

OCT 12 1976

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF POWER } S.S.

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 publication being the 30th day of Sept., 1976

the date of last publication being the

7th day of October, 1976

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

7th day of Oct., 1976

Robert J. Krumm
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL) day of, 19

Notary Public

Residing at Am. Falls, Idaho

My Commission Expires

July 15, 1977

Legal Notice

Published in the Power County Press Sept. 30 and Oct. 7, 1976.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Cecil A. Weisenburger, American Falls, Idaho has on 9-20-76 submitted Application No. 35-7641 for a permit to appropriate 2.70 cubic feet per second of water from ground-water sources by means of well and pumps within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7S, R. 29E, B.M., Power County; to be used from April 1 to Nov. 1 for the irrigation of 320 acres within the W $\frac{1}{2}$, Sec. 32, T. 7S, R. 29E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln, Idaho Falls, Idaho, 83401 on or before October 18, 1976.

R. KEITH HIGGINSON
Director

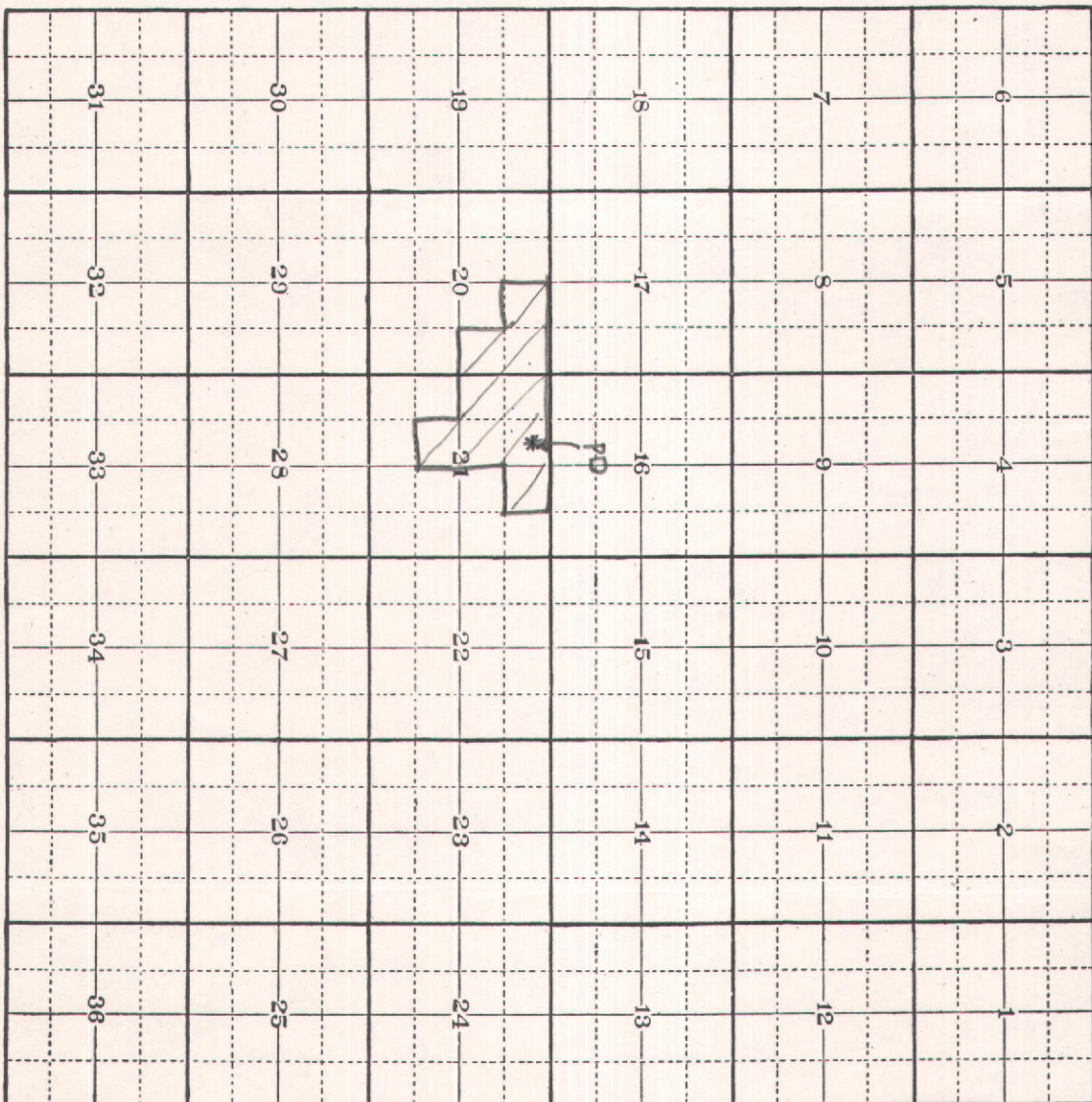
Wisenbarger

SCALE: ONE INCH TO ONE MILE

Township *7 S*

Range *29 E*

Under order permit
35-2584



MICROFILMED

Twp 12S

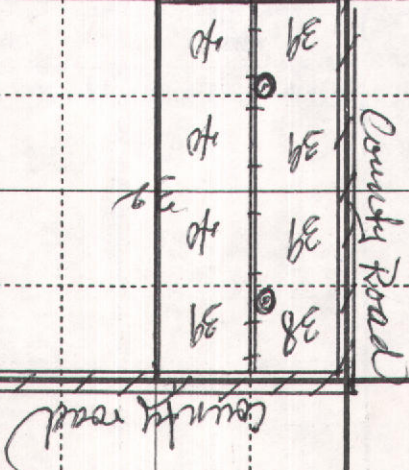
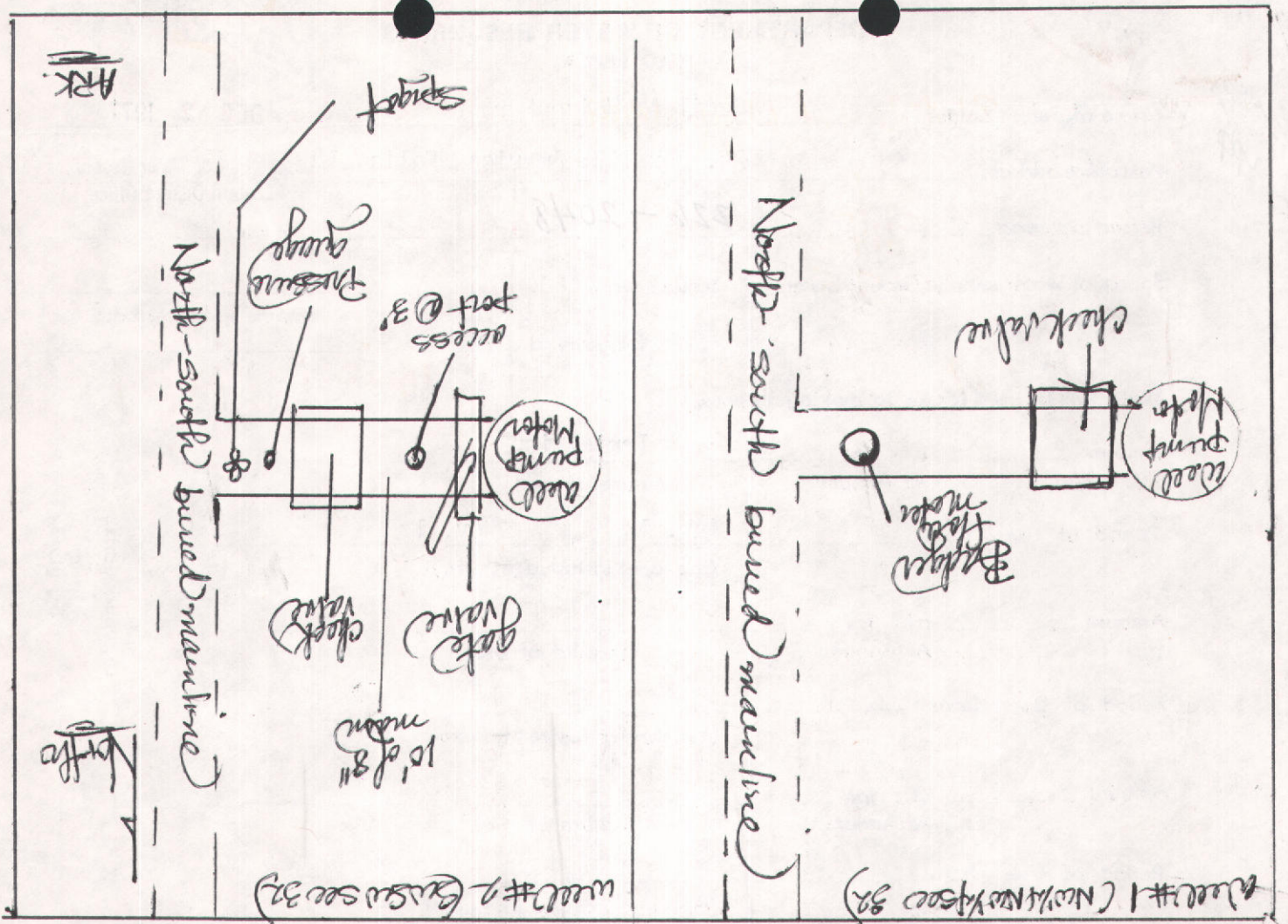


Diagram of System



Cecil Wessenberg

R 29 E

West

5-7

35-7647

19 20
30 29

20 21
29 28

A-2
35.5

A
217.3

B
374

A-2
31.9

C
373

D
780

A-28
318.2

30 29
31 32

29 28
33

D-2
51.7

Point of diversion

38a

39a

39a

40a

39a

40a

39a

40a

Point of diversion

A-235

109.8

44.8

G
106.5

A-282
Sch. 2
Bros

31 32
6.5

32 30
5 4

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7641 Priority September 21, 1976 Amount 2.68 cfs

THIS IS TO CERTIFY, that CECIL A. WEISENBURGER
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7641 issued pursuant to Application for Permit dated September 20, 1976,
and has submitted proof to the Department of Water Resources on November 2, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 7.36 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u> at <u>2.68</u> cfs and <u>1099</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		
	(both dates inclusive)		

Subject, however, to the condition that no more than 2.68 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1099 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32,
Twp. 7S, Rge. 29E, B.M. in the County of Power

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 $\frac{1}{4}$	
7S	29E	32					39	38	39	40	40	39	39	40					314

Total number of acres irrigated 314

This right when combined with 35-7165 shall provide no more than 3.5 afa per acre
for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 17 day of
March, 19 81.

Director

PRY MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7641

IN THE NAME OF CECIL A. WEISENBURGER

ORDER OF REINSTATEMENT

WHEREAS, on September 20, 1976, Cecil A. Weisenburger filed with the Department of Water Resources an application for permit to appropriate 2.70 cubic feet per second of groundwater to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 7S, Rge. 29E, B.M., Power County, to be used for irrigation purposes; and,

WHEREAS, on October 27, 1976, the Department approved said application and issued Permit No. 35-7641 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before November 1, 1977; and,

WHEREAS, on August 31, 1977, the Department notified the permit holder 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, on November 1, 1977, Permit No. 35-7641 automatically lapsed for failure to make proof of beneficial use of water; and,

WHEREAS, on November 2, 1977, the Department received the required proof of beneficial use of 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 the lapsing; and,

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

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7641 be REINSTATED and the priority advanced to September 21, 1976.

Dated this 14 day of November, 1977.


BOBBY P. FLEENOR
Chief, Operations Bureau

Identification No. 35 7641
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Cecil A. Weisenburger Phone: _____
post office address 560 Taylor, American Falls, Idaho 83211
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32 Township 7S
Range 29E B.M. Power County; additional points of diversion if any: _____
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 7S, R. 29E
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.70 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.70 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 18 inches; proposed depth of well is 226 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 80,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water: _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	29E	32				40	40	40	40	40	40	40	40	40					320
					</														

Proposed Priority 9-20-76

Received by CW Date 9-20-76 Time 11:00A.

Preliminary check by Jag Fee \$ 45.00

Received by CW Date 9-20-76 #2553

Publication prepared by CW Date 9-21-76

Published in Power County Press

Publication dates Sept. 30 & Oct. 7, 1976

Publication approved ME Date 10-12-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

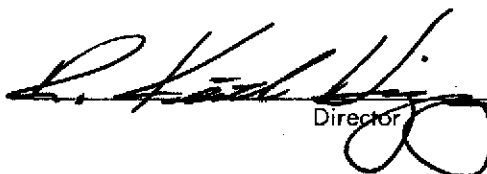
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7641, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 77.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 27 day of October, 19 76.


Director

OCT 12 1976

Department of Water Resources
Eastern District Office

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER } S.S.

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 30th day of Sept., 1976

the date of last publication being the

7th day of October, 1976

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

17th day of Oct, 1976

Robert J. Kemp
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

..... day of, 19

Notary Public

Residing at Am. Falls, Idaho

My Commission Expires

July 15, 1977



RECEIVED
OCT 12 1976

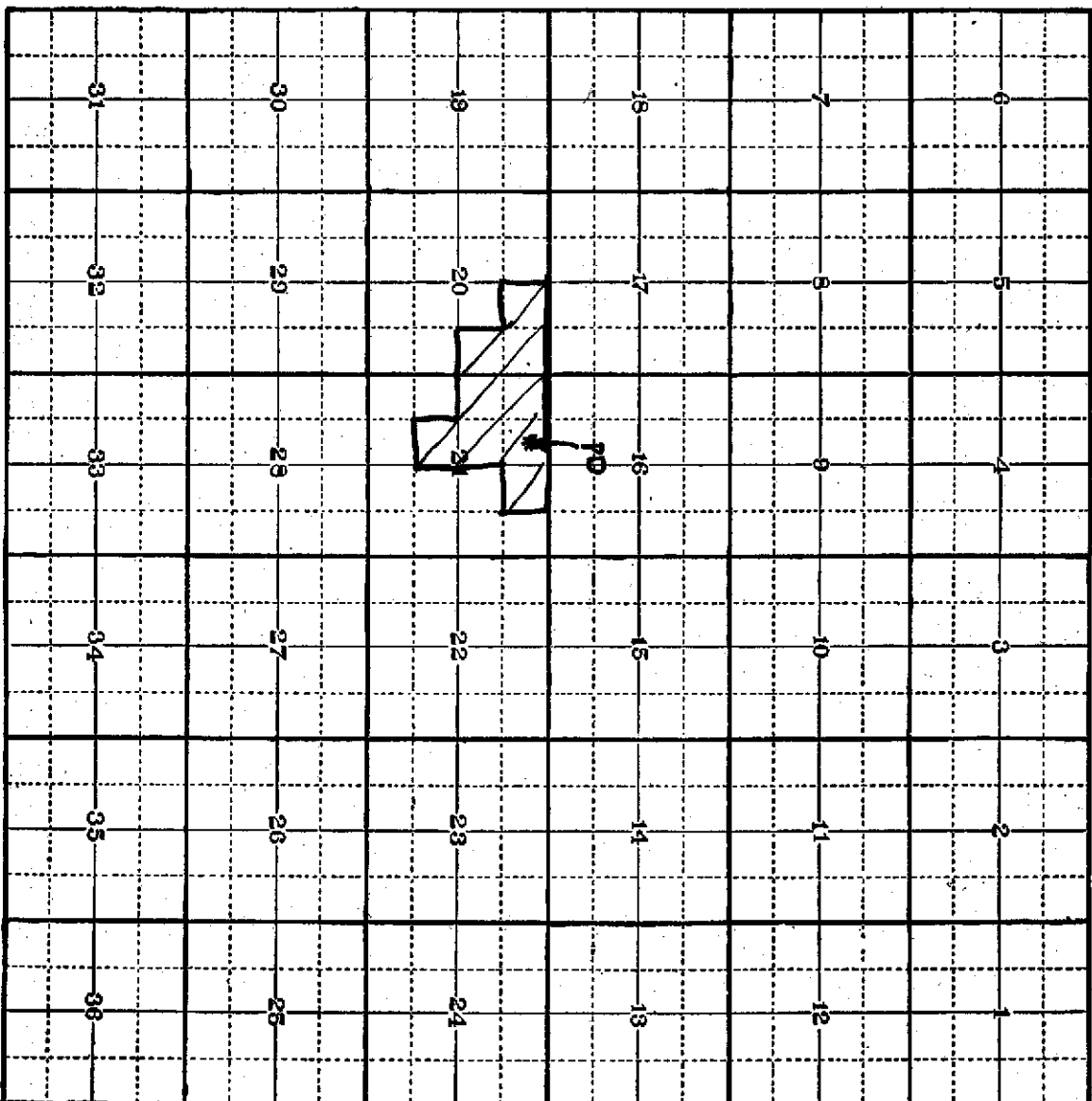
Wisenbarger

SCALE: ONE INCH TO ONE MILE

Township *7 S*

Range *29 E*

Leake and Son Farm
35-2584



REPRODUCED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 20, 1981

Cecil A. Weisenburger
Rt., Box 167
American Falls, Idaho 83211

Dear Mr. Weisenburger,

RE: License No. 35-7641

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

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr
Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 19, 1981

Cecil A. Weisenburger
Rt., Box 167
American Falls, Idaho 83211

Dear Mr. Weisenburger,

A representative of this Department has made an examination of the works covered by your Permit No. 35-7641, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 2.68 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1099 acre feet per year.

Point(s) of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 7S, Rge. 29E, B.M.

Beneficial use: Irrigation of 314 acres within the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 32, Twp. 7S, Rge. 29E.

Priority date established: September 21, 1976

Conditions (if any): This right when combined with Right No. 35-7465 shall provide no more than a ~~total diversion of 6.35 cfs~~ 3.5 AFA per Acre for lands above.

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

MICROFILMED

RECEIVED

Name of permit holder

Post office address

Rt. Box 167, American Falls, ID 83211
Department of Water Resources
Eastern District Office

Person to contact

226-2048

Phone

3. Water will be used for the following purposes:

Amount 2.70 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 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: _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.70 cubic feet per second and annual volume _____ AF/Annum.

5. **Location of Point(s) of Diversion:** Proof lists only the SW $\frac{1}{4}$ SW $\frac{1}{4}$

Township 7S N/S, Range 29E E/W, B.M., Section 32, Subdivision SW $\frac{1}{4}$ SW $\frac{1}{4}$, Power

Township " N/S, Range " E/W, B.M., Section 32, Subdivision NW 1/4 NW 1/4,

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: well, pump, sprinkler system, 125 hp motor, 8" casing, 230' deep, Sh
SWL 200'

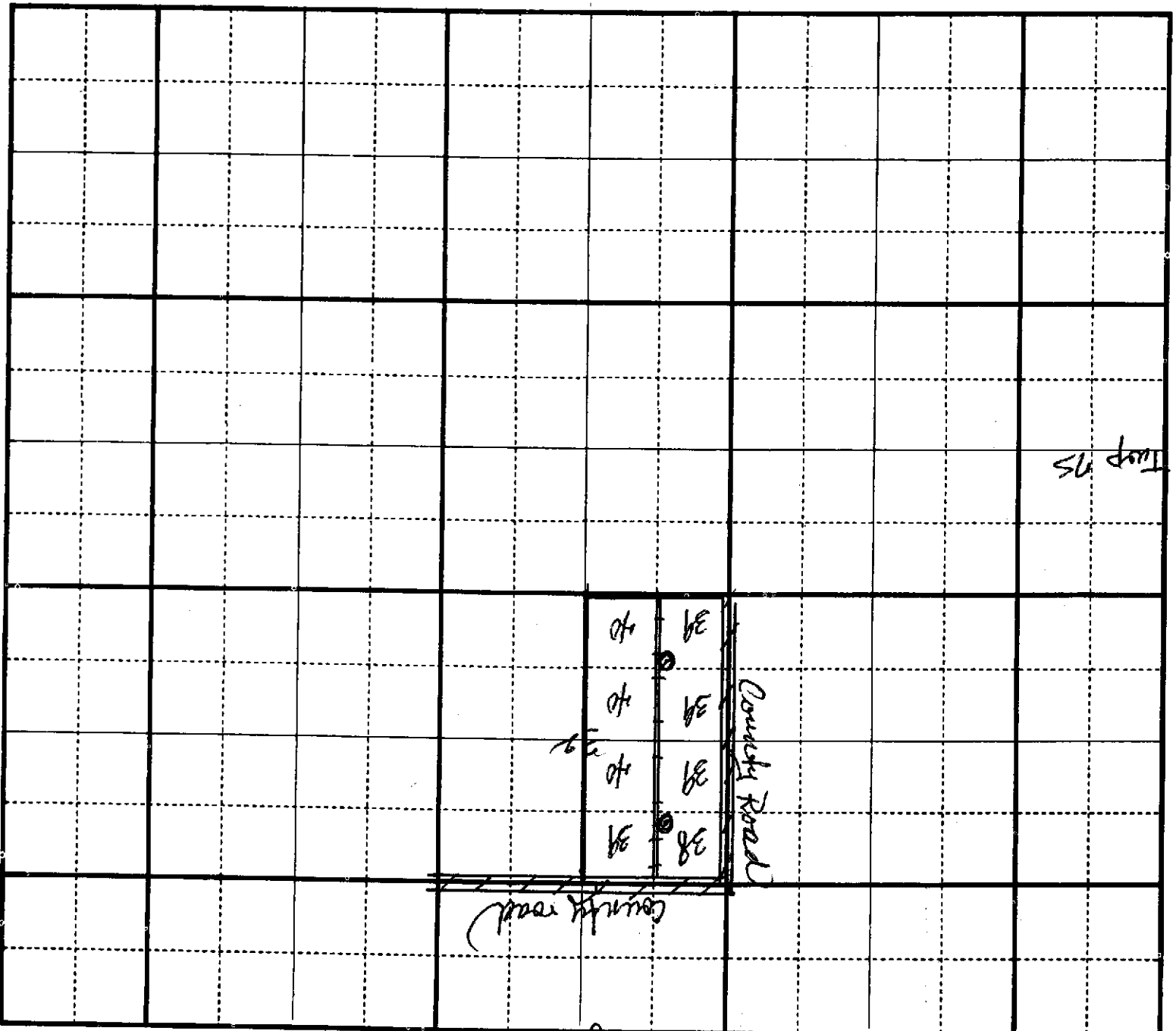
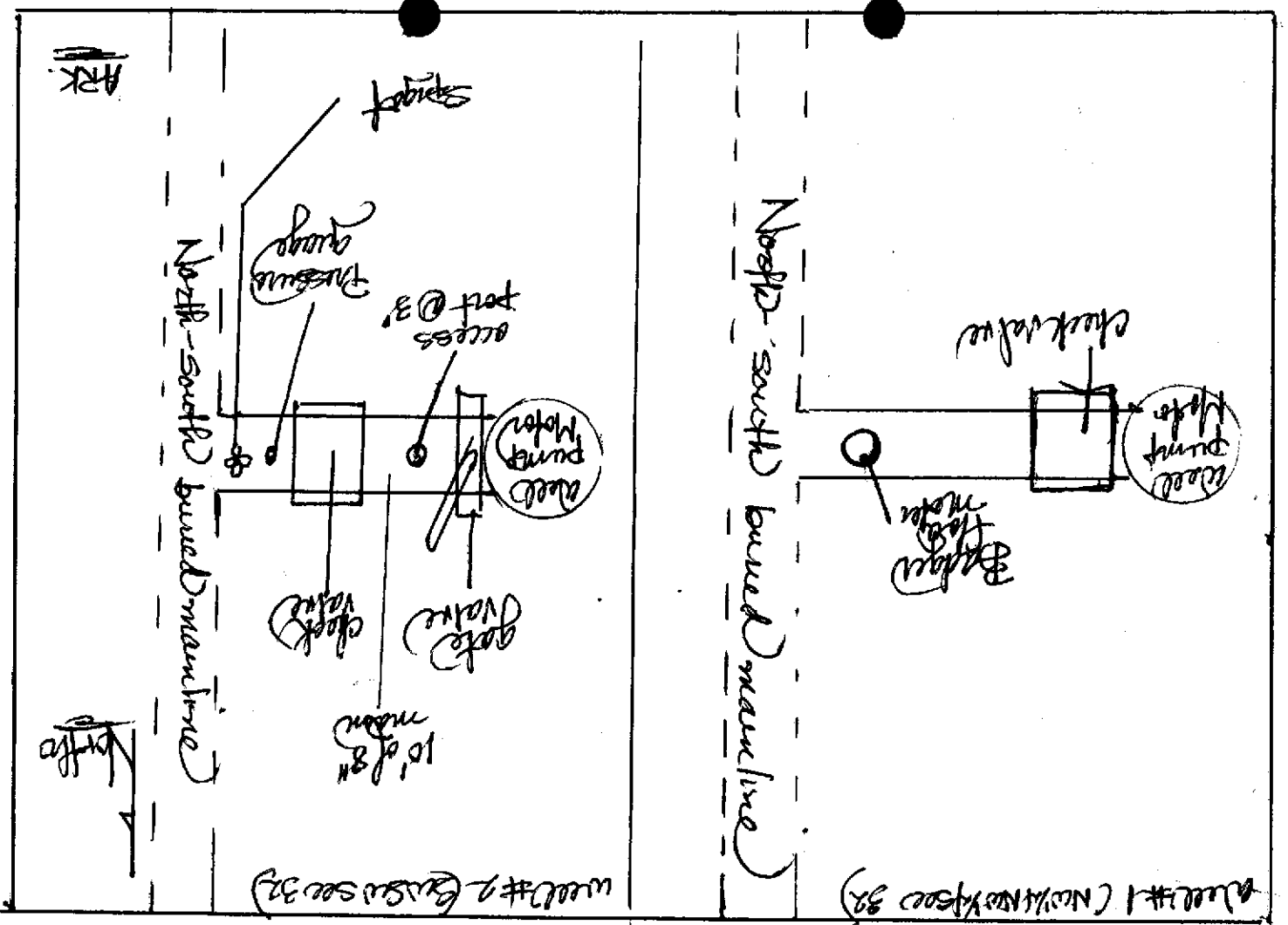
Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

320

Diagram of System



R9024E

Cecil Wiesenberger

R 29 E

West

5-7

35-7649

10/20
30/29

A-2
35.5

A
217.3

A-2
51.0

30/29
31/32

Point of
diversion

38a

38a

39a

40a

39a

40a

Point of
diversion

39a

40a

109.2

106.5

4-21

DATE OF EXAM 31st day of May, 1979

ACREAGE
Found 314a ✓
Recommended 314a ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 2.68 c.f.s. V = 1099 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 X

Name source: not applicable
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: not applicable
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: not applicable
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: not applicable
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 7.36 cfs well 1 - Inter-Solm meter
Total Q recommended 2.68 cfs well 1 - M433595 Method of measurement well 2 - Annubar
Total V recommended 1099 Aff/y Meter No. well #2 Type Annubar Condition Standard
well 2 = 7.98
meter 80

Recommended Amendments:

P.D. _____ Well #1 = 3.66
Place of Use _____ Well #2 = 3.70
Other _____ 7.36 cfs
None

MEASUREMENT CALCULATION:

Capacity well #1 - measured 1000 gpm in 36.5 sec = 1043.8 gpm = 3.66 cfs
Well #2 - $Q_{gpm} = (C_{pipe} I.D.)^2 (C/H) = (7.98)^2 (3.85) (1/4) = (7.98)^2 (3.85) (6.78) = (63.68) (3.85) (6.78) = 1662.74 gpm = 448.8 gpm/cfs$
 $Q_{total} = 7.36 cfs$
Volume - $314a \times 3.5 aff/a = 1099 aff/y$
 $1.9835 \times 74 d/y \times 2.68 = 1137.6 aff/y$
 $Q = 3.70 cfs$

SYSTEM DESCRIPTION:

Well #1 (NW 1/4 Sec 32) - Groundwater is diverted by a 200 H.P. U.S. electrical motors vertical pump motor - s/n - CC 1004125 and by a Berkeley vertical turbine pump - s/n - 17120548

Well #2 (SW 1/4 Sec 32) - Groundwater is diverted by a 125 HP 3ph. U.S. Electrical motors "Hollshaft" vertical pump motor - s/n - 1270795 and by a Berkeley vertical turbine pump m/n - 1004H-10, B.M. no 2106, s/n - C12209

REMARKS: Acreage irrigated by 16 - 1/4 mi long wheel line lateral sprinklers

System shown, operated, and described by the permit holder
6 a omitted for county road right of ways.

Note: License 35-7165 for 3.67 cfs

Examiner's Signature Anthony R. Kozlowski Date Nov 9, 1979

Checked by John D. Carlson Date 12/12/79

Approved by Rolyn Date 2/13/81

Overlap review
on back →

Overlap Review for 35-7641

35-7165 (copy attached)

Since most of area is the same
same tracks

$$\frac{3.67 \text{ ds}}{240 \text{ ac}} = .0153 \text{ ds/ac}$$

This right 35-7641

$$\frac{2.68 \text{ ds}}{314} = .0085 \text{ ds/ac}$$

Limit to total of both rights

$$\begin{aligned} Q &= 235 \text{ ac} \times .0047 \text{ ds} = 1.1045 \text{ ds} \\ &+ 79 \text{ ac} \times .02 \text{ ds} = 1.58 \\ \hline &2.68 \text{ ds} \end{aligned}$$

314 ac

(35-7165 up to .02 ds/ac)
(remaining ac at .02 ds/ac)

MAY 4 1978
Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7165 Priority Feb. 10, 1971 Amount 3.67 c.f.s.

THIS IS TO CERTIFY, that Cecil A. Weisenbarger
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7165 issued pursuant to Application for Permit dated February 10, 1971
and has submitted proof to the Department of Water Resources on March 1, 1976
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.67 c.f.s. of water from Groundwater
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>Apr. 1</u> to <u>Oct. 30</u>	at <u>3.67</u> cfs and	<u>840 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 3.67 c.f.s. of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
840 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 32;
Twp. 7S, Rge. 29E, B. M. in the County of Power

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	
7S	29E	32					40	40	40	40	40	40							240

Total number of acres irrigated 240

A Measuring device of a type approved by this Department shall be
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 26 day of

April, 19 78.

Director

November 14, 1977

Re: Permit No. 35-7641

Cecil A. Weisenburger
Route Box 167
American Falls, ID 83211

Dear Mr. Weisenburger:

Enclosed is an Order of Reinstatement; please note that the priority has been advanced to September 21, 1976, on this permit.

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of 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 you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights

RECEIVED
NOV 15 1977
IDAHO DEPT. OF AGRICULTURE
BOISE, IDAHO

RECEIVED

Department of Water Resources

Identification No. _____

Permit No. 35-7641

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

10-28-77

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Cecil Weisenburger
b) Post Office Address RT Box 167 Am Falls Idaho
2. Permit Number 35-7641
3. Date of Priority that you are prepared to establish May 4, 1976
4. a) Source from which water was appropriated Deep well underground source
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 32
Township 7S, Range 29E Boise Meridian, Other points of diversion: Power county
5. a) The amount of water and use to which the water has been applied:
Amount 2.70 cfs for personal purposes from April 1 to Nov 1 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 2.70 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 Cary Knudsen Pump Co
By size of Bowl & HP of motor & size of pipe used
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) well pump sprinkler system
125 HP motor ginch casing approx 330 ft well depth
static water level 200 FT
b) Describe the type and size of measuring device which you have installed at your point of diversion: Godger water meter
c) Give well driller's name and address and the date the well was completed: Paul Wallmer & Son
Aberdeen Idaho
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed

12/1/77

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7	29	32	X																

Total number of acres irrigated 160

10. Remarks: _____

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

10-28-76
(Date)

Carl W. Eisenberger
(Signature)

State of Idaho)
County of Power) ss.

On this 31 day of Oct, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Robert W. Wallace
Notary Public residing at
American Falls, Idaho

My commission expires 11-23-77

August 31, 1977

CERTIFIED MAIL

138924

Re: Permit No. 35-7641

Cecil A. Weisenburger
560 Taylor
American Falls, Idaho 83211

Dear Mr. Weisenburger:

One of the conditions of approval of your water Permit No. 35-7641 (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 November 1, 1977. 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

MICROFILMED

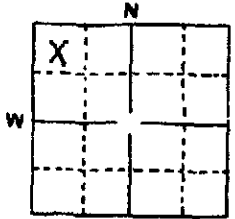
USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

RECEIVED
MAR 24 1977

1. WELL OWNER Name <u>CECIL WEISENBERGER</u> Address <u>AMERICAN FALLS, IDAHO</u> Owner's Permit No. <u>35-7441</u>		2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning)																																																																																								
3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type) ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection		4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other																																																																																								
5. WELL CONSTRUCTION Diameter of hole <u>18</u> inches Total depth <u>330</u> feet Casing schedule: ☐ Steel ☐ Concrete Thickness <u>250</u> inches Diameter <u>18</u> inches From <u>1</u> feet To <u>36</u> feet Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18</u> Material used in seal ☐ Cement grout ☐ Pudding clay ☒ Well cuttings Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth		6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Power</u> <u>NW 1/4 NW 1/4 Sec. 32, T. 7 N, R. 29 E</u>																																																																																								
7. WATER LEVEL Static water level <u>200</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug		8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other Discharge G.P.M. _____ Draw Down _____ Hours Pumped _____																																																																																								
9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th rowspan="2">Water Yes No</th></tr><tr><th>From</th><th>To</th></tr></thead><tbody><tr><td></td><td>0</td><td>1</td><td>CLAY</td><td></td></tr><tr><td></td><td>1</td><td>19</td><td>BLACK LAVA</td><td></td></tr><tr><td></td><td>19</td><td>34</td><td>CINDERS</td><td></td></tr><tr><td></td><td>34</td><td>61</td><td>GRAY LAVA</td><td></td></tr><tr><td></td><td>61</td><td>75</td><td>RED LAVA</td><td></td></tr><tr><td></td><td>75</td><td>85</td><td>BLACK LAVA</td><td></td></tr><tr><td></td><td>85</td><td>95</td><td>GRAY LAVA</td><td></td></tr><tr><td></td><td>95</td><td>105</td><td>CINDERS</td><td></td></tr><tr><td></td><td>100</td><td>107</td><td>LAVA</td><td></td></tr><tr><td></td><td>107</td><td>120</td><td>RED LAVA</td><td></td></tr><tr><td></td><td>120</td><td>190</td><td>GRAY LAVA</td><td></td></tr><tr><td></td><td>190</td><td>195</td><td>CINDERS</td><td></td></tr><tr><td></td><td>195</td><td>210</td><td>GRAY LAVA</td><td></td></tr><tr><td></td><td>210</td><td>231</td><td>CINDERS</td><td></td></tr><tr><td></td><td>231</td><td>325</td><td>GRAY LAVA</td><td></td></tr><tr><td></td><td>325</td><td>330</td><td>SAND</td><td></td></tr></tbody></table>		Hole Diam.	Depth		Material	Water Yes No	From	To		0	1	CLAY			1	19	BLACK LAVA			19	34	CINDERS			34	61	GRAY LAVA			61	75	RED LAVA			75	85	BLACK LAVA			85	95	GRAY LAVA			95	105	CINDERS			100	107	LAVA			107	120	RED LAVA			120	190	GRAY LAVA			190	195	CINDERS			195	210	GRAY LAVA			210	231	CINDERS			231	325	GRAY LAVA			325	330	SAND		10. Work started <u>3 Mar 1976</u> finished <u>21 Mar 1976</u>	
Hole Diam.	Depth		Material	Water Yes No																																																																																						
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	231	325	GRAY LAVA																																																																																							
	325	330	SAND																																																																																							
11. DRILLERS CERTIFICATION Firm Name <u>Paul Wallmer's Son</u> Firm No. <u>27</u> Address <u>9300 E. 10</u> Date _____ Signed by (Firm Official) <u>Paul Wallmer's</u> and <u>Paul Wallmer's</u> (Operator)																																																																																										

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

WELL DRILLER'S REPORT

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

October 27, 1976

Re: Permit No. 35-7641

Cecil A. Weisenburger
560 Taylor
American Falls, ID 83211

Dear Mr. Weisenburger:

Enclosed is a copy of your approved Application for Permit No. 35-7641. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

MICROFILMED

September 23, 1976

RE: Application for Permit No. 35-7641 WEISENBURGER

Power County Press
174 Idaho
American Falls, Idaho 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 10-12-76 by CW

RDC:CH

Enc: Legal Notice (1)

MICROFILMED

Published in the Power County
Press Sept. 30 and Oct. 7,
1976. NOTICE OF
APPLICATION FOR
WATER PERMIT
Notice is hereby given that
Cecil A. Weisenburger, Amer-
ican Falls, Idaho has on
9-20-76 submitted Application
No. 35-7641 for a permit to
appropriate 2.70 cubic feet per
second of water from ground-
water sources by means of well
and pumps within the SW 1/4
SW 1/4, NW 1/4, NW 1/4, Sec. 32,
T. 7S, R. 29E, B.M., Power
County: to be used from April
1 to Nov. 1 for the irrigation of
320 acres within the W 1/2, Sec.
32, T. 7S, R. 29E, B.M.
If issued, this permit will be
subject to all prior water
rights. Protests against the
granting of the permit must be
filed with the Idaho Depart-
ment of Water Resources,
1515 Lincoln, Idaho Falls,
Idaho, 83401 on or before
October 18, 1976.
R. KEITH HIGGINSON
Director

RECORDED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Cecil A. Weisenburger,
American Falls, Idaho

has on 9-20-76 submitted Application No. 35-7641
for a permit to appropriate 2.70 cubic feet per second ~~acre feet per annum~~
of water from ground-water sources
by means of wells and pumps
within the SW₁SW₄, NW₁NW₄, Sec. 32, T. 7S, R. 29E, B.M., Power County;

to be used from Apr. 1 to Nov. 1
for the irrigation of 320 acres

within the W₁, Sec. 32, T. 7S, R. 29E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before October 18, 1976.

R. KEITH HIGGINSON

Director

Published in the Power County Press, American Falls, Idaho

on September 30 and October 7, 1976

MICROFILMED

*the D.
ma. H.
the H.*

September 21, 1976

RE: Application for Permit No. 35-7641

Cecil A. Weisenbarger
560 Taylor
American Falls, Idaho 83211

Dear Mr. Weisenbarger:

Attached herewith is departmental receipt No. 2553 in the amount of \$45.00 for the above referenced application.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Attachment

August 17, 1976

Mr. Cecil A. Weisenbarger
560 Taylor
American Falls, Idaho 83211

Dear Mr. Weisenbarger:

Enclosed is your application for permit for lands in T. 7S, R. 29E, Sec. 32, and a plat showing your lands licensed in your name in T. 7S, R. 29E, Sec. 20 and 21.

I have determined that you are beneficially using 3.70 c.f.s. under permit No. 35-7165 and have, therefore, made out the application for permit for 2.70 c.f.s. which would bring you up to the maximum volume of water you could legally apply to 320 acres; 6.40 c.f.s. Please sign the permit and return it to us with a check for \$45.00, the required filing fee for that amount of water.

I am also enclosing a blank application as per your request. Please call on me if I may be of any further assistance.

Very truly yours,

WILLIAM G. GRAHAM
Senior Water Resource Agent

WGG:CW

Enclosures

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Cecil A. Wernambarger

Item Initial Date

Application No. _____

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated *Field Exam*
- ☒ Map *allowed 3.7 cfs for*
- ☒ Signature *240 acm.*
- ☒ Fee

- (1) *Jay* *9/20/76*
- (2) *"* *"*
- (3) *"* *"*
- (4) *"* *"*
- (5) *"* *"*
- (6) *"* *"*
- (7) *"* *"*
- (8) *"* *"*
- (9) *"* *"*
- (10) *"* *"*
- (11) *CW* *10-12-76*
- (12) *CW* *10-18-76*
- (13) *LA* *10-19-76*
- (14) *"* *"*

In form to receipt *yes*

Send Copies to:

- ☐ Idaho State Health Department
- ☐ Idaho Fish and Game Department
- ☒ Bureau of Land Management

- ☒ Request Special Use Permit from U.S.F.S.
- ☒ Request Easement from B.L.M.
- ☐ Request Information from Applicant

In form for advertising *yes*

Platted on Map No. *75-296*

Located within Water District No. *N.A.*

Critical groundwater area: yes ☐ no ☒

Groundwater levels: *No near Obs Well*

☐ Declining, ☒ Stable, ☐ Increasing

(comment) *Bulletin #27*

Other rights on the same place of use *yes*

Comments: *Recent Field Exam Allowed 3.7 cfs for 240 acm*
35-7165

Affidavit of Publication received(date) *Oct. 12, 1976*

Final date for protests *October 18, 1976*

Protests received: yes ☐ no ☒

All requested information received from agencies or applicant: *yes* ☒ no ☐

Action recommended:

☒ Approve ☐ Deny

9-20-76 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

☐ See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District *E* By *Loren O Halver* Date *10-19-76*

Copy
MAH

RECORDED