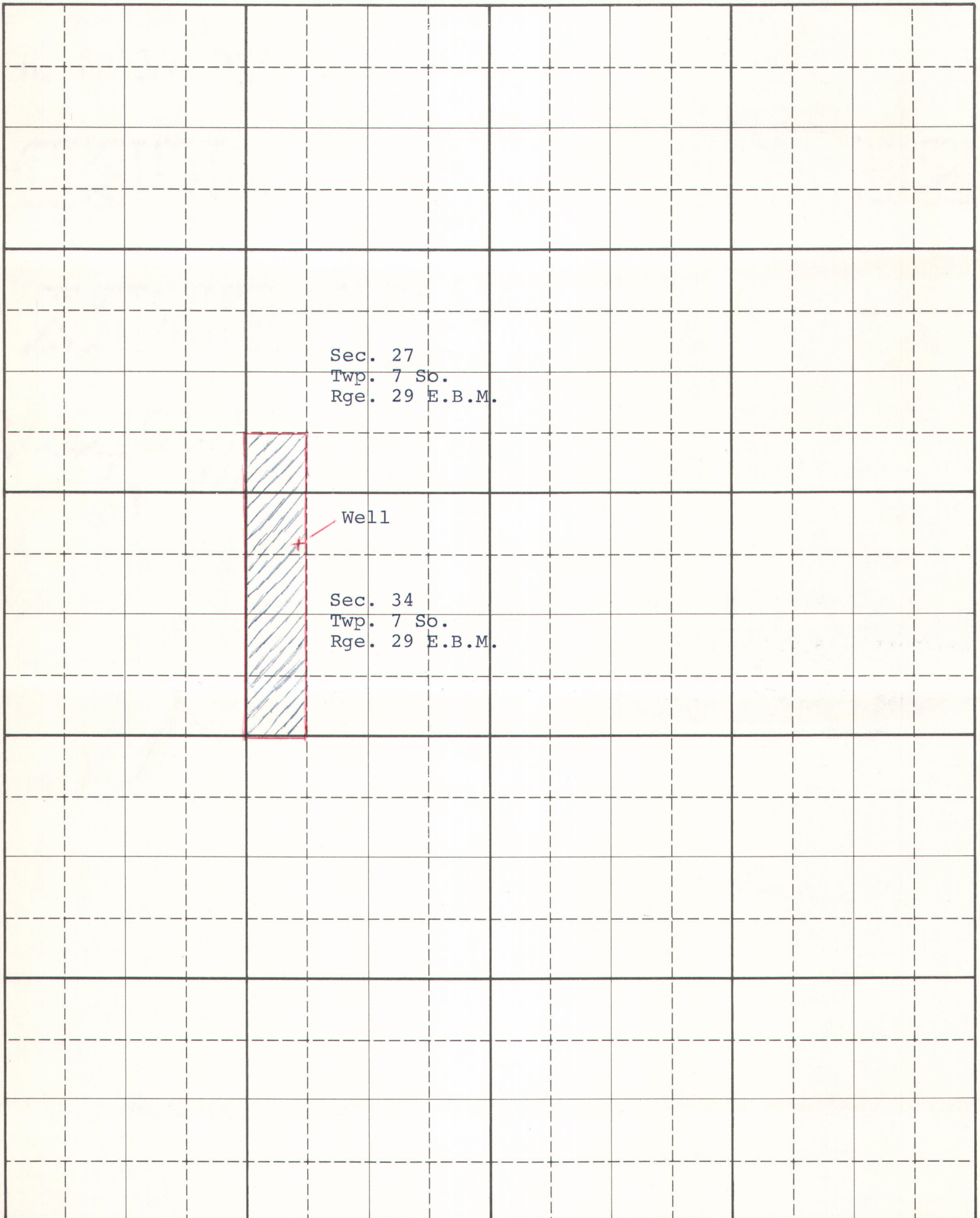


11. Map of proposed project:



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.

Wagner E. Kendall
(Applicant)

35-7063

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 28th day of November, 1968
the date of last publication being the

5th day of December, 1968.

(Signed)

Subscribed and sworn to before me this

9 day of December, 1968

Notary Public, residing at American Falls,
Idaho.

My Commission expires the

Residing at Am. Falls, Idaho
My Commission Expires

(SEAL) day of August 20, 1969, 1968

Published in The Power County
Press Nov. 28 and Dec. 5, 1968.
NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that
Wayne E. Kendell, Sterling, Id-
aho has on November 15, 1968
applied for permit under appli-
cation No. 35-7063 to divert 4.0
cubic feet per second of water
from a ground water source.
Water will be diverted by a well,
pump, motor, and sprinkler sys-
tem within the NW 1/4NW 1/4,

sec. 34, T. 7 S., R. 29 E., B.M.,
Power County and is to be used
from April 1 to October 31 for
irrigation in the SW 1/4 SW 1/4,
sec. 27; W 1/2NW 1/4, W 1/2
SW 1/4, sec. 34, T. 7 S., R. 29
E., B.M.

Any protest against this appli-
cation must be filed with the
Department of Reclamation with-
in ten days from the last date
of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED

DEC 11 1968

Department of Reclamation

35-7063

P 22

6-7

A
152.4

E
158.9

D
153.8

C
76.6

22
27

22 23
27 26

F
236.4

A-281

B
151.1

A-331

KROSSER

A
167.3

B
79.0

A
79.9

A-149

27
34

34

F
113.7

A-283

E
71.4

H
20.2

35-7063

TWP.
7

TWP-75

R. 29E

Road

Road

Road

Road

27

1

34

Q measured _____

Q recommended _____

Volume _____

Acreage -

Found _____

recommended _____

Subdv. _____

Ammendments

☐ None

☐ P.D.

☐ Place of use

☐ _____

R. 29 E

Roads

SEC. 27

Roads

39

39

39

39

39

39

39

SEC. 34

39

39

out

156

$$A = 156$$

$$Q = 3.1 \text{ CFS}$$

$$V = (3.1)(2)(210) =$$

$$V = 1302 \text{ ACFT/sea}$$

$$V_{\text{allow}} = 546 \text{ ACFT/sea}$$

35 7063

LEGAL NOTICE

Published in The Power County
Press Nov. 28 and Dec. 5, 1968.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Wayne E. Kendell, Sterling, Idaho has on November 15, 1968 applied for permit under application No. 35-7063 to divert 4.0 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, motor, and sprinkler system within the NW 1/4NW 1/4, sec. 34, T. 7 S, R. 29 E, B.M., Power County and is to be used from April 1 to October 31 for irrigation in the SW 1/4 SW 1/4, sec. 27: W 1/2NW 1/4, W 1/2 SW 1/4, sec. 34, T. 7 S, R. 29 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

November 21, 1968

Re: Application No. 35-7063
Wayne E. Kendell

Power County Press
174 Idaho Street
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 can not 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: legal notice

35-7063

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 35-7063 Priority Nov. 15, 1968 Amount 3.1 cfs

THIS IS TO CERTIFY, that WAYNE E. KENDELL
of Sterling, Idaho, has complied with the terms and conditions of Permit
No. 35-7063 issued pursuant to Application for Permit dated November 15, 1968,
and has submitted proof to the Department of Water Administration on December 17, 1969,
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 3.1 cfs, and that the water has in fact been applied to a
beneficial use, a right to the use of water from a ground water source

tributary of _____, is hereby confirmed in the following amounts:

Amount 3.1 for irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 3.1 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW¹/₄ Sec. 34, Twp. 7 S, Rge. 29 E, B.M.

in the county of Power; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 546 acre feet per year or
3.5 acre feet per acre.

Description and location of place of use:

TWP	RANGE	SEC	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
7S	29E	27											39						39
		31						39	39			39							117

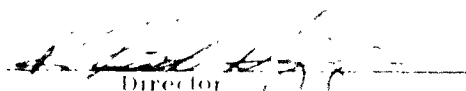
Total number of acres irrigated 156

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

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 / day of

December, 19 71.


Director

35 7063

Application No.

LICENSE ISSUED FOR 3.1 SEC. FV
 LICENSE PAGE 1

To Ap

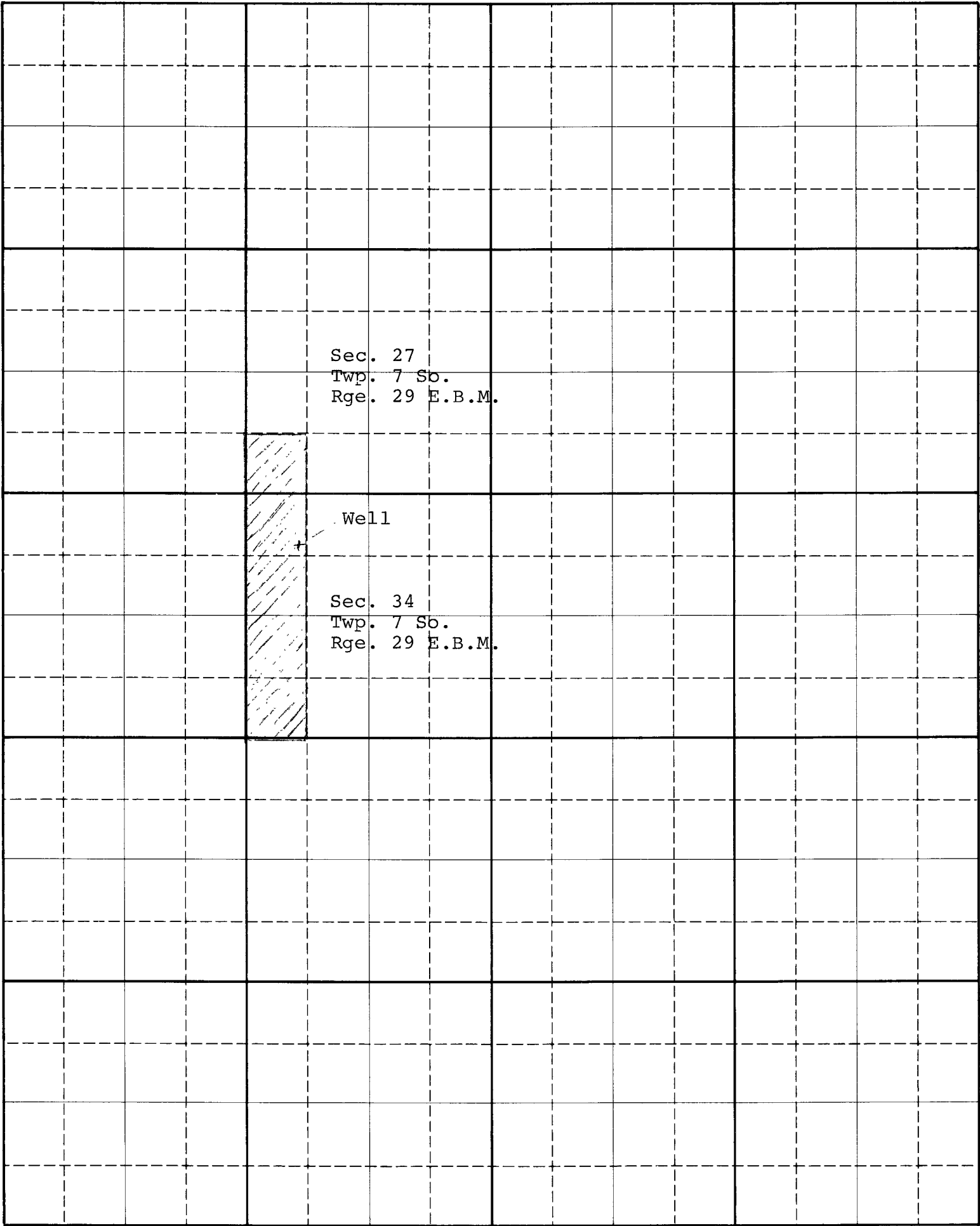
APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Wayne E. Kendell
post office address Sterling, Idaho
2. Source of water supply underground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34 Township 7 So.
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. Water will be used for the following purposes:
Amount 4.0 for irrigation purpose from April 1 to Oct. 31 (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. 4.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, motor & sprinkler system.
- b. Height of storage dam none feet, active reservoir capacity none acre feet; total reservoir capacity none acre feet, materials used in storage dam: _____
Period of year during which storage will occur none to none inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 302 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 1/2 years months.
b. Estimated construction cost is \$ 45,000.00.
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: _____

35-7003

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.

Wagner E. Kendall
(Applicant)

35-7053

Received by Date 11-15-68 Time 9:11 a.m.
Preliminary check by Fee \$ 35.00 Date 11-18-68
Receipted by Date 11-19-68
Publication prepared by Date
Published in
Publication dates
Publication approved Date
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. 35-7063, 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 February 1, 19 70.

c. Other: The applicant shall permanently install 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 9th day of January, 19 69.

State Reclamation Engineer

Identification No. _____

Permit No. 35-7063

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

✓
26
24
7-16-70

1. a) Name of Permit Holder Wayne E. Kirdell
 b) Post Office Address Sterling Blahs
2. Permit Number 35-7063
3. Date of Priority that you are prepared to establish November 15, 1968
4. a) Source from which water was appropriated groundwater
 b) Location of the point of diversion: NW 1/4 NW 1/4, Section 34
 Township 7 South, Range 29 East ✓ Boise Meridian, Other points of diversion: None
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 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 4.0 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: By permit holder by considering the number of sprinkler lines (7), the 11/64" orifices, the 70 p.s.i pressure, pump size (electric 150 h.p.) 16" casing 200' lift, 302' depth
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: N/A
 b) Describe the agreement or understanding by which you take water from the works: N/A
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) 150 h.p. electric motor, Berkeley pump, 16" well casing, 12 impellers, 200' lift, 302' well deptch
 b) Describe the type and size of measuring device which you have installed at your point of diversion: None- water measurement computed from above well, & pump information
 c) Give well drillers name and address and date the well was completed Paul Vollmer Jr.
Aberdeen, Idaho, May 1, 1969

exam
typed
6-19-70
6-24

35-7063

$$\overline{V/N}$$

SW $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 27, T 7 South, Range 29 E., and the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 34, T 7 S, Range 29, E.B.M. (40 acres in each)

[illegible]

200

10. Remarks:

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

(Date)

~~Dec 11, 1969~~

(Signature)

State of Michigan)
County of Ingham) ss.

County of Jefferson ss.

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

Notary Public residing at 10000 1st Ave. N. #1000

My commission expires 11-2-1975

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 28th day of November, 1968
the date of last publication being the
5th day of December, 1968.

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

9 day of December, 1968

Robert Starnes
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

Residing at Am. Falls, Idaho

My Commission Expires

(SEAL) day of August 20, 1969, 1969

APPLICATION FOR WATER

Notice is hereby given that
Wayne E. Kendell, Sterling, Id-
aho has on November 15, 1968
applied for permit under appli-
cation No. 35-7063 to divert 4.0
cubic feet per second of water
from a ground water source.
Water will be diverted by a well,
pump, motor, and sprinkler sys-

from April 1 to October 31 for
irrigation in the SW 1/4 SW 1/4,
sec. 27; W 1/2 NW 1/4, W 1/2
SW 1/4, sec. 34, T. 7 S, R. 20
E, B.M.

Any protest against this appli-
cation must be filed with the
Department of Reclamation with-
in ten days from the last date
of publication of this notice.

WENTH HIGGINSON

35-7063

STATEMENT

THE POWER COUNTY PRESS

American Falls, Idaho

Sold To State of Idaho
Department of Reclamation
Address Boise, Idaho 83707

DATE	DESCRIPTION	RATE	CREDIT	AMOUNT
	Balance Forward			\$
12/5/68	Notice of application for water, Wayne E. Kendell 28 lines, 2 publications 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 same has been paid.  Robert Cromptin, Publisher	.13-.10		6.44

35-7063

STATEMENT

THE POWER COUNTY PRESS

American Falls, Idaho

Sold To State of Idaho
Department of Reclamation
Address Boise, Idaho 83707

DATE	DESCRIPTION	RATE	CREDIT	AMOUNT
	Balance Forward			\$
12/5/68	Notice of application for water, Wayne E, Kendell 28 lines, 2 publications	.13-.10		6.44
	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 same has been paid.			
	<u>Robert Cromptin, Publisher</u>			

35-70623

December 3, 1971

Re: Permit No. 35-7063

Mr. Wayne E. Kendell
Sterling,
Idaho 83279

Dear Mr. Kendell:

Enclosed herewith is your Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
cc: Idaho Falls Office

35 7063

November 17, 1971

Mr. Wayne E. Kendell
Sterling,
Idaho 83279

Dear Mr. Kendell:

A representative of this department has made an examination of the works covered by your Permit No. 35-7063 and has found the following:

Quantity of water diverted: 3.1 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 3.1 cfs

The maximum quantity diverted shall not exceed 546 acre feet per season.

Beneficial Use: Irrigation of 156 acres within the SWSW (39), Sec. 27;
NWNW (39), SWNW (39), NWSW (39), Sec. 34, Twp. 7 S, Rge. 29 E,
B.M.

The priority date established is : November 15, 1968

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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

35 7063

Wayne Kendell

152.4

E
1589

D
1538

C
766

22
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22 23
27 26

F
236.4

B
790

A
799

A-149

27
34

A-243

113.7

71.4

H
20.2

TWP.

TWP.

35 7063

$$\begin{array}{r} 1.43 \\ \hline 7.2 \overline{) 10.73} \\ \underline{748} \\ 3220 \\ \underline{2992} \\ 2280 \\ \underline{2280} \\ 0 \end{array}$$

10.73

$$\begin{array}{r} 10.73 \\ \hline 93 \overline{) 1000} \\ \underline{93} \\ 700 \\ \underline{657} \\ 430 \\ \underline{396} \\ 340 \\ \underline{306} \\ 340 \\ \underline{306} \\ 340 \end{array}$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 35-7063

REPORT ON PROOF OF B/U - Wayne E. Kendell

X-1

35 7063

R. 29E

T
7
S

X 20.1

(27)

(1)

(34)

Q measured _____

Q recommended _____

Volume _____

Acreage -

Found _____

recommended _____

Subdv. _____

Ammendments

☐ None

☐ P.D.

☐ Place of use

☐ _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 35-7063

This proof is for b/u In Water District No.

1. Name of applicant Wayne E. Kendell, Sterling, Idaho
2. Source of water supply: ground water
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34
T. 7 S. R. 29 E. County of Power
4. Describe works as they exist, giving dimensions and capacities of same: 150 HP electric motor, Berkeley pump, 16" well casing, 12 impellers, 200' lift, 302' well depth
150 HP Houshaff Badger Motor reads 1000 gals in 93 sec = 1.43 cfs
- This exam was completed last year *[Signature]*
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
- | | | | |
|--------------------|---------|---|-----------|
| T. 7 S., R. 29 E., | Sec. 27 | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40 acres |
| | 34 | W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ | 160 |
| | | | 200 TOTAL |

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

This examination was made on the 29th day of June, 1911
(Signed) *[Signature]* Examiner.

ASCS : American Falls
SCS : American Falls

Permit No. 35-7063 - Wayne E. Kendell

Examination for b/u

County Power

Quantity: (permit) 4.0 cfs (proof) same
Sec. 34 T. 7S R. 29E

Source: ground water

P.D.: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: 11-15-68 MADE: 12-17-69

Due: 2-1-70 PRIORITY: 11-15-68

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

5 7063

LICENSING DATA ANALYSIS

- Permit No. 35-7063
- Name license is to be issued in Wayne E. Kendall
Assignment required - Yes ☐ No ☒
- Date of first receipt 11/15/68 Date proof due 2/1/70 Made 12/17/69
- Priority ☐ Late proof - Yes ☐ No ☒
- Source Groundwater tributary ☐
- Point of diversion:
Twp. 7 N/S, Rge. 29 E/W, B.M., Sec. 34, NW $\frac{1}{4}$ NW $\frac{1}{4}$
Twp. ☐ N/S, Rge. ☐ E/W, B.M., Sec. ☐ NW $\frac{1}{4}$ NW $\frac{1}{4}$
Twp. ☐ N/S, Rge. ☐ E/W, B.M., Sec. ☐ NW $\frac{1}{4}$ NW $\frac{1}{4}$
Amendment required - Yes ☐ No ☒
- Beneficial use for license:
Amt. 3.1 for Irr. from Apr 1 to Nov. 1 AF 546
Amt. ☐ for ☐ from ☐ to ☐ AF ☐
Amt. ☐ for ☐ from ☐ to ☐ AF ☐
Amount not to exceed at any one time 3.1 c.f.s. or 546 acre feet per season or 3.5 acre feet per acre
Amendment required - Yes ☐ No ☒
- Permitted Amount: 4.0 c.f.s. Volume for season ☐ AF
- Measured Amount: 3.1 Season for reduction capacity of system
- Description and location of place of use:

Twp	Rge	Sec	NE 160				NW 160				SW 160				SE 160				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 $\frac{1}{4}$	
75	29E	27											39						39
"	"	34						39	39			39							117

Total No. of acres 156

Supplemental acreage - Yes ☐ No ☒

Total permitted acres 200

Amendment required - Yes ☐ No ☒

11. Remarks:

12. Measuring device required - Yes ☒ No ☐ Badger Meter is installed

13. Type of letter required: Fee ☐ Notice ☒

14. Analysis by Paul E Date 4/24/70 Checked by D Date May 4-1971

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 35-7063

REPORT ON PROOF OF B/U - Wayne E. Kendell

35 7063

R. 29 E

T
7
8

SEC. 27

P. 1

39

59

37

39

(.)

39

SEC. 34

39

39

39

out

156

$$A = 156$$

$$Q = 3.1 \text{ CFS}$$

$$V = (3.1)(2)(210) =$$

$$V = 1302 \text{ ACFT/Sec}$$

$$V_{\text{allow}} = 546 \text{ ACFT/Sec}$$

35 7063

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 35-7063

This proof is for b/u In Water District No.

1. Name of applicant Wayne E. Kendell, Sterling, Idaho

2. Source of water supply: groundwater

3. Location of point of diversion: Is in the NW 1/4 NW 1/4 of Section 34
T. 7S R. 29E County of Power

4. Describe works as they exist, giving dimensions and capacities of same: 150 HP electric motor, Berkeley pump, 16" well casing, 12" impellers, 200' lift, 302' well depth 150 HP US Motors Hollow shaft 440 V. 1770 RPM Ser # C1003966 Berkeley pump Model 1204M6 Ser # 03364 10" discharge to north south mainline with gate valve on the mainline Badger Meter installed

5. Water is used for: irrigation 60 PSI

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 7S, R. 29 E Sec. 27 SW 1/4 SW 1/4 40 acres
34 W 1/2 NW 1/4, W 1/2 SW 1/4 160 acres

7 1/32' Nozzles 14 200 TOTAL 160 acres
11/64 Nozzles 210 50 PSI average
7 lines 32 heads each
(14) (9.88) + (210)(6.01) = 1400.4 gpm
1400 / 450 = 3.1 CFS

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Badger Measuring Device installed on May 14, 1970

SW 1/4 SW 1/4 Sec 34 is not irrigated or cultivated. Total acreage is 156. These are 7 lines operating at 50 psi. The land is planted in beets, potatoes & grain. The only outage is the county road and the SE 1/4 SE 1/4 Sec 34 which is not irrigated. This may require an amendment.

This examination was made on the 1 day of July, 1970
35 7063

(Signed) Jim Booker Examiner.

ASCS : American Falls
SCS : American Falls

Permit No. 35-7063 - Wayne E. Kendell

Examination for b/u

County Power

Quantity: (permit) 4.0 cfs (proof) same
Sec. 34 T. 7S R. 29E

Source: groundwater

P.D.: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: 11-15-68 MADE: 12-17-69

Due: 2-1-70 PRIORITY: 11-15-68

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

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

July 16, 1970

Reference: letter of June 2, 1970

Mr. Ben Cavaness
Attorney at Law
P.O. Box 38
American Falls, Idaho 83211

Dear Mr. Cavaness:

We are sorry that our letter of May 28, 1970 was not clear and contained parts of two different letters.

We wish to acknowledge receipt of your letter of May 14, 1970, and we will schedule an examination now that a meter has been installed on Mr. Wayne Kendell's permit no. 35-7063. We require no further information at this time on Mr. Kendell's permit.

Apparently, the balance of our May 28, 1970 letter was with reference to Bench Irrigation District and not Mr. Kendell. We understand you are filing an application for Bench Irrigation District.

We appreciate your assistance in the matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

35 7063

RECEIVED

JUN 5 1970

Department of Reclamation

L. R. Schou
Ben Cavaness

SCHOU and CAVANESS

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

June 2, 1970

Telephone
Area Code 208
226-2562 or 226-2563

Mr. Donald W. McEldowney
Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. McEldowney:

I am in receipt of your letter dated May 28, 1970, and confess to being thoroughly confused. The letter states that it is in regards to Permit No. 35-7063 belonging to Wayne E. Kendell; however, the substance of the letter seems to pertain to a previous letter regarding the Bench Ditch Irrigation Company application for permit.

Please advise me if you desire any additional information on the Wayne E. Kendell permit and the reason for the letter referred to herein.

With reference to my inquiry regarding the Bench Ditch Irrigation Company, I have subsequently determined that the application was not filed and I will be filing one for them in the near future.

Best regards.

Very truly yours,

SCHOU & CAVANESS

Ben Cavaness
Ben Cavaness

BC:mh

35 7063

May 28, 1970

Re: Permit No. ~~35-7063 - Wayne E. Kendell~~

Mr. Ben Cavaness
Attorney at Law
P.O. Box 38
American Falls, Idaho 83211

Dear Mr. Cavaness:

If you can supply us with an exact legal discription of the wells in question listing the township, range, section, and 40 acre subdivision the well is located in, we may be able to assist you.

With reference to your inquires, our records have not yielded information concerning a filing under the Bench Ditch Irrigation Company.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

35 7063

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

L. R. Schou
Ben Cavaness

May 14, 1970

Telephone
Area Code 208
226-2562 or 226-2563

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

Attn: C. Stephen Allred

Re: Wayne E. Kendell - Proof of Beneficial Use

Dear Mr. Allred:

Please be advised that the above named has installed a Badger measuring device on his point of diversion on Permit No. 35-7063. If you need any further documentation or information regarding this matter, please so advise.

Very truly yours,

SCHOU & CAVANESS

Ben Cavaness
Ben Cavaness

BC:mh

CC: Mr. Wayne E, Kendell

35 7063

REPORT OF WELL DRILLER
State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Wayne Kendell
Address Aberdeen, Idaho

Owner's Permit No. _____

NATURE OF WORK (check): Replacement well ☐

New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____

(explain)

CASING SCHEDULE: Threaded _____ Welded ☒

20" "Diam. from 0 ft. to 20 ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

Thickness of casing: _____ Material: _____

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☐ No ☐ Type of
perforator used: _____

Size of perforations: _____ " by _____ "

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☐

Manufacturer's name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☒ size of gravel _____ Gravel

placed from _____ ft. to _____ ft. Surface seal

provided? Yes ☐ No ☐ To what depth?

_____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☐

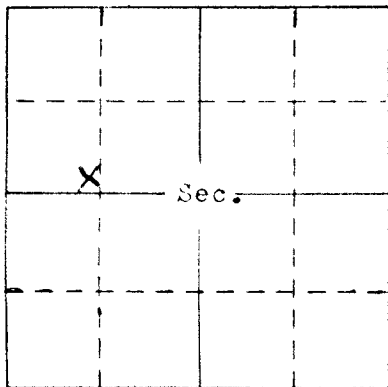
No. ☐ Type of water: _____

Depth of strata _____ ft. Method of sealing
strata off: _____

Surface casing used? Yes ☐ No. ☐

Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County _____ power _____

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24 T. 7 N/S R. 29 E/W

Use other side for additional remarks

Size of drilled hole: 20" Total
depth of well: 302' Standing water
level below ground: 200' Temp. _____
Fahr. _____ Test delivery: _____ gpm
or _____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test: _____

Length of time of test: _____ Hrs. _____ Min.

Drawdown: _____ ft. Artesian pressure: ft. _____

above land surface _____ Give flow _____ cfs

or _____ gpm. Shutoff pressure: _____

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☐

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		

0	6	Top Soil Clay	
6	35	Gray Lava Solid Soft	
35	80	Red Porous Lava	
80	125	Black Lava Broken	
125	160	Black Lava	
160	165	Red Clay	
165	180	Red Lava Porous	
180	198	Red Lava Cinder Rock	
198	210	Solid Black Lava	
210	220	Red cinder Rock	yes
220	302	Black Porous Lava with Hard Streaks	Yes

Work started: Sept 1968

Work finished: Nov 1968

Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.

Name: Paul Vollmer & Son

Address: Box 176 Aberdeen, Idaho

Signed by: Paul Vollmer Jr

License No. 67 Date: Nov 15 1968

35-7063

35-7063

December 29, 1969

Re: Permit No. 35-7063

Mr. Wayne E. Kendell
Sterling,
Idaho 83279

Dear Mr. Kendell:

We are in receipt of your affidavit submitted as proof of beneficial use for permit 35-7063. However, in reviewing that affidavit, it appears that you have failed to install the measuring device as required by the conditions of approval of your permit and by Section 42-701 of the Idaho Code.

We cannot accept your proof and issue a license unless you have installed a measuring device of a type approved by the Department. We will hold your affidavit until you can supply us with information as to the type of measuring device installed. You should be aware that failure to install the device and supply information as to the type of device installed may result in the loss of your permit. We will withhold action regarding your permit until June 15, 1970.

We are enclosing a list of the type of devices approved by the Department of Reclamation. If you have any questions, please contact us.

Very truly yours,

C. STEPHEN ALLRED, Deputy
State Reclamation Engineer

CSA:DR
Enc: Information letter

35-7063

L. R. SCHOU
ATTORNEY-AT-LAW
AMERICAN FALLS, IDAHO

December 15, 1969

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

Attention: Mr. McEldowney

Re: Permit No. 35-7063

Dear Sir:

Enclosed please find proof of application to a beneficial
use form regarding application for permit No. 35-7063.

Please advise if further information is required.

Very truly yours,

Ben Cavaness
Ben Cavaness

BC:im
Encl.

35-7063

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

PENALTY FOR RETURN TO USE TO AVOID
RETURN OF MESSAGE, \$400

055-16-71548-10

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

STREET, AND NO. OR P.O. BOX

Department of Reclamation

POST OFFICE, STATE, AND ZIP CODE

**Alameda #2 94600-0000 USE
Building, 7th and 3rd St.**

POSTMARK OF
DELIVERY OFFICE
**5 PM
1969
83243**

**RETURN
TO**

Apr. 1967

POD Form 3811

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

21913

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

12-5-69

35-2063

December 1, 1969

Re: Permit No. 35-7063

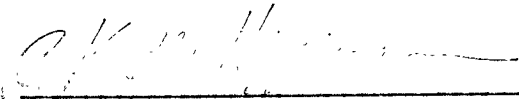
Mr. Wayne E. Kendell
Sterling,
Idaho 83279

Dear Mr. Kendell:

One of the conditions of the approval of your permit
~~35-7063~~ was that proof of application of the water to
beneficial use be submitted to this office on or before _____
February 1, 1970.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension 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.



State Reclamation Engineer

Enclosure: Proof form
dr

CERTIFIED MAIL #21413

35-7063

January 18, 1969

Re: Permit No. 35-7063

**Mr. Wayne E. Kendell
Sterling,
Idaho 83279**

Dear Mr. Kendell:

We enclose a copy of your approved application for permit 35-7063
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
State Reclamation Engineer

CSA:kh

**Enclosures: Copy of application
Receipt No. 2330 for \$35.
2 informational letters**

35-7063

Published in The Power County
Press Nov. 28 and Dec. 5, 1968.

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Wayne E. Kendell, Sterling, Idaho has on November 15, 1968 applied for permit under application No. 35-7063 to divert 4.0 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, motor, and sprinkler system within the NW 1/4 NW 1/4, sec. 34, T. 7 S, R. 29 E, B.M., Power County and is to be used from April 1 to October 31 for irrigation in the SW 1/4 SW 1/4, sec. 28, W 1/2 NW 1/4, W 1/2 SW 1/4, sec. 34, T. 7 S, R. 29 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

November 21, 1968

Re: Application No. 35-7063
Wayne E. Kendell

Power County Press
174 Idaho Street
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 can not 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: legal notice

35-7063

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Wayne E. Kandell, Sterling, Idaho

has on November 15, 1968

applied for permit under application No. 35-7048 to divert 1977

4.0 cubic feet per second ~~per foot~~ of water from a ground

water source . Water will be diverted by a well

pump, motor, and sprinkler system _____ within the ~~NIA-NIA~~

sec. 34, T. 7 S, R. 29 E, B.M., Power County

and is to be used from April 1 to October 31 for irrigation

in the ~~SW 1/4, sec. 27; W 1/2, W 1/2, sec. 34, T. 7 S. R. 29 E. R.M.~~

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

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

on November 28 and December 5, 1968.

35-7043