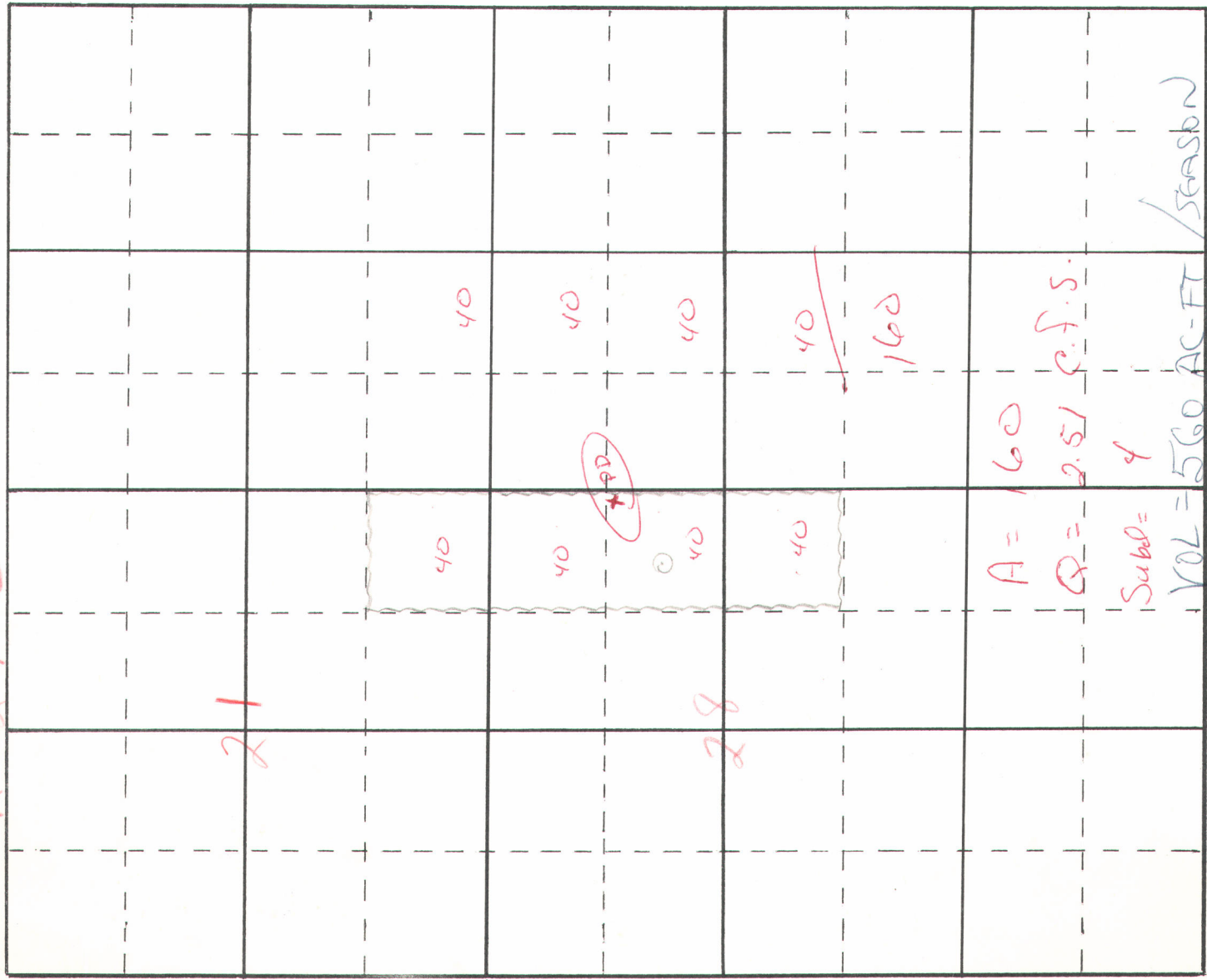


R 29 E

35-



PRIORITY = MARCH 13, 1963

Permit No. G-31040
Name of Applicant Cecil Weisenburger, American Falls, Idaho
Source of Water Subterranean
a tributary of _____
Location of P.D. SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 7 S, R. 29 E, B.M., Power Co.

Water is used for Irrigation
Quantity of water claimed: Permit 2.11 c.f.s. Depositions 3.2 c.f.s.
Type of measuring device installed or method of measurement and general description
of diversion works Well, pump, motor, and sprinkler system
265'X18"/H-230'/Q-1320 g.p.m.; Sprinklers 198-3/6-55#
pump discharge measured by reference to pressure & nozzles

Land to be irrigated or place of use:			Description	
TWP.	RGE.	SEC.		
7 S	29 E	21	SE $\frac{1}{4}$ SE $\frac{1}{4}$	
"	"	28	E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$	

Filed - March 13, 1963
Due - March 15, 1968
Total acreage 160
Made - March 15, 1968
Priority - March 13, 1963

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
acreage covered by subdivision; also show land covered on the map.)

None

31040

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 1
successive weekly issues thereof, the date of the first publica-

tion being the 15th day of February, 1968.
the date of last publication being the

7th day of March, 1968.

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

7th day of March, 1968

J. R. Schou
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

17th day of July, 1969

LEGAL NOTICE

NOTICE OF PROOF OF COM-
PLETION OF WORKS AND APP-
PLICATION OF WATER TO BEN-
EFICIAL USE

N Notice is hereby given that on
March 15, 1968, at American
Falls, County of Power, State of
Idaho, before notary public L.R.
Schou, 571 Fort Hall Ave., Am-
erican Falls, Idaho, proof will
be submitted of the completion
of works for the diversion of
2.11 c.f.s. of the waters of sub-
terranean flow, and the appli-
cation to beneficial use of said
water, in accordance with the
terms and conditions of permit
G-31040, heretofore issued by the
Department of Reclamation of the
State of Idaho.

1. The name and address of
permit holder is Cecil Weisen-
burger, American Falls, 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 2.11 cubic feet
per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount ap-
plied to beneficial use is 2.11
c.f.s.

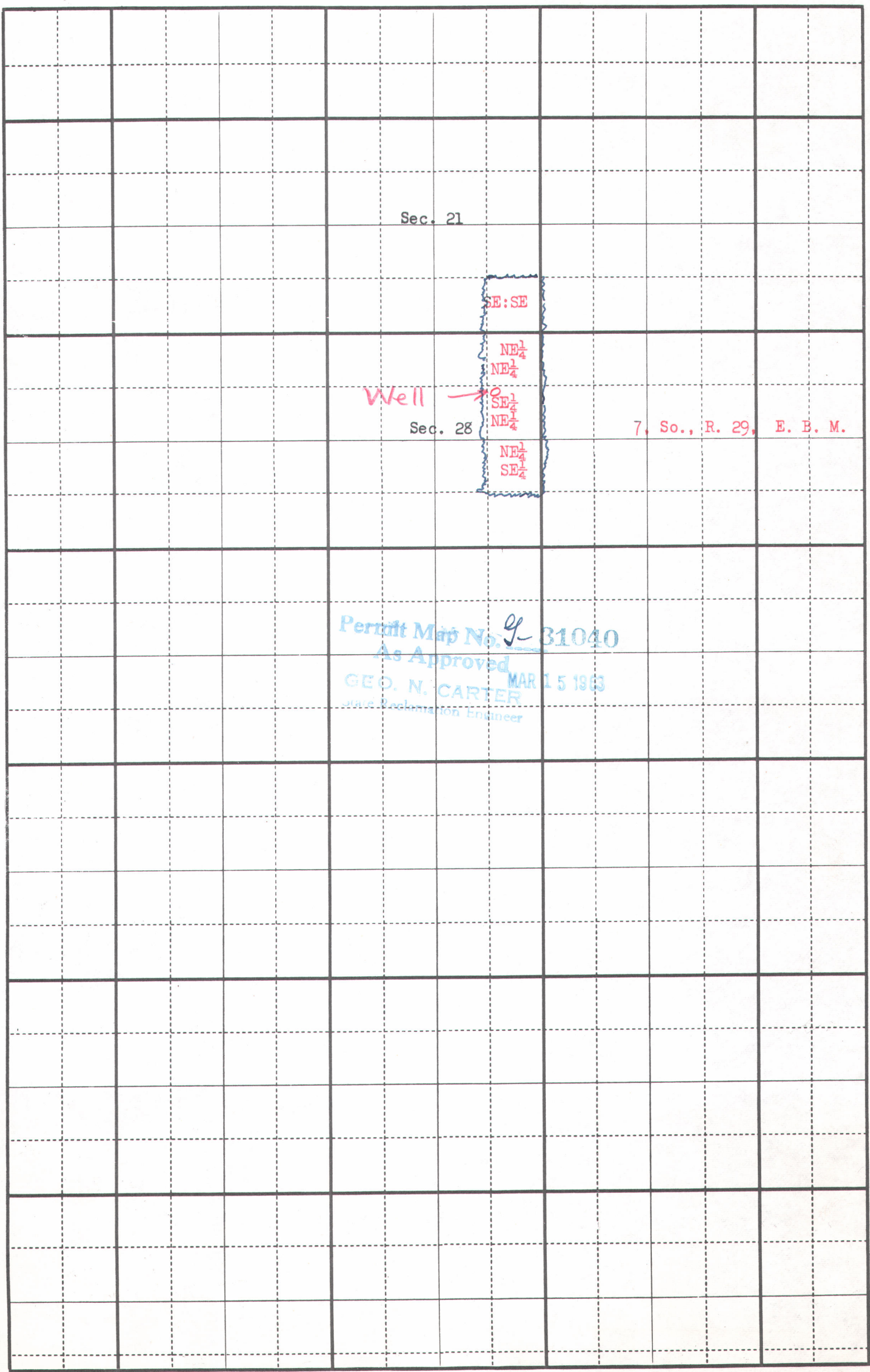
4. The point of diversion of
said water is SE1/4NE1/4, Sec. 28,
T. 7 S. R. 29 E, B.M., Power
county.

5. The place where said water
is used is SE1/4SE1/4, Sec. 21
E1/2NE1/4, NE1/4SE1/4, Sec. 28,
T. 7 S, R. 29E, B.M.

6. The date of priority which
said user is prepared to estab-
lish is March 13, 1963.

R. KEITH HIGGINSON
State Reclamation
Engineer

31040



WATER LICENSE

Water License No. G-31040 Priority March 13, 1963 Amount 2.51 c.f.s.

THIS IS TO CERTIFY, that CECIL WEISENBURGER
of American Falls, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated March 13, 1963; that Permit G-31040 was issued pursuant
to said application; that the proposed works were completed on or about May 15, 1963,
with a storage/or carrying capacity of 2.51 c.f.s., said works consisting of
well, pump, motor and sprinkler system; and that on March 15, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 560
acre feet per season, with a maximum rate of diversion of 2.51 cubic feet per second of the waters
of ground 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, 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 560 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 $\frac{1}{4}$	
7 S	29 E	21																40	40
		28	40			40									40				120

Total number of acres irrigated 160

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

7th day of April, 19 69.

[Signature]
State Reclamation Engineer

APPLICATION FOR PERMIT ^{MTG. John Harrison Jr.} 35-2723

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39123
Permit No. G- 31040
District No.

1. Name of Applicant: Cecil Weisenburger
Postoffice address: American Falls County: Power State: Idaho
2. Quantity of water claimed: 2.11 cubic feet per second
(a) Rate of withdrawal in cubic feet per second 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 SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 28
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.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well and sprinkler system
8. Estimated cost of works: \$ 18,000.00
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 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:
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:
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) 2.11 (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	29 E	21 28	40			40										40			40 120 TOTAL 160

LICENSE ISSUED FOR 2.51 SEC. FT.

~~LICENSE PAGE NO. _____~~

April 7, 1969

Re: Permit Nos. G-29360 & G-31040

Mr. Cecil Weisenburger
American Falls,
Idaho 83211

Dear Mr. Weisenburger:

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

Also enclosed is departmental receipt No. 2652 in the
amount of \$26.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

31040

C
O
P
Y

February 10, 1969

Re: Permit No. G-31040

Cecil Weisenburger
American Falls, Idaho

Dear Mr. Weisenburger:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit G-31040 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit licensing fees of \$13.00

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before March 24, 1969 _____ why said permit should not be cancelled.

Permit G-31040 claims the use of 2.11 cubic feet per second of water. The point of diversion was to be located SEANEX, Sec. 28, T. 7 S, R. 29 E, B. M., Power County

and the permit was approved March 15, 1963

State Reclamation Engineer

RKH:tg

31040
Denial Pending
See serial

December 23, 1968

Re: Permit No. G-31040

Cecil Weisenburger
American Falls, Idaho

Dear Mr. Weisenburger:

A representative of this department has made an examination of the works covered by your permit G-31040 and has found the following:

Quantity of water diverted: 2.51 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.51 c.f.s.*

Purpose of use: Irrigation of 160 acres in SE¹/₄ Sec. 21;
E¹/₄ NE¹/₄ Sec. 23, T. 7 S., R. 29 E., S.M.

The priority date established is: March 13, 1963.

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 560 acre feet per season.

31040

less Paid

December 23, 1968

Re: Permit No. G-31040

Cecil Weisenburger
American Falls, Idaho

Dear Mr. Weisenburger:

A representative of this department has made an examination of the works covered by your permit G-31040 and has found the following:

Quantity of water diverted: 2.51 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.51 c.f.s.*

Purpose of use: Irrigation of 160 acres in SE1/4, Sec. 21;
ENE1/4, NE1/4, Sec. 28, T. 7 S, R. 29 E, S.M.

The priority date established is: March 13, 1963.

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 560 acre feet per season.

31040

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 23, 1968

Re: Permit No. G-31040

Cecil Weisenburger
American Falls, Idaho

Dear Mr. Weisenburger:

A representative of this department has made an examination of the works covered by your permit G-31040 and has found the following:

Quantity of water diverted: 2.51 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 2.51 c.f.s.*

Purpose of use: Irrigation of 160 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21;
E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 7 S. R. 29 E. B.M.

The priority date established is: March 13, 1963.

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,

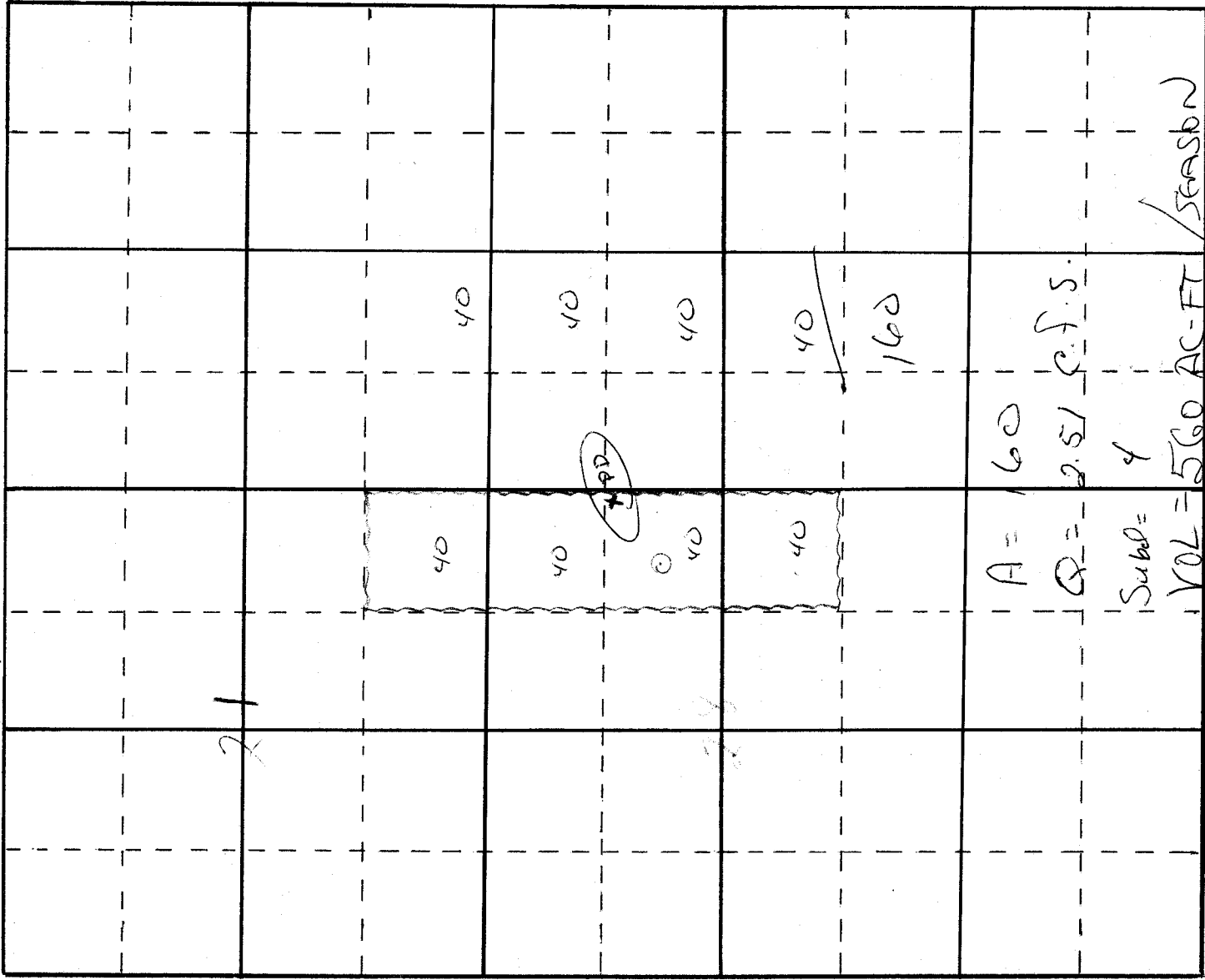
A handwritten signature in cursive script that reads "Dean R. Schnaible".

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 560 acre feet per season.

31040



Permit No. G-31040

Name of Applicant Cecil Weisenburger, American Falls, Idaho

Source of Water Subterranean

a tributary of _____

Location of P.D. SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 7 S, R. 29 E, B.M., Power Co.

Water is used for Irrigation

Quantity of water claimed: Permit 2.11 c.f.s. Depositions 3.2 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works Well, pump, motor, and sprinkler system

265' X 18" / H-230' / Q-1320 g.p.m.; Sprinklers 198-3/6-55#

pump discharge measured by reference to pressure & nozzles

Land to be irrigated or place of use:			Description
TWP.	RGE.	SEC.	
7 S	29 E	21	SE $\frac{1}{4}$ SE $\frac{1}{4}$
"	"	28	E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Total acreage 160

Filed - March 13, 1963
Due - March 15, 1968
Priority - March 13, 1963

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)
None

31040

Source of supply Subterranean
a tributary of _____

Location of P.D.(s) SE 1/4 NE 1/4, Sec. 28, T7S, R29E
D.M. of Fowler Co.

Water is used for Irrigation
Quantity of water found 2.51 C.F.S.

How was the measurement made? _____

Measurement calculations 5.7 x 198 = 2.51 C.F.S.
448.8

Division works description and diagram

U.S. Hollowshaft

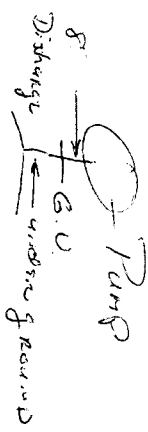
12514.2

1270795

Berkeley Pump # 12209

30 U.S. Rain Bird Heads

11 Nozzles



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

None

Who represented the permit holder at the examination?

Mr. Cecil Weisenbaugh

Recommended allowance for licensing 2.51 C.F.S.

Description of required amendments. Comments. _____

Permit issued for only 2.11 cfs as cannot raise for 2.51 cfs.

Report checked? RT.

Examination date June 68

Signature San Reynolds

310410

28. 1 plate

March 19, 1968

Re: Permit No. G-31040

Cecil Weisenburger
American Falls, Idaho 83211

Dear Mr. Weisenburger:

We acknowledge receipt of the depositions and affidavit of publication in the
Power County Press submitted as proof of com-
pletion of works and beneficial use on Permit G-31040.

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
Appropriation Examiner

DWM:dj

31040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-31040

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: Cecil
Weisenburger, Power County, Idaho, farmer, American Falls, 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: G-31040
approval date March 15, 1963, priority March ¹³~~15~~, 1963.

Ques. 4. State source of water supply: Well.
Give location of point of diversion, showing subdivision, section, township and range
NE corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 28, Twp. 7 S., R 29, E.B.M., Power County, Idaho.

Ques. 5. Describe your works of diversion: Well, pump, motor and sprinkler
system; state amount of water they are capable of conveying from point of diversion to place of use: 3.2 c.f.s.; Give 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 265 ft.; depth and size of casing 7ft. 18 in. casing; depth to water 230 ft.; if pump is used, state discharge of pump: 1320 gals/^{per minute}; tell how it was measured or determined by reference to pressure & nozzles; if sprinkler irrigation, give number and size of nozzles and operating pressure: 198 3/16 inch nozzles. 55 lbs. pressure.

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:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, Twp. 7., S., R. 29, E.B.M.-40 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$ -40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ -40 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$ -40 acres all in Sec. 28,
Twp. 7 & So., R. 29, E.B.M.

George Vallmer

31040

State nature of all improvements which have been made as a direct result of said use:

Sprinkler system

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: George Vollmer, American Falls, 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: May 15, 1963 - Time used since first use:

Continuously through entire irrigation seasons 1963 through 1967.

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

(sign) Cecil Weisenburger

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 himself to be, and that said testimony was subscribed and sworn to before me, at my office in

American Falls, County of Power

State of Idaho, on this 15th day of March, A. D. 1968.

[Signature]

My commission expires: July 17, 1969.

31040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-31040

* * * * *

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:

Glee Michaelson, 39 years of age, American Falls, Idaho,
farmer, P. O. address, American Falls, Idaho.

Ques. 2 Are you acquainted with Cecil Weisenburger, the holder of
Permit No. G-31040? How long have you known him and where does he reside?

Eleven years. He resides in Power County near American Falls, Idaho

Ques. 3. Have you read or heard said Permit No. G-31040 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Well

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 28, Twp. 7 S., R. 29, E.B.M., Power County, Ida.

Describe works for conveying water to place of use: Deep well, pump, motor and
syrinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.11 cu. ft./sec. How much water have you seen being so
conveyed? 2.11 cu. ft./sec

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 21, Twp. 7., So., R. 29 E.B.M.-40 acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ -40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ -40 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$ -40 acres all in Sec. 28,

Twp. 7 So. R. 29 E.B.M.

31040

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

Gently rolling land, medium textured soil. 2.11 cu. ft. per sec. of water will be required for its profitable cultivation.

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 15, 1963

Other times you have seen such use: Continuously during irrigation seasons of 1963, 1964, 1965, 1966 and 1967.

(Signed):

Joe Michaelson

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 American

Falls, County of Power, State of Idaho, on this 15th day of March, A. D. 1968

J. H. H. H.

Notary Public for the State of Idaho
Residing American Falls, Idaho

My commission expires July 17, 1969

31040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. G-31040

* * * * *

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:

J, Howard Kendell, 32 years of age, American Falls, Idaho, farmer, P. O.
address American Falls, Idaho.

Ques. 2 Are you acquainted with Cecil Weisenburger, the holder of
Permit No. G-31040? How long have you known him and where does he reside?

Ten years. He resides in Power County near American Falls, Idaho

Ques. 3. Have you read or heard said Permit No. G-31040 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Well

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 28, Twp. 7 S., R. 29 E.B.M., Power County, Idaho

Describe works for conveying water to place of use: Deep well, pump, motor and
sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2.11 cu. ft./sec. How much water have you seen being so
conveyed? 2.11 cu. ft./sec.

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, Twp. 7., So., R. 29 E.B.M.-40 acres

NE $\frac{1}{4}$ NE $\frac{1}{4}$ -40 acres, SE $\frac{1}{4}$ NE $\frac{1}{4}$ -40 acres, NE $\frac{1}{4}$ SE $\frac{1}{4}$ -40 acres all in Sec. 28,

Twp. 7 So., R. 29 E.B.M.

31040

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

Land is relatively flat, the texture of the soil is medium and was
previous to irrigation dry-farm grain land. 2.11 cu. ft. per sec. of
water estimated for profitable cultivation.

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? About June 1, 1963.

Other times you have seen such use: Continuously during irrigation seasons of
1963, 1964, 1965, 1966 and 1967.

(Signed):

J. Howard Kendall

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 _____

American Falls, County of Power, State of Idaho, on
this 15th day of March, A. D. 1968

[Signature]

Notary Public for the State of Idaho

Residing American Falls, Idaho

My commission expires July 17, 1969

31040

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 1
successive weekly issues thereof, the date of the first publica-
tion being the 15th day of February, 1968.
the date of last publication being the

7th day of March, 1968.

(Signed) *Phyllis Ringe*

Subscribed and sworn to before me this

7th day of March, 1968

J. R. Schou
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

17th day of July, 1969

NOTICE OF PROOF OF COM- PLETION OF WORKS AND APP- LICATION OF WATER TO BEN- EFICIAL USE

Notice is hereby given that on
March 15, 1968, at American
Falls, County of Power, State of
Idaho, before notary public L. R.
Schou, 571 Fort Hall Ave., Am-
erican Falls, Idaho, proof will
be submitted of the completion
of works for the diversion of
2.11 c.f.s. of the waters of sub-
terranean flow, and the appli-
cation to beneficial use of said
water, in accordance with the
terms and conditions of permit
G-31040, heretofore issued by the
Department of Reclamation of the
State of Idaho.

1. The name and address of
permit holder is Cecil Weisen-
burger, American Falls, 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 2.11 cubic feet
per second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount ap-
plied to beneficial use is 2.11
c.f.s.

4. The point of diversion of
said water is SE1/4NE1/4, Sec. 28,
T. 7 S. R. 29 E, B.M., Power
county.

5. The place where said water
is used is SE1/4SE1/4, Sec. 21,
E1/2NE1/4, NE1/4SE1/4, Sec. 26,
T. 7 S, R. 29 E, B.M.

6. The date of priority which
said user is prepared to estab-
lish is March 13, 1963.

R. KEITH HIGGINSON
State Reclamation

31040

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

March 15, 1968

RECEIVED

MAR 19 1968

Department of Reclamation

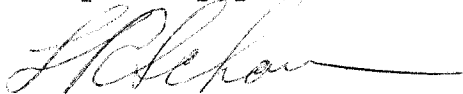
State of Idaho
Dept. of Reclamation
State House
Boise, Idaho 83701

Gentlemen:

Re: Permit # G-31040
Cecil Weisenburger

Enclosed please find Affidavit of Publication and depositions
of Holder and two witnesses in connection with the above
water permit.

Very truly yours,



L. R. Schou

LRS:im
Encls; 4

31040

February 16, 1968

Re: Permit No. G-31040
Cecil Weisenburger

Power County Press
American Falls, Idaho 83211

Gentlemen:

There is an error in the publication of the proof notice for permit no. G-31040 which is now running in the Power County Press. The point of diversion of the water is SE~~NE~~^{NE}, not SE~~SE~~^{SE}. Please correct Item 4 as follows:

4. The point of diversion of said water is SE~~NE~~^{NE}, Sec. 28,
T. 7 S, R. 29 E, B.M., Power County.

We would appreciate receiving galley proofs of notices we send you so that the notice is advertised correctly. Thank you.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: Copy of newspaper clipping of notice

31040

February 6, 1968

Re: Permit No. G-31040

Cecil Weisenburger
American Falls, Idaho 83211

Dear Mr. Weisenburger:

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-31040.

We have mailed the notice to the Power County Press to be published once a week for four consecutive weeks prior to March 15, 1968, which is the hearing date when the permit holder Cecil Weisenburger and two disinterested witnesses must appear before L. R. Schou, 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 Cecil Weisenburger. 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. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

31040

February 6, 1968

Re: Permit No. G-31040
Cecil Weisenburger

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 March 15, 1968. The expense of the publication is to paid by Cecil Weisenburger, American Falls, 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. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice

31040

NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USERECEIVED
Department of Reclamation

Notice is hereby given that on March 15, 1968, at American Falls,
County of Power, State of Idaho, before notary public (name & address) _____
L. R. Schou, 571 Fort Hall Ave., American Falls, Idaho, proof will be
submitted of the completion of works for the diversion of 2.11 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-31040, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Cecil Weisenburger, American Falls, 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 2.11 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 2.11 c.f.s.
4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 7 S,
R. 29 E, B.M., Power county.
5. The place where said water is used is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28, T. 7 S, R. 29 E, B.M.
6. The date of priority which said user is prepared to establish is _____
March 13, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer

31040

RECEIVED
FEB 5 1968
Department of Reclamation

(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 Power County Press of American Falls, Idaho; published in the county in which the works are situated.

Cecil Weisenburger
(signature)

American Falls,
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

31040

Re: Permit No. G-31040

January 2, 1968

Cecil Weisenburger
American Falls, Idaho 83211

Dear Mr. Weisenburger:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than March 15, 1968.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

31040

May 1, 1967

Re: Permit G-31040

Cecil Weisenburger
American Falls, Idaho 83211

Dear Mr. Weisenburger:

Enclosed is a copy of Permit G-31040 pursuant to your telephone request on May 1, 1967. There is a fee of \$1.00 for the copy.

Also enclosed are forms 36 and 11 to be completed and returned to this office in order to proceed to make proof on this permit.

Please contact us if we may be of any assistance.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enclosures: Copy of Permit G-31040
Forms 36 and 11 and Instructions

31040

March 28, 1963

Re: Permit No. G-31040

Mr. Cecil Weisenburger,
American Falls, Idaho.

Dear Mr. Weisenburger:

We enclose Permit No. G-31040 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-7794 which was issued covering payment in the amount of \$ 5.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl. --

P.S. You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

31040

NAME OF APPLICANT

Cecil Weisenburger

Form No. 0

Sec. 21

SE:SE

NE $\frac{1}{4}$
NE $\frac{1}{4}$

SE $\frac{1}{4}$
NE $\frac{1}{4}$

Sec. 28

NE $\frac{1}{4}$
SE $\frac{1}{4}$

7. So., R. 29. E. E. M.

g 31040

W. C. LOOFBOURROW
LAWYER
American Falls, Idaho

March 12, 1963

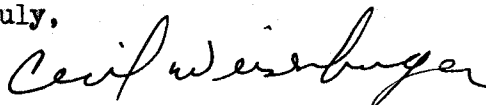
Idaho Department of Reclamation
State House
Boise, Idaho.

Sirs:

Enclosed is application for permit to irrigate
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21; and E $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, all in
Township 7, So., R. 29,
To be irrigated by well and sprinkler system.
Well to be in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, T. 7, So., R. 29 E. B. M.

Check \$5.50 enclosed.

Yours truly,



Cecil Weisenburger

L
enc's 3

31040

LEGAL NOTICE

NOTICE OF PROOF OF COM-
PLETION OF WORKS AND APP-
PROOF OF PROOF OF COM-
PLETION OF WORKS AND APP-
PLICATION OF WATER TO BEN-
EFICIAL USE

Notice is hereby given that on March 15, 1968, at American Falls, County of Power, State of Idaho, before notary public L.R. Schou, 571 Fort Hall Ave., American Falls, Idaho, proof will be submitted of the completion of works for the diversion of 2.11 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-31040, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Cecil Weisenburger, American Falls, 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 2.11 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 2.11 c.f.s.

4. The point of diversion of said water is SE1/4SE1/4, Sec. 28; T. 7 S. R. 29 E, G.M., Power county.

5. The place where said water is used is SE1/4SE1/4, Sec. 21; E1/2NE1/4, NE1/4SE1/4, Sec. 28, T. 7 S, R. 29 E, B.M.

6. The date of priority which said user is prepared to establish is March 13, 1963.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in The Power County
Press, Feb. 15, 22 and 29, 1968

LEGAL NOTICE

NOTICE OF PROOF OF COM- PLETION OF WORKS AND APP- PLICATION OF WATER TO BEN- EFICIAL USE

N Notice is hereby given that o March 15, 1968, at American Falls, County of Power, State of Idaho, before notary public L.R. Schou, 571 Fort Hall Ave., American Falls, Idaho, proof will be submitted of the completion of works for the diversion of 2.11 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-31040, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Cecil Weisenburger, American Falls, 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 2.11 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 2.11 c.f.s.

4. The point of diversion of said water is SE1/4NE1/4, Sec. 28, T. 7 S. R. 29 E, B.M., Power county.

5. The place where said water is used is SE1/4SE1/4, Sec. 21, E1/2NE1/4, NE1/4SE1/4, Sec. 28, T. 7 S, R. 29E, B.M.

6. The date of priority which said user is prepared to establish is March 13, 1963.

R. KEITH HIGGINSON
State Reclamation
Engineer