

35-2637

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37354  
 Permit No. G- 29355  
 District No.

Assigned to Wayne Kendall  
Sterling, Ida

1. Name of Applicant: William Liese

Postoffice address: American Falls

County: Power

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second

6.48

or Idaho

Miners' inches

324

or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Well

4. Location of point of diversion or well is in the NW 1/4 of the SE 1/4 of Section 33

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

1/4 of the

1/4 of Section

, Twp.

Rge.

, B.M.

(b) Waste water or sewage effluent is to be returned to

at a point in the

1/4 of the

1/4 of Section

, Twp.

, Rge.

, B.M.

7. Kind of works: Well and sprinkler

8. Estimated cost of works: \$ 27,000.00

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: License No. G-23674  
 Well in NW 1/4 NE 1/4 Sec. 33, Twp. 7 S., R. 29 E., which now irrigates S 1/2 SE 1/4, Sec. 28, and  
 W 1/2 NE 1/4 of Sec. 33, 7S - 29E

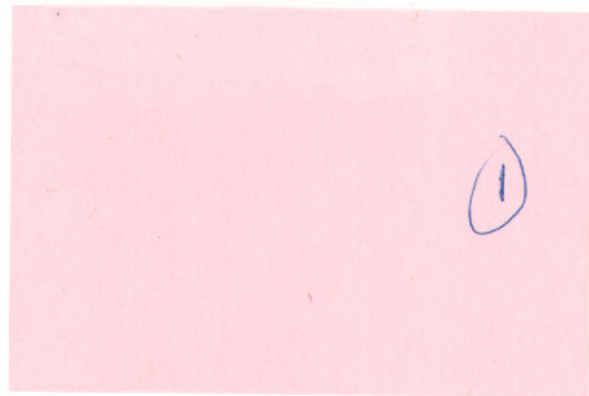
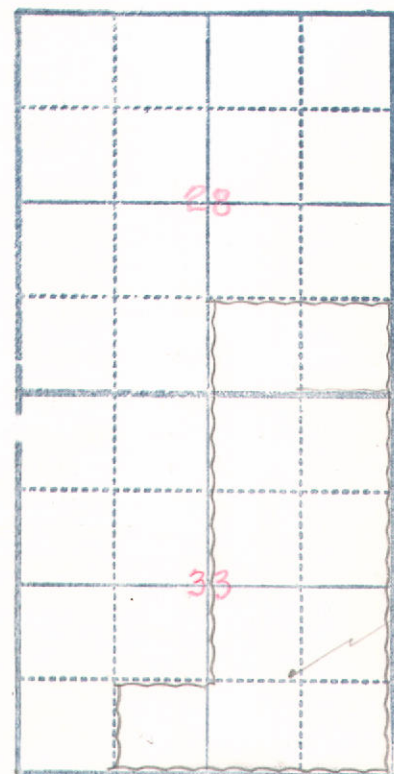
(a) 0.88

(cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplied

mental to the existing water rights.

(b) 5.6

(cubic feet per second, inches or gallons per minute) is for new lands.



42 29 E

approx 8 mi to  
Am. Falls  
US Highway

28

23674

39 39

72

39 40

79

39 40

79

33

39 39

P.O.

78

32 25 20

77  
385

A = 385

OK D.S.

Q = 1.47

Subd. = 11

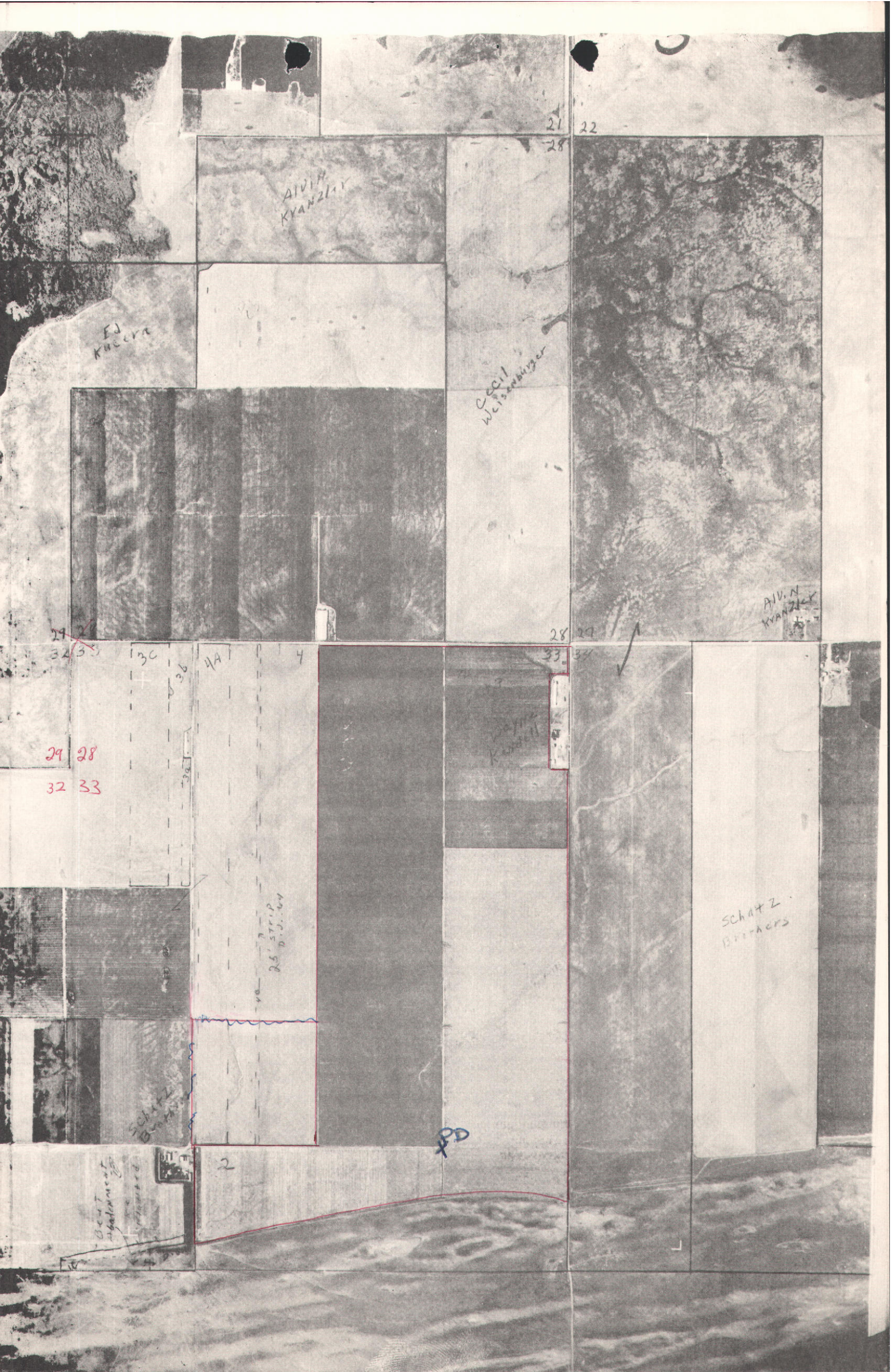
Irr Reg. = 3.5

Not to exceed 1347.5 AFS this permit

Priority - Jan 25, 1961

DRS 2-7-69

4 313  
72  
385



Wayne Kendell 29355

# 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 4 successive weekly issues thereof, the date of the first publica-

tion being the 30th day of December, 1965

the date of last publication being the

20th day of January, 1966

(Signed) Phyllis Ringe

Subscribed and sworn to before me this

25th day of January, 1966

Dean Deschiff  
Notary Public, residing at American Falls,  
Idaho.

My Commission expires the

(SEAL)

5th day of August, 1966

Published in the Power County  
Press, December 30, January  
6, and 20.

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

JAN 31 1966

Department of Reclamation

Notice is hereby given that at 2:00 p.m., on the 28th day of January 1966, at American Falls, County of Power, State of Idaho before L.R. Schou, Notary Public, at 571 Fort Hall Avenue, American Falls, Idaho proof will be submitted of the completion of works of works for the diversion of 6.48 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29355, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Wayne E. Kendell, Sterling, 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 6.48 cubic feet per second.

3. The use to which said water has been applied is Agricultural irrigation, purposes and the amount applied to beneficial use is 6.48 cubic feet per second.

4. The point of diversion of said water is NW 1/4 SE 1/4, Section 33, Township 7 South, Range 29, EBM.

5. The place where said water is used is NE 1/4, SE 1/4, and the SE 1/4 SW 1/4, Sec. 33, Twp. 7 South, Rg., 29, E.B.M. and the S 1/2 SE 1/4 of Sec. 28, Twp. 7 South, Rg., 29 E.B.M.

6. The date of priority which said user is prepared to establish is January 25, 1961.

Carl E. Tappan  
State Reclamation Engineer

Present well  
to be enlarged

28

Sections 28 and 33.

Twp. 7 S. R. 29 E.

33

New well to be drilled.

Permit Map No. 29355  
As Approved  
GEO. N. CARTER  
Reclamation Engineer  
JAN 30 1961

23674 - 5653  
2.32

## WATER LICENSE

Water License No. G-29355 Priority January 25, 1961 Amount 1.47 c.f.s.

THIS IS TO CERTIFY, that William Liese - Assignee - WAYNE KENDELL  
of Sterling, Idaho, made application for a permit to appropriate the public waters of  
the State of Idaho, dated January 25, 1961; that Permit G-29355 was issued pursuant  
to said application; that the proposed works were completed on or about May 1, 1961,  
with a storage/or carrying capacity of 1.47 c.f.s., said works consisting of  
well and pump; and that on January 28, 1966,  
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1347.5  
acre feet per season, with a maximum rate of diversion of 1.47 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 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 33, 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 1347.5 acre feet per year.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7 S  | 29 E  | 28   |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 39  | 33  | 72     |
|      |       | 33   | 40  | 39  | 39  | 40  |     |     |     |     |     |     |     | 32  | 39  | 39  | 25  | 20  | 313    |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated 385

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

27th day of March, 19 69.

*R. Kirk Higin*  
State Reclamation Engineer

35 2637

29355

35-2637

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 37354  
Permit No. G- 29355  
District No.

Assigned to Wayne Kendall  
Miner, Idaho

1. Name of Applicant: William Liese

Postoffice address: American Falls County: Power State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 6.48 or Idaho  
Miners' inches 324 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Well

4. Location of point of diversion or well is in the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 33

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

8. Estimated cost of works: \$ 27,000.00

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:

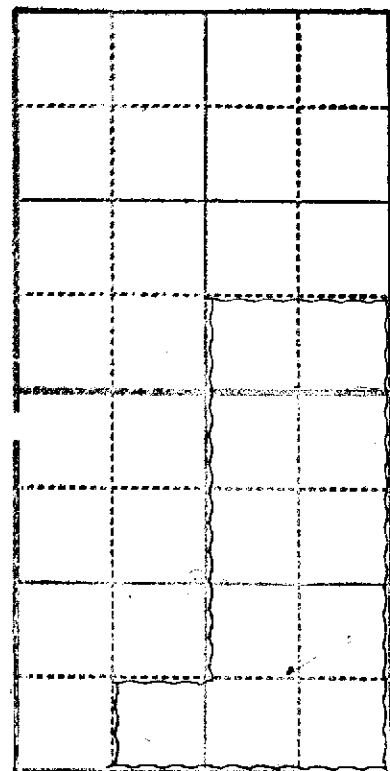
(d) Other resources:

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: License No. G-23674  
Well in NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 33, Twp. 7 S., R. 29 EBM, which now irrigates S $\frac{1}{2}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ c. 28, and  
W $\frac{1}{2}$ NE $\frac{1}{4}$  of Sec. 33, 7S - 29E

(a) 0.88 (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) 5.6 (cubic feet per second, inches or gallons per minute) is for new lands.



(1)



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

15?

Permit No. G-29355

This proof is for Completion of Works & Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant Wayne E. Kendall

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NW 1/4 SE 1/4 of Section 33

T. 7 S R. 29 E.B.M. County of Power

4. Describe works as they exist, giving dimensions and capacities of same: 100 H.P. A.O.

d) 39) Smithway 62449 Layne 26078 8" Discharge  
8" Gate Valve

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):

S 1/4 SE 1/4 Sec. 28., NE 1/4, SE 1/4 SW 1/4, SE 1/4 Sec. 33., Twp. 7 S., Rge. 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 W. S. 11/64 Rain birds

$$\frac{99 \times 6.67}{448.8} = 1.47$$

1.0 for 2.32 as outflow

check file 23674 - mark acreage in SWSE Sec 28 more clearly

This examination was made on the \_\_\_\_\_ day of July, 19 68

(Signed)

Don Reynolds

Examiner.

29355

D.S. Plater K.H.

Wayne E. Kendall 198-11/6-14  
Sterling, Idaho 554

Permit No. G-29355-15' x 13"  
to 18'

Examination for Completion of Works & Beneficial Use

County Power Sec. 33 T. 7S R. 29 EBM

Quantity: 6.48 cfs

35-  
Source: Well

P.D.: DW4 SE4 Sec. 33

Top. 7S. Rge 29E B4

Use: Irrigation

Extension:

Protest:

Completion of Works:

Other Rights: G-23674

Filed: January 25, 1961

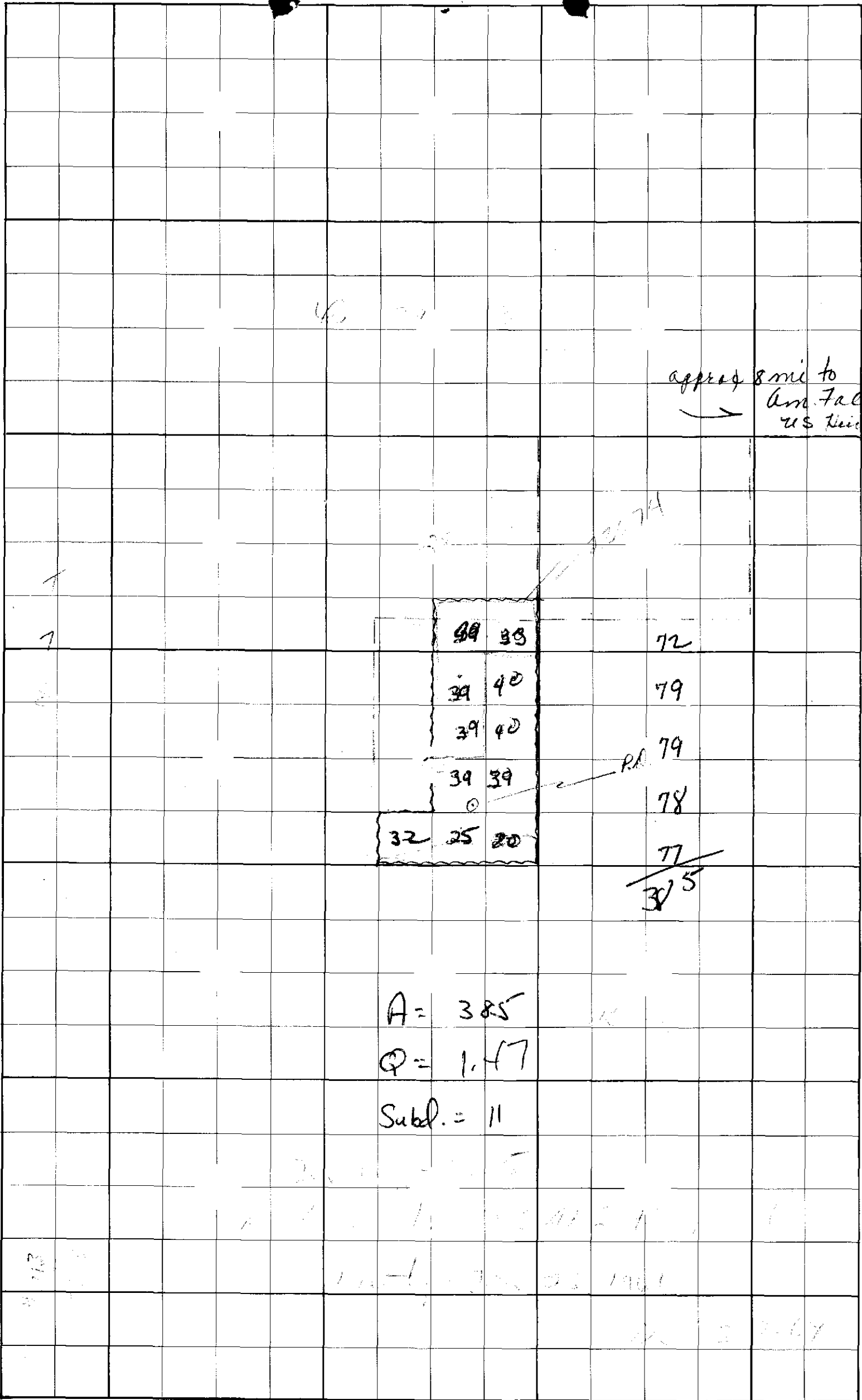
Due: January 30, 1966

Made: Jan 28, 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.

29355



approx 8 mi to  
Ann. Fall.  
US Highway

|  |    |    |    |
|--|----|----|----|
|  | 39 | 38 |    |
|  | 39 | 40 |    |
|  | 39 | 40 |    |
|  | 39 | 39 |    |
|  | 32 | 25 | 20 |

72

79

RD 79

78

77

385

$A = 385$

$Q = 1.47$

$Subd. = 11$

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. G-29355

REPORT ON PROOF OF Completion of Works & Beneficial Use



March 27, 1969

Re: Permit No. G-29355

Mr. Wayne E. Kendall  
Sterling,  
Idaho 83270

Dear Mr. Kendall:

Enclosed you will find your Water License issued on the  
above numbered permit.

Also enclosed is departmental receipt No. 2783 in the  
amount of \$27.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kh

Enclosures

29355

February 12, 1969

Re: Permit No. G-29355

Wayne E. Kendall  
Sterling, Idaho

Dear Mr. Kendall:

A representative of this department has made an examination of the works covered by your Permit G-29355 and has found the following:

Quantity of water diverted: 1.47 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.47 c.f.s.

The maximum quantity diverted shall not exceed 1347.5 acre feet per season.

Purpose of use: Irrigation of 385 acres in S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, Sec. 28; E<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, Sec. 33, T. 7 S., R. 20 E., N.M.

The priority date established is: January 25, 1961

A fee totaling \$ 27.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible  
Reclamation Engineering Administrator

DRS:dj

29355

February 12, 1969

Re: Permit No. 0-23355

Wayne F. Kendall  
Sterling, Idaho

Dear Mr. Kendall:

A representative of this department has made an examination of the works covered by your Permit 0-23355 and has found the following:

Quantity of water diverted: 1.47 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.47 c.f.s.

The maximum quantity diverted shall not exceed 1347.5 acre feet per season.

Purpose of use: Irrigation of 305 acres in Section 28, E1/4, S1/4, Sec. 30, T. 7 S, R. 20 E, N.H.

The priority date established is: January 25, 1961

A fee totaling \$ 27.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible  
Reclamation Engineering Administrator

DEB:dfj

*Fee paid  
3-10-69  
License Renewing  
29355 issuance  
u*

DON SAMUELSON  
GOVERNOR



R. KEITH HIGGINSON  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
STATEHOUSE - ANNEX 2  
BOISE, IDAHO 83707

February 12, 1969

Re: Permit No. G-29355

Wayne E. Kendall  
Sterling, Idaho

Dear Mr. Kendall:

A representative of this department has made an examination of the works covered by your Permit G-29355 and has found the following:

Quantity of water diverted: 1.47 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 1.47 c.f.s.

The maximum quantity diverted shall not exceed 1347.5 acre feet per season.

Purpose of use: Irrigation of 385 acres in S1/4 Sec. 28; E1/4 Sec. 33, T. 7 S., R. 29 E., B.M.

The priority date established is: January 25, 1961

A fee totaling \$ 27.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script, reading "Dean R. Schnaible".

Dean R. Schnaible  
Reclamation Engineering Administrator

DRS:dj

29355

February 1, 1966

Re: Permit No. G-29355

Wayne E. Kendall  
Sterling, Idaho

Dear Mr. Kendall:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the POWER COUNTY PRESS, all submitted in proof of completion of works and beneficial use on Permit No. G-29355.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:

29355

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

RECEIVED  
JAN 31 1966

Permit No. G-29355

Department of Reclamation

\*\*\*\*\*

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: Wayne E. Kendell,

Sterling, Idaho Sterling, 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-29355;

January 30, 1961; January 30, 1961.

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

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

in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , of Section 33, Township 7 South, Range 29, E.B.M.

Ques. 5. Describe your works of diversion: Deep well, pump, motor & sprinkler

system; state amount of water they are capable of conveying from point of diversion to place of use: 6.48 cu.f.; 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 330 ft.; depth and size of

casing 15 ft. of 18 inch casing; depth to water 180 ft.; if pump is used,

state discharge of pump: 6.48; tell how it was measured or determined by refer-

ence to the number of nozzles,

sizes and pressure.; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 198 11/64 inch nozzles at 55 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:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ -40; SE $\frac{1}{4}$ SE $\frac{1}{4}$ -40; all in Sec. 28, Twp. 7S, Rg. 29/ NE $\frac{1}{4}$ NE $\frac{1}{4}$ -40; NW $\frac{1}{4}$ NE $\frac{1}{4}$ -40

SW $\frac{1}{4}$ NE $\frac{1}{4}$ -40; SE $\frac{1}{4}$ NE $\frac{1}{4}$ -40; SE $\frac{1}{4}$ SW $\frac{1}{4}$ -32; NE $\frac{1}{4}$ SE $\frac{1}{4}$ -40; NW $\frac{1}{4}$ SE $\frac{1}{4}$ -40; SW $\frac{1}{4}$ SE $\frac{1}{4}$ -25; SE $\frac{1}{4}$ SE $\frac{1}{4}$ -20,

all in Sec. 33, Tsp. 7S, Range 29, E.B.M.

*no log*

29355

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

Dwelling house, potato cellar, machine shed, granary and labor house.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Ralph Cope, Idaho 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 1, 1961 - Time used since first use:

Entire irrigating season 1961, 1962, 1963, 1964, and 1965.

Ques. 10. Describe all other water rights appurtenant to same place of use:

State of Idaho License and Certificate of Water Right No. G-23674,

Priority date, January 30, 1953, for 2.3 cubic feet per second.

(sign)

Lynn E. Kendall

\*\*\*\*\*

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 28th day of January, A. D. 1966.

My commission expires:

July 17, 1969

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho  
Permit No. G-29355

RECEIVED  
JAN 31 1966  
Department of Reclamation

\*\*\*\*\*

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:

ERWIN C. SCHATZ, 31, American Falls, Idaho, farmer, American Falls,  
Idaho.

Ques. 2 Are you acquainted with Wayne E. Kendell, the holder of  
Permit No. G-29355? How long have you known him and where does he reside?

4 years, he resides at Sterling, Idaho.

Ques. 3. Have you read or heard said Permit No. G-29355 read, and are you familiar  
with its provisions and conditions: Yes yes No.           

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

Give location of place of diversion, showing subdivision, section, township and range  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 33, Township 7 South, Range 29, E.B.M.

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: 6.48 c.u.f.p.s. How much water have you seen being so  
conveyed? 6.48 c. u. f. p. s.

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

SW $\frac{1}{4}$ SE $\frac{1}{4}$ -40; SE $\frac{1}{4}$ SE $\frac{1}{4}$ -40, all in Sec. 28, Twp. 7 S, Rg. 29, E.B.M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$ -40;  
NW $\frac{1}{4}$ NE $\frac{1}{4}$ -40; SW $\frac{1}{4}$ SE $\frac{1}{4}$ -40; SE $\frac{1}{4}$ NE $\frac{1}{4}$ -40; SE $\frac{1}{4}$ SW $\frac{1}{4}$ -32; NE $\frac{1}{4}$ SE $\frac{1}{4}$ -40; NW $\frac{1}{4}$ SE $\frac{1}{4}$ -40; SW $\frac{1}{4}$ SE $\frac{1}{4}$ -25;  
SE $\frac{1}{4}$ SE $\frac{1}{4}$ -20, all in Sec. 33, Twp. 7 S. Range 29, E.B.M.

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

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX.

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.

Sandy loam; Estimate 6.48 cu. ft. per second 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?

Ques. 10. When did you first see this water used? About May 1, 1961.  
Other times you have seen such use: Every irrigatinn season since May, 1961.

(Signed):  
Erwin C. Schatz

\*\*\*\*\*

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 28th day of January, A. D. 19 66

J. P. Schan  
Notary Public for the State of Idaho  
Residing American Falls, Idaho

My commission expires July 17, 1969

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

RECEIVED  
JAN 31 1966  
Department of Reclamation

Permit No. G-29355

\*\*\*\*\*

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:

WALTER MAUCH, 35, American Falls, Idaho, farmer, American Falls, Idaho

Ques. 2 Are you acquainted with Wayne E. Kendell, the holder of  
Permit No. G-29355? How long have you known him and where does he reside?

Yes, 8 years, Sterling, Idaho

Ques. 3. Have you read or heard said Permit No. G-29355 read, and are you familiar  
with its provisions and conditions: Yes yes No.           

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

Give location of place of diversion, showing subdivision, section, township and range  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 33, Township 7 South, Range 29, E.B.M.

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: 6.48 cu. ft. per sec. How much water have you seen being so  
conveyed? 6.48 cu. ft. per sec.

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

SW $\frac{1}{4}$ SE $\frac{1}{4}$ -40, SE $\frac{1}{4}$ SE $\frac{1}{4}$ -40, in Sec. 28, Twp. 7S, Rg. 29, E.B.M., NE $\frac{1}{4}$ NE $\frac{1}{4}$ -40;  
NW $\frac{1}{4}$ NE $\frac{1}{4}$ -40; SW $\frac{1}{4}$ NE $\frac{1}{4}$ -40; SE $\frac{1}{4}$ NE $\frac{1}{4}$ -40; SE $\frac{1}{4}$ SW $\frac{1}{4}$ -32; NE $\frac{1}{4}$ SE $\frac{1}{4}$ -40; NW $\frac{1}{4}$ SE $\frac{1}{4}$ -40; SW $\frac{1}{4}$ SE $\frac{1}{4}$ -25;  
SE $\frac{1}{4}$ SE $\frac{1}{4}$ -20, all in Sec. 33, Twp. 7S. Range 29, E.B.M.

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.  
Sandy loam, 6.48 cu. ft. per sec. 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? Early May, 1961.  
Other times you have seen such use: Each irrigation season from 1961 through 1965, inclusive.

(Signed):

Walter Mauch

\*\*\*\*\*

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 28th day of January, A. D. 19 66

J. R. Schenck

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

My commission expires

July 17, 1969

# Affidavit of Publication

STATE OF IDAHO,  
COUNTY OF POWER. }

ss.

JAN 31 1966

Phyllis Maje

Department of Reclamation

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 30th day of December, 1955

the date of last publication being the

20th day of January, 1966

(Signed)

*Phyllis Maje*

Subscribed and sworn to before me this

25th day of January, 1966

Notary Public, residing at American Falls,  
Idaho.

My Commission expires the

(SEAL)

5th day of August, 1966

Published in the Power County  
Press, December 30, January  
31, and 20.  
NOTICE OF PROOF OF  
COMPLETION OF WORKS  
AND APPLICATION OF WATER  
TO BENEFICIAL USE.

Notice is hereby given that at 2:00 p.m., on the 28th day of January 1966, at American Falls, County of Power, State of Idaho before L.R. Schou, Notary Public, at 571 Fort Hall Avenue, American Falls, Idaho proof will be submitted of the completion of works of works for the diversion of 6.48 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No.G-29355, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Wayne E. Kendell, Sterling, 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 6.48 cubic feet per second.

3. The use to which said water has been applied is Agricultural irrigation, purposes and the amount applied to beneficial use is 6.48 cubic feet per second.

4. The point of diversion of said water is NW 1/4 SE 1/4, Section 33, Township 7 South, Range 29, EBM.

5. The place where said water is used is NE 1/4, SE 1/4, and the SE 1/4 SW 1/4, Sec. 33, Twp. 7 South, Rg., 29, E.B.M. and the S 1/2 SE 1/4 of Sec. 28, Twp. 7 South, Rg., 29 E.B.M.

6. The date of priority which said user is prepared to establish is January 25, 1961.

Carl E. Tappan  
State Reclamation Engineer

December 22, 1965

Re: Permit No. G-29355

Mr. Wayne E. Kendell,  
Sterling, Idaho.

Dear Mr. Kendell:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-29355. The proofs are to be made at 2:00 o'clock P.M. on the 28th day of January, 1966, before L. R. Schou, 571 Fort Hall Avenue, American Falls, Idaho Notary Public.

As of this date, we have mailed the Notice to the Power County Press American Falls, Ida., with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer  
By

(MRS.) EDNA P. RULE  
Chief Clerk

Encl.  
EPR:pmk  
cc: Notary

29355

Re: Permit No. G-29355  
Wayne E. Kendell

Date: Dec. 22, 1965

Power County Press,  
American Falls, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to January 28, 1966 the date set for proof; the expense of the publication is to be paid by the applicant Wayne E. Kendell of Sterling, Idaho to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication. \*\*

Very truly yours,

*Carl E. Tappan*  
CARL E. TAPPAN  
State Reclamation Engineer

\*\* If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

29355

RECEIVED

DEC 22 1965

RECEIVED

DEC 9 1965

NOTICE OF PROOF OF COMPLETION OF WORKS ~~DEPARTMENT OF RECLAMATION~~  
and  
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.M., on the 28th day of January  
19 66, at American Falls, County of Power, State of Idaho  
before L. R. Schou, Notary Public, at (address) 571 Fort Hall  
Avenue, American Falls, Idaho, proof will be submitted of the completion  
of works for the diversion of 6.48 cubic feet per second of underground water from a  
well, and of the application to beneficial use of said water, in accordance with the  
terms and conditions of Permit No. G-29355, heretofore issued by the Department of  
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit  
is Wayne E. Kendell, Sterling, 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 6.48 cubic feet per second.

3. The use to which said water has been applied is Agricultural irrigation,  
purposes and the amount applied to beneficial use is  
6.48 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 33, Township 7 South,  
Range 29, E.B.M., and NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 33, Township 7 South, Range 29, E.B.M.

5. The place where said water is used is NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 33,  
Twp. 7 South, Rg., 29, E.B.M. and the S $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 28, Twp. 7 South, Rg., 29  
E.B.M.

6. The date of priority which said user is prepared to establish is January 30, 1961.

CARL E. TAPPAN

State Reclamation Engineer

29355

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 7, 1965

(P. O.) Sterling, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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.

*Lawrence E. Russell*

(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)

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

\_\_\_\_\_  
Engineer

29355

December 9, 1965

RE: Permit No. G-29355

Mr. Wayne E. Kendell  
Sterling, Idaho

Dear Mr. Kendell:

Returned herewith is your notice of proof for the above numbered permit. It is noted that you list two points of diversion while the permit has only one, the NW<sup>1</sup>SE<sup>1</sup>/<sub>4</sub>, Section 33. It is also noted that the second point of diversion is on water license No. G-23674. This license is for the same land list and is for 2.32 cubic feet per second. Therefore, this permit is for supplemental water and only the new point of diversion can be listed on the notice.

You should check your records to see that you have your copy of license No. G-23674. Upon completion of the advertisement and inspection by this department you should have two licenses for your property.

Please make the necessary corrections and return.

Very truly yours,

M. RUSSELL BOSCH  
State Water Rights  
and Records Clerk

MRB:efw  
Encl: proof

29355

ROBERT E. SMYLLIE  
Governor



CARL E. TAPPAN  
State Reclamation Engineer

## STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

December 9, 1965

RECEIVED  
DEC 22 1965  
DEPT. OF RECLAMATION

RE: Permit No. G-29355

Mr. Wayne E. Kendell  
Sterling, Idaho

Dear Mr. Kendell:

Returned herewith is your notice of proof for the above numbered permit. It is noted that you list two points of diversion while the permit has only one, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 33. It is also noted that the second point of diversion is on water license No. G-23674. This license is for the same land list and is for 2.32 cubic feet per second. Therefore, this permit is for supplemental water and only the new point of diversion can be listed on the notice.

You should check your records to see that you have your copy of license No. G-23674. Upon completion of the advertisement and inspection by this department you should have two licenses for your property.

Please make the necessary corrections and return.

Very truly yours,

  
M. RUSSELL BOSCH  
State Water Rights  
and Records Clerk

MRB:ejw  
Encl: proof

29355

November 17, 1965

Re: Permit No. G-29355  
William Liese

Mr. Wayne Kendell  
Sterling, Idaho

Dear Mr. Kendell:

Enclosed is the Assignment of the above numbered permit from William Liese to you, which has been recorded in this office.

Also enclosed is departmental receipt No. G-9972, in the amount of \$0.50 covering the fees, which was paid by Mr. Liese.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:ew

Enc. assignment  
receipt

29355

RECEIVED  
NOV 18 1965

Department of Reclamation

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-29355 to Wayne Kendall of Sterling, Idaho

\* \_\_\_\_\_

William Liese  
Permit Holder

Shirley J. Liese  
Wife of Permit Holder

STATE OF IDAHO )  
County of Blaine )

On this 15<sup>th</sup> day of Nov., 1965, before me, a Notary Public for the State of Idaho, residing at AMERICAN FALLS personally appeared William Liese & Shirley J. Liese are known to me to be the persons whose names is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My Commission expires Aug 19, 1969

Robert L. Long  
Notary Public, Residing at \_\_\_\_\_

If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

29355-

November 5, 1965

RE: Permit No. G-29355

William Liese  
Box 95  
American Falls, Idaho

Enclosed is a form to assign a permit.

We received your notice that the farm had been sold to Mr. Wayne Kendell, Sterling, Idaho and that you had forwarded the forms for start of proofs under the above noted permit.

The permit must be in Mr. Kendell's name before he can make the proofs. Note your wife must sign the assignment with you before a Notary Public. You may tell Mr. Kendell that we have a fee of \$0.50 for recording an assignment.

Very truly yours,

RALPH W. THOMAS  
Deputy State Reclamation Engineer

RWT:mr

Enc. Assignment form

29355

DATE

FROM:

TO:

11-3-65

Jm Lise

Department of Reclamation

POLICE NO.

NAME AND ADDRESS

Permit No. G 29353

Shortly after I had obtained this permit I sold the farm to Mr. Wayne Kendall of Sterling, Idaho. I have forward the forms to him for disposition of same & thought I should advise you that any future correspondence should be directed to him.

Sincerely

Jm Lise

Box 95 American Falls, Idaho

PLEASE REPLY BELOW IF THIS MEMO REQUIRES AN ANSWER

RECEIVED

NOV 5 1965

Department of Reclamation



DATE

SIGNATURE

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 29355

Nov. 1, 1965

William Liese  
American Falls, Idaho

Dear Mr. Liese:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G-29355 are due not later than January 30, 1966.

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

STATE RECLAMATION ENGINEER

Enc.

cc:

29355

February 24, 1961

Re: Permit No. G-29355  
Wm. Liese

W. C. Loofbourrow  
Attorney at Law  
American Falls, Idaho

Dear Mr. Loofbourrow:

The permit has been mailed to you recently. There was some delay, however you should allow over a month from the time of application for receipt of the permit.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

RT:EPR:ew

29355 21

W. C. LOOFBOURROW  
LAWYER  
American Falls, Idaho

RECEIVED  
FEB 24 1961  
Department of Reclamation

February 23, 1961

Department of Reclamation  
State House  
Boise, Idaho

Sirs:

January 24, 1961, I sent you Application for Permit, with this notation:

"Please note that this is to include water now appropriated License No. G-23674"

Mr. Liese is in the office inquiring about this.

I don't have it. And he hasn't received it.

Has it been mailed? If so, when? If not, when should we expect it?

Yours truly,

*W. C. Loofbourrow*  
W. C. Loofbourrow.

L  
enc

# G-29355

*William Liese*

*Approved 1-30-61*

29355

February 10, 1961

Re: Permit No. G-29355  
William Liese

Mr. W. C. Loofbourrow,  
Attorney at Law  
American Falls, Idaho.

Dear Mr. Loofbourrow:

We enclose Permit No. G-29355 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-5579 which was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit, together with a .50¢ refund.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

Encl.  
EPR:pmk  
cc: William Liese  
American Falls, Idaho

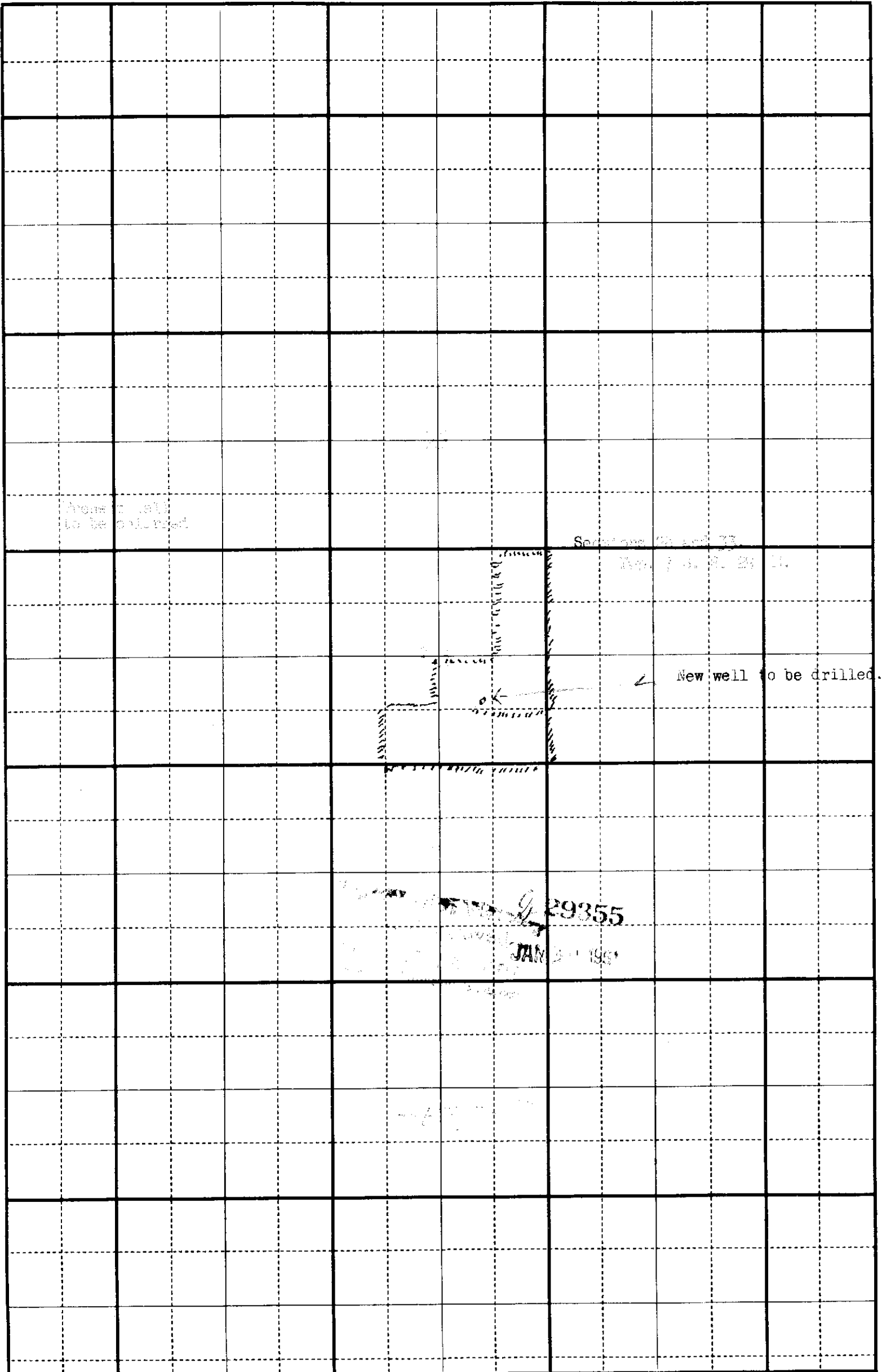
29355

NAME OF APPLICANT.

Will

Liese

Form No. 0



**SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.**

29355

W. C. LOOFBOURROW  
LAWYER  
American Falls, Idaho

RECEIVED  
JAN 2 5 1961  
DEPARTMENT OF RECLAMATION

Jan. 24, 1961

Department of Reclamation  
State House  
Boise, Idaho

Sirs:

Enclosed Application for Permit to appropriate subterranean waters  
of William Liese, American Falls, Idaho.

Please note that this is to include water now appropriated License  
No. G-23674.

Also check \$7.00 for your fee.

Yours truly,

*W. C. Loofbourrow*  
W. C. Loofbourrow

L  
enc's 3

29355

Published in the Power County Press, December 30, January 6, 13 and 20.

**NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE.**

Notice is hereby given that at 2:00 p.m., on the 28th day of January 1966, at American Falls, County of Power, State of Idaho before L.R. Schou, Notary Public, at 571 Fort Hall Avenue, American Falls, Idaho proof will be submitted of the completion of works of works for the diversion of 6.48 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29355, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Wayne E. Kendell, Sterling, 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 6.48 cubic feet per second.

3. The use to which said water has been applied is Agricultural irrigation, purposes and the amount applied to beneficial use is 6.48 cubic feet per second.

4. The point of diversion of said water is NW 1/4 SE 1/4, Section 33, Township 7 South, Range 29, EBM.

5. The place where said water is used is NE 1/4, SE 1/4, and the SE 1/4 SW 1/4, Sec. 33, Twp. 7 South, Rg., 29, E.B.M. and the S 1/2 SE 1/4 of Sec. 28, Twp. 7 South, Rg., 29 E.B.M.

6. The date of priority which said user is prepared to establish is January 25, 1961.

Carl E. Tappan 29355  
State Reclamation Engineer