

# Affidavit of Publication

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

Phyllis Ringe

being first duly sworn

on oath, states:

That she is the principal clerk of the printer

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

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

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

tion being the 8th day of October, 1970

the date of last publication being the

15th day of October, 1970

(Signed)

Subscribed and sworn to before me this

16 day of Oct, 1970

Notary Public, residing at American Falls, Idaho.

My Commission expires the Notary Public

Residing at Am. Falls, Idaho

(SEAL) day of Commission Expires, 1970  
Aug. 20, 1973

## LEGAL NOTICE

Published in The Power County Press, American Falls Idaho on October 8, and 15, 1970.

### NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Jacob Walter, American Falls, Idaho has on September 24, 1970 submitted Application No. 35-7152 to appropriate the public waters of a ground water source.

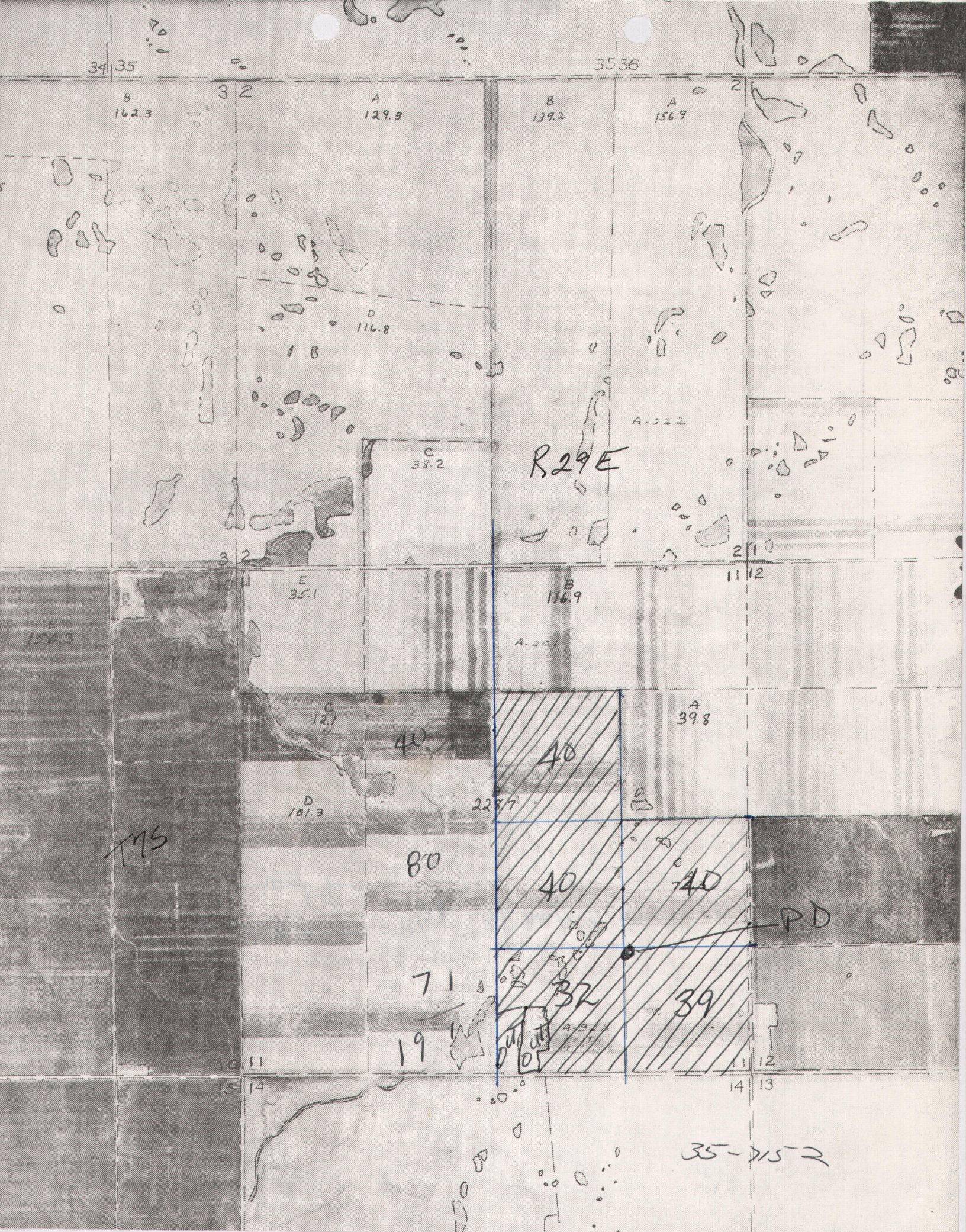
The application proposes a maximum diversion and appropriation of 4.0 cubic feet per second of water to be diverted by well, pump and mainline within the SE1/4SE1/4 Sec. 11, T. 7S, R. 29E, B.M., Power County, and is to be used within the SW1/4NE1/4, SE1/4 Sec. 11 T. 7 S, R. 29E, B.M. for the irrigation of 200 acres from April 1 to Oct. 15.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, on or before October 26, 1970.

R. KEITH HIGGINSON  
Director

35-7152

35-7152



State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 35-7152 Priority Sept. 24, 1970 Amount 3.82 cfs

THIS IS TO CERTIFY, that JACOB WALTER of American Falls, Idaho, has complied with the terms and conditions of Permit No. 35-7152 issued pursuant to Application for Permit dated September 24, 1970, and has submitted proof to the Department of Water Administration on October 20, 1971, 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 4.01 cfs of water from a ground water source, tributary to, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

| Beneficial Use | Period of Use           | Rate of Diversion | Annual Volume                    |
|----------------|-------------------------|-------------------|----------------------------------|
| Irrigation     | from April 1 to Oct. 15 | at 3.82 cfs and   | 669 acre feet or 3.5 af per acre |
|                | from to                 | at cfs and        |                                  |
|                | from to                 | at cfs and        |                                  |

(both dates inclusive)

Subject, however, to the condition that no more than 3.82 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 669 acre feet per year, said waters to be diverted within the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Sec. 11, Twp. 7 S, Rge. 29 E, B. M. in the County of Power

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> |        |
| 7 S  | 29 E  | 11   |                                |                                | 40                             |                                |                                |                                |                                |                                |                                |                                |                                |                                | 40                             | 40                             | 32                             | 39                             | 191    |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |
|      |       |      |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |        |

Total number of acres irrigated 191

A measuring device of a type approved by this Department shall be permanently 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 19 day of April, 19 74.

Director

35-7152

Identification No. 35-7152  
Application No. \_\_\_\_\_

LICENSE ISSUED FOR 3.82 SEC. FT.  
LICENSE #                     

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
APPLICATION FOR PERMIT

**APPROVED**

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Jacob Walter  
post office address American Falls, Idaho 83211
2. Source of water supply Underground which is a tributary of \_\_\_\_\_
3. a. Location of point of diversion is SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 11 Township 7 S.  
Range 29 E. B.M. Power County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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. Quantity to be appropriated:  
a. 4.0 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum will be stored.
5. Water will be used for the following purposes:  
Irrigation purpose from April 1 to October 15 (both dates inclusive)  
\_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
\_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Pump and mainline  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet; materials used in storage dam: \_\_\_\_\_  
\_\_\_\_\_  
c. Proposed well diameter is 16 inches; proposed depth of well is 405 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is one <sup>5</sup> years.  
b. Estimated construction cost is \$ 5,000.00.
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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

35-7152

35-7152

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

[illegible]

Total number of acres to be irrigated 200

c. Describe any other water rights used for the same purposes \_\_\_\_\_

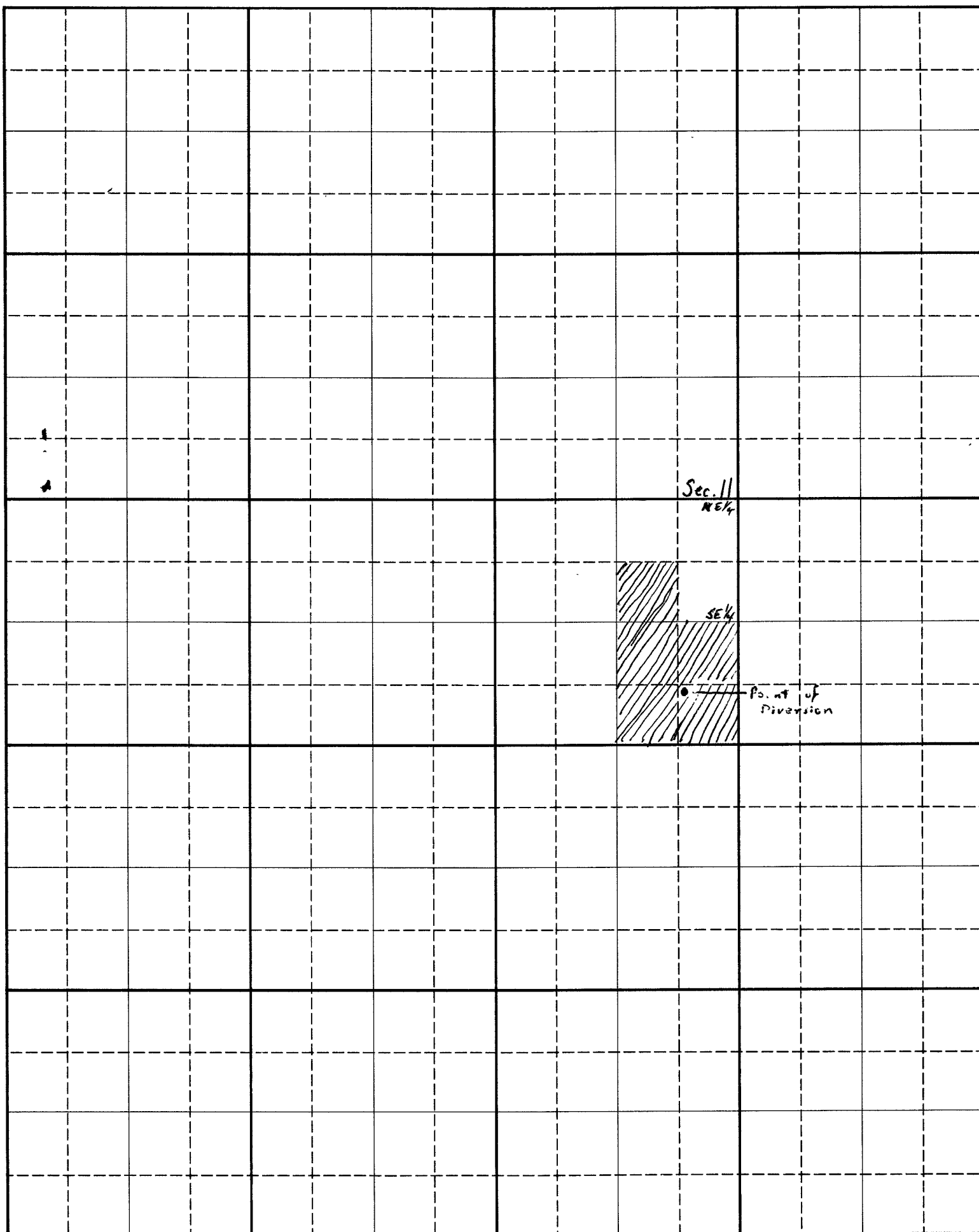
9. a. Who owns the property at the point of diversion Jacob Walter

b. Who owns the land to be irrigated or place of use Jacob Walter

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks \_\_\_\_\_

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

Joseph Maltz  
(Applicant)

38-7152

35-7152

Received by uj Date 9-24-70 Time 8:00am  
Preliminary check by DAL Fee \$ 35.00  
Receipted by uj Date 9-24-70  
Publication prepared by dr Date 10-1-70  
Published in Power County Press  
Publication dates 10-8 & 10-15, 1970  
Publication approved du Date 10-21-70  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Protests filed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by du DAL 30F

**APPROVED**

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7152, 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 75.
- c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.  
\_\_\_\_\_  
\_\_\_\_\_

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

Witness my hand this 12th day of November 19 70.

Stephen Allred  
Deputy State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

|                    |                                                  |          |               |                |                   |
|--------------------|--------------------------------------------------|----------|---------------|----------------|-------------------|
| Application No.    | 35-7152                                          |          | Name          | Jacob Walter   |                   |
| Source             | ground water                                     |          |               |                |                   |
| Point of Diversion | SESE, Sec. 11, T. 7S, R. 29E, B.M., Power County |          |               |                |                   |
| Quantity           | 4.0                                              | Use      | irrigation    | Period         | April 1 - Oct. 15 |
| Quantity           |                                                  | Use      |               | Period         |                   |
| Quantity           |                                                  | Use      |               | Period         |                   |
| Well Size          |                                                  | Diameter | 16            | Proposed Depth | 405 Feet          |
| Use                | 200 acres                                        |          |               |                |                   |
| Date Forwarded     | 10-2-70                                          |          | Date Returned | 10-17-70       |                   |
|                    |                                                  |          | Received by   | [Signature]    |                   |

COMMENTS: WATER TABLE IS FALLING 1 to 5 feet/yr (W.B. #18). MANY IRRIGATION WELLS HAVE BEEN DEVELOPED IN THIS AREA. THIS WELL has already been drilled. No yield or drawdown information available. Aquifer appears to be porous Snake River Basalt.

RECOMMENDED:

|               |     |     |      |        |            |      |     |    |     |
|---------------|-----|-----|------|--------|------------|------|-----|----|-----|
| Applied: Qty. | 4.0 | Use | IRR. | Period | 4/1-10/15  | AF/A | 3.5 | AF | 700 |
| Qty.          |     | Use |      | Period |            | AF/A |     | AF |     |
| Qty.          |     | Use |      | Period |            | AF/A |     | AF |     |
| Maximum: Qty. | 4.0 | Use | IRR. | Period | 3/15-11/15 | AF/A | 3.5 | AF | 700 |
| Qty.          |     | Use |      | Period |            | AF/A |     | AF |     |
| Qty.          |     | Use |      | Period |            | AF/A |     | AF |     |

ACTION: Approved X Denied       

Conditions of approval or reason for denial:       

|               |    |                        |       |                      |
|---------------|----|------------------------|-------|----------------------|
| INVESTIGATION | By | <u>Norman C. Young</u> | Title | <u>W.R. Eng'r.</u>   |
|               |    |                        | Date  | <u>Oct. 12, 1970</u> |

# Affidavit of Publication

STATE OF IDAHO, }  
COUNTY OF POWER. }

Phyllis Ringe being first duly sworn

on oath, states:

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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 8th day of October, 19 70

the date of last publication being the

15th day of October, 19 70

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

16 day of Oct, 19 70

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

My Commission expires the  
Notary Public

Residing at Am. Falls, Idaho

(SEAL) My Commission Expires, 19 73  
Aug. 20, 1973

Published in The Power County Press, American Falls Idaho on October 8, and 15, 1970.

## NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

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The application proposes a maximum diversion and appropriation of 4.0 cubic feet per second of water to be diverted by well, pump and mainline within the SE1/4SE1/4 Sec. 11, T. 7S, R. 29E, B.M., Power County, and is to be used within the SW1/4NE1/4, SE1/4 Sec. 11 T. 7 S, R. 29E, B.M. for the irrigation of 200 acres from April 1 to Oct. 15.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, on or before October 26, 1970.

R. KEITH HIGGINSON  
Director

35-7152

April 22, 1974

Re: Permit No. 35-7152

Jacob Walter  
225 Taylor Street  
American Falls, Idaho 83211

Dear Mr. Walter:

Enclosed herewith is a copy of the license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

jfr

cc: Blair W. Archibald  
Keith Phillips

35-7152

April 1, 1974

Jacob Walter  
225 Taylor St.  
American Falls, Idaho 83211

Dear Mr. Walter:

A representative of this Department has made an examination of the works covered by your Permit No. 35-7152 and has found the following:

Quantity of water diverted: 4.01 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.82 cfs

The maximum quantity diverted shall not exceed 669 acre feet per year.

Beneficial use: For irrigation of 191 acres within the SE 1/4, SW 1/4 NE 1/4, Sec. 11, Twp. 7 S, Rge. 29 E

Point of diversion: SE 1/4 SE 1/4, Sec. 11, Twp. 7 S, Rge. 29 E, B.M.

Priority date established: September 24, 1970

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

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

jfr

cc: Mr. Keith Phillips  
Route 1, Box 98

American Falls, ID

35-7152

March 25, 1974

Re: Permits No. 35-7152 & 35-7153

Mr. Keith Phillips  
Route #1, Box 98  
American Falls, ID 83211

Dear Mr. Phillips:

The above referenced water right permits have been forwarded to our Boise office for issuance of the licenses. If you still desire to have the assignments submitted, you should send them to: Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83720, attention of Darlene Reich, as soon as possible.

If we may be of further assistance, please contact us.

Very truly yours,

BILL RHOADS  
Water Resource Technician

BR:mb

35-7152

35-7152

34 35

H  
1623

3 2

A  
129.3

B  
139.2

A  
156.9

D  
116.8

18

C  
312

R29E

210  
11 12

E  
35.1

B  
116.9

A  
398

D  
181.3

2277

80

40

40

40

71

32

39

19

05

12  
4 3

35-7152

$$\begin{array}{r} 450 \overline{) 1400} \\ 1800 \end{array}$$

C wheel moves  $11/32$  32 nos/ins  
 $1\frac{1}{2}$  hand ins

# FIELD REPORT

- 200

Permit No. 35-7152  
Examination for Beneficial Use

R 29 8

T  
S

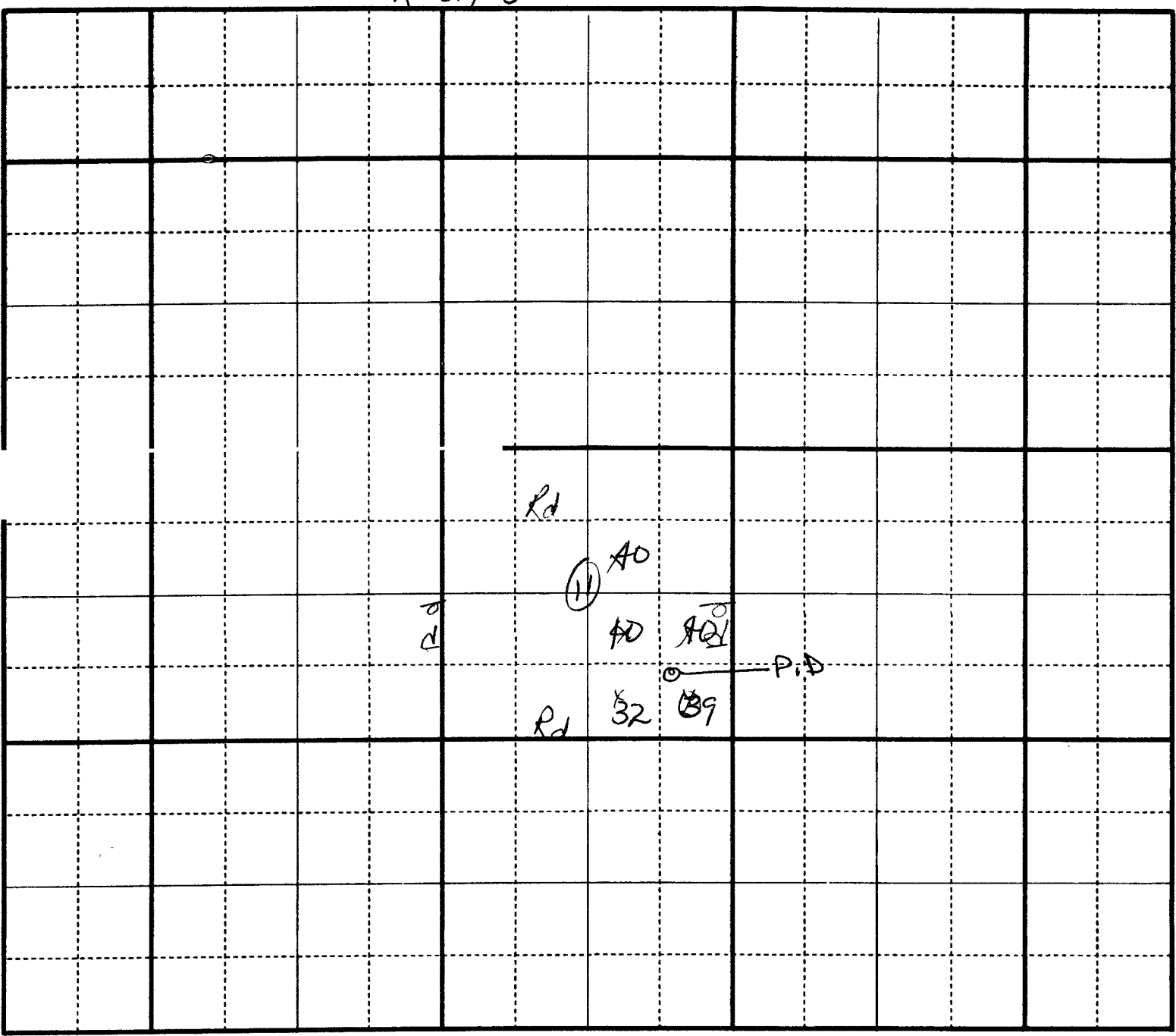
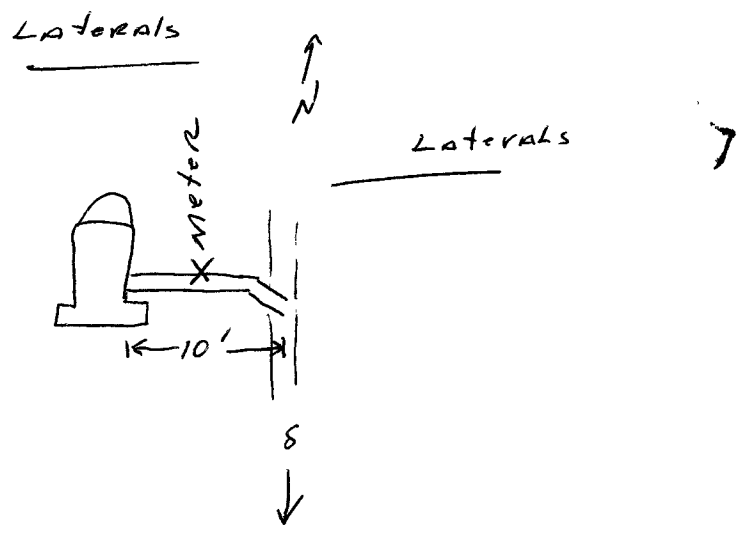


Diagram of System



DATE OF EXAM AUG 10

ACREAGE  
Found 191  
Recommended 191

Irrigation Requirement 3.5 Ac Ft/Ac

USE  
Irrigation Q = 3.82 c.f.s. V = 669 AF/Ann. from Apr 1 to Oct 15  
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 \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no ☒

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

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

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

Total Q measured 4.03 cts Method of measurement In Line Meter

Total Q recommended 3.82 cts Meter No. 73-10-273 Type McCrometer Condition New

Total V recommended 669

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None ☒

MEASUREMENT CALCULATION:

1000 GPM on meter = 4.03 cts  
191 X 3.5 AF/Ac = 668.5 AF/Ann

SYSTEM DESCRIPTION:

U.S. Motors Hollowshaft Motor 200Hp  
Serial B1403448  
Layne & Bowler Pump Ser # 44443  
10" discharge East for 10' Then N-S Buried Steel  
MAIN. 16" Wheel Meters & 2" Hand Lines 1/4" NOZ To  
6 1/4 mile Irrigate SW & SE 1/4 Sec 11

REMARKS:

Land & System owned by Keith Phillip's

Examiner's Signature William Rhoads Date Dec 30, 1973

Checked by John Ferebane Date Mar 25, 1974

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

35-7152

**STATE OF IDAHO**  
**DEPARTMENT OF WATER ADMINISTRATION**

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



**R. Keith Higginson**  
Director

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

October 26, 1971

Re: Permits No. 35-7152 & 35-7153

Mr. Jacob Walter  
225 Taylor St.  
American Falls, Idaho 83211

Dear Mr. Walter:

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

Before licenses 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 systems. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

BOBBY D. FLEENOR  
Assistant Director

Re - Exam typed 11/26/73 *WJF*

BDF:DR  
cc: Blair W. Archibald  
Federal Land Bank Assn. of Blackfoot

35-7152

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

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

RECEIVED

OCT 20 1971

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Administration

1. a) Name of Permit Holder Jacob Walter

b) Post Office Address 225 Taylor Street, American Falls, Idaho

2. Permit Number 35-7152 and 35-7153

3. Date of Priority that you are prepared to establish September 24, 1970

4. a) Source from which water was appropriated Subterranean

b) Location of the point of diversion: SE 1/4 35-7152 SE 1/4 35-7153 1/4 Section 11

Township 7 S, Range 29 E Boise Meridian, Other points of diversion: \_\_\_\_\_

Permit 35-7153, SW 1/4 Sec. 11, Twp. 7 S. R. 29 EBM

5. a) The amount of water and use to which the water has been applied:

amount 4.0 c.f.s. for Irrigation purposes from 4-1 to 10-1 incl.  
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount 4.8 c.f.s. for Irrigation purposes from 4-1 to 10-1 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)

b) Total amount appropriated 8.8 c.f.s. 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: \_\_\_\_\_

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) Permit 35-7152, Deep well turbine pump with 200 H.P. Electric Motor, 16" well, 404 ft. deep; Permit 35-7153, Deep well Turbine pump with 200 H.P. electric motor, 16" well, 385 feet deep.

b) Describe the type and size of measuring device which you have installed at your point of diversion: \_\_\_\_\_

c) Give well drillers name and address and date the well was completed \_\_\_\_\_

Paul Vollmer and Sons, Aberdeen. 1967.

Exam. Typed  
12/15/71  
C.S.

35-7152

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

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

| TWP.    | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|---------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|         |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 35-7152 | 7 S   | 29 E | 11  |     | X   |     |     |     |     |     |     |     |     |     | X   | X   | X   | X   | 200    |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| 35-7153 | 7 S   | 29 E | 11  |     |     |     |     |     | X   | X   | X   | X   | X   | X   |     |     |     |     | 240    |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|         |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated 440

10. Remarks: \_\_\_\_\_

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

October 13, 1971  
(Date) X Jacob Walter  
(Signature)

State of Idaho )  
County of Power ) ss.

On this 14th day of Oct., 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

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

My commission expires Aug 17, 1973

35-7152

FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT

P. O. BOX 72, 188 WEST JUDICIAL BLACKFOOT, IDAHO 83221

TELEPHONE: 785-0820

BLAIR W. ARCHIBALD, MANAGER

*Federal*  
LAND BANK  
*Association*  
**RECEIVED**

OCT 20 1971

Department of Water Administration

October 19, 1971

Mr. Dorian Clay, Appropriation Examiner  
Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Re: 141486-Keth M. Phillips

Dear Mr. Clay:

Pursuant to your letter of September 16, 1971, we enclose  
Proof of Application of Water to Beneficial Use which has been  
executed by the applicant in connection with Permits 35-7152  
and 35-7153.

We trust that everything is now in order, but if any-  
thing further is needed at this time, please write directly  
to the applicant and send a copy of your letter to us. Thank you.

Yours truly,

*Blair W. Archibald*  
Blair W. Archibald  
Manager

BWA:jm

Enclosure



35-7152

September 16, 1971

Re: Permit Nos. 35-7152)  
35-7173) - Jacob Walters

FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT  
Post Office Box #72  
188 West Judicial  
Blackfoot, Idaho 83221

ATTENTION: Blair W. Archibald, Manager

Dear Mr. Archibald:

Pursuant to your letter of September 1, 1971, we wish to advise you that Jacob Walter has filed two applications for permit. Permit No. 35-7152 is in the amount of 4 cubic feet per second with a priority of September 24, 1970 and has a beneficial use due date of November 1, 1975. The other is filed in the amount of 4.8 cubic feet per second, with a priority of September 24, 1970 and a beneficial use due date of December 1, 1975.

The well for application No. 35-7173 is located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 11, Township 7S, Range 29E, and is appurtenant to 240 acres in the SW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the same section, township and range. The well for application No. 35-7153 is located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 11, Township 7S, Range 29E, and is appurtenant to 200 acres located within the SE $\frac{1}{4}$  and the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of the same section, township and range.

Each of these two permits must have a measuring device installed of a type approved by this Department, as a part of their diverting system.

If you should have any further questions in reference to this matter, please do not hesitate to contact this office.

Very truly yours,

Dorian Clay  
Appropriation Examiner

DC:cs

35-7152

FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT

P. O. BOX 72, 188 WEST JUDICIAL

BLACKFOOT, IDAHO 83221

TELEPHONE: 785-0820

*Federal*  
LAND BANK

RECEIVED

SEP 2 1971

BLAIR W. ARCHIBALD, MANAGER

Department of Water Administration

September 1, 1971

Mr. Dorian Clay, Appropriation Examiner  
Idaho Department of Water Administration  
107 State House  
Boise, Idaho 83701

Re: 141486-Phillips

Dear Mr. Clay:

Pursuant to our telephone conversation regarding the Jacob Water and Keith Phillips loan, would you please send us a letter acknowledging receipt and filing of the two following listed Permits:

Permit #35-7152 for 4.0 c.f.s. with priority of 9-24-70, located in SE $\frac{1}{4}$  Sec. 11, Twp. 7 S. R. 29 E.B.M.

Permit #35-7153 for 4.8 c.f.s. with a priority of 9-24-70, located in SW $\frac{1}{4}$  Sec. 11, Twp. 7 S. R. 29 E.B.M.

Thank you.

Yours truly,

*Blair W. Archibald*  
Blair W. Archibald  
Manager *By Jm.*

BWA:jm



"OWNED BY FARMERS : FOR FARMERS"

35-7152

FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT

P. O. BOX 72, 188 WEST JUDICIAL

BLACKFOOT, IDAHO 83221

TELEPHONE: 785-0820

*Federal*  
**LAND BANK**  
*Association*

BLAIR W. ARCHIBALD, MANAGER

September 14, 1971

Mr. Dorian Clay  
Appropriation Examiner  
Idaho Department of Water Administration  
107 State House  
Boise, Idaho 83701

Re: 141486-Keith Phillips

Dear Mr. Clay:

We are anxious to complete our loan to Keith Phillips and Jacob Walter which was made nearly a year ago. In order to complete all the requirements, we need a letter from your office acknowledging receipt of application for license and application of beneficial use of water.

Would you kindly send us this letter as soon as possible, or if anything further is needed by your Department before you can furnish this letter, please advise.

Yours truly,

*Blair W. Archibald*

Blair W. Archibald  
Manager

BWA:jm



35-7152

November 17, 1970

Re: Permit No. 35-7152

Mr. Jacob Walter  
American Falls,  
Idaho 83211

Dear Mr. Walter:

Enclosed is a copy of your approved Application for Permit No. 35-7152. 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.

Very truly yours,

C. Stephen Allred  
Deputy Director

CSA:kh

Enclosures: Copy of permit  
Receipt No. 5177 for \$35  
2 informational letters

cc. John B. Kugler

35-7152

October 1, 1970

Re: Application No. 35-7152 & 35-7153  
Jacob Walter

Power County Press  
174 Idaho St.  
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 ample 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 date. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(signature of claimant)

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:DR  
Enc: Legal notices (2)

Bill submitted \_\_\_\_\_ By \_\_\_\_\_

35-7152

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Jacob Walter, American Falls, Idaho,

has on September 24, 1970,

submitted Application No. 35-7152 to appropriate the public waters of  
a ground water source

~~The proposed uses are~~

The application proposes a maximum diversion and appropriation of 4.0  
cubic feet per second acre/feet of water to be diverted by well, pump and  
mainline within the SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Sec. 11,  
T. 7S, R. 29E, B.M., Power County,

and is to be used within the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, Sec. 11, T. 7S, R. 29E, B.M. for  
the irrigation of 200 acres from April 1 to Oct. 15

Any permit issued pursuant to this application will be subject to ALL PRIOR  
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest  
against this application must be filed with the Idaho Department of Water Adminis-  
tration on or before October 26, 1970.  
Statehouse, Boise, Idaho,

R. KEITH HIGGINSON  
Director

Published in the Power County Press, American Falls, Idaho,

on October 8 and October 15, 1970.

35-7152

LAW OFFICES  
**JOHN B. KUGLER**

1156 East Center, Box 1392  
POCATELLO, IDAHO 83201  
208/233-6234

216 Idaho Street  
American Falls, Idaho 83211  
208/226-5241

September 21, 1970

Department of Water Administration  
Statehouse  
Boise, Idaho 83701

Attn: Don McEldowney

Dear Mr. McEldowney:

In our telephone conversation Friday, I spoke to you concerning applications for permit for appropriation of water. Enclosed are two originals and two copies filed on behalf of Jacob Walter. Also enclosed is my check in the sum of \$75.00 for the filing fees. Kindly conform the copies of the applications showing the approval, if the same is given, and return the same to my office. The permit should also be forwarded to my office when issued.

Also enclosed is a Claim to a Water Right, which had somehow been lying in the file for quite some time, together with my check in the sum of \$10.00 as filing fee for the same. This claim is filed on behalf of Mr. John Zimmerman who was required to dig a new well in 1959.

Yours sincerely,



JOHN B. KUGLER

JBK/dk  
Enclosures

35-7152