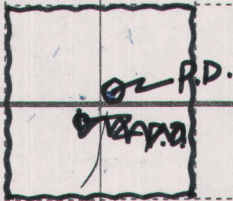


NAME OF APPLICANT.....MERYL E. FENSTER MAKER.....

Form No. 0

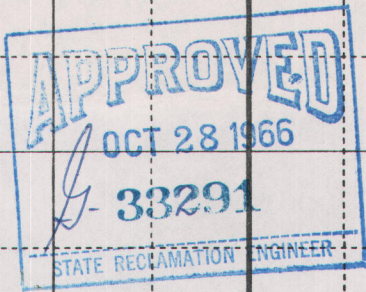
R 29 E

21



28

T
7
S



OFFICE
Copy

R-29E

T-75

21

39	0
39	39
39	39

28

to
American
Falls

78

78

156

Subd.=4

Q=2.48 C.F.S.

A=156

VOL=546 AC-FT / SEASON

PRIORITY = OCT, 19, 1966

12-20-68

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.....
successive weekly issues thereof, the date of the first publica-

tion being the 7th day of Sept., 1967

the date of last publication being the

28th day of Sept., 1967.

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

10 day of OCTOBER, 1967

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

My Commission expires the

(SEAL)

20 day of AUGUST, 1969

LEGAL NOTICE

Published in The Power County
Press Sept. 7, 14, 21, 28, 1967.

NOTICE OF PROOF OF
COMPLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that
on October 10, 1967 at Aberdeen
County of Bingham, State of Idaho,
before notary public Elmer Issiac
Aberdeen Springfield Canal
Office, proof will be submitted
of the completion of works for
the diversion of 3.2 c.f.s. of
the waters of Subterranean Flow,
and the application to beneficial
use of said water, in accordance
with the terms and conditions of
permit G-33291, heretofore
issued by the Department of Re-
clamation of the State of Idaho.

1. The name and address of
permit holder is Meryl E. Fen-
stermaker, Box 57, Aberdeen,
Idaho.

2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said works
are capable of conveying to the
place of use is 3.2 cubic feet
per second.

3. The use to which said water
has been applied is Irrigation
purposes, and the amount applied
to beneficial use is 3.2 c.f.s.

4. The point of diversion of
said water is SW1/4SE1/4 Section
21, Twp. 7 S. rge. 29 EBM.

5. The place where said water
is used is SE1/4SW1/4, SW1/4
SE1/4 Section 21, NW1/4NE1/4,
NE1/4NW1/4 Section 28, Twp. 7
South, Rge 29 EBM.

6. The date of priority which
said user is prepared to estab-
lish is October 19, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer.

33291

WATER LICENSE

Water License No. G-33291 Priority October 19, 1966 Amount 2.48 c.f.s.

THIS IS TO CERTIFY, that MERYL E. FENSTERMAKER
 of Aberdeen, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated October 19, 1966; that Permit G-33291 was issued pursuant
 to said application; that the proposed works were completed on or about 1967,
 with a storage or carrying capacity of 2.48 c.f.s., said works consisting of
well, pump and motor; and that on October 10, 1967,
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 546
 acre feet per season, with a maximum rate of diversion of 2.48 cubic feet per second of the waters
 of underground water, tributary of _____,
 for the purpose of irrigation from April 1 to October 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S, R. 29 E, B.M., and
 other additional points _____, in the County of
Power; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 546 acre feet per year.

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 $\frac{1}{4}$	
<u>7 S</u>	<u>29 E</u>	<u>21</u>												<u>39</u>			<u>39</u>		<u>78</u>
		<u>28</u>		<u>39</u>			<u>39</u>												<u>78</u>

Total number of acres irrigated 156

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
 as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

9th day of January, 1969.

R. Keith Higgins
 State Reclamation Engineer

35 2 4

33291

✓ 33291
35-

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41503
Permit No. G- 33291
District No.

1. Name of Applicant: Meryl E. Fenstermaker
Postoffice address: Aberdeen, Box 57 County: Bingham State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 3.20 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21
Twp. 7 S , Rge. 29 E , B.M., County of Power
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. 7 S
Rge. 29 E , B.M.,
 - (b) Waste water or sewage effluent is to be returned to
at a point in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21 , Twp. 7 S , Rge. 29 E , B.M.
7. Kind of works: Sprinkler
8. Estimated cost of works: \$ 19,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 5
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation: none
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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	
7 S	29E	21 28	x				x				x				x				80 80
Total number of acres to be irrigated: 160 LICENSE ISSUED FOR <u>2.48</u> SEC. FT. LICENSE PAG. NO. <u>33291</u>																			

Address all communications to:

P. O. _____

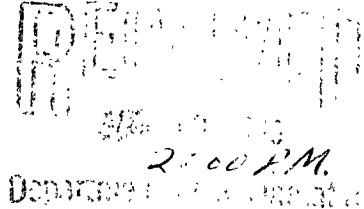
APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G. 41503

Permit No. G. 33291

Water District No. _____



1. Name of applicant: Wm. E. Fenstermaker
Post office address: Abideen County Bingham State Idaho
RFD Box 57
2. Quantity of water claimed: 3.2000 cusec + 71
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21
Twp. 7S, Rge. 29E, B.M., County of Power
5. Water is to be used for: irrigation
6. If for domestic, municipal, industrial or recreational purposes give:
 - (a) Point of use of water is in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____
Twp. 7S, Rge. 29E, B.M.
 - (b) Waste water or sewage effluent is to be returned to _____
at a point in the _____ $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section SE, Twp. 7S, Rge. 29E, B.M.
7. Kind of Works: Sprinkler
8. Estimated cost of works: \$ 19000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir: _____
10. The time required for the completion of such work and complete application of the water to the proposed use is 2-5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: _____
 - (b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____
 - (d) Names and addresses of directors: _____

33291

H

(Continued)

- II. The financial resources of the applicant are: (a) Cash on hand: \$ _____
- (b) Treasury stock: _____ (c) Bonds to be issued: _____
- (d) Other resources: _____

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
78	29E	28	X	X				X	X										
78	29E				X	X				X			X						
		21		X										X			X		80
		28		X			X												80
																			160

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: NONE

- (a) _____ (Cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
- (b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

33291

Remarks: DEEDED PROPERTY.

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.

X Meryl Fenstermaker
Applicant

By _____, Agent

33291

Approval of State Reclamation Engineer

The number of this permit is G 33291

OCT 28 1966

Recorded in Book 116 Page 33291 Approved _____

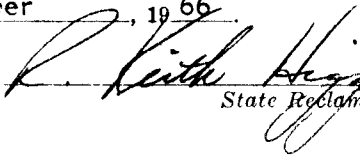
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed before _____

One-fifth of the work above specified to be completed on or before April 28, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before October 28, 1971

Witness my hand this 28th day of October, 19 66


State Reclamation Engineer

IN TESTIMONY WHEREOF, We ROBERT E. SMYLIE, Governor of the State of Idaho,

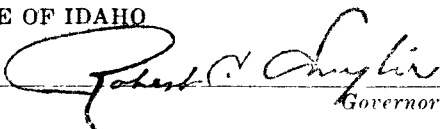
and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this 28th day of October, 19 66

Countersigned:

STATE OF IDAHO

By _____
Secretary of State

By 
Governor.

No. G 33291

PERMIT

Date of first receipt at office of State
Reclamation Engineer

October 19, 1966 2:00 P.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.75

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

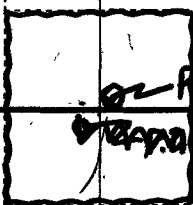
33291

NAME OF APPLICANT MERV E. FENSTERMAKER

Form No. 0

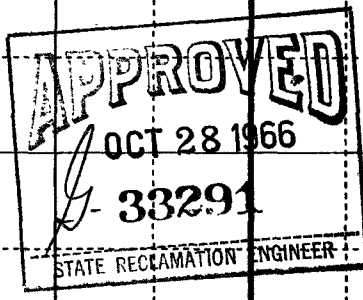
R 29 E

21



28

T
7
S



OFFICE
COPY

January 9, 1969

Re: Permit Nos. G-29051 & G-33291

Mr. Meryl E. Fenstermaker
Box 57
Aberdeen, Idaho 83210

Dear Mr. Fenstermaker:

Enclosed you will find your Water Licenses issued on the
above numbered permits.

Also enclosed is departmental receipt No. 2499 in the
amount of \$30.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

33291

December 23, 1968

Re: Permit No. G-33291

Meryl E. Fenstermaker
Box 57
Aberdeen, Idaho

Dear Mr. Fenstermaker:

A representative of this department has made an examination of the works covered by your permit G-33291 and has found the following:

Quantity of water diverted: 2.48 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.48 c.f.s.*

Purpose of use: Irrigation of 156 acres in SE 1/4 SW 1/4, SW 1/4 SE 1/4, Sec. 21; NW 1/4 NE 1/4, NE 1/4 NW 1/4, Sec. 29, T. 7 S, R. 29 E, B.M.

The priority date established is: October 19, 1966.

A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnafle
Reclamation Engineering Administrator

DRS:dj

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

33291

December 23, 1968

Re: Permit No. G-33291

Meryl E. Fenstermaker
Box 57
Aberdeen, Idaho

Dear Mr. Fenstermaker:

A representative of this department has made an examination of the works covered by your permit G-33291 and has found the following:

Quantity of water diverted: 2.43 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.48 c.f.s.*

Purpose of use: Irrigation of 156 acres in SE1/4SW1/4, SW1/4SE1/4, Sec. 21; NW1/4NE1/4, NE1/4NW1/4, Sec. 23, T. 7 S, R. 29 E, S.M.

The priority date established is: October 19, 1966.

A fee totaling \$ 13.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

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

33291

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

Permit No. G-33291

This proof is for C/W & B/U In Water District No.

1. Name of applicant Meryl E. Fenstermaker

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21

T. 7 S R. 29 E County of Power

4. Describe works as they exist, giving dimensions and capacities of same: U.S. Hollow Shaft
125 H.P. 1405975 Layne + Bowler 14408
10" Discharge 60 # at Pump.

5. Water is used for: irrigation

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):

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 7 S, R. 29 E, B.M.

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

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

Remarks: 30 U.S. (1/4) Reimb.

$$\frac{198 \times 5.63}{448.8} = 2.48$$

IRRIGATION REQUIREMENT = 3.5 AC-FT/SEASON

This examination was made on the day of July, 1968

(Signed) Tom Reynolds Examiner.

33291

D. J. P. 2. H.

Meryl E. Fenstermaker *Dep't 100-1, Auburn dam, Sprinkler syst. 110*
Box 57 *20" 243'*
Aberdeen, Idaho *4-190'*
Permit No. G-33291 *198-7/14-60"*
U-1450 gpm

Examination for C/W & B/U

County Power

Quantity: 3.2 c.f.s. *35-*
Sec. 21 T. 7S R. 29e

Source: subterranean

P.D.: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 7 S, R. 29 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: October 19, 1966

Due: October 28, 1971

Made: October 10, 1967

Priority: October 19, 1966

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 RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-33291

REPORT ON PROOF OF Completion of Works & Beneficial Use

R-29E

T-75

39	0
39	39

21

28

to
American
Falls →

Subd. = 4

Q = 2.48 C.F.S.

A = 156

VOL = 546 AC-FT / SEASON

PRIORITY = OCT, 19, 1966

12-20-68

October 13, 1967

Re: Permit No. G-33291

Meryl E. Fenstermaker
P. O. Box 57
Aberdeen, Idaho 83210

Dear Mr. Fenstermaker:

We acknowledge receipt of the depositions and affidavit of publication in the
Power County Press submitted as proof of completion of works and beneficial use on Permit G-33291.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

33291

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.....
successive weekly issues thereof, the date of the first publica-

tion being the 7th day of Sept., 1967

the date of last publication being the

28th day of Sept., 1967.

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

10 day of OCTOBER, 1967

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

My Commission expires the

(SEAL) 20 day of AUGUST, 1969

Published in The Power County
Press Sept. 7, 14, 21, 28, 1967.

NOTICE OF PROOF OF
COMPLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that on October 10, 1967, at Aberdeen County of Bingham, State of Idaho, before notary public Elmer Issiac Aberdeen Springfield Canal Office, proof will be submitted of the completion of works for the diversion of 3.2 c.f.s. of the waters of Subterranean Flow, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-33291, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Meryl E. Fenstermaker, Box 57, Aberdeen, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 3.2 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 3.2 c.f.s.

4. The point of diversion of said water is SW1/4SE1/4 Section 21, Twp. 7 S. rge. 29 EBM.

5. The place where said water is used is SE1/4SW1/4, SW1/4 SE1/4 Section 21, NW1/4NE1/4, NE1/4NW1/4 Section 28, Twp. 7 South, Rge 29 EBM.

6. The date of priority which said user is prepared to establish is October 19, 1966.

33291

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

OCT 12 1967

Boise, Idaho

Permit No. G-33291

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

Meryl E. Fenstermaker, occupation-retired farmer, address-Aberdeen, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: _____

Permit No. G-33291. date of priority- October 19, 1966

Ques. 4. State source of water supply: underground from well

Give location of point of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 7 South, Range 39 E.B.M.

Ques. 5. Describe your works of diversion: deep well turbine pump and
sprinkler system.; state amount of water they are capable of con-

veying from point of diversion to place of use: 160 miners inches name of canal or ditch
or other works by which water is conducted to such place of use: _____

_____; if a well, state depth of well 243; depth and size of
casing 9 feet of 20" casing; depth to water 190 feet; if pump is used,
state discharge of pump: 1450 gpm; tell how it was measured or determined
estimated flow; if sprinkler irrigation, give number and size
of nozzles and operating pressure: 198 nozzles 7/64 - pressure of 60 lbs.

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:

entire acreage is sprinkler irrigated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, all in Township 7 South,
Range 29 E.B.M.

33291

State nature of all improvements which have been made as a direct result of said use:
land was dry-farmed before water was place on it.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled
the well: Hill Drilling Co. - Rupert, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place
of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above
mentioned permit was originally issued, please state how ownership was acquired by
present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit
has been first used: entire amount used June 1, 1967 Time used since first use:
entire amount was used the irrigation season of 1967

Ques. 10. Describe all other water rights appurtenant to same place of use: None

(sign) Mary E. Estermaker

* * * * *

I hereby certify that the foregoing testimony was read to the above
subscribed, before its signing, that I believe him to be the person he represents him-
self to be, and that said testimony was subscribed and sworn to before me, at my office in

Aberdeen, County of Bingham
State of Idaho, on this 19th day of October, A. D. 19 67.

My commission expires: Dec. 8, 1970

[Signature]
Notary Public

33291

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Poise, Idaho

Permit No. G 33291

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Robert I. Ewing, 51, 240 West Park St., American Falls, Idaho, real estate broker,
residence, 240 West Park St., American Falls, Idaho

Ques. 2 Are you acquainted with M. E. Fenstermaker, the holder of
Permit No. G 33291? How long have you known him and where does he reside?

Have known the applicant for 25 years. He resides outside Aberdeen, Idaho

Ques. 3. Have you read or heard said Permit No. G 33291 read, and are you familiar
with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: drilled well

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, Township 7 South, Range 29 EBM

Describe works for conveying water to place of use: Drilled well, turbine pump, buried
steel main line, aluminum portable laterals.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3.2 How much water have you seen being so
conveyed? 3.2

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 7, Range 29 EBM.
There is a full 40 acres in each each subdivision, or a total of 160 acres
irrigated.

33291

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

for irrigation only

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

The land being irrigated is a deep sandy loam which has been developed for row crop use. At present there are 160 acres of potatoes growing on the land.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? June 6, 1967

Other times you have seen such use: I have observed this pump in operation eight times following the original inspection.

(Signed):

Paul J. Hogg

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Aberdeen, County of Bingham, State of Idaho, on this 10th day of October, A. D. 1967

[Signature]
Notary Public for the State of Idaho
Residing Aberdeen, Idaho

My commission expires December 8, 1970

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. G 33291

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Carl J. Flyg, 65, 934 Bennett Ave., Am. Falls, Idaho, retired civil engineer,

Postoffice address, 934 Bennett Avenue, American Falls, Idaho

Ques. 2 Are you acquainted with M. E. Fenstermaker, the holder of
Permit No. G 33291? How long have you known him and where does he reside?

four months. His residence is at Aberdeen, Idaho.

Ques. 3. Have you read or heard said Permit No. G 33291 read, and are you familiar
with its provisions and conditions: Yes yes No.

Ques. 4. State source of water supply: drilled deep well

Give location of place of diversion, showing subdivision, section, township and range

SW¹/₄ SE¹/₄, Section 21, Township 7 South, Range 29 E. B. M.

Describe works for conveying water to place of use: Drilled well, turbine pump with dischar.
assembly, buried steel main lines, six lateral lines

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3.2 How much water have you seen being so
conveyed? 3.2

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

SE¹/₄SW¹/₄, SW¹/₄SE¹/₄, Section 21; NW¹/₄ NE¹/₄ NE¹/₄NW¹/₄, Section 28, Township 7 South,

Range 29 E. B. M. There are 40 acres in each subdivision for a total of
160 acres presently being irrigated.

33291

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

for irrigation only

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

The land is a sandy loam which has been developed for row crop farming.

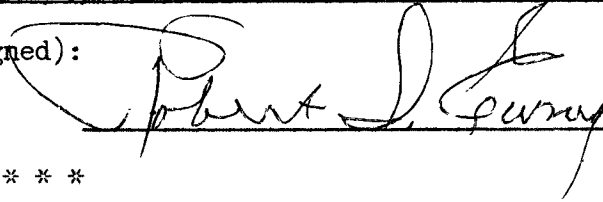
In my opinion, based upon years of experience as an engineer for the USBR, that a minimum of 3.2 sec. ft. of water is required to irrigate.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

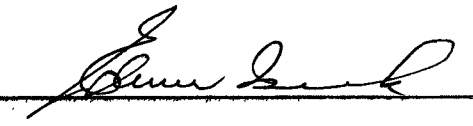
Ques. 10. When did you first see this water used? August, 1967

Other times you have seen such use: several times since then

(Signed): 

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____

Aberdeen, County of Bingham, State of Idaho, on this 10th day of October, A. D. 19 67


Notary Public for the State of Idaho
Residing Aberdeen, Idaho

My commission expires December 8, 1970

33291

2
September 12, 1967

Re: Permit No. G-33291
Meryl E. Fenstermaker

The Power County Press
American Falls, Idaho 83211

Gentlemen:

Re regards to the legal publication of the above referenced permit, there is an error which must be corrected for the next three issues.

The error is in #5--place of use--where the first subdivision should read SE~~SW~~, instead of SW~~SW~~. The entire paragraph should then read as follows:

"5. The place where said water is used is SE~~SW~~, SW~~SE~~, Sec. 21; NW~~NE~~, NE~~NW~~, Sec. 28, T. 7 S, R. 29 E, B.M."

Thank you.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

33291

August 29, 1967

Re: Permit No. G-33291

Meryl E. Fenstermaker
Box 57
Aberdeen, Idaho 83210

Dear Mr. Fenstermaker:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit G-33291.

We have mailed the notice to the Power County Press
to be published once a week for four consecutive weeks prior to October 10,
1967, which is the hearing date when the permit holder Meryl E. Fenstermaker,
Box 57, Aberdeen, Idaho

and two disinterested witnesses must appear before Elmer Issiac, Aberdeen
Springfield Canal Officer, notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Meryl E. Fenstermaker

Be sure all the forms have the
notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosures: depositions

cc: Notary

33291

August 29, 1967

Re: Permit No. G-33291

Power County Press
American Falls,
Idaho 83211

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to October 10, 1967. The expense of the publication is to paid by Meryl E. Fenstermaker, Box 57, Aberdeen, Idaho,

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: legal notice

33291

NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on October 10, 1967 at Aberdeen,
County of Bingham, State of Idaho, before notary public (name & address) _____
Elmer Issiac, Aberdeen Springfield Canal Office, proof will be
submitted of the completion of works for the diversion of 3.2 c.f.s. of the waters
of Subterranean Flow, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-33291, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is _____
Meryl E. Fenstermaker, Box 57, Aberdeen, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
3.2 cubic feet per second.
3. The use to which said water has been applied is Irrigation
_____ purposes, and the amount applied to beneficial
use is 3.2 c.f.s.
4. The point of diversion of said water is SW¹/₄ Section 21, Twp. 7 S,
Rge 29 EBM.
5. The place where said water is used is SE¹/₄SW¹/₄ Section 21,
NW¹/₄NE¹/₄ Section 28, Twp 7 South, Rge 29 EBM.
6. The date of priority which said user is prepared to establish is October 19, 1966

State Reclamation Engineer

33291

H

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the ~~Moderated Times~~ Power County Press of ~~Aberdeen, Idaho~~ American Falls, Idaho; published in the county in which the works are situated.

M E Fenstermaker
(signature)

Box 57

Aberdeen, Idaho
(address)

(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

33291

November 5, 1966

Re: Permit No. G-33291

Meryl E. Fenstermaker
RFD Box 57
Aberdeen, Idaho

Dear Mr. Fenstermaker:

We enclose Permit No. G-33291 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-41005 which was issued covering payment in the amount of \$ 5.75 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit

MRB:ejw

M. RUSSELL BOSCH
Office Manager

33291