

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF POWER.

ss.

Phyllis Ringe

being first duly sworn

on oath, states:

That ~~she~~ is the ~~principle 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 19th day of March, 19 70

the date of last publication being the

26th day of March, 19 70

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

19 day of March, 19 70

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

My Commission expires the

Notary Public

Residing at Am. Falls, Idaho

My Commission Expires

Aug. 20, 1973

(SEAL)

day of March, 19 70

Department of Reclamation

LEGAL NOTICE

Published in The Power
County Press on March 19, and
26, 1970.

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

Notice is hereby given that
Cecil A. Weisenburger, Ameri-
can Falls, Idaho has on Feb-
ruary 25, 1970, submitted App-
lication No. 35-7130 to appropri-
ate the public waters of a
groundwater source.

The application proposes a
maximum diversion and appro-
priation of 3.2 cubic feet per
second of water to be diverted
by well and motor within the
NW1/4NW1/4 of Sec. 15, T. 7
S., R. 29E, B.M., Power County,
and is to be used within the
NW1/4, Sec. 15, T. 7S, R. 29E,
B.M. for the irrigation of 160
acres from April 1 to October
30.

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 app-
lication must be filed with the
Idaho Department of Reclama-
tion on or before April 6, 1970.

R. KEITH HIGGINSON
State Reclamation Engineer

35-7130

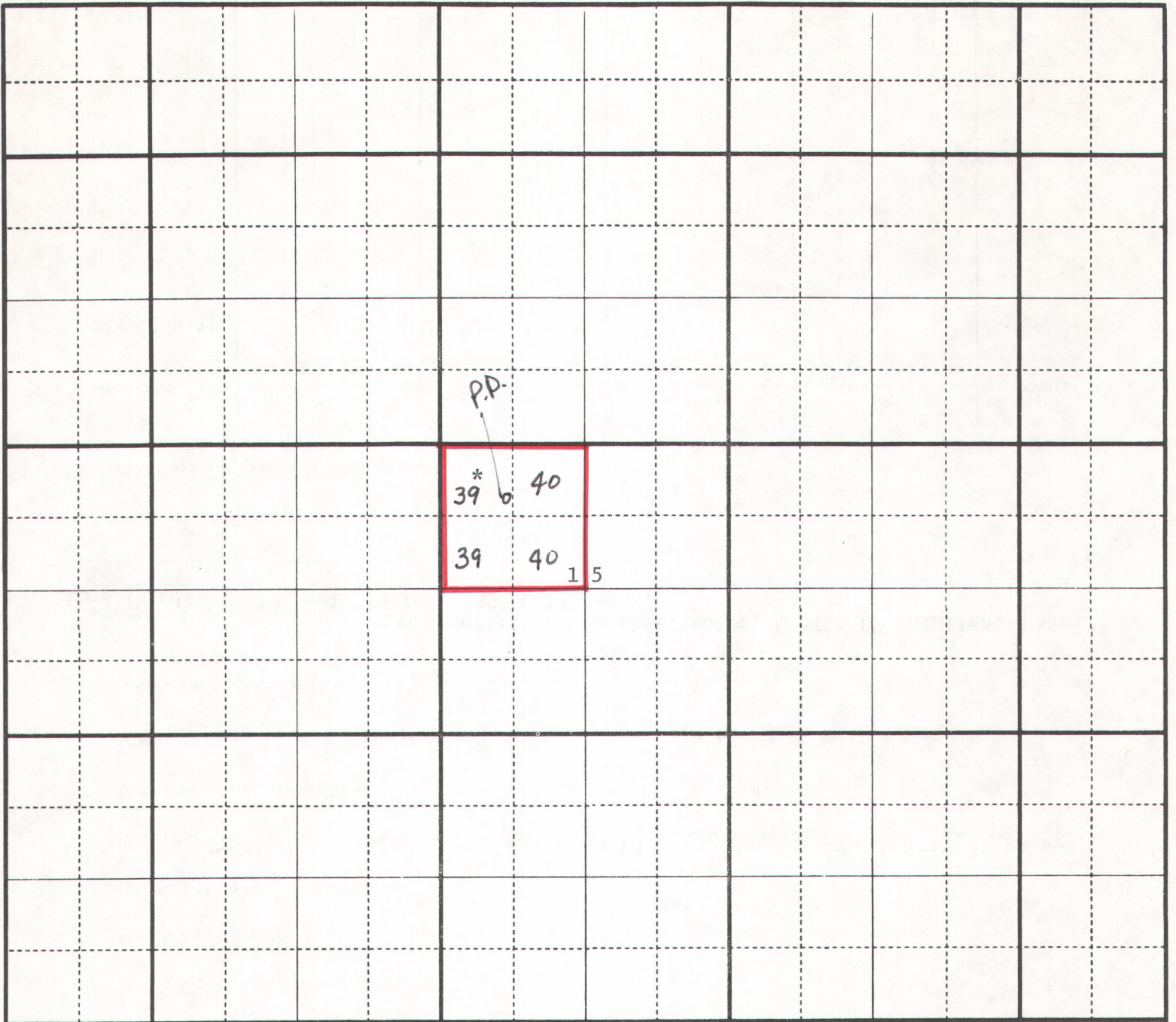
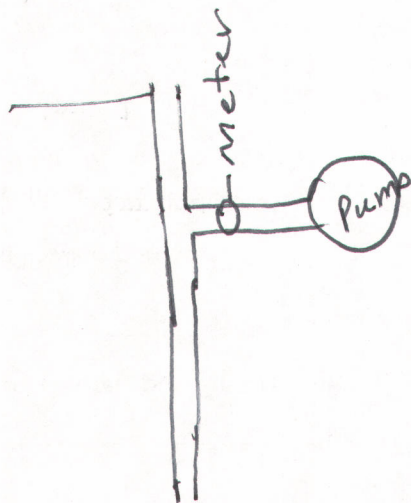


Diagram of System



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7130 Priority Feb. 25, 1970 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. 35-7130 issued pursuant to Application for Permit dated February 25, 1970,
and has submitted proof to the Department of Water Resources on April 1, 1975,
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 2.68 cfs of water from a ground water 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
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 30</u>	at <u>2.68</u> cfs and	<u>553 acre feet or</u>
			<u>3.5 af per acre</u>
	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
553 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15,
Twp. 7 S, Rge. 29 E, 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 $\frac{1}{4}$	
7 S	29 E	15					40	39	39	40									158

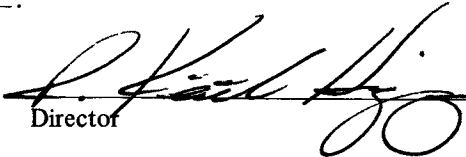
Total number of acres irrigated 158

A measuring device of a type approved by the 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 9 day of
October, 19 76.


Director

Identification No.

35-7130

Application No.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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

post office address American Falls, Idaho 83211

2. Source of water supply ground water which is a tributary of Snake River Plain Acquisition

3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 7S
Range 29 E. B.M. Power County; additional points of diversion if any: N/A

b. If water is not consumed, it will be discharged into N/A at a point in 1/4
of 1/4 of Section 15 Township 7S Range 29 E. B.M. Power

4. Water will be used for the following purposes:

Amount 3.2 for irrigation purpose from April 1 to October 30 (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. 3.2 cubic feet per second and/or

b. acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, with an 18" casing,
150 horse electric motor, one-half mile of 8" mainline

b. Height of storage dam N/A 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 250 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 15,000.00.

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 .

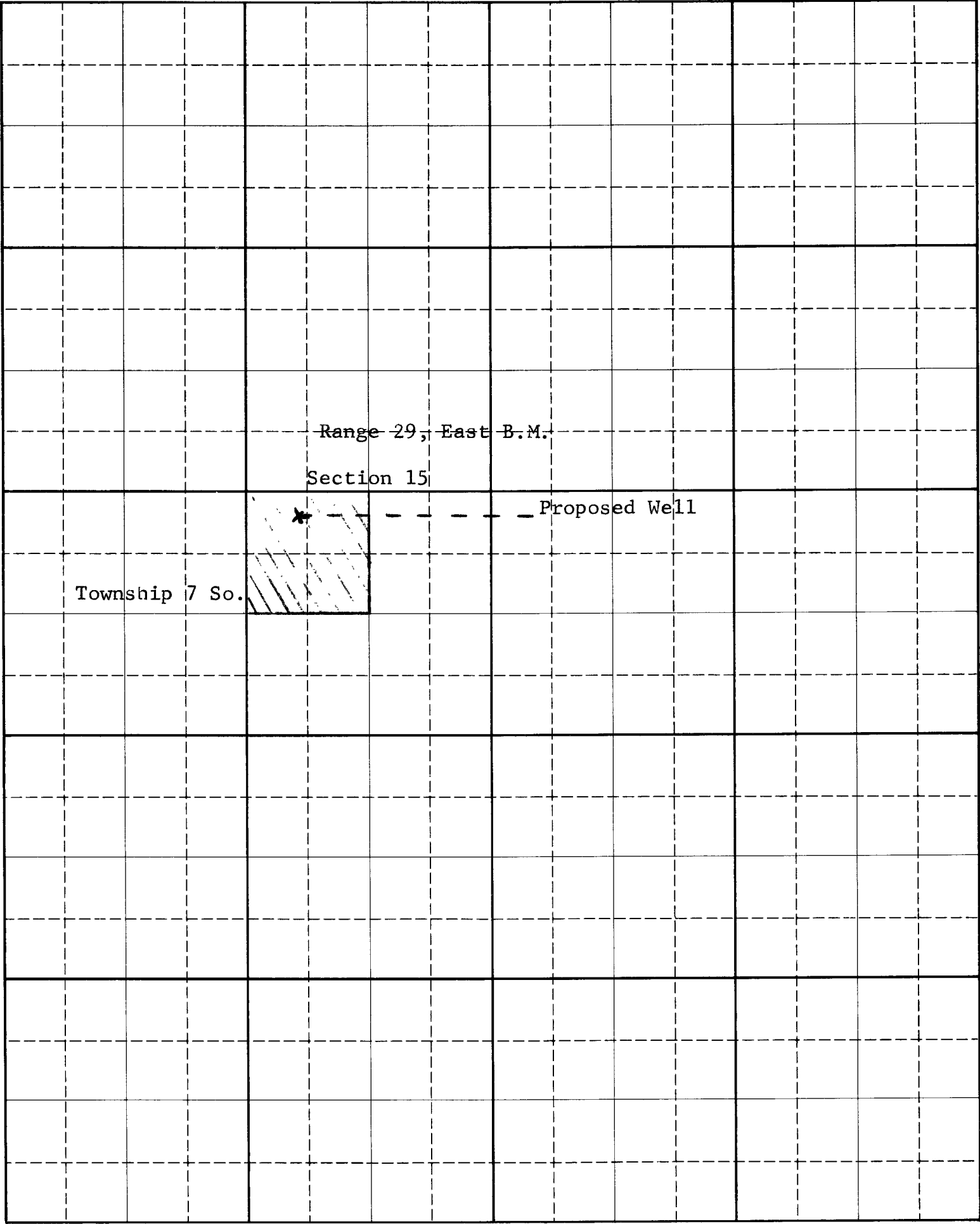
(5) If water is to be used for other purposes describe:

2.68

35-7130

N
↑

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.

Cecil W. Eisenburger
(Applicant)

Received by Date 2-25-70 Time 2:30 p.m.
Preliminary check by Fee \$ 35.00
Received by Date 2-25-70
Publication prepared by Date 3-11-70
Published in Power & Press
Publication dates 3-19 + 26-70
Publication approved Date 3-30-70
Priority reduced to Reason
Protests filed by:

Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by

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. 35-7130, 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 April 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 10th day of April 19 70.

State Reclamation Engineer

J. Kirk Hays

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No. 35-7129³⁰ Name Cecil A. Weisenburger

Source Groundwater

Point of Diversion NW¹/₄NW¹/₄, Sec. 15, T. 7S, R. 29E, B.M., Power County

Quantity 3.2 Use irrigation Period April 1 - Oct. 30

Quantity Use Period

Quantity Use Period

Well Size 18 Diameter Proposed Depth 250 Feet

Use irrigation of 160 acres

Date Forwarded 3-9-70 Date Returned 3-12-70 Received by [Signature]

RECOMMENDATIONS: LOCATED @ 10 miles WEST & 2 miles
NORTH OF AMERICAN FOLS NORTH OF BONANZA
LAKE - REFERENCE W.S.P. 1846 - ELEVATION
WATER SURFACE - 4300' FLOW IN NE-SW DIRECTION
AQUIFER BENEATH SNAKE RIVER GROUP DTW @ 200-210'
ONE WELL IN SECTION @ 1/2 mile EAST - A well
@ 1/4 mile NORTH - DO NOT EXPECT INTERFERENCE

Qty. 3.2 Use IRR 160 Period AF AFA

Qty. Use Period AF AFA

Qty. Use Period AF AFA

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial:

INVESTIGATION By [Signature] Title ASSISTANT ENGINEER

Date 3-10-70

35-7130

Affidavit of Publication

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

Phyllis Ringe being first duly sworn
on oath, states:

That she is the principle 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 19th day of March, 1970

the date of last publication being the

26th day of March, 1970

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

19 day of March, 1970

Robert A. Ringe
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

day of August, 1973
Notary Public, residing at American Falls, Idaho
My Commission Expires
Aug. 23, 1973

Published in The Power
County Press on March 19, and
26, 1970.

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

Notice is hereby give
Cecil A. Weisenburger, A
American Falls, Idaho has on
March 5, 1970, submitted
No. 35-7130 to ap
propriate the public waters
of the water source.
The application propo
sition for a diversion and a
diversion of 3.2 cubic feet

SE, B.M., Power Co.
to be used within
Sec. 15, T. 7S, R.
for the irrigation of
from April 1 to Oct

Any permit issued pursuar
this application will be sub
to ALL PRIOR WATER RIGH
and subject to the CONTROL
OF A STATE WATERMASTER.
Any protest against this app
lication must be filed with the
Idaho Department of Reclama
tion on or before April 6, 1970.

P. KEITH HIGGINSON



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 12, 1976

Re: Permit Nos. 35-7128
35-7130

Cecil Weisenburger
560 Taylor Street
American Falls, ID 83211

Dear Mr. Weisenburger:

Enclosed herewith are copies of the water right licenses issued on the above referenced permits.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

September 20, 1976

Mr. Cecil Weisenburger
560 Taylor St.
American Falls, Idaho 83211

Re: Permit No. 35-7128 & 35-7130

Dear Mr. Weisenburger:

In July, 1975, a representative of this Department made an examination of the works covered by the above referenced permits and found the following:

35-7128 Quantity of water diverted: 2.23 cfs Source: ground water
Amount of water that can be recognized as beneficially used under
Idaho law: 2.23 cfs
The maximum quantity diverted shall not exceed 539 acre feet, or
3.5 af per acre, per year.
Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 7 S, Rge. 29 E, B.M.
Beneficial use: Irrigation of 154 acres within the SW $\frac{1}{4}$, Sec. 15,
Twp. 7 S, Rge. 29 E, B.M.
Priority date established: March 18, 1970

35-7130 Quantity of water diverted: 2.68 cfs Source: ground water
Amount of water that can be recognized as beneficially used under
Idaho law: 2.68 cfs
The maximum quantity diverted shall not exceed 553 acre feet, or
3.5 af per acre, per year.
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 7 S, Rge. 29 E, B.M.
Beneficial use: Irrigation of 158 acres within the NW $\frac{1}{4}$, Sec. 15,
Twp. 7 S, Rge. 29 E, B.M.
Priority date established: February 25, 1970

If you do not concur with these findings please contact us within 15 days, otherwise water licenses will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

RECEIVED

1. Name of permit holder Cecil Weisenburger APR 11 1975
Postoffice address 560 Taylor St., American Falls, ID Department of Water Resources
Eastern District Office
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ Snake River Plain Aquifer
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 3.2 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 30
(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. 35-7130
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 3.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7S N/S, Range 29E E/W, B.M., Section 15, Subdivision NW $\frac{1}{4}$ NW $\frac{1}{4}$, Power
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: Pump & motor, 200 hp elec. motor, $\frac{1}{2}$ mile 8" mainline, 8 wheel lines ($\frac{1}{4}$ mile). 18" well casing, 285' well depth.

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 $\frac{1}{4}$	
7S	29E	15					40	40	40	40									160

TOTAL ACREAGE

160

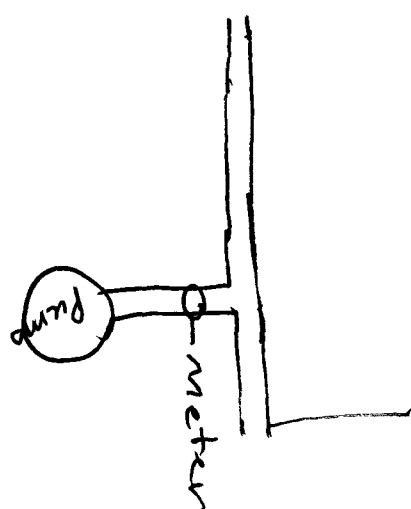
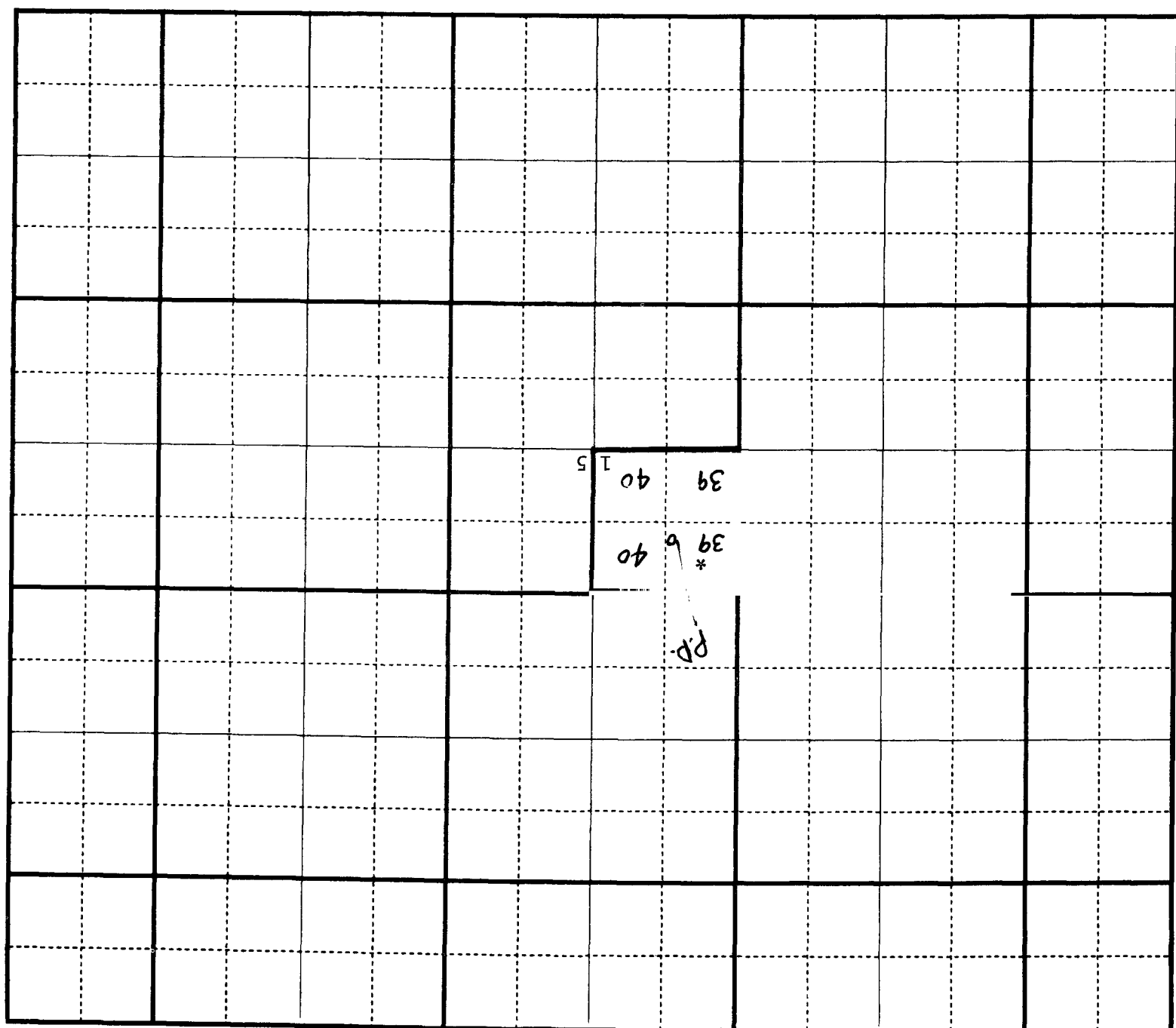


Diagram of System ↗





DATE OF EXAM June 16, 1975

ACREAGE
Found 158
Recommended 158

Irrigation Requirement 35 Ac Ft/Ac

USE
Irrigation Q= 2.67 c.f.s. V= 553 AF/Ann. from Apr 1 to Oct 30
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: NA
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

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

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

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

Total Q measured 2.67 cts Method of measurement In line meter

Total Q recommended 2.67 cts Meter No. MD 336087 Type Badger Condition ?

Total V recommended 553.0 Af/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

$Q = 1,200 \text{ gal/min} \div 448.8 = 2.67 \text{ cts}$

$V = 158 \text{ Ac} \times 3.5 \text{ Af/Ac} = 553.0 \text{ Af/Ann}$

SYSTEM DESCRIPTION:

200 Hp U.S. MOTORS Ser# CC1007792
Berkley Pump Ser# 7020721
10" Steel main East from Pump 10' Then To N-S Burried
main 3 1/4 mile Wheel moves

REMARKS:

Exam was completed without a Rep. of
Permit holder present

Examiner's Signature Bill Rhoads Date June 17, 1975

Checked by Loren O Halmer Date Dec 22, 1975

Approved by _____ Date _____

April 8, 1975

Re: Permit No. 35-7130

Cecil Weisenburger
560 Taylor St.
American Falls, ID 83211

Dear Mr. Weisenburger:

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 during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED

Identification No. 35-7130

Permit No. 35-7130

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder CECIL WEISENBURGER
b) Post Office Address 560 Taylor St., American Falls, Idaho 83211
2. Permit Number 35-7130
3. Date of Priority that you are prepared to establish April 1, 1970
4. a) Source from which water was appropriated Groundwater basin
b) Location of the point of diversion: NW ¼ NW ¼, Section 15
Township 7 South, Range 29 E • Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 3.2 cfs for irrigation purposes from April 1 to October 31 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 3.2 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: Badger flow meter device installed on pump system by Paul Carey of Power County Implement Co.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump and motor; 200 HP Electric motor; ½ mile 8" main line, 8 wheel lines (¼ mile). 18" Well casing, 285" well depth.

b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger Water Flow Meter-8"

c) Give well driller's name and address and the date the well was completed: Jack Cushman, Blackfoot, Idaho
Completed April 1, 1970
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Entire $\frac{1}{2}$ Section indicated below, except Roadways: Total

Township 7 South, Range 29 E.B.M. Section 15, NW $\frac{1}{4}$ (See graph)

Total number of acres irrigated 153

Location of point of diversion is approximately 700'

~~from the north line of the nw ¼ of the indicated section.~~

March 29, 1975

(Date)

Cecil Weisenburger
(Signature)

State of IDAHO)

County of POWER

On this 29th day of March, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Steve Meadows
Notary Public residing at Am. Falls
Idaho

My commission expires

Aug - 1978

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ DELIVER ONLY TO ADDRESSEE and
show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and
show to whom, date, and address of
delivery 85¢

2. ARTICLE ADDRESSED TO:

REGISTERED

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

26461

(Always obtain signature of addressee or agent)

I have received the article described above,
SIGNATURE

John J. Eisenburg

4. DATE OF DELIVERY

2/3/75

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

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



**RETURN
TO**



**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

January 31, 1975

CERTIFIED MAIL

#26461

Re: Permit No. 35-7130

Cecil A. Weisenburger
American Falls,
Idaho 83211

Dear Mr. Weisenburger:

One of the conditions of approval of your water Permit No. 35-7130 (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 April 1, 1975. 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

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECEIVED
JAN 31 1975
IDAHO DEPT. OF AGRICULTURE

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

April 21, 1971

Re: Permit No. 35-7130 - Cecil A. Weisenburger
" " 35-7165 - " " "

Mr. Arthur T. Duncan
P. O. Box 1087
Twin Falls, Idaho 83301

Dear Mr. Duncan:

As to your request of April 20, 1971, please find enclosed copies of the two above referenced permits.

If you should have any further questions in reference to this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/bb
Enc: copies of permits

35 7130

April 16, 1970

Re: Permit No. 35-7130

Mr. Cecil A. Weisenburger
American Falls, Idaho 83211

Dear Mr. Weisenburger:

We enclose a copy of your approved application for permit 35-7130 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, ~~Assistant~~ Deputy
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 4262 for \$35
2 informational letters

P.S. 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 on your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

cc. Mr. Ben Cavaness
P.O. Box 38
American Falls, Idaho 83211

35-7130

March 11, 1970

Re: Application for Permit No. 35-7129 - Emil E. Bauer
(35-7120) - Cecil A. Weisenburger

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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notices (2)

*Bill submitted
3-30-70
dw*

35-7130

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Cecil A. Weisenburger, American Falls, Idaho,
has on February 25, 1970,
submitted Application No. 35-7130 to appropriate the public waters of
a groundwater source
~~the proposed uses are~~

The application proposes a maximum diversion and appropriation of 3.2
cubic feet per second ~~acre/foot~~ of water to be diverted by well and motor
within the NW¹/₄ NW¹/₄ of Sec. 15,
T. 7S, R. 29E, B.M., Power County,

and is to be used within the NW¹/₄, Sec. 15, T. 7S, R. 29E, B.M. for the
irrigation of 160 acres from April 1 to October 30

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 Reclamation on
or before April 6, 1970,

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Power County Press, American Falls, Idaho
on March 19 and March 26, 1970

X.H.

35-7130

SCHOU and CAVANESS

Attorneys-At-Law
P. O. Box 38
American Falls, Idaho 83211

February 20, 1970

L. R. Schou
Ben Cavaness

Telephone
Area Code 208
226-2562 or 226-2563

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

Re: Application for Permit-Weisenburger

Dear Sirs:

Enclosed please find an application for permit for Cecil A. Weisenburger. If you find the same to be in proper form, please file the same and cause notice to be made.

Also enclosed is our check in the amount of \$35.00 to cover the filing fees for the same. If further information or fees are required, please so advise.

Very truly yours,

SCHOU & CAVANESS


Ben Cavaness

BC:im
Encls.