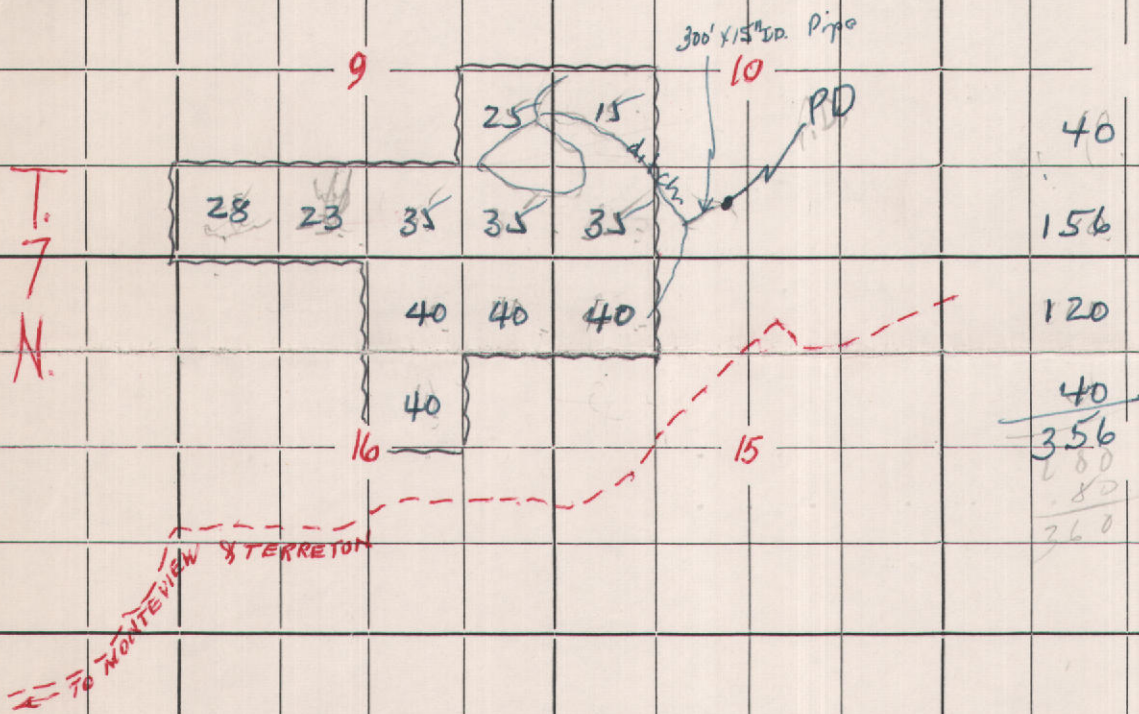


R-34 E.

30241



Subdivisions 11

AREA 356 Acres

Allow 9 4.6 cfs at 230 inches

**Affidavit of Publication**  
**THE RIGBY STAR**

RECEIVED

NOV 30 1961

Department of Reclamation

STATE OF IDAHO,  
County of Jefferson

ss.

JAN 3 1962

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

*Four* consecutive issues thereof; first publication having been made on the

*2nd* day of *November*, 19 *61*

and the last publication on the

*23rd* day of *November*, 19 *61*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

*Hope B Jones*

Subscribed in my presence and sworn to before me this *27th*

day of *November*, 19 *61*

(SEAL)

*R H Hamm*  
Notary Public for the State of Idaho,  
Residence and P. O. Address, Rigby, Idaho.  
My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$ *20.70*

My Commission Expires July 15 1965

*826615*

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

Notice is hereby given that at 10 a.m., on the 27th day of November, 1961, at Dubois, County of Clark, State of Idaho, before H. R. Harn, Notary Public, at Dubois, Idaho, proof will be submitted of the completion of works for the diversion of 4.6 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-26615, 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 David R. Jernberg, Terreton, 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 4.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.6 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, Township 7 North, Range 34, East Boise Meridian.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 16, all in Township 7 North, Range 34 E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is Nov. 13, 1956.

GEO. N. CARTER

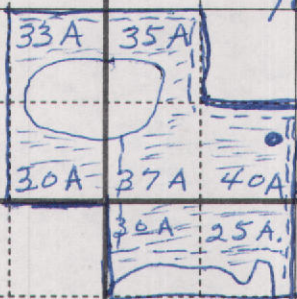
State Reclamation Engineer

(Publish: November 2-9-16-23, 1961)

David R. Jernberg

9

10



15

Key-

- Proposed ditch
- well
- Irrigable land
- Plain color unirrigable land

9. 26615

Permit Map No. ----

As Approved

MARK R. KULP  
State Reclamation Engineer

NOV 29 1956

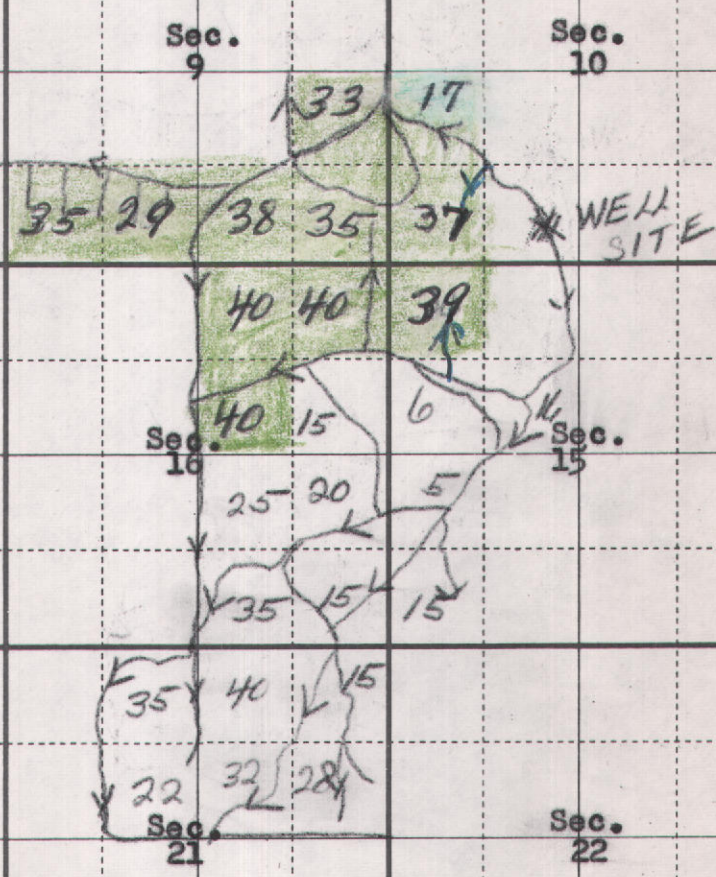
Sections 9, 10, 15, T7N, R34, E, B.M.

926615

NAME OF APPLICANT David R. Jernberg, Terretón, Idaho

RECEIVED  
OCT 19 1961  
Department of Reclamation  
Form No. 0

TOWNSHIP 7 NORTH  
RANGE 34 EBM  
JEFFERSON COUNTY, IDAHO



826615

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

Notice is hereby given that at 10 a.m., on the 27th day of November, 1961, at Dubois, County of Clark, State of Idaho, before H. R. Harn, Notary Public, at Dubois, Idaho, proof will be submitted of the completion of works for the diversion of 4.6 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-26615, 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 David R. Jernberg, Terreton, 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 4.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.6 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, Township 7 North, Range 34, East Boise Meridian.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 10, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 16, all in Township 7 North, Range 34 E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is Nov. 13, 1956.

GEO. N. CARTER

State Reclamation Engineer

(Publish: November 2-9-16-23, 1961)

# State of Idaho

## License and Certificate of Water Right

Water License No. G-26615

Amount 4.6 c.f.s.

Water District No. \_\_\_\_\_

Priority November 13, 1956

THIS IS TO CERTIFY that DAVID R. JERNBERG  
of Terreton, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated November 13, 1956; that Permit No. G-26615  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
4.6 second feet, was issued thereunder on June 13, 1962, showing that said works  
were completed on the 27th day of November, 1961; and that on the 27th  
day of November, 1961,

DAVID R. JERNBERG

of Terreton, 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  
, under Use Permit No. G-26615 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 7295, on the 13 day of June, 1962;

The right hereby confirmed dates from November 13, 1956;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 10, Tp. 7 N. R. 34 E., B. M. County Jefferson

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 4.6 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                           | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|--------------------------------------------|----------------------------------|---------------------------------|
| 7 N. | 34 E. | 9    | NE 1/4 SE 1/4                              | 33                               | 25                              |
|      |       |      | SW 1/4 SE 1/4                              | 38                               | 35                              |
|      |       |      | SE 1/4 SE 1/4                              | 35                               | 35                              |
|      |       |      | SE 1/4 SW 1/4                              | 29                               | 23                              |
|      |       | 10   | SW 1/4 SW 1/4                              | 35                               | 28                              |
|      |       |      | NW 1/4 SW 1/4                              | 17                               | 15                              |
|      |       |      | SW 1/4 SW 1/4                              | 37                               | 35                              |
|      |       |      | NW 1/4 NW 1/4                              | 39                               | 40                              |
|      |       | 16   | NE 1/4 NE 1/4                              | 40                               | 40                              |
|      |       |      | NW 1/4 NE 1/4                              | 40                               | 40                              |
|      |       |      | SW 1/4 NE 1/4                              | 40                               | 40                              |
|      |       |      | Total number of acres to be irrigated: 356 |                                  |                                 |

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

13th day of June, 1962.

RALPH W. THOMAS  
Deputy State Reclamation Engineer.

(SEAL)

# APPLICATION FOR PERMIT

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

Application No. G- 34525  
Permit No. G- 26615  
District No.

1. Name of Applicant: DAVID R. JERNBERG  
Postoffice address: Terreton County: Jefferson State: Idaho
2. Quantity of water claimed: 4.6 c.f.s.  
 (a) Rate of withdrawal in cubic feet per second. 4.6 or Idaho  
 Miners' inches 230 or gallons per minute. 2,070  
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Underground from well
4. Location of point of diversion or well is in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 10  
 Twp. 7 N. , Rge. 34 E. , B.M., County of Jefferson
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: Drilled well cased, with pump and electric motor.
8. Estimated cost of works: \$5,000.00
9. (a) Is reservoir to be used? No  
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:  
 I. (a) Date and place of incorporation:  
 (b) Amount of capital stock: \$ (c) Amount paid in: \$  
 (d) Names and addresses of directors:  
 II. The financial resources of the applicant are (a) Cash on hand: \$  
 (b) Treasury stock: (c) Bonds to be issued:  
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None.  
 (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.  
 (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

/s/ DAVID R. JERNBERG      Applicant.

By \_\_\_\_\_ *Agent.*

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-26615

Recorded in Book 94 Page 26615 Approved November 29, 1956

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 May 29, 1959

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before **November 29, 1961.**

Witness my hand this 29th day of November, 1956.

/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 29th  
day of November, 19 56.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ ROBERT E. SMYLIE  
Governor

By /s/ JAS. H. YOUNG  
Secretary of State.

12.

| Twp.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Range | Sec.          | NE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | NW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SW <sup>1</sup> / <sub>4</sub> |                                |                                |                                | SE <sup>1</sup> / <sub>4</sub> |                                |                                |                                | Totals          |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|-----------------|--|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |       |               | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> | NE <sup>1</sup> / <sub>4</sub> | NW <sup>1</sup> / <sub>4</sub> | SW <sup>1</sup> / <sub>4</sub> | SE <sup>1</sup> / <sub>4</sub> |                 |  |
| 7 N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 34 E  | 9<br>10<br>15 |                                |                                |                                |                                | 25                             | 30                             |                                |                                |                                | 35                             | 37                             | 40                             |                                | 33                             |                                | 30                             | 63<br>112<br>55 |  |
| <div>Application for Amendment<br/>LAND LIST<br/>Permit No. G-26615</div> <p>Comes now David R. Jernberg, 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-26615, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:</p> <p>Township 7 North, Range 34 E.B.M., Jefferson County Section 9: SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> (35 A.), SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> (29 A.), NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> (38 A.), SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> (38 A.), SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> (35 A.) Section 10: NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> (17 A.), SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> (37 A.) Section 15: NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> ( 39 A.) Section 16: NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> (40A.), NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> (40 A.), SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> (40 A.) making a total of 383 acres.</p> <p>That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.</p> <div>Signed at Dubois, Idaho this 18th day of September, 1961<br/>/s/ David R. Jernberg<br/>David R. Jernberg<br/>c/o H.R. Harn, Box 297<br/>Dubois, Idaho</div> <p>Date of receipt at office of Department of Reclamation: October 19, 1961</p> <div>APPROVAL OF STATE RECLAMATION ENGINEER</div> |       |               |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                 |  |

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-26615. 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 20, 1961

Permit No. G-26615 ✓  
CERTIFICATE OF COMPLETION OF WORKS

✓  
TO ALL WHOM IT MAY CONCERN:

This is to certify that DAVID R. JERNBERG of Terretton, County of Jefferson, and State of Idaho, the holder of Permit No. G-26615, issued upon Application No. G-34525, bearing date of priority of November 13, 1956, authorizing the diversion of 4.6 second feet of the waters of a well, County of Jefferson, State of Idaho, for irrigation 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 4.6 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 10, T. 7 N., 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:

356 acres in E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 9; W $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 10, NW $\frac{1}{2}$ NW $\frac{1}{4}$ , Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 16, T. 7 N., R. 34 E., B. M.

Witness my hand this 13 day of June A. D. 1962

s/ RALPH W. THOMAS  
Deputy State Reclamation Engineer

Proof of Completion of Works Made: November 27, 1961

LICENSE ISSUED FOR 4.6 SEC. FT.

page 7295



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 13, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

BEN D JERNBERG  
3170 SYCAMORE LN  
BILLINGS MT 59102

RE: Application for Transfer

Dear Mr. Jernberg:

I received your request for information about changing water rights 31-02357, 31-02395, and 31-07311. Under Section 42-222, *Idaho Code*, you may apply to change the point of diversion, place of use, period of use, or nature of use of an existing water right. The Department of Water Resources (IDWR) will approve the application, called a transfer, if no other water rights are injured, the change does not result in the enlargement of the original right, the change is consistent with the conservation of water in Idaho, and the change is a beneficial use consistent with the local public interest. As you requested, I am faxing a transfer application form to your Montana number. I will also mail a better copy with the original of this letter.

As you prepare your transfer application, please pay special attention to the conditions addressing the watering of 663 acres of uncultivated pasture under right 31-07311. These conditions were placed on the license to allow irregular use of water to continue on the pasture without acknowledging that the use rises to the same level as irrigation of cultivated cropland. If you are contemplating changing the watering of pasture to the irrigation of cropland, you will need to support your transfer application with records showing the timing and amount of water use, in cubic feet per second and acre-feet, on the pasture land during each of the last five years that it was watered. When reviewing the transfer application, IDWR will evaluate your records and act to ensure that your proposal does not result in the use or consumption of more water than occurred under the original right. One possibility is that IDWR will approve the transfer with a reduction in acreage. Because of the complicated nature of this evaluation, it may be useful for you to obtain the services of a private irrigation expert to assist with your transfer application.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley Walter Keen  
Water Rights Supervisor

Enclosure

Department of Water Resources

1301 N Orchard St.

Boise, Id. 83720

RECEIVED

NOV -3 2000

Department of Water Resources

11-3-00

Dear Sirs:

I would like to make a change in my water use if possible. Due to the higher cost of operation I would like to move or sell the part of Water license 31-02357, and 31-02395 that I am using to irrigate the 663 acres of pasture land. I am using as much water on the pasture land as the farm ground and I would like to put it to more beneficial use.

Due to the fact that I have 2 points of Diversion and the volume of water that these 2 wells produce I am using Water license numbers 31-07311, 31-02357, and 31-02395 to irrigate the 1124 acres that I have license's for. The license's show that there is 1141 acres of water right.

Could you please advise me what I need to do.

Please Fax me the Info.

Fax 408-656-2934 Mont.

Fax 602-214-1862 Ariz.

Thank You

Ben D Jernberg  
3170 Sycamore Ln.

Billings, Mont. 59102

June 13, 1962

Re: Permit No. G-26615

Mr. David R. Jernberg  
Terreton, Idaho

Dear Mr. Jernberg:

Enclosed are Certificate of Completion of Works  
and License and Certificate of Water Right issued on Permit No.  
G-26615.

Also enclosed is departmental receipt No. G-7022  
in the amount of \$27.00 covering fees.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:ew

Enc. certificates (2)  
receipt

G26615

June 5, 1962

Re: Permit No. G-26615

David R. Jernberg  
Terreton, Idaho

Dear Mr. Jernberg:

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-26615 shows the well is (are) capable of conveying 230 miner's inches, or 4.6 c.f.s. of water for the irrigation of 356 acres.

Upon receipt of the statutory fees, totaling \$ 27.00 , we will issue the Certificate of Completion of Works ( fee \$5.00 ) and the License and Certificate of Water Right ( fee \$ 22.00 , based at the rate of \$2.00 for each 40-acre subdivision ) confirming the right, with priority of November 13, 1956 to the use of 4.6 second feet of subterranean water with the point of diversion in the SE 1/4 SW 1/4, Sec. 10 for irrigation of 356 acres in the S 1/4 SW 1/4, NE 1/4 SE 1/4, S 1/4 SE 1/4, Sec. 9; W 1/4 SW 1/4, Sec. 10; NW 1/4, Sec. 15; NE 1/4, SW 1/4 NE 1/4, Sec. 16, T. 7 N., R. 34 E., B.M.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:mr

G-26615

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO Q-26615

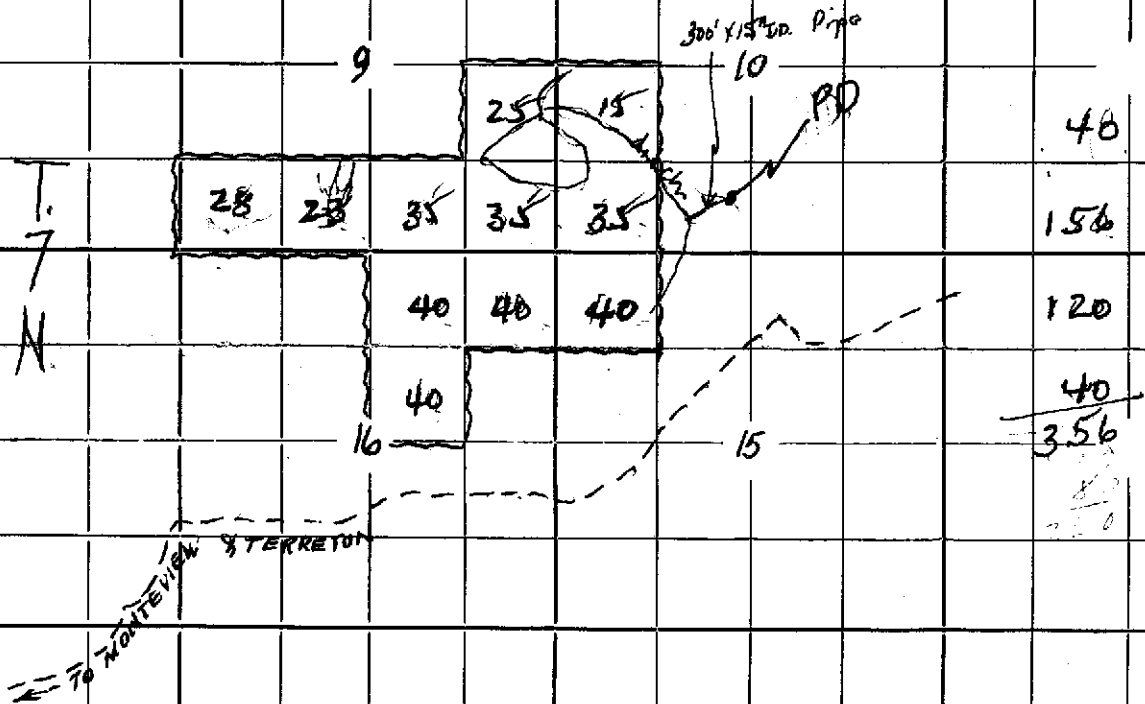
David R. Jernberg  
Terreton, Idaho

REPORT ON PROOF OF Completion of Works & Beneficial Use

31-02357

R-34 E.

30241



Subdivisions 11

AREA 356 Acres

Allow Q 4.6 cfs at 230 inches

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-26615

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

1. Name of applicant David R. Jernberg, Terreton, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 10  
T. 7 N. R. 34 E. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: 60 HP V.S. Motor #990653, Wintroath Pump #9767, Column 60' x 12". Well 70' x 20" 18' x 20" casing. h: 16' - (Pump is in pit 8' deep) h: would be 24' Land Surface. 11' d.d. 12" discharge to 15" Id. Spiral Culvert pipe 300' into Wood distribution box to open ditches.

5. Water is used for: irrigation

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

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

SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , E  $\frac{1}{4}$  SE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 9; W  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 10; NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 15; N  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Sec. 16, T. 7 N., R. 34 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: Mr. David Jernberg along

Measured with Current Meter.  $\approx$  8.25 cfs

This examination was made on the 2<sup>nd</sup> day of June, 1962

(Signed)

*Ray Johnson*

Examiner.

G26615

31-02357

David R. Jernberg  
Terreton, Idaho

Permit No. G-26615

Examination for Completion of Works  
& Beneficial Use

County Jefferson

Quantity: 4.6 a.f.s.

Source: Well

P.D.: SE 1/4, Sec. 10, T. 7N, R. 34E

Use: Irrigation

Filed: Nov. 13, 1961

Due: Nov. 29, 1961

Extension: -

Completion of Works: -

Other Rights: none

## 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  
JUN 4 1962

Department of Reclamation

31-02357

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY  
WATER RESOURCES DIVISION

Date 6/2, 1967 **DISCHARGE MEASUREMENT NOTES**

#G-26615 <sup>Demo</sup> Jernburg River at 50' No. of Dist Box

[illegible]

"No. \_\_\_\_\_ of \_\_\_\_\_ Sheets. Comp. by \_\_\_\_\_ Chk. by \_\_\_\_\_

926615

RECEIVED

NOV 30 1961

Department of Reclamation

H. R. HARN

"For All Your Insurance Needs"

POST OFFICE BOX 297

DUBOIS, IDAHO

Nov. 29, 1961



UNITED PACIFIC  
Insurance Company  
HOME OFFICE - TACOMA

Insurance

RECEIVED

NOV 30 1961

Department of Reclamation

Department of Reclamation  
State Capitol Building  
Boise, Idaho

Re: Permit No. G-26615, David R. Jernberg

Gentlemen:

In connection with this Proof, which was set before me on Nov. 27, 1961, I am enclosing the following:

1. Affidavit of Publication.
2. Deposition of Holder, David R. Jernberg.
3. Deposition of Witness, H. C. Gerard.
4. Deposition of Witness, Robert E. Brosius.

All of the records I have show a priority date of Nov. 29, 1956. However, I called The Rigby Star's attention to their publication which showed a date of Nov. 13, 1956 as the date of priority.

Mrs. Hope Jones, of The Rigby Star, sent me the original notice that she had received from your office, and I note that the date is changed from Nov. 29, 1956 to Nov. 13, 1956. No doubt you will be able to reconcile this difference, and that the proof will be acceptable to you.

Yours very truly,

H. R. Harn

HRH/pl

cc: David R. Jernberg  
Terreton, Idaho

noted by → The excess water produced by the well described herein will be used under new Permit G-30241

G-26615

**STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO**

**RECEIVED**  
NOV 30 1961

Department of Reclamation

**RECEIVED**

Permit No. G-26615

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.

**Ans.** H. C. Gerard, age 57; residence, Terreton, Idaho; occupation, farmer; postoffice address, Terreton, Idaho.

**Ques. 2.** Are you acquainted with David R. Jernberg, the holder of Permit No. G-26615? How long have you known him and where does he reside?

**Ans.** I have been acquainted with David R. Jernberg for 27 years. He resides on a farm near Terreton, Idaho.

**Ques. 3.** Have you read or heard read said Permit No. G-26615, and are you familiar with its provisions and conditions?

**Ans.** I have read this Permit and am very familiar with same.

**Ques. 4.** State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

**Ans.** Subterranean water from drilled well. Point of diversion is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 10, Twp. 7 North, Range 34 E.B.M. Pump powered with electricity, canals and laterals from point of diversion to the various places of use.

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

**Ans.** Canals will handle at least 400 inches to place of use, and I have seen the water in the canals.

**Ques. 6.** (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

**Ans.** From my experience, and seeing the pump in operation, it is my opinion that it will produce no less than 400 inches, or perhaps as much as 500 inches. I have been using water for irrigation purposes for over 40 years.

B26615

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) 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 produced is being used entirely for irrigation purposes to raise crops. None of the ground was cultivated or natural meadow ground prior to irrigation. I have been over the entire irrigated lands and fully believe there is approximately 400 acres under irrigation. As follows: Sec 9 SW 1/4 SW 1/4 35, SE 1/4 SW 1/4 29, NE 1/4 SE 1/4 39, SW 1/4 SE 1/4 38, SE 1/4 SE 1/4 33, Sec 10, NW 1/4 SW 1/4 17, SW 1/4 SW 1/4 37, Sec 15, NW 1/4 NW 1/4 39, Sec 16, NE 1/4 NE 1/4 40, NW 1/4 NE 1/4 40, SW 1/4 NE 1/4 40.  
Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.  
T. 7 N. - R. 34 E B.M.

Ans. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Ques. 9. (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.

Ans. Land is of a sandy and clay loam nature. Some fairly level and some a little rough. In this area 1/2 inch to 3/4 of an inch of water is all that is necessary for irrigation purposes.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest whatever in the works, water or lands described herein.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the land described herein, the irrigated crops some three or four times during 1961.

(Signed) H. C. Gerard  
H. C. Gerard

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 \_\_\_\_\_ Dubois  
County of \_\_\_\_\_ Clark \_\_\_\_\_, State of Idaho, on this 27th day of November  
A. D. 19 61

H. R. Harn

Notary Public.

My commission expires May 1, 1965

26615

**STATE OF IDAHO**  
**DEPARTMENT OF RECLAMATION**  
**BOISE, IDAHO**

RECEIVED  
 JUN 30 1931  
 Department of Reclamation

Permit No. G-26615

**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.

Ans. Robert E. Brosius, age 40; residence, Terreton, Idaho; occupation,  
ranch foreman; postoffice address, Box 73, Terreton, Idaho.

Ques. 2. Are you acquainted with David R. Jernberg, the  
 holder of Permit No. G-26615? How long have you known him and where does  
 he reside?

Ans. Yes. I have known him for 10 years, and he resides on a ranch  
near Terreton, Idaho.

Ques. 3. Have you read or heard read said Permit No. G-26615, and are you  
 familiar with its provisions and conditions?

Ans. Yes, I have read the legal publication in the newspaper, and am  
familiar with same.

Ques. 4. State source of water supply, place of diversion, and describe works for con-  
 veying water from point of diversion to place of use.

Ans. Drilled well, producing water from subterranean source. Point of  
diversion is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 10, Twp. 7 North, Range 34 E.B.M.  
well and  
Works consist of a 15-inch steel pipe extending approximately 300 feet,  
then canals and laterals.

Ques. 5. How many second feet of water do you estimate said works will safely con-  
 duct to place of use, and how much water have you seen being so conveyed?

Ans. The pipe and canals will convey at least 8 c.f.s. and I have seen  
this amount of water produced.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons  
 per minute have you seen the pump deliver, and how did you measure or estimate the  
 amount?

Ans. The pump will produce at least 8 c.f.s. and I have seen it in  
operation. I measured it through a wooden headgate approximately 3 feet  
wide and 3 feet high.

*S26615*

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) 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. Water is used entirely for irrigation purposes in the production of crops. I cannot tell you how many acres irrigated in each subdivision but believe there is approximately 400 acres under irrigation. The land has been plowed, ditched, diked, planted, and crops produced. Prior to irrigation the land was not cultivated, nor was there any natural meadowland.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. ACERAGE IN EACH SUBDIVISION UNDER Ques. 7  
Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$  35a, SE $\frac{1}{4}$ SW $\frac{1}{4}$  29a, NE $\frac{1}{4}$ SE $\frac{1}{4}$  33a, SW $\frac{1}{4}$ SE $\frac{1}{4}$  38a, SE $\frac{1}{4}$ SE $\frac{1}{4}$  35a;  
Sec 10, N W $\frac{1}{4}$ SW $\frac{1}{4}$  17a, SW $\frac{1}{4}$ SW $\frac{1}{4}$  37a; Sec 15, NW $\frac{1}{4}$ NW $\frac{1}{4}$  39a; Sec 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$  40a,  
NW $\frac{1}{4}$ NE $\frac{1}{4}$  40a, SW $\frac{1}{4}$ NE $\frac{1}{4}$  40a. T. 7 N. - R. 34 E.

Ques. 9. (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.

Ans. Some of the land is clay loam and some sandy loam. At least  $\frac{1}{2}$  inch per acre is required for successful irrigation, and perhaps as much as  $\frac{3}{4}$  inch.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No, I have no interest in the works, water or lands under this Permit.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been on this land during 1960 and 1961. I have seen water on the lands being cropped and the water put to full beneficial use.

(Signed)

Robert E. Brosius  
Robert E. Brosius

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 Dubois,  
County of Clark, State of Idaho, on this 27th day of November,  
A. D. 19 61.

H. E. Horn  
H. E. Horn

Notary Public.

My commission expires May 1, 1965

826615

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED

✓  
Permit No. G-26615

**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. ✓ David R. Jernberg; residence, Terreton, Idaho; occupation, farmer;  
postoffice address, Terreton, Idaho.

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. ✓ Permit No. G-26615, dated Nov. 29, 1956. Date of priority Nov. <sup>13</sup> 29, 1956.

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

Ans. Subterranean water from drilled well, with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 10, Twp. 7 North, Range 34 EBM.

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. Wells at point of diversion

Ans. are capable of conveying 8 c.f.s. Drilled well depth 70 feet, casing depth about 20 feet, size 20 inches. Depth to water approximately 25 feet. Pump size 12 inches, powered with 50 H.P. motor. Discharges approximately 416 inches, which was measured by a headgate. All gravity irrigated. Water used entirely for irrigation and the growing of crops. Acres in each subdivision as follows:

**Township 7 North, Range 34 E.B.M., Jefferson County**

Section 9: ✓ SW $\frac{1}{4}$ SW $\frac{1}{4}$  (35 A.), SE $\frac{1}{4}$ SW $\frac{1}{4}$  (29 A.), NE $\frac{1}{4}$ SE $\frac{1}{4}$  (33 A.),  
SW $\frac{1}{4}$ SE $\frac{1}{4}$  (38 A.), SE $\frac{1}{4}$ SE $\frac{1}{4}$  (35 A.)

Section 10: NW $\frac{1}{4}$ SW $\frac{1}{4}$  (17 A.), SW $\frac{1}{4}$ SW $\frac{1}{4}$  (37 A.)

Section 15: NW $\frac{1}{4}$ NW $\frac{1}{4}$  (39 A.)

Section 16: NE $\frac{1}{4}$ NE $\frac{1}{4}$  (40 A.), NW $\frac{1}{4}$ NE $\frac{1}{4}$  (40 A.), SW $\frac{1}{4}$ NE $\frac{1}{4}$  (40 A.)

, making a total of 383 acres.

G-26615

SD

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G-26615

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. David R. Jernberg; residence, Terreton, Idaho; occupation, Farmer; postoffice address, Terreton, Idaho.

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.

the permit.

Ans.

Permit No. G-26615, dated Nov. 29, 1956. Date of priority Nov. 29, 1956.

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

Ans.

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

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. Originally no natural meadow or cultivated ground. Land producing crops as a direct result of irrigation. All the land fenced.

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

Ans. Ralph P. Cope, Jr., address: Idaho Falls, Idaho

G-26615

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

Ans. All water used for irrigation.

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

Ans. I am using approximately 6/10 inches per acre for irrigation purposes.

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. I did some cropping in 1960, and in 1961 all the land was irrigated and most of it cropped.

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. There is no other source of water supply. All the water used on these lands is from the well described herein.

(Sign)

David R. Jernberg ✓  
David R. Jernberg

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 Dubois, County of Clark, State of Idaho, on this 27th day of November, A. D. 1961.

My commission expires May 1, 1965

H. R. Harn, Notary Public  
Residing at Dubois, Idaho.

126615

**Affidavit of Publication  
THE RIGBY STAR**

**RECEIVED**

NOV 30 1961

STATE OF IDAHO,  
County of Jefferson

**RECEIVED**

Department of Reclamation

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

*Four* consecutive issues thereof; first publication having been made on the

*2nd* day of *November*, 19*61*

and the last publication on the

*23rd* day of *November*, 19*61*

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

*Hope B. Jones*

Subscribed in my presence and sworn to before me this *27th*

day of *November*, 19*61*

(SEAL)

*R. H. Hamm*  
Notary Public for the State of Idaho,  
Residence and P. O. Address, Rigby, Idaho.  
My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$*26.76*

My Commission Expires July 15 1963

*\$26615*

**NOTICE OF PROGRESS OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE:**  
It is hereby given that at 10 a.m., on the 27th day of November, 1961, at \_\_\_\_\_, County of \_\_\_\_\_, State of Idaho, before H. R. Harn, Notary Public, at \_\_\_\_\_, Idaho, proof will be submitted of the completion of works for the diversion of 4.6 cubic feet per second of water from \_\_\_\_\_ well, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. \_\_\_\_\_, 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 David R. Jernberg, Terreton, 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 4.6 cubic feet per second.  
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.6 cubic feet per second.  
4. The point of diversion of said water is \_\_\_\_\_ of Section 10, Township 3 North, Range 34, East Boise Meridian.  
5. The place where said water is used is \_\_\_\_\_, Section 9, NW 1/4, SW 1/4, SW 1/4, Section 10, NW 1/4, NW 1/4, Section 11, NE 1/4, NW 1/4, NW 1/4, Section 12, all in Township 3 North, Range 34, T.B.M., Jefferson County, Idaho.  
6. The date of priority which said user is claimed to establish is Nov. 12, 1958.  
WITNESSES:  
\_\_\_\_\_ Secretary  
\_\_\_\_\_ Clerk

January 3, 1962

Re: Permit No. 0-26615

David E. Jarnberg  
Tarryton, Idaho

Dear Mr. Jarnberg:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the The Rigby Star, 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:

cc: H. R. Harn  
P. O. Box 297  
Dubois, Idaho

026615



H. R. HARN

"FOR ALL YOUR INSURANCE NEEDS"

TELEPHONE: FRontier 4-5115

297  
P. O. BOX 77 DUBOIS, IDAHO

DEC 27 1961

PROTECT WHAT YOU HAVE®

Department of Reclamation

December 22nd 1961

Department of Reclamation

State Capitol Building

BOISE, IDAHO

Re: Permit No. G-26615 David R. Jernberg

Gentlemen: to your  
With reference/Notice to me of December 20th and your  
previous letter regarding testimony of both witnesses, it has  
been impossible to secure the additional information requested  
for the reason that I was out of my office for several days on  
account of illness and upon my recovery one of the witnesses  
was not available.

You should receive this additional information this  
coming week.

Yours very truly

H. R. Harn.

G 26613

*Insurance Company of North America*

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

December 20, 1961

Re: Permit No. G-26615

To David R. Jernberg

Terreton, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 26615 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to \_\_\_\_\_

Completion of Works & Beneficial Use Proofs which were due November 29, 1961

YOU ARE HEREBY notified in compliance with Sec. 42-234, Idaho Code that said Permit No. G- 26615 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- 26615 claims the use of 4.6 cubic feet per second of the Subterranean Waters of a well with point of diversion located SE 1/4 SW 1/4 Sec. 10., Twp. 7 N., Rge. 34 E.B.M.

and was approved November 29, 1956.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, the 20th day of December, 1961.

cc: H. R. Harn  
Box 297

Deputy State Reclamation Engineer

Dubois, Idaho P. S. Your Proofs were returned to Mr. H. R. Harn November 30th for correction and to date have not been returned to us. It will be necessary that the corrected Proofs be returned to us at once.

26615

November 30, 1961

Re: Permit No. G-26615  
David R. Jernberg

H. R. Hahn  
P. O. Box 297  
Dubois, Idaho

Dear Mr. Hahn:

Returned herewith proofs for completion of works and beneficial use under subject permit.

Please instruct witnesses to read Question 7 carefully so that their answer reflects a desired verification of holder's statements. The same care should be taken when answering all questions.

The priority date of November 13, 1956, is given in our records as submitted upon application. No delay or cause for loss of priority time to November 29, 1956 is on record.

The excess water under Permit No. G-30241 will be taken into consideration when and if examination is made on the ground.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

H. PETRI  
Water Rights Clerk

HP:ev

Enc. proofs  
Notice of Proof (Form 36)  
(Please keep in your file)

826615

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

Notice is hereby given that at 10 A.M., on the 27th day of November 1961, at Dubois, County of Clark, State of Idaho, before H. R. Harn, Notary Public, at (address) Dubois, Idaho, proof will be submitted of the completion of works for the diversion of 4.6 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-26615, 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 David R. Jernberg, Terreton, 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 4.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.6 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, Township 7 North, Range 34 East Boise Meridian.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 16, all in Township 7 North, Range 34 E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is Nov. <sup>13,</sup>~~29,~~ 1956.

*Published Nov 2-9-16-23*

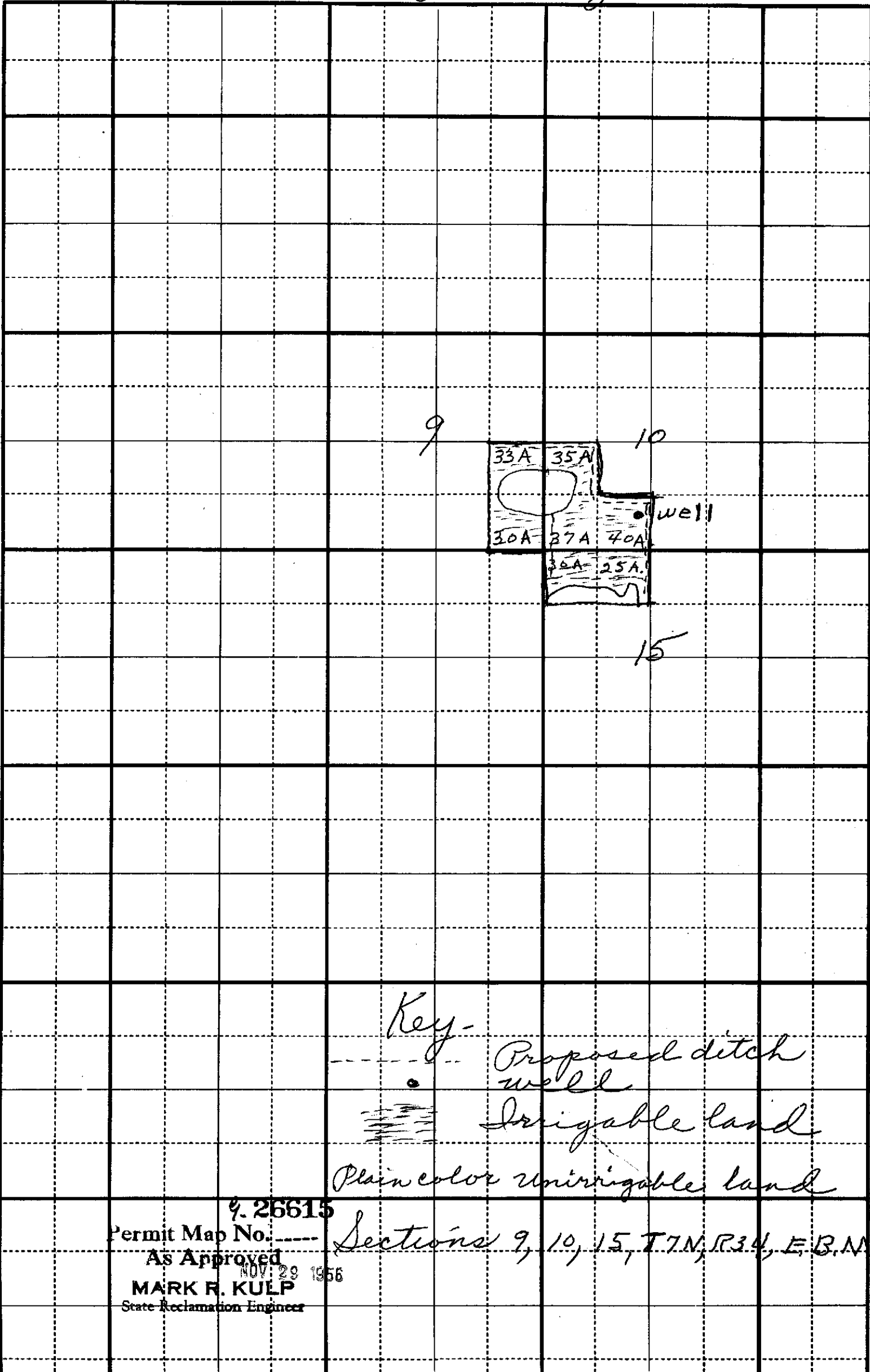
GEO. N. CARTER

State Reclamation Engineer

*826615*

NAME OF APPLICANT David R. Jernberg

Form No. 0



Permit Map No. 9.26615  
As Approved  
MARK R. KULP  
State Reclamation Engineer  
NOV 29 1956

Sections 9, 10, 15, T7N, R34, E. B.M.

RUSH  
PLEASE

H. R. HARN  
"FOR ALL YOUR INSURANCE NEEDS"  
POST OFFICE BOX 7  
TELEPHONE: FRontier 4-5115  
DUBOIS, IDAHO  
Oct. 25, 1961

RECEIVED  
OCT 26 1961  
Department of Reclamation

Department of Reclamation  
State Capitol Building  
Boise, Idaho

Re: Permit G-26615, David R. Jernberg

Gentlemen:

I am enclosing the following forms which are necessary in connection with proof under captioned Permit:

Form 11 - Order for Publication

Form 36, in duplicate, Notice of Proof of Works etc.

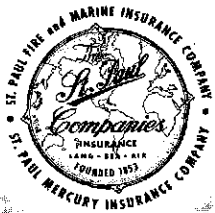
This proof is due not later than Nov. 29th, and if you get this to The Rigby Star at once it can be published in their issues of Nov. 1, 8, 15 and 22, and I have therefore set the proof for Nov. 27th. In the event you cannot get this out immediately to The Rigby Star, then I presume the publication will have to run through Nov. 30th, in which event I would need the proof set for Monday, Dec. 4th.

Yours very truly,

H. R. Harn

HRH/pl

G26615



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

RECEIVED  
Department of Reclamation

Notice is hereby given that at 10 A.M., on the 27th day of November 1961, at Dubois, County of Clark, State of Idaho, before H. R. Harn, Notary Public, at (address) Dubois, Idaho

\_\_\_\_\_ , proof will be submitted of the completion of works for the diversion of 4.6 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-26615, 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 David R. Jernberg, Terreton, 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 4.6 cubic feet per second.

3. The use to which said water has been applied is irrigation \_\_\_\_\_ purposes, and the amount applied to beneficial use is 4.6 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, Township 7 North, Range 3 $\frac{1}{2}$  East Boise Meridian.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 16, all in Township 7 North, Range 3 $\frac{1}{2}$  E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is Nov. 29, 1956.

*Geo. H. Carter*

State Reclamation Engineer

*G-26615*

*S*

RECEIVED

OCT 26 1961

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 26, 1961(P.O.) Terretin, 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 Rigby Star of  
Rigby, Idaho published in the county in which the  
works are situated.

*Jefferson Co.*David R. Jernberg

(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.

*266615*

1200  
6-28-61

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

Re: Permit No. G-26615  
David R. Jernberg

Date: October 26, 1961

The Rigby Star,  
Rigby, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **November 27, 1961** the date set for proof;

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

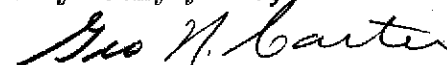
**H. R. Harn**

of **Dubois, 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  
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.

*G-26615*

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

October 26, 1961

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Re: Permit No. G-26615  
David R. Jernberg

Mr. H. R. Harn,  
Box 7,  
Dubois, Idaho.

Dear Mr. Harn:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26615, in the name of David R. Jernberg. Final Proof is to be made before you, as Notary on the 27th day of November, 1961, ~~1960~~, at 10:00 o'clock A.M., at Dubois, Idaho.

As of this date we have mailed the Notice to the Rigby Star 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. <sup>Rule</sup> ~~Butledge~~  
Chief Clerk

Encl.  
EPR:Pk

cc: Applicant

*826615*

October 20, 1961

RE: Permit No. G-26615  
David R. Jernberg

N. R. Harn  
Box 7  
Dubois, Idaho

Dear Mr. Harn:

Your letter of October 17 has been received with the amendment to the land list. The amendment has been approved and recorded, and is returned herewith.

We do not understand your P.S. at the bottom of the letter. The forms were sent to Mr. Jernberg for completion. Who completes the forms makes no difference to this office.

Enclosed is departmental receipt No. G-6624 in the amount of \$1.00 covering the fee for recording the amendment.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

Ralph W. Thomas  
Deputy State Reclamation Engineer

RWT:mr

Enc. amendment  
receipt

826615

K. Amc 4/02

H. R. HARN

"For All Your Insurance Needs"

POST OFFICE BOX 7

DUBOIS, IDAHO

Oct. 17, 1961



UNITED PACIFIC  
Insurance Company  
HOME OFFICE - TACOMA

Insurance

RECEIVED  
OCT 19 1961

Department of Reclamation

Department of Reclamation  
State Capitol Building  
Boise, Idaho

Re: Permit No. G-26615, David R. Jernberg

Attn: Ralph W. Thomas, Deputy  
State Reclamation Engineer

Dear Mr. Thomas:

Thank you for your letter of Oct. 9th returning  
Application For Amendment to the land list to be  
presented on new forms.

The new Amendment and map is enclosed herewith,  
together with my Check No. 324 for \$1.00 to cover  
your fee.

You are correct in your assumption that two  
40-acre subdivisions have been omitted, it being found  
impossible to irrigate these, as was originally planned.

I hope you will find the enclosures now in proper  
order.

Yours very truly,

H. R. Harn

HRH/pl

Mr. Jernberg desires to proceed with his final proof under  
this Application, which according to ~~your~~ letter of Sept. 1,  
1961 is due not later than Nov. 29, 1961. I assume we have  
the time to secure the proper advertisement to meet the  
Nov. 29th deadline. I have the necessary forms, and upon  
receipt of your permission to go ahead, I will get these to you  
promptly.

H. R. Harn

G26615

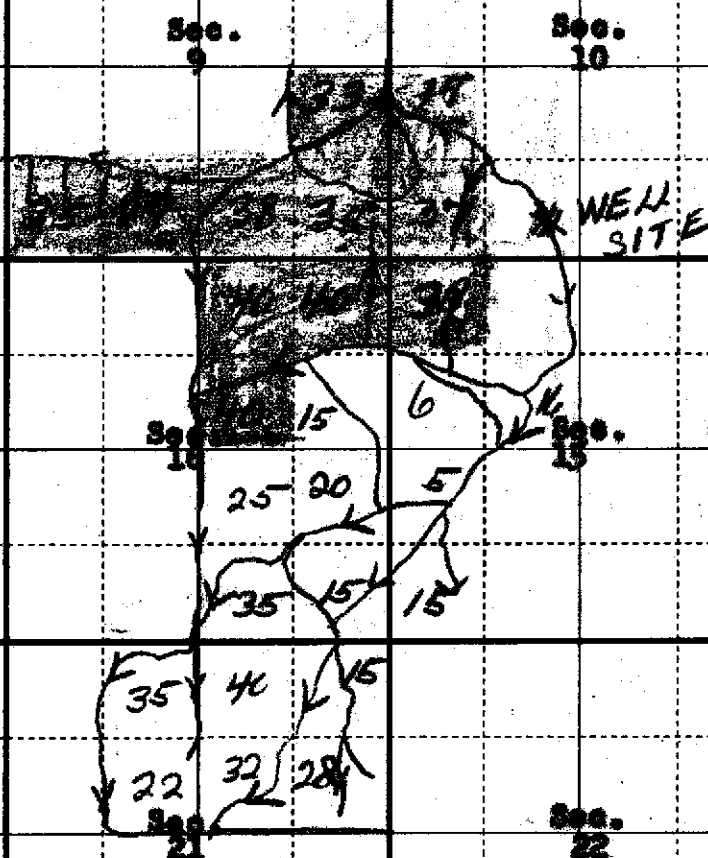
NAME OF APPLICANT

David R. Jernberg, Terrell, Idaho

Form No. 0

Department of Reclamation

TOWNSHIP 7 NORTH  
RANGE 34 EBM  
JEFFERSON COUNTY, IDAHO



## Application for Amendment

## LAND LIST

Permit No. G 26615**RECEIVED**

OCT 19 1961

Department of Reclamation

Comes now David R. Jernberg, 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 26615, and requests that the list of lands to be irrigated,  
as described in said permit, be changed to read as follows:

Township 7 North, Range 34 E.B.M., Jefferson County

Section 9: SW $\frac{1}{4}$ SW $\frac{1}{4}$  (35 A.), SE $\frac{1}{4}$ SW $\frac{1}{4}$  (29 A.), NE $\frac{1}{4}$ SE $\frac{1}{4}$  (33 A.),

SW $\frac{1}{4}$ SE $\frac{1}{4}$  (38 A.), SE $\frac{1}{4}$ SE $\frac{1}{4}$  (35 A.)

Section 10: NW $\frac{1}{4}$ SW $\frac{1}{4}$  (17 A.), SW $\frac{1}{4}$ SW $\frac{1}{4}$  (37 A.)

Section 15: NW $\frac{1}{4}$ NW $\frac{1}{4}$  (39 A.)

Section 16: NE $\frac{1}{4}$ NE $\frac{1}{4}$  (40 A.), NW $\frac{1}{4}$ NE $\frac{1}{4}$  (40 A.), SW $\frac{1}{4}$ NE $\frac{1}{4}$  (40 A.)

, making a total of 383 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 Dubois, Idaho this 18th day of September, 1961

David R. Jernberg  
David R. Jernberg  
c/o H. R. Harn, Box 297  
Dubois, Idaho

Date of receipt at office of Department of Reclamation: October 19, 1961

## APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~George W. Thomas~~, 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-26615. 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.

Ralph W. Thomas

Deputy State Reclamation Engineer

Recorded: October 20, 1961

*f 26615*

October 9, 1961

Re: Permit No. G-26615  
David R. Jernberg

H. R. Harn  
Box 297  
Dubois, Idaho

Dear Mr. Harn:

Returned herewith is the application for amendment to the land list and map which we received without the \$1.00 fee for recording the amendment.

Also enclosed is a supply of new forms for amendment.

Two subdivisions included in the original land list are not included in the amendment or the new application, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 10; NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 15. They were possibly omitted intentionally.

Return the application for amendment on the new form with the filing fee at your convenience. Kindly discard those old forms.

Very truly yours,

GED. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

Enc. forms

G26615

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 26615

Date: Sept. 1, 1961

David R. Jernberg  
Tarryton, Idaho

Dear Mr. Jernberg:

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- 26615 are due not later than **November 29, 1961**

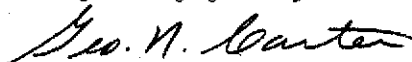
Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken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

26615

December 20, 1956

Re: Permit No. G-26615

Mr. David R. Jernberg  
Terreton, Idaho

Dear Mr. Jernberg:

We enclose Permit No. G-26615 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We are also enclosing departmental receipt No. G-2296 for the \$6.00 filing fee on the above captioned permit.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

ER:ab  
Encls.

826615

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300

POSTMARK OF  
DELIVERING OFFICE

9-26615

*M. A. J.*

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.

RETURN  
TO

REGISTERED NO.

NAME OF SENDER

Department of Reclamation

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

Room 107 Statehouse

INSURED NO.

CITY, ZONE AND STATE

Boise, Idaho

G55-16-71548-4

POB Form 3811 Jan. 1958

926615

# #1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to

☐ 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)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

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

Notice is hereby given that at 10 a.m., on the 27th day of November, 1961, at Dubois, County of Clark, State of Idaho, before H. R. Harn, Notary Public, at Dubois, Idaho, proof will be submitted

application for beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26615, 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 David R. Jernberg, Terreton, 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 4.6 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 4.6 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, Township 7 North, Range 34, East Boise Meridian.

5. The place where said water is used is SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 16, all in Township 7 North, Range 34 E.B.M., Jefferson County, Idaho.

6. The date of priority which said user is prepared to establish is Nov. 13, 1956.

GEO. N. CARTER

State Reclamation Engineer

(Publish: November 2-9-16-23, 1961)