

TWP.

RANGE

COUNTY

SCALE: 1" = 1 MILE

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35-7128

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 26th day of March, 19 70

the date of last publication being the

2nd day of April, 19 70

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

10 day of April, 19 70

Robert L. Garry
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

Notary Public

Residing at Am. Falls, Idaho

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

LEGAL NOTICE

Published in The Power
County Press, March 26 and
April 2, 1970.

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

Notice is hereby given that
John W. Isaak, 145 Charles
Place, Pocatello, Idaho, has on
February 24, 1970, submitted
Application No. 35-7128 to ap-
propriate the public waters of
a groundwater source.

The application proposes a
maximum diversion and ap-
propriation of 3.08 cubic feet
per second of water to be divert-
ed by well, pump and sprinkler
system within the SW1/4SW1/4
of Sec. 15, T. 7S, R. 29 E,
B.M., Power County, and is to
be used within the SW1/4, Sec.
15, T. 7S, R. 29E, B.M. for
the irrigation of 154 acres from
May 1 to October 15.

Any permit issued pursuant
to this application will be sub-
ject 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 Depart-
ment of Reclamation on or be-
fore April 12, 1970.

R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED

APR 13 1970

Department of Reclamation

35-7128

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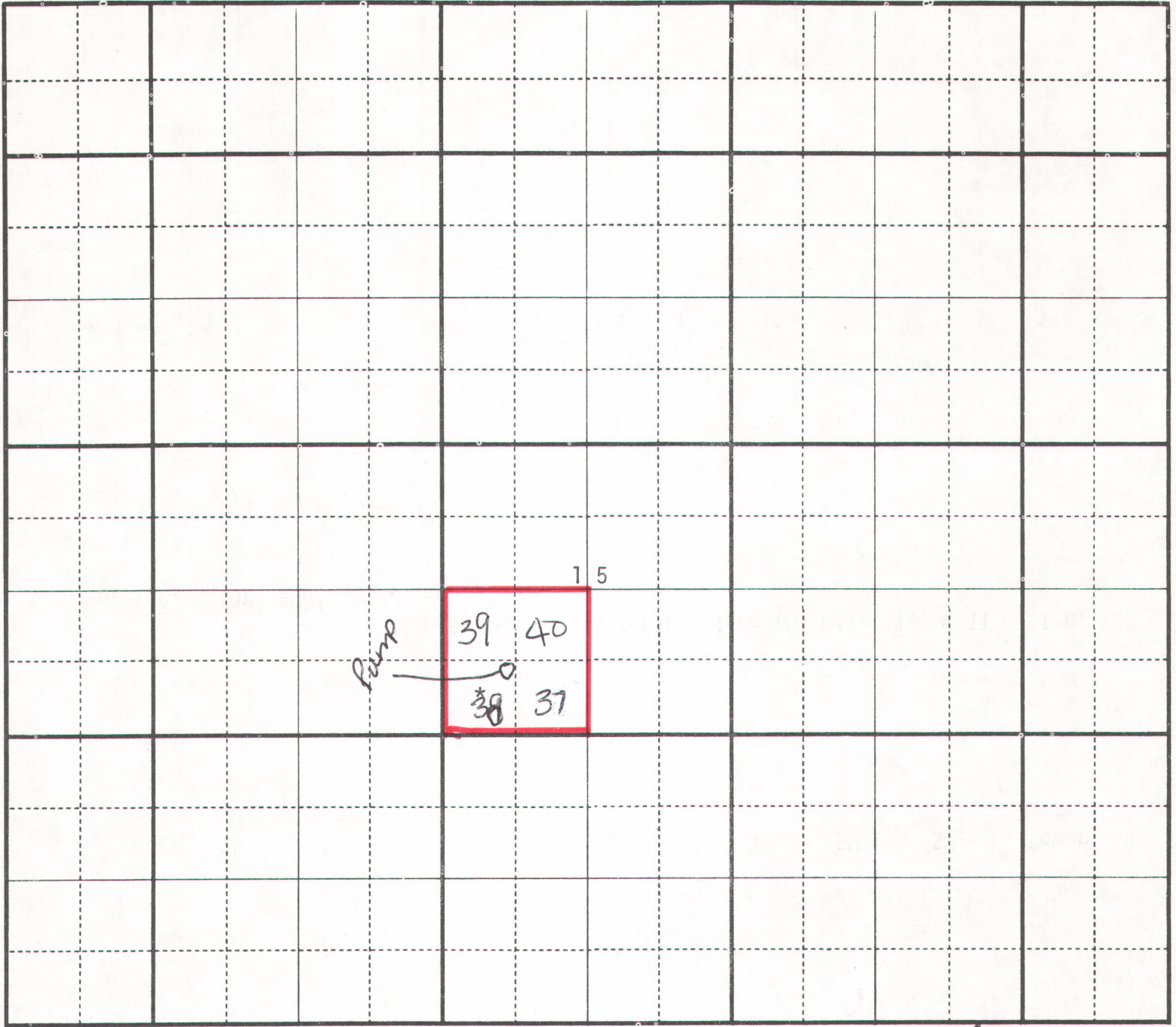
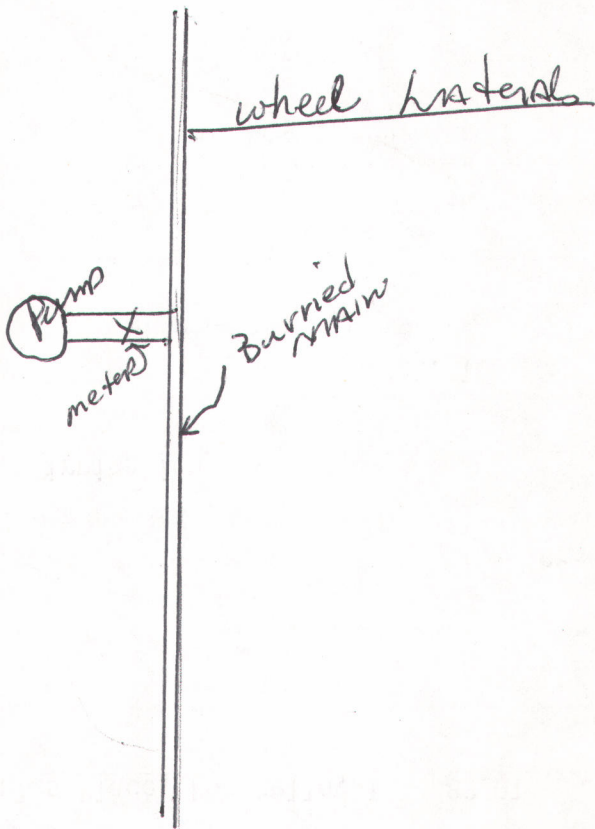


Diagram of System



Country Rd



● Country Rd ●



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7128 Priority March 18, 1970 Amount 2.23 cfs

THIS IS TO CERTIFY, that CECIL WEISENBURGER
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 35-7128 issued pursuant to Application for Permit dated February 24, 1970,
and has submitted proof to the Department of Water Resources on April 23, 1975 (late proof),
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 2.23 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>May 1</u> to <u>Oct. 15</u>	at <u>2.23</u> cfs and	<u>539 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 2.23 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
539 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ 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	38	37					154

Total number of acres irrigated 154

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

State of Idaho
Department of Water Resources

RECEIVED

AUG 19 1975

ASSIGNMENT OF PERMIT

Department of Water Resources
Eastern District Office

I, JOHN W. ISAAK, hereby assign to CECIL WEISENBURGER
of 560 Taylor, American Falls, Idaho
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 35-7128
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 11th day of August, 19 75.

John W. Isak
Permit Holder

Loraine C. Isak
Spouse of Permit Holder

State of Idaho)
County of Bannock) ss.

On this 11th day of August, 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.

seal

Kyle Kestis
Notary Public residing at
Box 49 Inkom, Idaho

My commission expires:
3/1/76

NOTARY PUBLIC

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7123

in the name of JOHN W. ISAAC

ORDER

WHEREAS, on February 24, 1970, John W. Isaac applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 3.00 cubic feet per second of groundwater within the S.W. 1/4, Sec. 15, Twp. 7S, Rge. 29E, B.H., Power County, to be used for irrigation purposes; and,

WHEREAS, on April 20, 1970, the Department approved said application and issued Permit No. 35-7123 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before April 1, 1975; and,

WHEREAS, on January 31, 1975, the Department notified the permit holder by certified mail that proof of beneficial use was due, and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on April 7, 1975, the Department notified the permit holder that Permit No. 35-7123 had lapsed for failure to submit proof of beneficial use; and,

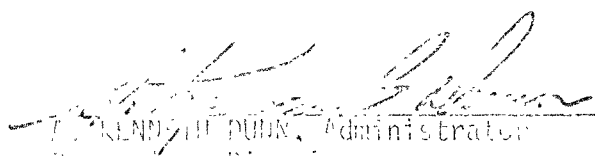
WHEREAS, on April 23, 1975, the Department received the required proof of beneficial use; and,

WHEREAS, Section 12-1101 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 notice of 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. 35-7123 be REINSTATED and the priority advanced to March 11, 1976.

Dated this 22nd day of April, 1975.


T. KENNEDY, Director, Administrator
Operations Division

ASSIGNED TO: CECIL WEISENBURGER
8-27-75 560 Taylor
American Falls, ID 83211

Identification No. 35-7128
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 John W. Isaac
post office address 145 Charles Place, Pocatello, Idaho 83201
2. Source of water supply Subterranean Well which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 7 South
Range 29 E B.M. Power County; additional points of diversion if any: none
- b. If water is not consumed, it will be discharged into Not applicable 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 3.08 for irrigation purpose from May 1 to Oct. 15 (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: See letter 3-13-70
a. 3.08 cubic feet per second and/or
b. 495 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well - pump and pressure sprinkler system
- b. Height of storage dam NA 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 20 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 7.5 years.
b. Estimated construction cost is \$ 35,000 (total system)
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 NA
(4) Name of municipality to be served NA, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: NA

[illegible]

9. a. Who owns the property at the point of diversion John W. Isaack

b. Who owns the land to be irrigated or place of use John W. + Sarah

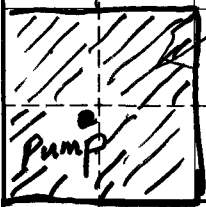
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filling W. J. + S.

10. Remarks The irrigation development consists of a well, turbine pump, permanent steel mainline, $4\frac{1}{2}$ -mile lateral sprinkler pipes, irrigation water will be used to produce row crops and grain. The farm operator will be Cecil Wiersenburger, American Falls, Idaho 83221

11. Map of proposed project:

section 15 - Twp 7S - Rge 29 EBM - Power County

SW¹/₄ - Sec. 15



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.

Don W. Isaac
(Applicant)

Received by [Signature] Date 2-24-70 Time 8:00 am
Preliminary check by [Signature] Fee \$ 35.00
Receipted by [Signature] Date 2-25-70
Publication prepared by [Signature] Date 3-18-70
Published in Power County Press
Publication dates 3-26 and 4-2, 1970
Publication approved [Signature] Date 4-13-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by [Signature]

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. 35-7128, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 75.
- 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. The maximum rate of diversion shall not exceed 3.08 c.f.s.

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

Witness my hand this 20 day of April, 19 70.

[Signature]
Deputy State Reclamation Engineer

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No.	35-7128		Name	John W. Isaak	
Source	groundwater				
Point of Diversion	SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 7S, R. 29E, B.M., Power County				
Quantity	3.08	Use	irrigation	Period	May 1 - Oct. 15
Quantity		Use		Period	
Quantity		Use		Period	
Well Size	20	Diameter	Proposed Depth	250	Feet
Use	irrigation of 154 acres				
Date Forwarded	3-16-70		Date Returned	4-3-70	
			Received by	JW	

RECOMMENDATIONS: LOCATION 10 WEST & 2 MILES NORTH OF
AMERICAN FALLS - REFERENCE USGS WSP 1846 - WIL FLOW
@ 4300' WILLS WITHIN 1 MILE INCLUDE 4. WELLS IN
ARON ROSE @ 2' 1961-62 (WSP 1846) FLOW
NE TO SW. AQUIFER BASALT WIL @ 2001
MOST WELLS MORE THAN 1 MILE AWAY FROM LOG DATA

Qty.	3.08	Use	IRR	Period	5-1/10-15	AF	4.0	AFA	680	170
Qty.	3.08	Use	IRR	Period	3-15/11-15	AF	4.0	AFA	980	
Qty.		Use		Period		AF		AFA		

ACTION: Approved X Denied _____

Conditions of approval or reason for denial: _____

INVESTIGATION By JW Title Asst. Dir.

Date 3-25-70

TWP.

RANGE

COUNTY

SCALE: 1" = 1 MILE

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35-7128

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} 23.

.....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 26th day of March, 1970

the date of last publication being the

2nd day of April 1970

(Signed

Subscribed and sworn to before me this

10 day of APRIL, 1970

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

Notary Public

Feeding at Arn. Falls, Idaho

(SEAL) day of My Commission Expires, 19.....

Aug. 20, 1973

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

Notice is hereby given that John W. Leland, of the County of Blaine, Bannock County, Idaho, on February 25, 1970, filed Application No. 34-1970 for appropriate the water of a groundwater source.

The application provides for maximum diversion and appropriation of 2500 cfs per second within the watershed by well, pump and gravity system within the boundaries of Sec. 15, T. 7N., R. 12E., B.M., Power County, Idaho, to be used within the State of Idaho, B.L.N. 34-1970, B.L.N. 34-1970 for the period of May 1 to October 11.

Any permit issued pursuant to this application will be subject to ALL STATE WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER AND must be filed with the Idaho Department of Reclamation on or before April 12, 1970.

1. THEORY

35-7128

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
1/4 _____		1/4 _____	
Lat: _____	:	Long: _____	:

1. DRILLING PERMIT NO. 35-97-C-0033-200
Other IDWR No. WR 35-07128

2. OWNER:

Name Winding Brook Corp. c/o Rodney Massey
Address P.O. Box 53
City Nampa State ID Zip 83653

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. <u>07</u> North ☐ or " South ☒	
E		Rge. <u>29</u> East ☒ or West ☐	
S		Sec. <u>15</u> <u>SW</u> 1/4 <u>SW</u> 1/4 1/4	
		Gov't Lot _____ County <u>Bingham</u> 10 acres 40 acres 160 acres	
		Lat: _____ Long: _____	
Address of Well Site <u>Road Rd</u>			
<u>3 miles N, 8 miles W of American Falls</u> City <u>Falls</u> 5-13-98			
Lt. _____ Blk. _____ Sub. Name _____			

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☒ Other Replacement

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks	Pounds	
<u>Bentonite</u>	<u>0</u>	<u>20</u>	<u>10</u>	<u>bags</u>	<u>Overhead</u>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 238 1/2'
Was drive shoe seal tested? ☒ Y ☐ N How? Pressure

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>18"</u>	<u>+1 1/2'</u>	<u>18 1/2'</u>	<u>250</u>	<u>Steel</u>	☒	☐	☐	☐
<u>16"</u>	<u>+1 1/2'</u>	<u>238 1/2'</u>	<u>250</u>	<u>Steel</u>	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

205 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>18"</u>	<u>1</u>	<u>3</u>	<u>Dirt</u>		☒
<u>18"</u>	<u>3</u>	<u>10</u>	<u>Clay</u>		☒
<u>18"</u>	<u>10</u>	<u>15</u>	<u>Dirt, low rock</u>		☒
<u>18"</u>	<u>15</u>	<u>17</u>	<u>Broken rock</u>		☒
<u>18"</u>	<u>17</u>	<u>19</u>	<u>Solids rock</u>		☒
<u>18"</u>	<u>19</u>	<u>30</u>	<u>Lava</u>		☒
<u>18"</u>	<u>30</u>	<u>45</u>	<u>Fractured lava</u>		☒
<u>18"</u>	<u>45</u>	<u>80</u>	<u>Red clay & lava</u>		☒
<u>18"</u>	<u>80</u>	<u>130</u>	<u>Red lava</u>		☒
<u>18"</u>	<u>130</u>	<u>140</u>	<u>Broken rock</u>		☒
<u>18"</u>	<u>140</u>	<u>210</u>	<u>Solids lava</u>		☒
<u>18"</u>	<u>210</u>	<u>230</u>	<u>Fractured lava</u>	☒	
<u>18"</u>	<u>230</u>	<u>239</u>	<u>Solids lava</u>		☒
<u>16"</u>	<u>239</u>	<u>243</u>	<u>Solids lava</u>		☒
<u>16"</u>	<u>243</u>	<u>248</u>	<u>Black C. rocks</u>	☒	
<u>16"</u>	<u>248</u>	<u>255</u>	<u>Cancel - C. rocks</u>	☒	

RECEIVED

MAR 27 1998

Department of Water Resources
Eastern Region

REC'D NAMPA, ID

MAY 23 1997

RECEIVED RIVEST L.L.C.

APR 02 1998

RECEIVED

Department of Water Resources

Completed Depth

255

Department of Water Resources
Eastern Region (Measurable)

Date: Started

5/9/97

Completed

5/15/97

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Vellma Well Drilling Firm No. 383Firm Official Kenneth Halpin Date 05/21/97and Supervisor or Operator Kenneth Halpin Date 05/14/97

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Ident. No. 35-97-C-0033-200
Water Right No. A35-07128

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: WINDING BROOK CORP O 208-466-0419
Address: C/O OF RODNEY H MOORE
PO BOX 53
NAMPA ID 83653

Name: RODNEY H MOORE O 208-466-0419
Address: PO BOX 53
NAMPA ID 83653

2. Proposed Well Location: Township 07S, Range 29E, Sec. 15, SWSW
POWER County

Street Address of Well Site: RAST ROAD 3 MI N, 8 MI W OF AMERICAN FALLS
AMERICAN FALLS ID

3. Proposed Use of Well: Non-Domestic Irrigation

4. Well Construction Information:

- A. REPLACE
 - B. Proposed Surface Diameter 16 In. Proposed Maximum Depth 350 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 5/ 3/1997

6. Anticipated Well Driller: VOLLMER WELL DRILLING (No. 0383)

NOTE: The actual well driller must be identified to IDWR prior to drilling commencement.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ _____ Received by _____ No. C038781 Date _____

MICROFILMED

MAR 10 1999

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCESThis permit is **APPROVED**Date: **5/ 2/1997**

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.
9. The uppermost unconfined aquifer shall be cased and sealed to exclude water from this zone from entering the well. All seals will be placed from the bottom up.
10. If an annular slurry seal of bentonite is to be utilized, a high (>30%) solids bentonite shall be pumped from the bottom up to land surface. The bentonite shall not contain chemical polymers which effect long term stability of the seal (and are often found in drilling fluid grade bentonites) but shall be a bentonite which has been specifically recommended by the manufacturer for use as a seal material in water wells.
11. If a neat cement grout is to be utilized as a seal material, additives such as the following shall be used to reduce dehydration and shrinkage. Mix water quantity shall strictly follow manufacturer's specifications paying close attention to cement grind and water ratios, (generally between 5 and 6 gallons per sack) eliminating free water. Water quality of the mix water should meet drinking water standards.

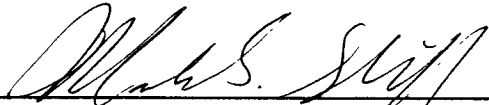
(Continued)

MICROFILMED

MAR 10 1995

CONDITIONS OF APPROVAL:

12. The use of bentonite added to cement grout to reduce hydraulic conductivity shall not exceed 4% and shall be prehydrated prior to mixing with the neat cement. The bentonite shall not contain chemical polymers which effect long term stability, and are often found in drilling fluid grade bentonites, but will be specifically recommended by the manufacturer for use as a seal material.
13. From the nearest well report available, two clay units of approx. 30' thickness will be encountered in the upper 100'. The seal should extend into the second clay unit at approx. 90 to 100' in depth. The seal at the 100' depth should be at a minimum the drive shoe driven onto but not through the clay. The upper seal will be annular seal of bentonite or cement within the annular space.
14. *
As this is a replacement well an abandonment form shall be submitted and approved and the replaced well abandoned within 60 days of the completion of this well or a transfer of a water right will be filed adding this point of diversion to 35-07128.



Signature of Authorized Dept. Representative



Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____
Expires On: _____



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

Country Rd

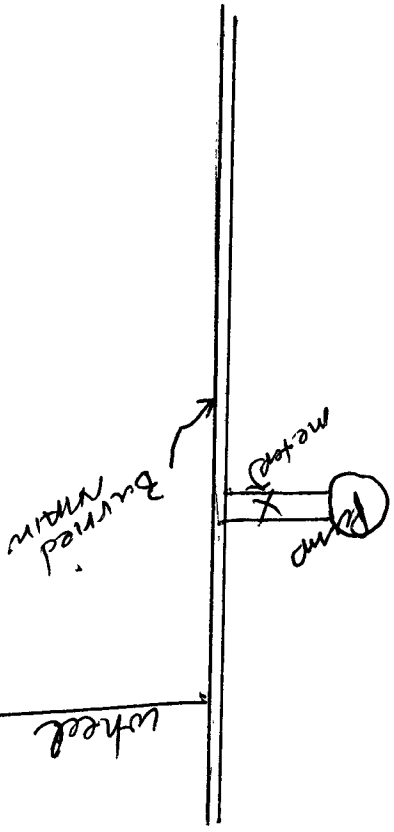
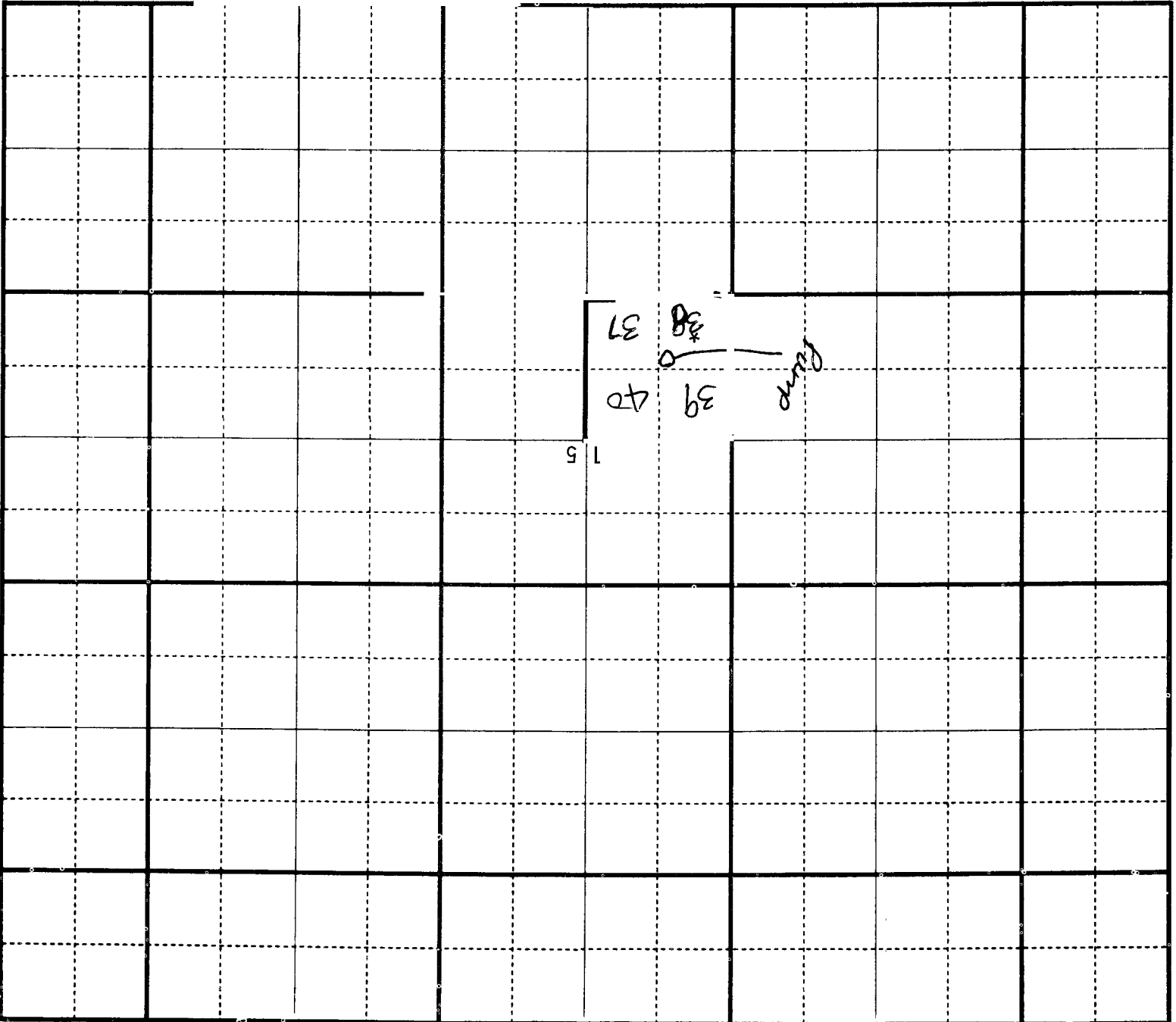


Diagram of System

N



S
7
T

0 110
H-6

726

39

40

38

3

231.7

236.2

5/2
22/73

C.
830

DATE OF EXAM July 16, 1975

ACREAGE
Found 154
Recommended 154

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q= 2.22 c.f.s. V= 539 AF/Ann. from MAY 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: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

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

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

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

Total Q measured 2.22 cfs Method of measurement In line Meter

Total Q recommended 2.22 cfs Meter No. M0336096 Type Badger Condition _____

Total V recommended 539 Af/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$$Q = 1,000 \text{ gpm} / \text{min} \div 448.8 = 2.22 \text{ cfs}$$

$$V = 154 \text{ Ac} \times 3.5 = 539.0 \text{ Af/Ann}$$

SYSTEM DESCRIPTION:

150 HP GE MOTOR Ser# DFI422161
JACU221 Pump Ser# WMC182
8 1/4 mi wheel line
10" discharge East 10' To Buried N-S main

REMARKS:

Examiner's Signature Bill Rhoads Date July 21, 1975

Checked by Loren O Halmer Date Dec 18, 1975

Approved by _____ Date _____

August 28, 1975

Re: Permit No. 35-7128

Cecil Weisenburger
560 Taylor
American Falls, Idaho 83211

Dear Mr. Weisenburger:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

RECEIVED

Schou, Cavaness and Beebe

L. R. SCHOU
BEN CAVANESS
MARK BEEBE

ATTORNEYS-AT-LAW
P. O. Box 70
American Falls, Idaho 83211

TELEPHONE (208)
226-2562 or
226-2563

August 6, 1975

AUG 11 1975

Department of Water Resources

Ms. Reich
Department of Water Resources
Statehouse
Boise, Idaho 83720

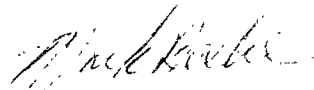
Dear Ms. Reich:

I have in my file a letter from you dated May 12, 1975 which is a copy of a letter to Mr. John Isaak wherein you explain to Mr. Isaak that a field examination will be made by a representative of the department.

The land to which the water rights under Permit #35-7128 has been sold to Mr. Cecil Weisenburger under a real estate contract in escrow. Mr. Weisenburger is in possession of the land and the irrigation system. We would appreciate it if at the time the department wishes to conduct its field examination, you would contact Mr. Weisenburger so that he may show you the system.

Very truly yours,

SCHOU, CAVANESS & BEEBE



Mark Beebe

MB:mh

May 12, 1975

Re: Permit No. 35-7128

John W. Isaak
145 Charles Place
Pocatello, ID 83201

Dear Mr. Isaak:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to March 18, 1970.

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, but 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 Eastern District Office in Idaho Falls.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

cc: Schou, Cavaness & Beebe
Attn: Mark Beebe
Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder JOHN ISAAK
b) Post Office Address 145 Charles Place, Pocatello, Idaho 83201

2. Permit Number 35-7128

3. Date of Priority that you are prepared to establish April 1, 1975

4. a) Source from which water was appropriated Ground Water Basin

b) Location of the point of diversion: SW ¼ SW 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 Oct. 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 _____ 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:

~~Cecil Weisenburger is purchasing the SW¼SW¼, Sec. 15, Twp. 7S., Range 29, E.B.M. from John W. Isaak, the permit holder under a real estate contract in secret.~~
b) Describe the agreement or understanding by which you take water from the works: Mr. Weisenburger is the owner of the means of diversion and is in possession

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) 8 mainline and 8 sprinkler lines (¼) mile

18 well casing, 150 HP Electric motor, Well depth-400 feet.

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

c) Give well driller's name and address and the date the well was completed: Jack Cushman, Blackfoot, Idaho

Well 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: _____

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

Entire $\frac{1}{4}$ section indicated below, Except roadways, and total acreage irrigated

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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	29E	15									40	40	40	40					

Total number of acres irrigated _____

10. Remarks: _____

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

4-21-75
(Date)

John W Isaac
(Signature)

State of Idaho)
County of Bannock) ss.

On this 21 day of April, 1975, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lyle Leslie
Notary Public residing at
Inkom, Idaho,

My commission expires 3/1/76

Schou, Cavaness and Beebe

L. R. SCHOU
BEN CAVANESS
MARK BEEBE

ATTORNEYS-AT-LAW
P. O. Box 70
American Falls, Idaho 83211
April 22, 1975

TELEPHONE (208)
226-2562 or
226-2563

Idaho Department of Water Administration
Eastern District Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

RECEIVED
APR 23 1975
Idaho Department of Water Administration
Eastern District Office

Gentlemen:

Herewith is the proof of application to beneficial use signed by Mr. Isaak as you required since Mr. Isaak is the permit holder.

Also enclosed in the proof form previously and timely filed, but signed by Mr. Weisenburger.

Very truly yours,

SCHOU, CAVANESS & BEEBE



Mark Beebe

MB:im
Encls.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 7, 1975

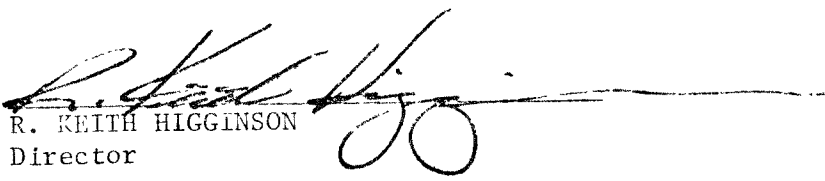
Re: Permit No. 35-7128

John Isaak
145 Charles Place
Pocatello, ID 83201

Dear Mr. Isaak:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 35-7128 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jg

cc: Cecil Weisenburger

Mark Beebe
Attorney at Law

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

April 7, 1975

Re: Permit No. 35-7128

Cecil Weisenburger
560 Taylor St.
American Falls, ID 83211

Dear Mr. Weisenburger:

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

However, we cannot accept this affidavit since it must be signed by the permit holder which is John Isaak. In order for your signature to be acceptable, the permit must be assigned to you by Mr. Isaak. Enclosed is an assignment form for your use in this matter.

Please return either the proof affidavit signed by Mr. Isaak, or the completed assignment form.

Also enclosed is a copy of the notice of lapsing for this permit. If you have any questions concerning this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG
Enc: Proof affidavit submitted
Blank proof affidavit
Assignment form
Copy of lapse notice

cc: John Isaak

Mark Beebe

RECEIVED

APR 23 1975

Department of Water Resources
Eastern District Office

Identification No. 35-7128

Permit No. 35-7128

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 1 1975

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder JOHN ISAAC
b) Post Office Address 145 Charles Place, Pocatello, Idaho 83201
2. Permit Number 35-7128
3. Date of Priority that you are prepared to establish April 1, 1970
4. a) Source from which water was appropriated Ground Water Basin
b) Location of the point of diversion: SW 1/4 SW 1/4, 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 Oct. 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 _____ 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:
Cecil Weisenburger is purchasing the SW 1/4 SW 1/4, Sec. 15, Twp. 7S., Range 29, E.B.M. from John W. Isaak, the permit holder under a real estate contract in secrow. Mr. Weisenburger is the owner of the means of diversion and is in possession
b) Describe the agreement or understanding by which you take water from the works: of the property.
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) 8" mainline and 8 sprinkler lines (1/4) mile
18" well casing, 150 HP Electric motor, Well depth 400 feet.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger Flow Meter-8"
c) Give well driller's name and address and the date the well was completed: Jack Cushman, Blackfoot, Idaho
Well 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: _____

UOI
(not signed by John Isaac)
see proof submitted 4/23/75

RECEIVED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____
Entire 1/4 Section indicated below, Except roadways, and total acreage irrigated as 154 acres

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7	29E	15									40	40	40	40					

Total number of acres irrigated 154

10. Remarks: _____

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

(Date)

Cecil Weisenburger
(Signature)

State of IDAHO)
) ss.
County of POWER)

On this 28th 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 _____
American Falls, Idaho

My commission expires Aug 6 - 1978

L. R. SCHOU
BEN CAVANESS
MARK BEEBE

Schou, Cavaness and Beebe
ATTORNEYS-AT-LAW
P. O. Box 70
American Falls, Idaho 83211

RECEIVED
APR 1 1975 TELEPHONE (208)
226-2562 or
226-2563
Department of Water Resources

March 31, 1975

Department of Water Administration
614 State Street
Statehouse, Annex 2
Boise, Idaho 83707

Re: Proof of Application - Permit No. 35-7128 & 35-7130

Dear Sirs:

Enclosed are two Proof of Application of Water to Beneficial Use forms completed for John Isaak and Cecil Weisenburger.

If you have any problems or questions, please let me know.

Very truly yours,

SCHOU, CAVANESS & BEEBE

Mark Beebe
Mark Beebe

MB:mh

Encl.

5-7128

● **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:

3. ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.

26459

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE

Mrs. John W. [Signature]

DATE OF DELIVERY

2-3-75

5. ADDRESS (Complete only if requested)



6. UNABLE TO DELIVER BECAUSE:

USPO CLERKS
 INITIALS

35-7

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

#26459

Re: Permit No. 35-7128

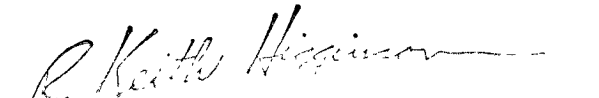
John W. Isaak
145 Charles Place
Pocatello, ID 83201

Dear Mr. Isaak:

One of the conditions of approval of your water Permit No. 35-7128 (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
Director

RKH:jg
Enc: Proof affidavit

April 21, 1970

Re: Permit No. 35-7128

Mr. John W. Isaak
145 Charles Place
Pocatello, Idaho 83201

Dear Mr. Isaak:

We enclose a copy of your approved application for permit 35-7128 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. 4259 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.

35-7128

March 18, 1970

Re: Application for Permit No. 35-7128 - John W. Isaak

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 notice

Bill submitted
4-13-70
dw

35-7128

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that John W. Isaak, 145 Charles Place,
Pocatello, Idaho, has on February 24, 1970,
submitted Application No. 35-7128 to appropriate the public waters of
a groundwater source
~~The proposed uses are~~ _____

The application proposes a maximum diversion and appropriation of 3.08
cubic feet per second ~~/acre/feet~~ of water to be diverted by well, pump and
sprinkler system within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 15,
T. 7S, R. 29E, B.M., Power County,

and is to be used within the SW $\frac{1}{4}$, Sec. 15, T. 7S, R. 29E, B.M. for the irrigation
of 154 acres from May 1 to October 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 Reclamation on
or before April 12, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Power County Press, American Falls, Idaho,
on March 26 and April 2, 1970.

114

35-7128

March 13, 1970

RE: Application for Permit No. 35-7128

Mr. Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
State of Idaho
Boise, Idaho 83707

Dear Mr. McEldowney:

Please accept my apology for the erroneous information included in my application. The rate of diversion entry should have been 3.08 c.f.s.

I respectfully request that you attach this letter to my application. You hereby have my authorization to correct the entries on the application forms as necessary.

Very truly yours,

John W. Isaak

John W. Isaak
145 Charles Place
Pocatello, Idaho 83201

L

March 11, 1970

Re: Application for Permit No. 35-7128

Mr. John W. Isaak
145 Charles Place
Pocatello, Idaho 83201

Dear Mr. Isaak:

We are in receipt of your application to appropriate the public waters of the State of Idaho. In reviewing your application, it is noted that you have filed on 154 acres of ground to be irrigated from a well and have requested 162½ miners inches of water for the 154 acres. You should be advised that under state law, the maximum legal rate of diversion is 0.02 c.f.s. of water per irrigated acre or 1 miners inch per irrigated acre. Therefore, the normal maximum legal rate of diversion that could be allowed for the 154 acres would be 3.08 c.f.s. We would recommend that you change the quantity to the 3.08 c.f.s. or supply adequate technical information that will justify the additional quantity of water. Your immediate response to this inquiry is requested.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

35-7128