appropriated well  
b) Location of the point of diversion: SE 1/4 NE 1/4, Section 32  
Township 14 So., Range 33 E. Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
amount 1.6 cfs for irrigation purposes from 4/20/ to 10/10 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 1.6 cfs 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: By permit holder by sprinkler measurement
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: n/a  
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) 50 hp motor; 6" pump; 16" casing; 275' deep  
b) Describe the type and size of measuring device which you have installed at your point of diversion: n/a  
c) Give well drillers name and address and date the well was completed F.W. Cagel, Downey, Ida 1964

17 2064

17 2064

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

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

| 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 |        |
| 14 S | 33 E  | 32   | 40     |        |        | 40     |        |        |        |        |        |        |        |        |        |        |        |        | 80     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
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|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 80

10. Remarks:

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

3/6/72  
(Date)

Joel A Smith  
(Signature)

State of Idaho)  
County of Oneida) ss.

On this 6 day of March, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Joel A Smith  
Notary Public residing at Malad City, Idaho

My commission expires 11/15/73

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION  
OF THE  
STATE OF IDAHO

IN THE MATTER OF Permit No. G-33506/ )  
17-2064 in the name of JOEL A. SMITH )

ORDER OF REINSTATEMENT

WHEREAS, on March 1, 1967, Joel A. Smith applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 1.6 cubic feet per second of water from a ground water source within the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 32, Twp. 14S, Rge. 33E, B.M., Oneida County, to be used for irrigation purposes; and,

WHEREAS, on March 7, 1967, the Department approved said application and issued Permit No. G-33506/17-2064 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before March 7, 1972; and,

WHEREAS, on December 29, 1971, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the required proof of beneficial use was not received on or before March 7, 1972, and Permit No. G-33506/17-2064 automatically lapsed; and,

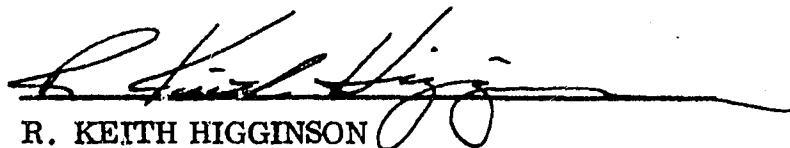
WHEREAS, on March 8, 1972, the Department received the required proof of beneficial use; and,

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

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

IT IS, THEREFORE, HEREBY ORDERED that Permit No. G-33506/17-2064 be REINSTATED and the priority advanced to March 2, 1967.

Dated this 15 day of March, 1972.

  
R. KEITH HIGGINSON  
Director

RKH:DR

17 2064

March 15, 1972

Re: Permit No. G-33506/17-2064

Mr. Joel A. Smith  
Holbrook,  
Idaho 83243

Dear Mr. Smith:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced.

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 so that you may show him the system.

If someone other than you should be contacted by the examiner, please advise our District Office at 240 South Holmes, Idaho Falls, Idaho.

Very truly yours,

BOBBY D. FLEENOR  
Assistant Director

BDF:DR  
Enc: Order of Reinstatement  
bc: Eastern District Office  
Enc: Copy of reinstatement  
Field exam report

17 2264

DEPARTMENT OF WATER ADMINISTRATION  
FIELD REPORT

1. Name of permit holder Joel A. Smith  
Post office address Holbrook, Idaho Phone \_\_\_\_\_  
Person to contact FRANK & Lyle Hill New Owners Phone \_\_\_\_\_

2. Source of water supply: Groundwater ☒ Surface water ☐ \_\_\_\_\_  
(name spring, stream, etc.)  
Tributary to \_\_\_\_\_

3. Water will be used for the following purposes:

Amount 1.6 c.f.s. for irrigation  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from April 1 to November 1  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Other uses: \_\_\_\_\_

Permit No. 33506/17-2064  
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 1.6 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion:

Township 14S N/S, Range 33E E/W, B.M., Section 32, Subdivision SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Oneida  
County  
Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_  
County  
Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_  
County

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: 50 hp motor, 6" pump, 16" casing, 275' deep

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$ |        |
| 14S  | 33E   | 32   | X                |                  |                  | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 80     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

17 2064

TOTAL ACREAGE 80

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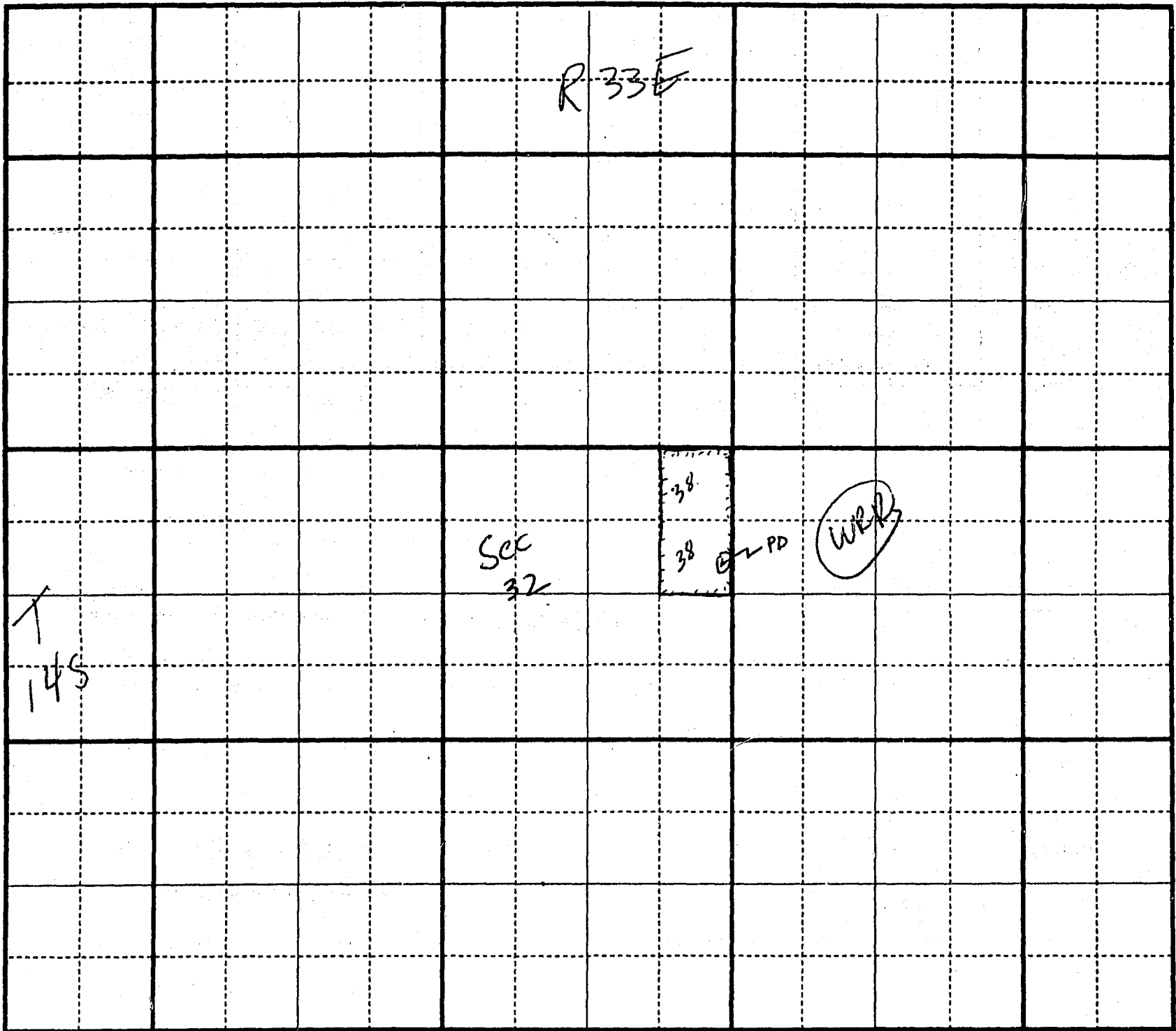
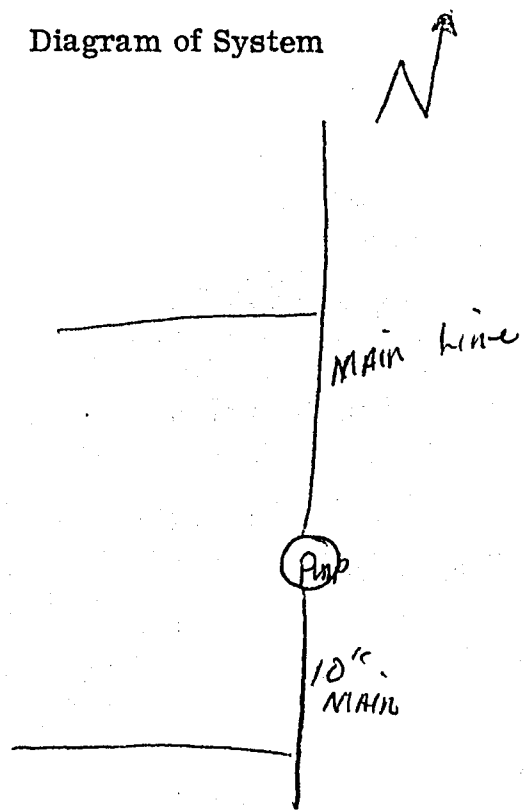


Diagram of System



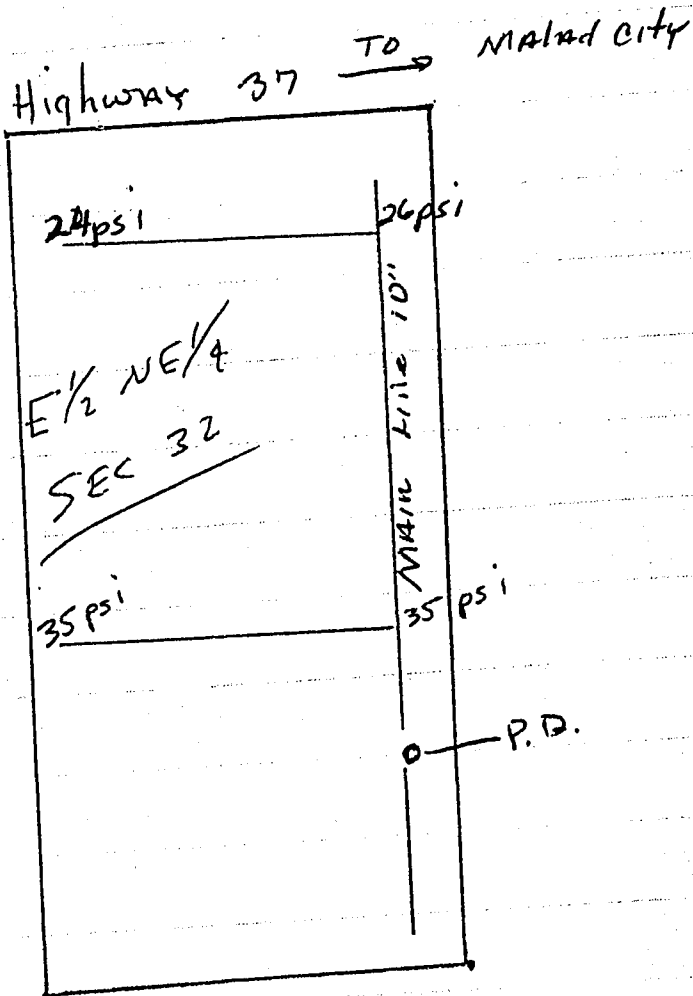
2 laterals  
from main line

FRANK & Lyle Hill

Aug 2, 1972

32 NOZ (30W)  $1\frac{1}{4}$  35psi AUG  
32 NOZ (30W)  $5/32$  25psi AUG

|          |                             |
|----------|-----------------------------|
| 5.02 gpm | 3.52                        |
| X 32     | <del>3.52</del> 9pm         |
| 161 gpm  | X 32                        |
|          | 113 gpm                     |
|          | 141 gpm                     |
|          | 274 gpm                     |
|          | 448.8 gpm                   |
|          | $\frac{448.8}{9fs} = .61fs$ |



(uRL)

$$V = (3.5)(76) = 266$$

or

$$V = (.61)(1.9835)(215) = 260$$

260 < 266

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REMARKS:

NOTE FRANK & LYLE SMITH of Holbrook, Idaho  
ARE NEW OWNERS

System Shown by Lyle Smith

Examiner's Signature William R. Rhoads Date Aug 7, 1972

Checked by Norman C. Young, P.E. Date 11-7-72

Approved by \_\_\_\_\_ Date \_\_\_\_\_

17 2064

DATE OF EXAM Aug 2, 1972

ACREAGE  
Found 76 ✓  
Recommended 76 ✓

Irrigation Requirement 3.5 ✓ Ac Ft/Ac

USE  
Irrigation Q = .61 c.f.s. V = 260.0 ✓ AF/Ann. from April 1 to NOV 1  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ✓

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge. NA E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Exchange? yes \_\_\_\_\_ no ✓

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge. NA E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Point of injection: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge. NA E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Point of exchange: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge. NA E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Total Q measured .61 Method of measurement Pitot Tube

Total Q recommended .61 Meter No. \_\_\_\_\_ Type \_\_\_\_\_ Condition \_\_\_\_\_

Total V recommended 260.0

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other Assignment of Permit sent.  
None \_\_\_\_\_

MEASUREMENT CALCULATION:

Line 1 = 32 NO2 at 35 psi = 5029 ppm (32 NO2) = 16.15 ppm NO2 = 16.4  
Line 2 = 32 NO2 at 25 psi = 3529 ppm (32 NO2) = 1.133 ppm NO2 = 5/32  
 $V = (.61)(1.9835)(215) = 260 \text{ AF/ANN}$   
 $\frac{2749 \text{ ppm}}{448.8 \text{ ppm}} = 1.6 \text{ cfs}$

SYSTEM DESCRIPTION:

U.S. Motors Hollowshaft Ser # 3685-723-2 Motor  
Jacuzzi Brothers Ser # WPI 413 Pump

REMARKS:

NOTE FRANK & LYLE SMITH of Holbrook, Idaho  
ARE NEW OWNERS

System Shown by Lyle Smith

Examiner's Signature William R. Rhoads Date Aug 7, 1972

Checked by Norman C. Young, P.E. Date 11-7-72

Approved by \_\_\_\_\_ Date \_\_\_\_\_

December 5, 1972

Mr. J. Lyle Hill  
Holbrook,  
Idaho 83243

Re: Permit No. 33506/17-2064

Dear Mr. Hill:

We acknowledge receipt of the assignment which conveys the above referenced permit to you. The assignment has been recorded and the Department's records changed accordingly.

A representative of this Department has made an examination of ~~works~~ covered by this permit and has found the following:

Quantity of water diverted: 0.61 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.61 cfs

The maximum quantity diverted shall not exceed 260 acre feet per year.

Beneficial use: Irrigation of 76 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 32, Twp. 14 S, Rge. 33 E, B.M.

Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 32, Twp. 14 S, Rge. 33 E, B.M.

The priority date established: March 2, 1967 (late proof)

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

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

BDF:DR

17 2064

December 22, 1972

C Re: Permit No. 33506/17-2064

Mr. J. Lyle Hill  
Holbrook,  
Idaho 83243

O Dear Mr. Hill:

Enclosed is a copy of the Water License issued on the above referenced permit.

P Sincerely,

BOBBY D. FLEENOR  
Assistant Director

Y  
BDF:DR  
Enclosure

17 2064

# Affidavit of Publication

RECEIVED

JUL 28 1971

[Department of Water Administration]

State of Idaho  
County of Oneida, ss.

*Norma Champney* being first duly sworn on  
her oath, states: That *she* is *Clark*

of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, 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 said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for ... successive weekly issues thereof the date of the first publication being the *18* day of *March*, 19*71*, the date of the last publication being the *25* day of *March*, 19*71*.

*Norma Champney*

Subscribed and sworn to before me this *19th* day of

*April*, 19*71*...

*Daniel O. Jones*

Notary Public, residing at Malad, Idaho

My Commission expires the *6th* day of *April*, 19*71*.

Costs: *42* lines at 13c per line first insertion \$.*546*

..... lines tabulated at 20c per line \$......

10c per line each subsequent insertion \$.*420*

TOTAL ..... \$.*966*

(Rates for legal notices are fixed by Idaho law)

## NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Joel A. Smith, Holbrook, Idaho, has received an approved Permit No. G-33506/17-2064 issued by the Idaho Department of Water Administration authorizing the diversion of 1.6 cubic feet per second of water from a ground water source. The priority to be established under this permit is March 1, 1967 and the permit was approved March 7, 1967.

Water is to be diverted by well, pump and sprinkler system from a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 32, T. 14S, R. 33E, B.M., Oneida County, to be used for irrigation in the E $\frac{1}{2}$ NE $\frac{1}{4}$  Sec. 32, T. 14S, R. 33E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before March 7, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director  
Idaho Dept. of Water Administration,  
STATEHOUSE, Boise, Idaho  
Published in the Idaho Enterprise, Malad City, Idaho, on March 18, and March 25, 1971.

17 2064

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33506/17-2064 )

in the name of JOEL A. SMITH )

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 Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33506 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 Procedure 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.

Dated this 3 day of November, 1970.

  
R. KEITH HIGGINSON  
Director

17 2064

State of Idaho  
Department of Water Administration  
ASSIGNMENT OF PERMIT

RECEIVED  
Nov 14 1972  
Department of Water Administration

I, Joel A. Smith, hereby assign to J. Lyle  
of Holbrook, Idaho Address

☒ All my right, title, and interest, in and to Permit No. 2-33506/17-2064  
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and  
to Permit No. \_\_\_\_\_ to appropriate the public waters of the State  
of Idaho. (Describe that portion of the permit being assigned by list-  
ing the acreage within each 40-acre subdivision, the point of diversion  
and the amount of water in cubic feet per second for direct diversion,  
or acre feet for storage.)

Made this 12th day of October, 19 72.

Joel A. Smith  
Permit Holder

Ada L. Smith  
Spouse of Permit Holder

State of Idaho )  
County of Oneida ) ss.

On this 13th day of Oct., 19 72, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged  
to me that ~~XXXXXX~~ (they) executed the same.

Shanda Edwards  
Notary Public residing at

Malad, Idaho

My commission expires: 5-15-76

17 2064

IDaho DEPARTMENT OF WATER ADMINISTRATION  
EASTERN DISTRICT OFFICE  
240 S. HOLMES  
IDAHO FALLS, IDAHO 83401

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33506/17-2064 Priority March 2, 1967 Amount 0.61 cfs  
(late proof)

THIS IS TO CERTIFY, that J. LYLE HILL  
of Holbrook, Idaho, has complied with the terms and conditions of Permit  
No. 33506/17-2064 issued pursuant to Application for Permit dated March 1, 1967,  
and has submitted proof to the Department of Water Administration on March 8, 1972,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 0.61 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 0.61 cfs for Irrigation from April 1 to Nov. 1 (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 0.61 cfs of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> Sec. 32, Twp. 14 S, Rge. 33 E, B.M.

in the county of Oneida, 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 260 acre feet per year or  
3.5 acre feet per acre.

Description and location of place of use:

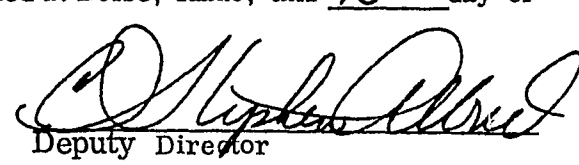
| TWP. | RANGE | SEC. | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | TOTALS |
|------|-------|------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------|
|      |       |      | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |        |
| 14 S | 33 E  | 32   | 38                             |                                |                                | 38                             |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | 76     |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |

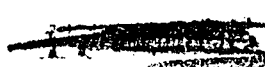
Total number of acres irrigated 76

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 19<sup>th</sup> day of

December, 19 72.

  
Deputy Director

  
17 2064

