

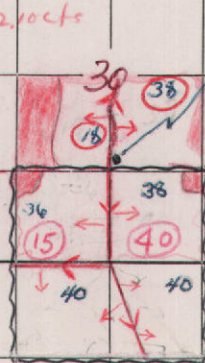
R-34E.

	= Permit G-23920 111 acres 1.6 cfs @ 80" Measured @ 105" or 2.10 cfs	
---	---	--

1.6 CFS
Less License # 6-2390

T.
2
S.

Q under G-23920



56

56

0

74

Road

21 in SE SW

80

80

210

15.

101

-31

C/W 1.8 EFS or 90 inches

Subdivisions

3

area

101

101

acres

$$\begin{array}{r} Q = 4.22 \text{ CFS} \\ \text{License} \quad \underline{1.6} \\ 2.62 \text{ CFS} \end{array}$$

1.8 CFS - C/aimed

RECEIVED
NOV 26 1962

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham)
State of Idaho) ss.

I, Drury R. Brown do solemnly
publisher

swear that I am the of
The Blackfoot News which is a daily newspaper of gen-
eral circulation published each day except Saturday and
Sunday at Blackfoot, Bingham County, Idaho, said news-
paper having been so published at Blackfoot aforesaid
for more than one year past; that said newspaper here-
tofore complied with all the provisions of Chapter 154 of
the Sessions Laws of Idaho of 1933, approved March 11,
1933, and duly designated, pursuant to law, a particular
day of the week as the day on which legal notices re-
quired by law or by the order of any Court of compe-
tent jurisdiction within the State of Idaho shall be pub-
lished to-wit: Friday of each week; that the notice at-
tached hereto and which is a part of this affidavit and
part of the proof of publication was, published in said

Friday issue of said newspaper 4 consecutive

weeks, the first publication having been made on

the 5th day of October, 1962

and the last publication having been made on the

26 day of October, 1962; that said
notice was published in the regular and entire issue of
every number of the paper as aforesaid during the per-
iod and time of publication, and that notice was pub-
lished in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 2nd

day of November, 1962

Marjorie Flint

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
January 10th, 1963

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

Notice is hereby given that at 10:00
A.M., on the 6th day of November,
1962, at Rigby, County of Jefferson,
State of Idaho, before T. Harold Lee,

Notary Public, Rigby, Idaho, proof
will be submitted of the completion
of works for the diversion of 1.8
cubic feet per second of underground
waters from a well, and of the ap-
plication to beneficial use of said
water, in accordance with the terms
and conditions of Permit No. G27047
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 are Carl M. Westerberg,
Route 2, Blackfoot, Idaho.

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

3. The use to which said water has
been applied is irrigation and domes-
tic purposes, and the amount applied
to beneficial use is 1.8 cubic feet per
second.

4. The point of diversion of said
water is NW1/4 of the SE1/4 of Section
30 Township 2 South, Range 34 East
of the Boise Meridian.

5. The place where said water is
used is the SE1/4 SW1/4 and the SW1/4
SE1/4 of Section 30, and the NW1/4 NE1/4
and the NE1/4 NW1/4 of Section 31, all
in Township 2 South, Range 34 East
of the Boise Meridian.

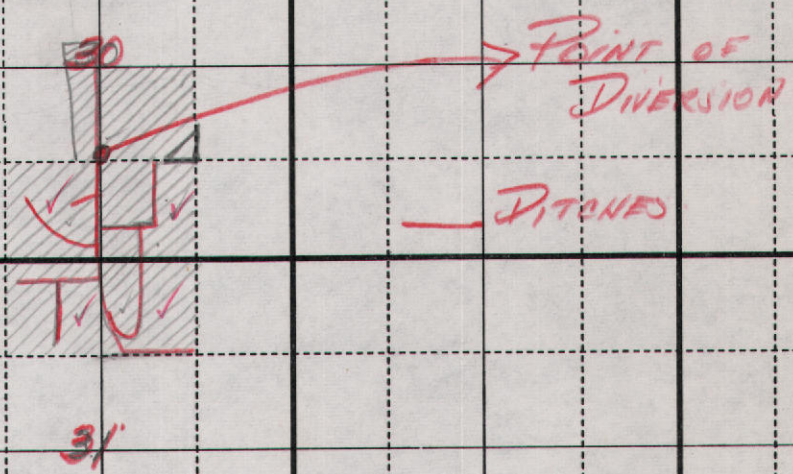
6. The date of priority which said
user is prepared to establish is Aug-
ust 19, 1957.

GEO. N. CARTER
State Reclamation Engineer
Pub. Oct. 5, 12, 19, 26.

27047

NAME OF APPLICANT CARL H. NESTERBERG

Form No. 0



SECTIONS 30 AND 31, TOWNSHIP 2 SOUTH
RANGE 34 E.B.M.

Permit Map No. 27047
As Approved SEP 26 1957
MARK R. KULF
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. G-27047

Amount 1.8 c.f.s.

Water District No. _____

Priority August 19, 1957

THIS IS TO CERTIFY that CARL M. WESTERBERG
of Idaho Falls, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 19, 19 57; that Permit No. G-27047
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.8 second feet, was issued thereunder on July 30, 19 63, showing that said works
were completed on the 6th day of November, 19 62; and that on the 6th
day of November, 19 62,

CARL M. WESTERBERG

of Idaho Falls, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation &
domestic use, under Use Permit No. G-27047 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7649, on the 30 day of July, 19 63;

The right hereby confirmed dates from August 19, 19 57;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 30, Tp. 2 S, R. 34 E., B. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 S	34 E	30	SE 1/4 SW 1/4	40	21
			NW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			Total number of acres to be irrigated:		101

The right to the use of the water aforesaid 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
30th day of July, 19 63.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

35 2512

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

~~35-2519~~
35-2519

Application No. G- 34962
Permit No. G- 27047
District No.

Carl M. Westerberg

1. Name of Applicant: CARL M. WESTERBERG
Postoffice address: Rt. # 2, Blackfoot County: Bingham State: Idaho
2. Quantity of water claimed: 1.8 second feet
 - (a) Rate of withdrawal in cubic feet per second. or Idaho
Miners' inches 90 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow
4. Location of point of diversion or well is in the NW 1/4 of the SE 1/4 of Section 30
Twp. 2 S., Rge. 34 E., B.M., County of Bingham
5. Water is to be used for: Irrigation and domestic uses
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: 175 foot cased well with a Demming electrical pump.
8. Estimated cost of works: \$ Initial cost supplemented by the expenditure of \$600.00 additional on existing pump on rewiring and changing of bowl and impellor.
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: Water License No. G-23920 covering 1.6 cu. ft. per second
 - (a) see remarks (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) see remarks (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: SEE BELOW.

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.

/s/ Carl M. Westerberg
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. August 19, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-27047

Recorded in Book 95 Page 27047 Approved August 26, 1957

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 on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before February 26, 1960

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 26, 1962

Witness my hand this 26th day of August, 1957

/s/ MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and JAS. H. YOUNG, 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 26th day of August, 1957.

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG

Secretary of State.

By /s/ ROBERT E. SMYLLIE

Governor

by /s/ Ann M. Nielsen, Deputy

12.

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 $\frac{1}{4}$	
2 S.	34 E.	30									18.7			40	37	40			135.7
2 S.	34 E.	31																	80

REMARKS: The additional water for which application is made under this permit has been developed by a modification of the pump and pumping system at an expense of approximately \$600.00. In addition to this actual expense which is all for modification of the pump and rewiring, etc., the applicant has also re-done the ditches and has placed under cultivation additional lands by leveling and re-doing the ditch system. Part of these lands were waste by reason of the fact that the water could not be applied to them with the existing ditch system and part of the lands were still in sage brush. It is difficult to break down the cubic feet per second or inches or gallons per minute to be applied as supplemental to existing water rights and as to new lands because this right is used in connection with a natural flow right and the two systems can be used interchangeably; however, at the time the inspection is made, this can be explained in more detail on the ground, whereas it is difficult to explain on paper.

Application for Amendment
LAND LIST
Permit No. G-27047

Comes now CARL M. WESTERBERG, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-27047, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4}SE\frac{1}{4}$) of Section 30, Township 2 South, Range 34 East Boise Meridian; the Northwest quarter of the Northeast Quarter ($NW\frac{1}{4}NE\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section 31, Township 2 South, Range 34 East Boise Meridian, making a total of 160 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Rigby, Idaho, this 25th day of June, 1962.

s/ CARL M. WESTERBERG

Date of receipt at office of Department of Reclamation: August 27, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-27047. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

Recorded: October 3, 1962

Permit No. G-27047
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CARL M. WESTERBERG of Route #1, Idaho Falls, County of Bonneville, and State of Idaho, the holder of Permit No. G-27047, issued upon Application No. G-34962, bearing date of priority of August 19, 1957, authorizing the diversion of 1.8 second feet of waters of a well, County of Bingham, State of Idaho, for irrigation and domestic use purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.8 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters $NW\frac{1}{4}SE\frac{1}{4}$, Sec. 30, T. 2 S., R. 34 E., B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

101 acres in $SE\frac{1}{4}SW\frac{1}{4}$, Sec. 30; $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, Sec. 31, T. 2 S., R. 34 E., B. M.

Witness my hand this 30th day of July, A. D. 1963.

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

Proof of Completion of Works Made: November 6, 1962

LICENSE ISSUED FOR 1.8 SEC. FT.

Page 7649

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

July 23, 1963

Re: Permit No. G-27047

Carl M. Westerberg
Rt 1, Box 282
Idaho Falls, Idaho

Dear Mr. Westerberg:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-27047 shows the well is (~~also~~) capable of conveying 90 miner's inches, or 1.8 c.f.s. of water for the irrigation of 101 acres.

Upon receipt of the statutory fees, totaling \$ 11.00 , which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 6.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of August 19, 1957 to the use of 1.8 second feet of subterranean water with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30 for domestic use and irrigation of 101 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 2 S., R. 34 E., B.M.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Please find enclosed, Check for \$11.00 to cover completion of Works fee & License and Certificate of Water Right fee.

27047

*Carl M Westerberg
Rt 1 - Box 282 - Idaho Falls, Ida*

July 30, 1963

Re: Permit No. G-27047

Carl M. Westerberg
Route #1
Idaho Falls, Idaho

Dear Mr. Westerberg:

Enclosed are Certificate of Completion of Works and
License and Certificate of Water Right issued on Permit No.
G-27047.

Also enclosed is departmental receipt No. G-8114
in the amount of \$11.00 covering fees.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificates
receipt

27047

State of Idaho

DEPARTMENT OF RECLAMATION

Boise, Idaho

July 23, 1963

Re: Permit No. **G-27047**

Carl M. Westerberg
Rt 1
Idaho Falls, Idaho

Dear **Mr. Westerberg:**

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. **G-27047** shows the well is (are) capable of conveying **90** miner's inches, or **1.8** c.f.s. of water for the irrigation of **101** acres.

Upon receipt of the statutory fees, totaling \$ **11.00** , which consists of a Completion of Works fee of \$ **5.00** and License and Certificate of Water Right fee of \$ **6.00** - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of **August 19, 1957** to the use of **2.8** second feet of subterranean water with the point of diversion in the **SW 1/4, Sec. 30 for domestic use and irrigation of 101 acres in the SE 1/4, Sec. 30; NW 1/4, NE 1/4, Sec. 31, T. 2 S., R. 34 E., B.M.**

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) **Edna P. Rule**
Chief Clerk

EPR:mr

27047
RT

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

Permit No. G-27047

This proof is for Completion of Works and
Beneficial Use

In Water District No. _____

1. Name of applicant Carl M. Westerberg

2. Source of water supply: Subterranean flow

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30
T. 2 South R. 34 E. County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same: 50 H.P. U.S. Motor

#2255351. Deming Pump #14128 12" x 30' discharge pipe into wooden
headbox 3' x 4' x 6' into open ditch 12" x 70' Column 22" x 175' Casing
hi 58' O.D. near well depth 175'

5. Water is used for: Irrigation and domestic use

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 $\frac{1}{4}$, Section 30; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Twp. 2 South, Rge. 34 E.
total of 160 acres

Mr. Hamble has rented the NE $\frac{1}{4}$ SW $\frac{1}{4}$ + NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30
from JACK HIRIE of MALTA, Idaho

Mr. Hamble is buying the South 160 ACRES in this permit from
CARL M. Westerberg

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

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

Remarks: Mr. Clyde Hamble (owner + Renter) participated in examination

Measurement was made with Cippolletti weir
.73 over 2' weir or 211 inches

This examination was made on the

17th

day of

July

, 1963

(Signed)

Ron Heberg

Examiner.

27047

1/51 could all
Carl M. Westerberg
Rt. 1,
Idaho Falls, Idaho
Permit No. G-27047

Examination for Completion of Works and
Beneficial Use Proofs

County Bingham ³⁰ Sec. T.2S R. 34 E
Quantity: 1.8 a.f.s.

Source: Well

P. D.: NW. 30, T.2S. - R. 34 E B.M.

Use: Irrigation & Domestic

Filed: Aug. 19, 1957

Due: Aug. 26, 1957

Extension: —

Protest: —

Completion of Works: —

Other Rights: Lic. G-23920 - 1.6 a.f.s.

Drilled - ?

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.

RECEIVED
JUL 19 1963

Department of Reclamation

27047

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27047

REPORT ON PROOF OF Completion of Works and Beneficial Use

Carl M. Westerberg
Route #1,
Idaho Falls, Idaho
(Formerly Rt. 2, Blackfoot)

7/19/63

27047

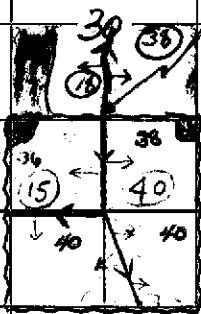
R-34E.

= Permit G-23920
 111 acres
 1.6 CFS
 Maximum flow 1.2 CFS

1.6 CFS
 Less License # G-23920

T.
 2
 S.

under G-23920



56

56

0

74'

21 in SE-W

80

80

210

101

31

C/W 1.8 CFS or 90 inches

Subdivisions

3

area

101 acres

$\phi = 4.22 \text{ CFS}$
 License $\frac{1.6}{2.62 \text{ CFS}}$



1.8 CFS - claimed

XXXXXXXXXX

July 15, 1963

Re: Permit No. G-27047

Carl M. Westerberg
Rt 1
Idaho Falls, Idaho

Dear Mr. Westerberg:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of July 16, 1963.

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,
Carl E. Tappan, Acting
~~GEORGE N. CARVER~~
State Reclamation Engineer
By

Field Engineer

LHJ:mr

27047

1M April 1962

November 26, 1962

Re: Permit No.

G-27047

Mr. Carl M. Westerberg,
Route #1,
Idaho Falls, Idaho.

Dear Mr. Westerberg:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Blackfoot News Blackfoot, Idaho, all submitted in proof of completion of works and beneficial use on Permit No.

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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR: ^{mk}

27047

T. HAROLD LEE
ATTORNEY AT LAW

RECEIVED
1962
Department of Reclamation
P. O. BOX 8
RIGBY, IDAHO

November 6, 1962

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Gentlemen:

Reference is made to Permit No. G 27047.

Enclosed you will find the following documents:

- (1) Affidavit of Publication
- (2) Receipt for Payment of Affidavit of Publication
- (3) Deposition of Holder
- (4) Deposition of Witness (A. H. Bush)
- (5) Deposition of Witness (Eugene I. Fredrick)
- (6) Discharge Measurement notes of A. H. Bush.

Mr. Westerberg has requested that I advise you that at this time of the year the power at this pump is usually cut off, and that if inspection is to be made prior to the time the power is turned on in the spring of 1963 it will be necessary for him to have sufficient advance notice of the time at which this inspection is to be made in order that he could arrange to have the power turned on for this purpose.

It is hoped that these forms are found to be in proper order.

Very truly yours,

T. HAROLD LEE



THL:bb

27047

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G 27047

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.

Ans. Carl M. Westerberg, Route 2, Blackfoot, Idaho, now of Route 1, Idaho Falls, Idaho. Farmer - engineer

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

Ans. -----

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. G 27047, dated August 26, 1957, August 26, 1957 date of priority.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. underground. Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, Township 2 South, Range 34, East Boise Meridian, Bingham County, State of Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and 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, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. The works of diversion consists of underground well 175 feet deep, fully cased. A Demming Electric Pump with power and switches pumps the water from the well at point of diversion. Under water license No. G 23920 with date of priority of March 12, 1953, these same works developed 1.6 second feet of water. In the summer and spring of 1957, this pump was modified by changing the bowl and impeller. The pump was re-wired and these changes costing in excess of \$600.00 enabled this holder to develop an additional 1.8 second feet of water. The water is conveyed from the pump to the land (continued)

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for the irrigation of lands, as follows, to-wit: SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 30, Township 2 South, Range 34, East Boise Meridian; NW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 2 South, Range 34, East Boise Meridian, Bingham County, Idaho. Practically the whole 160 acres is irrigated from this source. There are small patches of rocks which are not cultivated.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. The well was already drilled and your affiant does not know the name of person drilling the same. It should be a matter of record incident to Water License No. G 23920.

W. L. W.

27047

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. -----

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. The whole of the develoned discharge

Ques. 9. 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.

Ans. -----

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. These works have been completed since August of 1957 and during each of the irrigating seasons since then these waters have been exclusively for irrigation of the cultivated 160 acres. The works were completed on and before August 26, 1962.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Under Water License No. G 23920 with date of priority of March 12, 1953, 80 miners inches of the waters from this same well were used to irrigate approximately 60 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 30, Township 2 South, Range 34 East, Boise Meridian, as well as other lands in Section 30, totaling an additional 51 acres. (continued)

(Sign)

Carl M. Venturing

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 Rigny County of Jefferson

State of Idaho, on this ✓ 6th day of ✓ November, A. D. ✓ 1962.

T. H. H. H. H.

My commission expires 3-26-66

Continuation of Answer No. 5. Form 16.

to which it is beneficially applied through a system of ditches and releveling. These are private ditches. The pump will discharge 3.4 second feet, or 170 inches of water. Water Permit No. G 27047 is for the additional 1.8 second feet or (90 inches) of water. The water was measured or determined by having A. H. Bush, then an employee of the Geological Survey, Water Resources Division, Department of the Interior, who was an official hydrographer, measure the discharge with instruments. It is to be noted that he was employed privately to do this. There is attached his discharge measurement notes made at the time he measured. Since then, the flow has been observed to be equal to or in excess of the initial measurement.

Continuation of Answer No. 11. Form 16.

The balance of the described lands to which this water has been beneficially applied to and used were irrigated from a canal, Peoples Water. The Peoples water was diverted through a private ditch, dumped into a sump on the lands in Section 29, and then pumped from the sump onto the land. This was a most unsatisfactory method of irrigating due to the losses that occurred first by the shrink and waste in the private ditch, second, the evaporation in the sump, and third, the cost from pumping from the sump. The Peoples Water was sold within the Peoples Water Canal and the monies were used in developing this water under this permit, the system of ditches for conveying it, and the land leveling to make the use of these waters possible.

27047

RECEIVED
NOV 28 1962
DEPARTMENT OF RECLAMATION

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G 27047

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:

Eugene I. Frederick, 42, P. O. Box 112, Moreland, Idaho, Farmer.

Ques. 2. Are you acquainted with Carl M. Westerberg, the holder of
Permit No. G 27047? How long have you known him and where does he reside:

Since 1955, at which time he resided at Route 2, Blackfoot, Idaho.

Ques. 3. Have you read or heard said Permit No. G 27047 read, and are you familiar
with its provisions and conditions: Yes: xx No:

Ques. 4. State source of water supply: Underground

State place of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Township 2 South, Range 34, EBM

Describe works for conveying water to place of use: Water is diverted from under-
ground by Damming Electric Pump
from a cased well 175 foot deep into ditches running generally south as
is particularly described in the permit.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 170 inches How much water have you seen being so
conveyed: 170 inches

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

The Southeast Quarter of the Southwest Quarter and the Southwest Quarter
of the Southeast Quarter of Section 30, Township 2 South, Range 34, East
Boise Meridian; the Northwest Quarter of the Northeast Quarter and the
Northeast Quarter of the Northwest Quarter of Section 31, Township
2 South, Range 34, East Boise Meridian.

27047

Ques. 7. If for power or other purposes than irrigation, state how water has been 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 120 inches

Ques. 9. Have you any 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: Summer of 1957

Other times you have seen such use: Summer of 1960 and Summer of 1961. That such works were completed and the complete application of the water to the beneficial use was made prior to the 26th day of August, 1962.

(Signed)

Eugene L. Fredenick

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 Rigby,

County of Jefferson, State of Idaho, on this 6th day of November,

A. D., 1962.

[Signature]

Notary Public for State of Idaho

Residing: Rigby, Idaho

My commission expires: 3-26-66

27047

RECEIVED
NOV 28 1957
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G 27047

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:

A. H. Bush, Age 61, 550 I Street, Idaho Falls, Idaho

Ques. 2. Are you acquainted with Carl M. Westerberg, the holder of

Permit No. G 27047 ? How long have you known him and where does he reside:

I have known him since prior to June, 1957. At that time he resided at Route 2, Blackfoot, Idaho

Ques. 3. Have you read or heard said Permit No. G 27047 read, and are you familiar with its provisions and conditions: Yes: x No:

Ques. 4. State source of water supply: Underground

State place of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Township 2 South, Range 34, EBM

Describe works for conveying water to place of use: The water is diverted from under-ground by a Demming Electric pump from a 175 foot deep cased well into ditches running generally south as more particularly described the in the permit.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 170 inches How much water have you seen being so

conveyed: 170 inches

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

The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 30, Township 2 South, Range 34, East Boise Meridian; the Northwest Quarter of the Northeast Quarter, and the Northeast Quarter of the Northwest Quarter of Section 31, Township 2 South, Range 34, East Boise Meridian

27047

Ques. 7. If for power or other purposes than irrigation, state how water has been 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 170 inches

Ques. 9. Have you any 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 8, 1957

Other times you have seen such use: August, 1957

(Signed)

A. H. Bush

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 Rigby

_____, County of Jefferson, State of Idaho, on this 6th day of November, A. D., 1962.

T. Hambley
Notary Public for State of Idaho

Residing: Rigby, Idaho

My commission expires: 3-26-66

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

ss.

I, Drury R. Brown do solemnly
publisher

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933 and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 4 consecutive

weeks, the first publication having been made on

the 5th day of October, 1962

and the last publication having been made on the

26 day of October, 1962; that said

notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 2nd

day of November, 1962

Walter Hunt

Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

January 10th, 1963

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

Notice is hereby given that at 10:00 A.M., on Friday day of November, 1962, at Blackfoot, Idaho, before F. Harold Lee, State of Idaho, before F. Harold Lee, Notary Public, State of Idaho, proof will be submitted for the completion of works for the diversion of 1.8 cubic feet per second of underground waters from the Boise River and the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G27047 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 are Carl M. Westerberg, Route 2, Blackfoot, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the point of use is 1.8 cubic feet per second.

3. The said water has been applied to irrigation and domestic purposes and the amount applied to beneficial use is 1.8 cubic feet per second.

4. The point of diversion of said water is NW1/4 of the 33rd of Section 30 Township 2 South Range 34 East of the Boise Meridian.

5. The place where said water is used is the SE1/4 SW1/4 and the SW1/4 SE1/4 of Section 31, Township 2 South Range 34 East of the Boise Meridian.

6. The date of priority which said user is prepared to establish is August 19, 1967.

GEO. N. CARTER
State Reclamation Engineer
Pub. Oct. 5, 12, 19, 26.

27047

November 21, 1962

Re: Permit No. G-27047
Carl M. Westerberg

Mr. T. Harold Lee,
Attorney at Law,
Rigby, Idaho.

Dear Mr. Lee:

Your publication notice on the above numbered permit was received from you after our pre-cancellation notice of September 24, 1962.

Depositions were mailed you and proofs were to have been made on November 6, 1962, and mailed to this office, together with the Affidavit of Publication. Up to date, these proofs have not been received, and unless they are mailed in soon, this permit will be cancelled without further notice.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

KPR:pmk
cc: Carl M. Westerberg
Route #2
Blackfoot, Idaho

27047

October 3, 1962

Re: Permit No. G-27047
Carl M. Westerberg

T. Harold Lee
Attorney at Law
Rigby, Idaho

Dear Mr. Lee:

Enclosed is the Application for Amendment to the
land list which has been recorded in this office.

Also enclosed is departmental receipt No. G-7462
in the amount of \$1.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendment
receipt

CC: Carl M. Westerberg
Route #2
Blackfoot, Idaho

27047

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-27047
Carl M. Westerberg

Date: October 2, 1962

Blackfoot News,
Blackfoot, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to November 6, 1962 the date set for proof;

the expense of the publication is to be paid by the applicant's attorney

T. Harold Lee of Rigby, 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,

GEO. N. CARTER
GEO. N. CARTER
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.

Encl.

27047

October 2, 1962

Re: Permit No. G-27047
Carl M. Westenberg

Mr. T. Harold Lee,
Attorney at Law,
Rigby, Idaho.

Dear Mr. Lee:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-27047, in the name of Carl M. Westenberg. Final Proof is to be made before you, as Notary on the 6th day of November, 19 62, at 10:00 o'clock A.M., at Rigby, Idaho.

As of this date we have mailed the Notice to the Blackfoot News Blackfoot, Idaho with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the time, on the date and before you, as Notary, as stated in the publication notice. 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, that your 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Enc.
cc: Applicant

27047

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

September 24, 1962

Re: Permit No. G- 27047

To Carl M. Westerberg
Route #2
Blackfoot, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 27047 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to _____

Completion of Works & Beneficial Use due August 26, 1962

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 27047 is hereby held for cancellation.

YOU ARE HEREBY required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

SAID PERMIT NO. G- 27047 claims the use of 1.8 cubic feet per second of the Subterranean Waters a well with point of diversion located

NW 1/4, Sec. 30, T. 2 S., R. 34 E., B. 11.

and was approved August 26, 1962.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 24th day of September, 1962.

cc: T. Harold Lee
Attorney at Law
Rigby, Idaho

Asst. State Reclamation Engineer

27047

August 28, 1962

Re: Permit No. G-27047
Carl M. Westerberg

T. Harold Lee
Attorney at Law
Rigby, Idaho

Dear Mr. Lee:

Returned herewith is your check No. 329. If you had written your limitation elsewhere, the check could have been properly completed.

Enclosed is a copy of fee charge in this department. You will note there is a fee of \$1.00 for recording an amendment, which is the only fee due at this time. Statutory fees for the certificates of water right are always collected after the field examiner has inspected the works which is made some time after the holder has made the proofs.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. check No. 329
fee schedule

27047

T. HAROLD LEE
ATTORNEY AT LAW
RIGBY, IDAHO

August 22, 1962

RECEIVED
AUG 27 1962
Department of Reclamation

State Reclamation Engineer
State of Idaho
Boise, Idaho

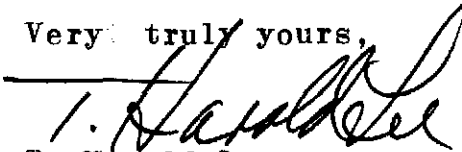
Attention: Mr. Petrie

Gentlemen:

Reference is made to my telephone conversation with your office this date relative to the completion of works on Permit No. 27047.

I enclose all documents as requested. We are in a position to prove completion of works prior to August 26, 1962, but as I told you by phone through the inadvertance of this office these notices were not published.

Very truly yours,


T. Harold Lee
Attorney at Law

THL/1

P. S. Will you kindly fill in my check to your office for the appropriate amount and advise this office of such amount.

27047

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver **ONLY** to
addressee

☐ Show address where
delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

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

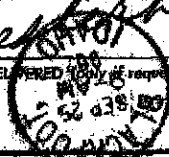
Carl M. Westberg

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Wanda Westberg

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested by item #7)



27047

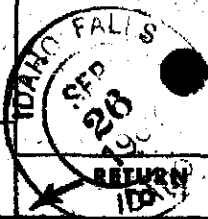
POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$3000

27047

POSTMARK OF
DELIVERING OFFICE

Working
See file



INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

19570

Room 107 Statehouse

INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho

CS5-16-21443-8

27047

POD Form 3811 Jan. 1958

RECEIVED
AUG 24 1962

DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Date: June 25, 1962

P. O. % T. Harold Lee, Attorney at Law, Rigby, 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 Blackfoot News of Blaskfoot, Idaho, published in the county in which the works are situated.

Carl M. Westberg

(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 forth forth in the attached notice are true.

Engineer

27047

RECEIVED

AUGUST 27, 1962

DEPARTMENT OF RECLAMATION

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

Notice is hereby given that at 10:00 A.M., on the 29th
day of September, 19 62, at Rigby, County
of Jefferson, State of Idaho, before T. Harold Lee,

Notary Public, Rigby, Idaho proof will be submitted of the completion
of works for the diversion of 1.8 cubic feet per second of underground
waters from a well, and of the application to beneficial use of said water, in
accordance with the terms and conditions of Permit No. G27047 hereto-
fore 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 are Carl M. Westerberg, Route 2, Blackfoot, Idaho

2. Said works of diversion will be fully completed on the date set for
such completion, and the amount of water which said works are capable of
conveying to the place of use is 1.8 cubic feet per second.

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

4. The point of diversion of said water is NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 30
TOWNSHIP 2 South, Range 34 East of the Boise Meridian.

5. The place where said water is used is the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 30, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, all
in Township 2 South, Range 34 East of the Boise Meridian.

6. The date of priority which said user is prepared to establish is
August 26, 1957.

Geo. H. Carter
State Reclamation Engineer

27047 D

RECEIVED
AUG 27 1962

Application for Amendment

LAND LIST

Department of Reclamation

Permit No. G-27047

Comes now Carl M. Westerberg, and represents
to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho, No. G-27047, and requests that the list of lands to be irrigated,
as described in said permit, be changed to read as follows:

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southwest
Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 30, Township 2 South,
Range 34 East Boise Meridian; the Northwest Quarter of the Northeast Quarter
NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter NE $\frac{1}{4}$ NW $\frac{1}{4}$) of
Section 31, Township 2 South, Range 34 East Boise Meridian.

, making a total of 160 acres.

That an additional amount of water is not asked for, and that the rights of others
will not be adversely affected by such change.

Signed at Rigby, Idaho this 25th day of June, 1962.

Carl M. Westerberg

Date of receipt at office of Department of Reclamation August 27, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy
I, ~~State Reclamation Engineer~~, State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public
Waters of the State of Idaho, No. G-27047. This approval constitutes a new permit
and is issued as an amendment to the original permit, to which it refers, and of which
it becomes a part, and said application is approved only insofar as the rights of others
will not be adversely affected thereby.

Recorded in Book 95
of Permits, Page 27047
October 3, 1962

Ralph W. Thomas
Deputy
State Reclamation Engineer

June 22, 1962

Re: Permit No. G-27047 - Carl W. Westerberg
License No. 23920 - Doyle W. Dance

T. Harold Lee
Attorney at Law
Rigby, Idaho

Dear Mr. Lee:

Enclosed are Form 20 and amendment to the permit land list.

We received your letter of June 21, in regard to water rights from well in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 2 S., R. 34 E., B.M.

Water License No. 23920, was issued to Doyle W. Dance for 1.6 c.f.s. of water from a well in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, to irrigate 56 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 55 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30.

Permit No. G-27047, in the name of Carl W. Westerberg, claims 1.8 c.f.s. from the same well described above to irrigate 55.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, plus 160 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31.

Your letter show that Mr. Westerberg has sold his land in the two north 40's and is using all the water from the well on the south 160 acres.

We do not believe that the water right under License 23920 has been transferred, and if not, it is still appurtenant as described in the license.

Mr. Westerberg should complete Form 20 to change the place of use under License No. 23920, according to Sec. 42-222 and also amend the land list under Permit No. G-27047.

The fee of \$1.00 for transfer of place of use under License No. 23920 should be remitted with the affidavit of publication and the \$1.00 fee for recording should accompany the amendment to land list under Permit No. G-27047.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 20
amendment to land list

23920

27047

27047

Application for Amendment

LAND LIST

Permit No. G-23396

Comes now ELDEN C. HOLTEN

and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-23396, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Sec. 17, T 7 S, R 21 E B M

making a total of 340 acres.

Signed at Burley, Idaho this 22nd day of September

60
1965

/s/ Elden C. Hilton
Elden C. Hilton

Date of Receipt at office of Department of Reclamation _____

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-23396. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Geo. N. Carter

State Reclamation Engineer

Recorded in Book 83 of
Permits, at Page 23396
October 31, 19 60

23396

June 22, 1962

Re: Permit No. G-27047 - Carl W. Westerberg
License No. 23920 - Doyle W. Dance

T. Harold Lee
Attorney at Law
Rigby, Idaho

Dear Mr. Lee:

Enclosed are Form 20 and amendment to the permit land list.

We received your letter of June 21, in regard to water rights from well in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 2 S., R. 34 E., B. M.

Water License No. 23920, was issued to Doyle W. Dance for 1.6 c.f.s of water from a well in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, to irrigate 56 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 55 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30.

Permit No. G-27047, in the name of Carl W. Westerberg, claims 1.8 c.f.s. from the same well described above to irrigate 55.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, plus 160 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31.

Your letter shows that Mr. Westerberg has sold his land in the two north 40's and is using all the water from the well on the south 160 acres.

We do not believe that the water right under License 23920 has been transferred, and if not, it is still appurtenant as described in the license.

Mr. Westerberg should complete Form 20 to change the place of use under License No. 23920, according to Sec. 42-222 and also amend the land list under Permit No. G27047.

27047

Page Two

T. Harold Lee

June 22, 1962

The fee of \$1.00 for transfer of place of use under License No. 23920 should be remitted with the affidavit of publication and the \$1.00 fee for recording should accompany the amendment to land list under Permit No. G-27047.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:aw

Enc. Form 20
amendment to land list

27047

T. HAROLD LEE
ATTORNEY AT LAW
RIGBY, IDAHO

RECEIVED
JUN 22 1962
Department of Reclamation

June 21, 1962

State Reclamation Engineer
State of Idaho
Boise, Idaho

ATTENTION: Mr. Petrie

Gentlemen:

Reference is made to Application No. G 34962, Permit No. G27047, made on behalf of Carl M. Westerberg, then of Route 2, Blackfoot, Idaho, which said permit was filed and approved on the 26th day of August, 1957.

Mr. Westerberg is now living in Bonneville County, and can be reached, insofar as these proceedings are concerned, in care of this office. Mr. Westerberg received the notice of Proof of Completion of Works and Application of Notice to Beneficial Use which you forwarded to him in order that such proof could be completed prior to the 26th day of August, 1962, and I have reviewed the same.

At the time this application was filed it was for water which had been developed from the same well but supplemental to that covered by Water License No. G23920. Likewise, an examination of the Application for Permit under "remarks" will reveal that both of these underground water rights, the original, viz., Water License No. G23920, as supplemented by Permit No. G27047, were used at that time in connection with a natural flow right. Since that time Mr. Westerberg has disposed of the natural flow right. Likewise, he disposed of some of the land in Section 30, Township 2 South, Range 34, East Boise Meridian. The underground water rights are now used exclusively on 160 acres and are the sole source of water for irrigation on this 160 acres.

The described property to which these two underground water rights, viz., the license and the permit, are appurtenant are as follows:

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 30, Township 2 South, Range 34, East Boise Meridian; the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, Township 2 South, Range 34, East Boise Meridian.

27047

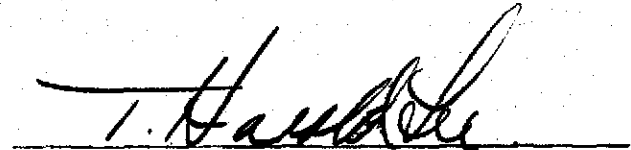
State Reclamation Engineer
June 21, 1962
Page 2

Under these circumstances and prior to the publication of the notice of proof of completion of works, would your office require that an application be made amending Permit No. G27047 with respect to the place of use?

Your early attention to this matter, in view of the limited time available to us to furnish proof of completion of works, would be greatly appreciated,

Very truly yours,

T. HAROLD LEE

A handwritten signature in dark ink, appearing to read "T. Harold Lee", is written over a horizontal line.

THL:bb

27047

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 27047

Date: June 5, 1962

Carl M. Westerberg
Route #2
Blackfoot, Idaho

Dear Mr. Westerberg:

The date for proofs of Completion of Works and Application of Water to Beneficial Use, as set out under the terms of Permit No. G- 27047 are due not later than August 26, 1962

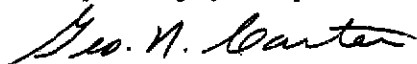
Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken 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 that 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 of, or points of diversion; and the location of use of 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 Form 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,



GEO. N. CARTER
State Reclamation Engineer

Enclosures Form 36 - 11

27047

February 27, 1962

Re: Permit No. 27047
Carl Westerberg

Clyde Gamble
Route #1
Blackfoot, Idaho

Dear Mr. Gamble:

Enclosed are assignment form, two forms 36 and one form 11, with instructions.

There is a recording fee of \$0.50 which you should accompany the assignment form. There is no fee for the other forms.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. assignment
36 - 11, instructions

27047

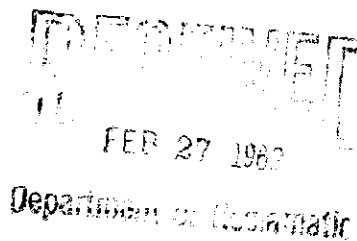
Blackfoot Idaho
Feb. 26 1962

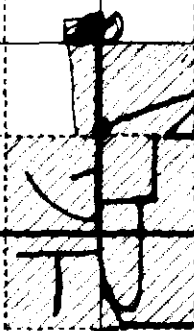
Dear Sir:

Last month we purchased this farm from Carl Westenberg we would like to know what has to be done yet finished Permit no. G 27047 was filed and approved on August 26 1957. but the proof of completion and beneficial use of the water covered by this permit has not as yet been made before the State reclamation commissioner. what is necessary to have said permit repin into a water license supplemental to permit no. G 23920.

Thank you

Clyde Gamble
Blackfoot Idaho
R#4





POINT OF
DIVERSION

DITCHES

SECTIONS 30 AND 31, TOWNSHIP 2 SOUTH
RANGE 34 E. B.M.

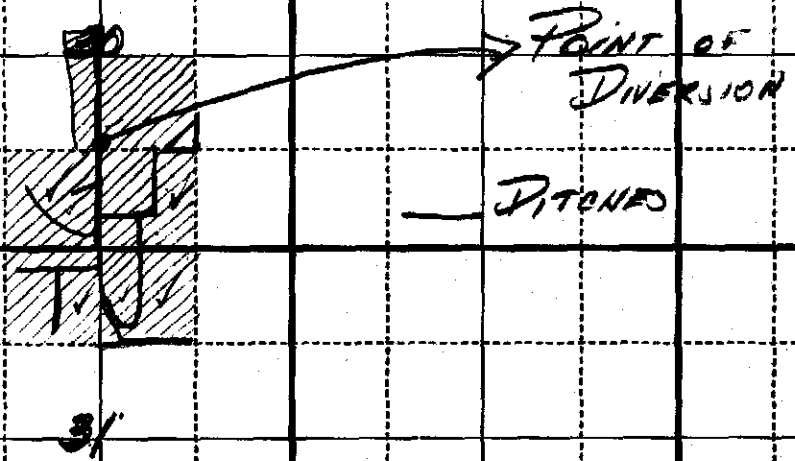
Permit Map No. 27047

As Approved SEP 26 1957

MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT CARL M. WESTERBERG

Form No. 9



SECTIONS 30 AND 31, TOWNSHIP 7 SOUTH
RANGE 34 E. B.M.

Permit Map No. 27047
As Approved SEP 26 1957
MARK R. KULF
State Reclamation Engineer

August 28, 1957

Re: Permit No. G-27047

Mr. Carl Westerberg
Route # 2,
Blackfoot, Idaho

Dear Mr. Westerberg:

We enclose Permit No. G-27047 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

You will note on Question 10 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.

We also enclose departmental receipt No. G-2848 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:lw
Encls.

27047

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WATER RESOURCES DIVISION

8-275
September 1943

25

Date June 8, 1957 **DISCHARGE MEASUREMENT NOTES**

Date June 8, 1957 **DISCHARGE MEASUREMENT NOTES**
Carl Westerberg River at Pump - west of Blackfoot

[illegible]

No. _____ of _____ Sheets. Comp. by _____ Obk. by _____

Chk. by 217

Report No. C-7390
Liana No.