

# APPLICATION FOR PERMIT To Appropriate the Public Waters of the State of Idaho

Application No. 33998  
Permit No. 26153  
District No.

1. Name of Applicant: ROBERT JOHNSON

Postoffice address: Weston, RFD #1, Box 65 County: Franklin

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: no
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources: 160 acre farm

(a) Cash on hand: \$150.00

(c) Bonds to be issued:

2. Quantity of water claimed: 1.74 cubic feet per second.

3. Source of water supply: SE<sup>1</sup> of Sec. 30, Tp. 16 S., R. 39 E.B.M. which drains into a large slough, which  
Un-laced Stream, open drain in / which is a tributary of  
drains into Bear River

4. Location of point of diversion: any place along drain feet distant from the 100 ft. so. of NW of NE<sup>1</sup> of  
corner of Section 30, T. 16 S., R. 39 E., B. M., and is in the SE<sup>1</sup>  
of Section 30, T. 16 S., R. 39 E., B. M., County of Franklin

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the  
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 180.00

8. Kind of works: Cement dam and head gate across drain

9. Height of dam five feet; length of dam at top 12 feet; length of dam at bottom 5 feet  
feet; material used in dam: concrete

10. Size of headgate: Width 1 feet; height 3 feet;  
will pump water from drain and use sprinkling system.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;  
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is One years.

13. The time required for the complete application of the water to the proposed use is None additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

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.

*Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Dec. 19, 1955

Returned to applicant for correction:

Corrected application received:

## Approval of State Reclamation Engineer

The number of this permit is 26153  
 Page 92 26153 Approved Jan. 24, 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 March 24, 1956 and to continue diligently and uninterruptedly to completion  
 unless temporarily interrupted by circumstances over which permit holder has no control.  
 One-fifth of the work above specified to be completed on or before July 24, 1956  
 The whole of said work to be completed on or before January 24, 1957  
 Beneficial use of water appropriated in accordance herewith, to be made on or before January 24, 1957

Witness my hand this 24th day of January, 1956

MARK R. KULA  
*State Reclamation Engineer.*

IN TESTIMONY WHEREOF, We, ROBERT E. SLYKE, Governor of the State of Idaho,  
and IRVING H. MASTERS, 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 24th  
day of January, 1946  
Countersigned: STATE OF IDAHO

(SEAL)

By.....IRA E. MASTERS.....  
Secretary of State.

By ROBERT E. GAYLE Governor

By Paula L. Fleenor  
Deputy Secretary of State

Remarks: Drain was made in 1940 by applicant and drain is on applicants own land and does not drain any land other than applicants.

14.

| 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> |                                |    |    |    |        |    |                                      |     |                |
| 16 S.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 39 E. | 30             |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                | 25 | 10 | 15 | 12     | 62 |                                      |     |                |
| <p style="text-align: center;">AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS</p> <p>I, Delbert Jensen, of Weston, County of Franklin, State of Idaho, do hereby certify that I am the owner of the land on which the drain mentioned in the application of Delbert Jensen is located, to-wit: SW<sup>1</sup>/<sub>4</sub> of Sec. 30, T. 16, S. R. 39, that I do hereby grant unto the said Delbert Jensen permission to file on the said spring as set forth in the foregoing application.</p> <table><tr><td>STATE OF IDAHO<br/>County of Franklin</td><td>ss.</td><td>DELBERT JENSEN</td></tr></table> <p>On this 10 day of October, 1955, before me, a Notary Public for the State of Idaho, residing at Weston, personally appeared Delbert Jensen known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.</p> <p>Witness my hand and seal, the day and year in this certificate first above written.</p> <p style="text-align: right;">J. E. LARSEN<br/>Notary Public<br/>Preston, Idaho</p> <p>(SEAL)<br/>My commission expires May 1, 1957</p> |       |                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |    |    |    |        |    | STATE OF IDAHO<br>County of Franklin | ss. | DELBERT JENSEN |
| STATE OF IDAHO<br>County of Franklin                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ss.   | DELBERT JENSEN |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |                                |    |    |    |        |    |                                      |     |                |

Permit No. 26153  
Certificate of Completion of Works

✓  
TO ALL WHOM IT MAY CONCERN:

This is to certify that DELBERT JENSEN of Weston, County of Franklin, and State of Idaho, the holder of Permit No. 26153; issued upon Application No. 33998 bearing date of priority of December 19, 1955, authorizing the diversion of 1.24 second feet of the waters of an un-named stream which drains into a large slough, which drains into the Bear River County of Franklin, 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 1.24 second feet of the waters of an un-named stream that the point of diversion of said waters At various points along the drain in the SE $\frac{1}{4}$  of Section 30, Township 16 South, Range 39 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 90 acres in the SE $\frac{1}{4}$  of Section 30, Township 16 South, Range 39 East, B.M. Proof of Completion of Works made: December 10, 1956

Witness my hand this 14th day of January, A.D. 1958

/s/ Mark R. Kulp  
State Reclamation Engineer

Proof of Completion of Works made: December 10, 1956  
Certificate of Completion of Works issued: January 14, 1958.

APPROVAL OF STATE RECLAMATION ENGINEER

✓  
I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 26153 to January 24, 1963.

Witness my hand this 8th day of April, 1958

/s/ Mark R. Kulp  
State Reclamation Engineer

Approved and recorded:  
April 8, 1958.

A S S I G N M E N T

✓  
For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 26153 to Fred Weyerman of Weston, Idaho

s/ DELBERT JENSEN  
Permit Holder

s/ CLEA S. JENSEN  
Wife of Permit Holder

STATE OF UTAH        )  
                          ) ss  
County of Box Elder )

On this 1st day of December, 1962, before me, a Notary Public for the State of Utah, residing at Tremonton personally appeared DELBERT JENSEN and CLEA S. JENSEN, his wife, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

s/ R. J. BROUGH  
Notary Public  
Residing at Tremonton, Utah

My commission expires: Sept. 23, 1965

## A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 26153 to DENTON W. GREEN and PLATT B. GREENE of Weston, Idaho.

s/ FRED WEYERMAN  
Permit Holder

s/ OLIVE J. WEYERMAN  
Wife of Permit Holder

STATE OF IDAHO     )  
                          ) ss  
County of Franklin)

On this 30 day of June, 1964, before me, a Notary Public for the State of Idaho, residing at Preston, Idaho, personally appeared FERDINAND WEYERMAN and OLIVE J. WEYERMAN, his wife, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

(SEAL)  
My Commission expires 5-12-66

s/ TED B. LARSEN  
Notary Public  
Residing at Preston, Idaho

# J. N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

PRESTON, IDAHO

PHONE 62 BOX 466

November 1, 1955

State of Idaho  
Department of Reclamation  
Boise, Idaho

Application: Delbert Jensen

Gentlemen:

We are herewith enclosing an application for permit to appropriate the public waters of the State of Idaho. The waters asked for here are waters that Mr. Jensen developed on his own land through drainage and the drainage water, after he put in his drain, empties in to Bear River.

We are herewith enclosing his check for the sum of \$5.25 ✓ recording fee. Please acknowledge receipt.

Yours very truly,

J. N. LARSEN COMPANY

By

J. N. Larsen

JNL/v  
Encl.

RECEIVED  
NOV 3 1955

Department of Reclamation

26153

November 7, 1955

J. N. Larsen Company  
P. O. Box 466  
Preston, Idaho

ATTENTION: Mr. J. N. Larsen

Dear Mr. Larsen:

We return the Application of Delbert Jensen enclosed in your letter of November 1, 1955, with the request that he sign same on the line indicated on the third page.

Since only 62 acres were to be irrigated the Application cannot be approved for more than 62 inches or 1.24 second feet instead of the 2 second feet applied for.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
BY

Chief Clerk

A:cu  
Enc.

26153

December 12, 1955

J. N. Larsen Company  
P. O. Box 466  
Preston, Idaho

ATTENTION: Mr. J. N. Larsen

Dear Mr. Larsen:

On November 7 we returned the application of Delbert Jensen with the request that he sign same on the line indicated.

To date this application has not been returned and we are wondering if Mr. Jensen is still interested in filing same.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

26153

# J. N. LARSEN COMPANY

REAL ESTATE - TITLE INSURANCE - ABSTRACTS - FIRE INSURANCE - FARM AND CITY LOANS

PRESTON, IDAHO

PHONE 62 BOX 466  
December 15, 1955

State of Idaho  
Department of Reclamation  
Boise, Idaho

Gentlemen:

Enclosed herewith application for permit to appropriate the public waters of the State of Idaho, made by Delbert Jensen, of Weston, Idaho.

Yours very truly,

J. N. LARSEN COMPANY

*J. N. Larsen*  
J. N. Larsen U. R.

(vr)  
Encl.

RECEIVED  
DEC 19 1955

Department of Reclamation

*marked  
maps -*

26153

December 22, 1955

Mr. Delbert Jensen  
R. F. D. # 1  
P. O. Box 65

Dear Mr. Jensen:

It is necessary that we write you again regarding your recent Application filed in the Department of Reclamation to appropriate water from a drain.

Your Application states that the drain is in the SE $\frac{1}{4}$  of Section 30, Township 16 South, Range 39 East, then directly below in answer to Question 4 (location of point of diversion) you state that the diversion point is any place along drain in the SE $\frac{1}{4}$  of Section 36, Township 16 South, Range 39 East. We assume you mean your land is located in the SE $\frac{1}{4}$  of Section 30 as there is no Section 36 in the above stated Township, as the south row of Sections are cut off being over the state line in Utah.

Kindly set us right as to your correct land description.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Supervisor of Water Distribution

T:ou

26153

# J.N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

PRESTON, IDAHO

PHONE 62 BOX 466

January 9, 1956

Department of Reclamation  
Boise, Idaho

Gentlemen:

In reference to your letter dated December 22, 1955 addressed to Mr. Delbert Jensen R.F.D. # 1 Weston, Idaho. We wish to correct the section No. as was originally sent. The correct description in regard to your paragraph No. 2, should read the Southeast quarter of Section 30, Township 16 South, Range 39 East of the Boise Meridian.

Yours very truly,

J.N. LARSEN COMPANY

By 

Ted Larsen  
Title and Trust Dept.

TL/v

*Exhibit for permit*  
*33448*

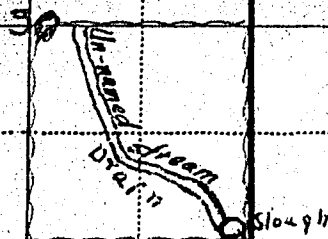
RECEIVED  
JAN 11 1956

Department of Reclamation

26153

R-39 E.

T.  
16  
S.



Point of Diversion  
At various points along un-named  
stream in the SE<sup>1</sup> of Sec. 30

Permit Map No. 26153

As Approved  
JAN 24 1956

MARK R. KULP  
State Reclamation Engineer

February 1, 1956

RE: Permit No. 26153

Mr. Delbert Jensen  
R.F.D. # 1, Box 65  
Weston, Idaho

Dear Mr. Jensen:

We enclose Permit No. 26153 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 27754 for the \$5.25 filing fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

R:hll

Enc.

26153

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

FOISE

November 1, 1956

Mr. Delbert Jensen  
RFD # 1, Box 65  
Weston, Idaho

Dear Sir:

Under the terms of your permit No. 26153 you are required to complete your diversion works and make proof of beneficial use on or before January 24, 1957.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public or Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the Completion of the Works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is January 24, 1957, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

26153

# J. N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

PRESTON, IDAHO

PHONE 62 BOX 466

December 13, 1956

Mark R. Kulp, State Reclamation Engineer  
Department of Reclamation  
Boise, Idaho

Dear Mr, Kulp:

At the request of Delbert Jensen of R.F.D. 1 Box 65  
Weston, Idaho, we are herewith enclosing to you the following  
named papers:

Proof of completion of works executed by Delbert Jensen.  
Notice for publication, notice of proof of application of water  
to beneficial use in duplicate. Also authority for you to publish.

Yours very truly,

J. N. LARSEN COMPANY

By

J. N. Larsen

Title and Trust Dept.

RECEIVED  
DEC 17 1956

Department of Reclamation

JNL/v  
Encl.

26153

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED  
DEC 17 1956  
Department of Reclamation

(Date) Dec 10 - 1956  
(P. O.) Preston Ida

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Preston Citizen

of Preston Idaho

published in

the county in which the works are situated.

Herbert Jensen

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

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

Engineer.

26153

NOTICE FOR PUBLICATION  
 NOTICE OF PROOF APPLICATION OF WATER  
 TO BENEFICIAL USE

RECEIVED  
 DEC 17 1956  
 Department of Reclamation

Notice is hereby given that at 10:00 A. M. on the 24th day of January, 1957,  
 at Preston, County of Franklin, State of Idaho, before  
J.N. Larsen Notary Public, proof will be submitted of the  
 application to beneficial use of 1.24 cubic feet per second of the waters of un named stream  
in SE 1/4, Sec. 30, Twp. 16 S, Rge. 39 E. - 30 E.  
 in accordance with the terms and conditions of Permit No. 26153  
 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are  
Delber Jensen Teston R.F.D. #1 Box 65, Franklin County, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1.24 cu. ft. per second of time

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)  
in SE 1/4 of Sec 30, Twp 16 SR 39 T8N.

The name of the canal or ditch or other works by which said water is conducted to such place of use is

Dams in an open drain

The right to take water from such works is based upon Permit No. 26153

The source of supply from which such water is diverted is Un-named stream

The date of priority which said user is prepared to establish is January 21, 1957

MARK R. KULP

State Reclamation Engineer.

26153

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RE: Permit No. 26153  
Delber Jensen

Date: December 18, 1956

Preston Citizen  
Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to January 24, 1957 the date set for proof, the expense of the publication to be paid by the applicant, Delber Jensen, R.F.D. #1 Box 65 of Weston 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

26153

Permit No. 26153STATE OF IDAHO  
Department of Reclamation

## Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Franklin

SS.

RECEIVED  
DEC 17 1956  
Department of ReclamationDelbert Jensen ✓, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 26153 ✓, and that his postoffice address is Weston State of IdahoSecond: That the name of the stream from which said water is to be diverted is Un-named stream a drainage ditch.Third: That the point of diversion of said water is SE 1/4 at various points in the drain in SE 1/4 Sec. 30 - 16 S. 39 EFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 24 - 1956 1-24-57Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of Works: Cement dam and head gate across drain ✓  
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)II. Dimensions of work: 5 x 12 feet(a) Height of dam 5 feet, length of dam at top 12 feet, length of dam at bottom 25 feet. Material used in construction Cement concrete ✓

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir \_\_\_\_\_ acre feet.

(c) Size of headgate: Width 1 1/2 feet, height 8 feet.

(d) Conduit \_\_\_\_\_ width at bottom \_\_\_\_\_ feet, width at water line \_\_\_\_\_

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water \_\_\_\_\_ feet; diameter of pipe \_\_\_\_\_ inches, average grade per mile is \_\_\_\_\_ feet. Length of conduit is \_\_\_\_\_ miles.

Seventh: That said works are capable of conducting to the place of intended use \_\_\_\_\_ 1.24 second feet of water.Eighth: That water appropriated under said permit is available for 90 acres of land described as follows: in SE 1/4 Sec 30 T4 16 S. R. 39 E.B.M.

Ninth: Remarks:—That \_\_\_\_\_

Subscribed and sworn to before me this 10 day of Dec 1956

(SIGN HERE)

NOTARY PUBLIC

My commission expires July 1-1957

26153

December 19, 1956

RE: Permit No. 26153

Mr. Delber Jensen  
R.F.D. #1 Box 65  
Weston, Idaho

Dear Mr. Jensen:

We acknowledge receipt of Notice in proof of Beneficial Use on Permit No. 26153 to be made January 24th, 1957, before J. N. Larsen, Notary Public.

We shall send a copy of the notice to the Preston Citizen with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Larsen, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

:vm  
Enc.  
cc. J. N. Larsen  
Preston, Idaho

26153

December 31, 1956

Re: Permit No. 26153  
Delbert Jensen

J. N. Larsen Company  
P. O. BOX 466  
Preston, Idaho

Attention: Mr. J. N. Larsen, Title and Trust Department

Dear Mr. Larsen:

We acknowledge receipt of Proof of Completion of Works  
in connection with the Permit captioned above, December 17, 1956.

Before a Certificate of Completion of Works can be  
issued it will be necessary for you to remit a check for \$5.00, the  
statutory fee for the Certificate.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

ER:nls

26153

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

RECEIVED  
JAN 29 1957

Department of Reclamation

Alon E. Smith

, being duly sworn,

deposes and says:

That he is the Publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

December 27, 1956, and endingwith the issue of January 17, 1957.Fees, \$ 19.75Subscribed and sworn to before me this 26 dayof Jan, 1957.Paul C. Guevarra

Notary Public, Residing at Preston, Idaho

My Commission Expires April 25, 1958.

## NOTICE FOR PUBLICATION

Notice of Proof Application of  
Water to Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 24th day of January, 1957, at Preston, County of Franklin, State of Idaho, before J. N. Larsen Notary Public, proof will be submitted of the application to beneficial use of 1.24 cubic feet per second of the waters of an named stream in SE¼, Sec. 30, Twp. 16 S Rge. 39 E. in accordance with the terms and conditions of Permit No. 26153 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are Delber Jensen, Weston R.F.D. No. 1, Box 65, Franklin County, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 1.24 cu. ft. per second of time.

The place where said water is used is SE¼ of Sec. 30, Twp 16 SR 39 EBM.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Dams in an open drain.

The right to take water from such works is based upon Permit No. 26153.

The source of supply from which such water is diverted is Un-named stream.

The date of priority which

said user is prepared to establish is January 24, 1957.

MARK R. KULP  
State Reclamation Engineer  
52-3c

26153

April 16, 1957

Re: Permit No. 26153  
Delbert Jensen

J. N. Larsen Company  
P. O. Box 466  
Preston, Idaho

ATTENTION: Mr. J. N. Larsen

Dear Mr. Larsen:

Our records disclose that notice of proof of application of water to beneficial use was published in the Preston Citizen, stating that Mr. Delbert Jensen was to make said Proof on January 27, 1957, before you as Notary Public. Up to date this office has not received the Proofs for beneficial use.

We also wish to refer you to our office letter of December 31, 1956, stating that a Certificate of Completion of Works would be issued you upon receipt of the \$5.00 statutory fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR

cc: Mr. Delbert Jensen  
Route #1, Box 65  
Weston, Idaho

December 16, 1957

Re: Permit No. 26153

Mr. Delber Jensen  
R.F.D. #1 Box 65  
Weston, Idaho

Dear Mr. Jensen:

To date, we have never received acknowledgment of our letter to you of April 16, 1957. Perhaps there has been misunderstanding regarding the matter of proof of beneficial use under the terms of your Permit No. 26153.

At the time you filed on the water under Permit No. 26153 you stated the works for diversion would be completed and the water put to beneficial use by January 27, 1957. The permit was issued as a "Use Permit" with that stipulation. You have complied with the terms in that you have made the completion of works proof, dated December 10, 1956, however, before this proof is accepted as valid it must be recorded on the record of the permit, which record is made from The Certificate of Completion of Works. The fee for this Certificate is five dollars and you have failed to send it. Please do so immediately.

You have advertised your notice of intention of application of water to beneficial use and we have the affidavit of publication in your file. However, the depositions of holder and two witnesses executed on January 24, 1957, before J. N. Larsen, Notary Public, have never been received. These, too, are a necessary requirement and must be sent immediately.

To complete a water right (surface) a Certificate of Completion of Works is issued and recorded on the record of the permit and after the depositions of proof of application of water to beneficial use are received a report is made from them and the field engineer then makes an inspection. After which, the permit is entitled to be licensed.

26153

Mr. Delber Jensen

Page 2

December 16, 1957

Unless the requirements are met it will become necessary to cancel the permit. We know you are anxious to keep this permit in good standing until it becomes a licensed water right.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR:nls

26153

# J. N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

RECEIVED  
JAN 13 1958

PRESTON, IDAHO  
PHONE 62 BOX 466  
January 9, 1958

Department of Reclamation

Mr. Mark R. Kulp  
State Reclamation Engineer  
Department of Reclamation  
Boise, Idaho

Re: Permit no. 26153, Delbert Jensen.

Dear Mr. Kulp:

Mr. Jensen brought in to me the letter he recieved from you under date of December 16, 1957. At that time Mr. Jensen left a check with me made payable to you for \$5.00 and stated that he would go home and see if he could locate the papers that were not sent in. Now, today, he tells me he has been unable to locate the papers.

We are herewith enclosing check for \$5.00 as per your letter of December 16, and ask that you furnish us with the proper blanks and then we will have him and his witnesses come in and fill them out and certify to them and mail them to you.

So, if this is satisfactory, please mail them to us and we will get in touch with Mr. Jensen and get it out of the road.

Yours very truly,

J. N. LARSEN COMPANY



J. N. Larsen

JNL/h  
Enc.

26153

January 13, 1958

Re: Permit No. 26153  
Delbert Jensen

J. N. Larsen Company  
P. O. Box 466  
Preston, Idaho

Attention: J. N. Larsen

Dear Mr. Larsen:

According to the publication notice, a copy of which is enclosed herewith for your information, was that Mr. Jensen was to appear before you on the 24th day of January, 1957 at Preston, Idaho, to submit Proof of Beneficial Use in connection with the above captioned permit number. We have written several letters in regard to this matter, without answer.

Providing no person or persons appeared at your office on or before the 24th day of January, 1957 in protest to the taking of proofs in connection with the above stated permit, we believe that the notice for publication will not have to be re-published. However, we will request a statement from you in the form of an affidavit, stating that said Proof of Application of Water to Beneficial Use was to be taken before you on January 24, 1957, and at that time no person or persons appeared before you to protest the proofs to be executed by Mr. Jensen and his two witnesses, also affidavit should state the reasons why the proofs were not taken at the time as stated in the publication notice.

If the depositions of Mr. Jensen and the two witnesses were taken at the time as published by publication notice, and mislaid or failed to be sent in to this office, please state the reason therefore also in the affidavit. We require this affidavit to support the depositions filed at a later date than stated in the publication notice.

We are enclosing herewith, additional proofs, if it is necessary to submit new proofs at this time, one for the holder and one each for two witnesses.

26153

Mr. J. N. Larsen

-2-

January 13, 1958

We also wish to acknowledge receipt of Mr. Jensen's check to the amount of five dollars in payment for recording Completion of Works Proof, subscribed and sworn to before you on the 10th day of December, 1956.

If possible, we should receive these depositions as soon as possible on account of the long delay.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

RWT:lw  
Encls.

26153

January 14, 1958

Re: Permit No. 26153

Mr. Delbert Jensen  
Route #1 Box 65  
Weston, Idaho

Dear Mr. Jensen:

Enclosed is the Certificate of Completion of Works issued under Permit No. 26153 for the diversion of 1.24 second feet of water from an un-named stream, with the point of diversion at various points along the drain in the SE $\frac{1}{4}$  of Section 30, for irrigation of 90 acres in the SE $\frac{1}{4}$  of Section 30, Township 16 South, Range 39 East, B.M.

Enclosed also is departmental receipt #28936 for \$5.00, issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR:nls  
Enc.

26153

# J. N. LARSEN COMPANY

REAL ESTATE - TITLE INSURANCE - ABSTRACTS - FIRE INSURANCE - FARM AND CITY LOANS

RECEIVED  
JAN 20 1958

PRESTON, IDAHO

PHONE 62 BOX 466

January 16, 1958

Department of Reclamation

Mr. Mark R. Kulp  
Department of Reclamation  
State of Idaho  
Boise, Idaho

Dear Mr. Kulp:

Mr. Dleber Jensen and his two witnesses have this day been in and have completed the necessary papers in connection with permit no. 26153. Also Affidavit as per your request.

We are herewith enclosing Proof of Application of Water to Beneficial Use - Deposition of Witness, two copies. Also, Proof of Application of Water to Beneficial Use, Deposition of Holder.

This letter is being sent to you by registered mail, and a receipt that this letter has been received is being requested.

Trusting this will provide sufficient proof for the issuance of Mr. Jensen's permit.

Yours very truly,

J. N. LARSEN COMPANY

J. N. Larsen

26153

JNL/h  
Enc.

cc. Belbert Jensen

A F F I D A V I T

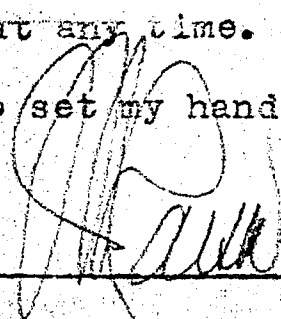
RECEIVED  
JAN 20 1958  
Department of Reclamation

STATE OF IDAHO

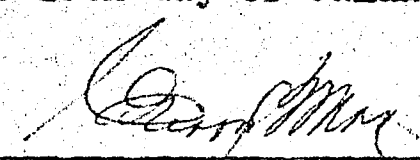
County of Franklin SS.

I, J. N. Larsen, a Notary Public for the State of Idaho, residing at Preston, Idaho, do hereby certify that blanks for Proof of Application of Water to Beneficial Use was received in duplicate, together with Proof of Application of Water to Beneficial Use Deposition of Holder was received on or before January 24, 1957 at Preston, Idaho, and as I remember, these depositions were made by two witnesses and also one by Delbert Jensen, the applicant under permit no. 26153 to appropriate the Public Waters of the State of Idaho, and that these affidavits were properly taken and properly filled out and were supposed to have been mailed to the Department of Reclamation, and whether or not they became lost I am not prepared to say, but from information from the Department of Reclamation they were never received and for this reason a new set of depositions have been delivered to the Affiant and that this Affidavit is made for the purpose of convincing the State Engineer that the Affidavits were properly taken at the proper time and the new set of Affidavits were asked for and have been executed in lieu of the ones lost. No protests have been received at any time.

In Witness whereof I have hereunto set my hand this 16th day of January, 1958.



Subscribed and sworn to before me this 16th day of January, 1958.



Notary Public Residing at Preston, Idaho.  
My commission expires Dec 10 1960.

26153

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
JAN 20 1958  
Department of Reclamation

Permit No. 26153

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. Delbert Jensen- on land in question- Farmer- Weston, 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. 26153 Dec. 19, 1955 January 24, 1956

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

Ans. Un-named stream, open drain in the SE<sup>4</sup> of Sec 30, Tp 16 S, R 39 EBM  
which drains into a large slough which drains into Bear River.

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. Dam placed across drain so as to back up water to be pumped out with  
a power pump and used to sprinkler irrigate the land in Sec 30, Tp 16 S, R39  
about 150 acres irrigated. Pump is large enough to handle all the water in  
the drain. I do not remember the size of the nozzles, but pump will  
handle 1.24 cu ft of water per second of time.

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. Water used to sprinkler irrigate and taken from drain on the land in  
question and used on the land in question. Land is cultivated, about  
150 acres irrigated with this water. SE<sup>4</sup>, Sec 30, 16 S. - 39 E.

26153

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

Ans. Not.

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

Ans. 1.24 cu ft. per second of time.

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 used the water for the irrigation season of the year 1957 by pumpint the water from the open drain in the amount applied for.

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. I have some other water that has been used on the above described land, but not sufficient to water the land. Has been used for several years.

(Sign) Walter Jensen

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 Preston, County of Franklin,

State of Idaho, on this 16th day of January, A. D. 1958.

[Signature]  
Notary Public

My commission expires May 1, 1961

26153

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
JAN 20 1958  
Department of Reclamation

PERMIT NO. 26153

## Proof of Application of Water to Beneficial Use

### 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. Claude LaPray 52 Logan, Utah, formerly Weston, Idaho

Salesman at Logan, Utah

Ques. 2. Are you acquainted with Delbert Jensen, the holder of Permit No. 26153? How long have you known him and where does he reside? ~~over 10 years, on the farm herein described, post office at Weston, Idaho.~~

Ans. over 10 years. On the farm herein described, post office at Weston, Idaho.

Ques. 3. Have you read or heard read said Permit No. 26153, and are you familiar with its provisions and conditions?

Ans. Yes

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. Unknown stream, open drain in the SE $\frac{1}{4}$  of Sec 30, Tp 16 S, R39 EBM,

Any place along drain; concrete dam is placed in drain and water is pumped out for a sprinkling system; land watered by sprinkling.

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. 1.24 cu ft per second of time, I have seen this amount conveyed.

Ques. 6. 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. Irrigation, all of the SE $\frac{1}{4}$  of Sec. 30, Tp 16 S, R39 EBM- 150 acres mostly cultivated. Crop yields have been increased.

26153

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not used for power.

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.

Ans. All of the land in question has been farmed, part of it dry farmed  
Now that it is watered crop yield has been increased.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

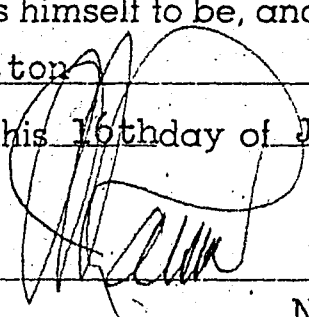
Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been on the land several times each year for the past 10  
years and have noted the change in production of the land since it has  
been watered.

(Signed)

Claude LaPray

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 Preston,  
County of Franklin, State of Idaho, on this 16th day of January,  
A. D. 19 58.

  
Notary Public.

My commission expires May 1, 1961

26153

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RECEIVED  
JAN 2 1918  
Department of Reclamation

PERMIT NO. 26153

## Proof of Application of Water to Beneficial Use

### 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. W. D. Pack 39 Weston, Idaho Field man for Franklin Co.  
Sugar Co.

Ques. 2. Are you acquainted with Delbert Jensen, the holder of Permit No. 26153? How long have you known him and where does he reside?

Ans. Over 10 years. Weston, Idaho

Ques. 3. Have you read or heard read said Permit No. 26153, and are you familiar with its provisions and conditions?

Ans. yes

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. Un-named stream, open drain in the SE $\frac{1}{4}$  of Sec 30, Tp 16 S, R 39 EBM  
which drains into a large slough, which drains into Bear River.

Any place along drain 100 ft. South of the NW corner of NE $\frac{1}{4}$  of Sec 30,  
Tp. 16 S, R 39 EBM.

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. 1.24 cu. ft per second of time. 1.24 cu. ft. per second of time/

Ques. 6. 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. Irrigation, all of the SE $\frac{1}{4}$  of Sec 30, Tp 16 S, R39 EBM; 150 acres  
mostly cultivated. Crop yield has been increased.

26153

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not used for power.

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.

Ans. All of the land in question has been farmed, part of it dry farmed now that water is used it has increased the production of the land.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. NONE

Ques. 10. 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 over this land several times each year for the past 10 yrs, and have seen the land dry farmed and now irrigated.

(Signed) W. D. Lark

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 Preston,  
County of Franklin, State of Idaho, on this 16th day of January,  
A. D. 19 58.

[Signature]  
Notary Public.

My commission expires May 1, 1961

26153

January 23, 1958

Re: Permit No. 26153  
Delbert Jensen

J. N. Larsen Company  
Box 466  
Preston, Idaho

Attention: Mr. J. N. Larsen

Dear Mr. Larsen:

As per your request under letter of January 16, 1958, to  
this department, this will acknowledge receipt of the  
Deposition of Holder and two disinterested witnesses, and  
a special affidavit signed by yourself, all in connection  
with Permit No. 26153.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

RWT:lw

26153

January 28, 1958

RE: Permit No. 26153

Mr. Delbert Jensen  
Weeton, Idaho

Dear Mr. Jensen:

We acknowledge receipt of the depositions of yourself, the holder of the Permit and also the two witnesses, and affidavit of publication in The Preston Citizen, all submitted in proof of beneficial use on Permit No. 26153.

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,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR  
cc: J. M. Larsen Company  
Box 466  
Preston, Idaho

26153

Department Reclamation

Dear Sirs

I don't have the work completed  
on the permit no. 26153 would.

You please with draw it and  
give me extension of time

I don't know how much I will  
want - so make you fact better  
make it as long as you can  
Then when I get through. I will  
let you know

Respectfully I shall remain  
your obedient servant

RECEIVED

APR 1 1958

Department of Reclamation

26153

April 2, 1958

Re: Permit No. 26153

Mr. Delbert Jensen  
RFD # 1  
Box 65,  
Weston, Idaho

Dear Mr. Jensen:

In reply to your letter received as of April 1, 1958 in this department, requesting an extension of time on Permit No. 26153.

We are enclosing herewith, a form for Application for Extension of Time for Beneficial Use Proof, which we will request that you fill it out giving your reasons for requesting the required extension, sign before a notary public and return to this department and if properly filled out, an extension of time will be granted to January 24, 1963 for making Beneficial Use Proof on the above stated permit.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Roy W. Thompson  
Office Manager

RWT:lw  
Encls. (1) Application for Extension of Time

26153

STATE OF IDAHO  
Department of Reclamation

RECEIVED  
APR 8 1958  
Department of Reclamation

Permit No. 26153

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO  
County of Franklin } ss

Delbert Jensen, of Weston, Franklin County

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26153

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by January 24, 1957.

That he has heretofore put to beneficial use second feet of water and has irrigated acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit: Hasn't installed pumping system to lift water onto land he wishes to apply it to.

WHEREFORE, He asks that the State Engineer of Reclamation extend the time for the making of proof of beneficial use under said permit to January 24, 1963.

Subscribed and sworn to before me this 7th day of April 1958  
Delbert Jensen  
Notary Public.

My commission expires May 1, 1961

Date of receipt at office of Department of Reclamation April 8, 1958

APPROVAL OF STATE RECLAMATION ENGINEER  
I, MARK R. KULP, State Engineer of Reclamation of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to appropriate the Public Waters of the State of Idaho, No. 26153 to

January 24, 1963

Witness my hand this 8th day of April 1958

26153

Mark R. Kulp  
State Reclamation Engineer

April 9, 1958

Re: Permit No. 26153

Mr. Delbert Jensen  
Route #1, Box 65  
Franklin, Idaho

Dear Mr. Jensen:

Enclosed is the Approval of the State Reclamation Engineer for an extension of time for proof of beneficial use under the terms of Permit 26153 to January 24, 1963. This was recorded in the Department of Reclamation in Book 92 of Permits at Page 26153 and should now be attached to the original permit to which it refers and of which it becomes an extended limitation.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR:nlb  
Enc.

26153

R-39 E.

T.  
16  
S.

Highway 35

30

D.P.

29

U.S. HWY N5

slough.

Weir measurement  
made at this point  
on 8-15-58  
over a  $1\frac{1}{2}$ ' Cipoletti  
= 24+ Miners inches

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

Permit No. 26153

This proof is for Beneficial Use

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

1. Name of applicant Delbert Jensen2. Source of water supply: Un-named stream, open drain3. Location of point of diversion: Is in the Any place along drain in SE 1/4 of Section 30T. 16 S R. 39 E., B. M. County of Franklin4. Describe works as they exist, giving dimensions and capacities of same: 1/2 mile open drain 5-10' deep.5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: ?

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):

NE 1/4 Sec. 30, Twp. 16 S., Rge. 39 E., B. M.  
SE 1/4 of Sec. 30, Twp. 16 S., Rge. 39 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. D. Jensen was interviewed & accompanied the examining engineer during the 8-15-58 inspection. Mr Jensen expects to pump from the drain as indicated in the sketch and irrigate the bench land eastward therefrom. He has applied for an extension of time and is granted until 1960 to show proof.

Other than construction of drain There has been nothing done to use the water.

This examination was made on the 15 day of Sept, 1958(Signed) J. J. Jensen

Examiner.

26153

## S T A T E O F I D A H O

## DEPARTMENT OF RECLAMATION

Re: Permit No. 26153

Date: November 1, 1963

Delbert Jensen  
Rt 1, Box 65  
Weston, Idaho

Dear Mr. Jensen:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 26153 is due not later than January 21, 1963. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof 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.

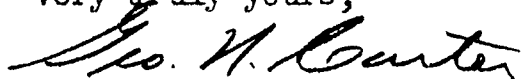
We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated - by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as 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.

Also enclosed 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 Forms 10.

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 and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,



GEO. N. CARTER  
State Reclamation Engineer

Enc. Form 10 2  
11

26153

November 14, 1962

Re: Permit No. 26153  
Delbert Jensen

Fred Weyerman  
R. F. D. #1  
Weston, Idaho

Dear Mr. Weyerman:

Returned herewith are the forms you submitted with a blank Form 10 and a form to assign a permit.

First you must have Mr. Delbert Jensen and wife assign the permit to you before you can make the proof of beneficial use of the water. Remit the assignment to this office with the other papers with the \$0.50 recording fee.

Mr. Jensen should give you the permit, if he has not done so, as it is necessary in completing Form 10. If the permit or the certificate of completion of works are not available, a copy of the permit can be issued by this office for a fee of \$1.50 for copy work.

Complete two Forms 10 according to directions on Form 10-A, dated November 1, which we sent to Mr. Jensen and return to this office with Form 11 and the assignment.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

Enc. Forms returned  
Form 10  
assignment

26153

# J.N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

RECEIVED  
DEC 10 1962

PRESTON, IDAHO  
PHONE 62 BOX 466

December 7, 1962

Department of Reclamation

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

Gentlemen:

In reference to your letter dated November 14th, Re: Permit No. 26153 Delbert Jensen, which is to be assigned to Mr. Fred Weyerman, we are enclosing herewith \$1.50 for a copy of said permit No. 26153, as Mr. Weyerman and Mr. Jensen are unable to locate their copy.

Yours very truly,

J.N. LARSEN COMPANY

By

*Ted B. Larsen*  
Ted B. Larsen

TBL/s

26153

December 10, 1962

RE: Permit No. 26153  
Delbert Jensen

Ted B. Larsen  
J. H. Larsen Company  
Box 466  
Preston, Idaho

Dear Mr. Larsen:

Enclosed is a copy of Permit No. 26153 which you requested in  
your letter of December 7, 1962.

Also enclosed is Departmental Receipt No. 31355, in the name  
of Fred Weyerman, in the amount of \$1.50 covering the fee for  
the copy.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:mt

Enc. copy of permit  
receipt

26153

# J.N. LARSEN COMPANY

REAL ESTATE-TITLE INSURANCE-ABSTRACTS-FIRE INSURANCE-FARM AND CITY LOANS

RECEIVED  
DEC 27 1962

PRESTON, IDAHO  
PHONE 62 BOX 466

December 26, 1962

Department of Reclamation  
Room 107, State House  
Boise, Idaho

Department of Reclamation

Gentlemen:

Enclosed herewith Assignment of Public Waters Permit No. 26153,  
of Delbert Jensen and his wife Clea S. Jensen to Fred Weyerman.

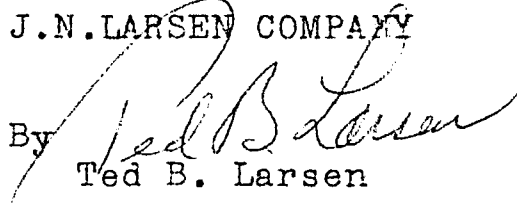
Would you please inform us if this is all that is necessary to  
complete this water transfer.

Would you also advise us if this filing is completed and proved  
up on.

Yours very truly,

J.N. LARSEN COMPANY

By

  
Ted B. Larsen

TBL/s

2615-3

December 28, 1962

Re: Permit No. 26153  
Delbert Jensen

J. M. Larsen Company  
Box 466  
Preston, Idaho

Dear Mr. Larsen:

Enclosed is the Assignment of Permit No. 26153 from Delbert Jensen to Fred Weyerman, which has been recorded in this office.

Completion of Works was completed on December 10, 1956 and Certificate of Completion of Works issued on January 14, 1958. An extension was granted on beneficial use proofs to January 24, 1963. We enclose Forms 10 and 11 with instructions for Notice of Publication so that final proofs can be made. After this is advertised, then our field examiner must make a report, after which the License and Certificate of Water Right can be issued.

There is a \$0.50 fee due on the assignment, which should be mailed into this office as soon as possible.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

BPR:ew

Enc. assignment  
Forms 10 and 11  
with instructions

26153

January 7, 1963

Re: Permit No. 26153  
Delbert Jensen

J. N. Larsen Company  
Box 466  
Preston, Idaho

Dear Mr. Larsen:

Enclosed is a departmental receipt No. 31384  
in the amount of \$0.50 covering the fee for the recording of  
the assignment, Delbert Jensen to Fred Weyman, on Permit No.  
26153

Very truly yours,

GEO. H. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

ERR:ew

Enc. receipt

26153

RECEIVED  
JAN 7 1963

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE Department of Reclamation

(Date) January 3, 1963

(P. O.) Weston, 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

Preston Citizen of Preston, Idaho published in

the county in which the works are situated.

*Franklin Co.*

*Fred Weyerman*

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

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

\_\_\_\_\_  
Engineer.

26153

## NOTICE FOR PUBLICATION

Department of Reclamation

## NOTICE OF PROOF APPLICATION OF WATER

## TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 18th day of February, 1963,  
at Preston, Idaho, County of Franklin, State of Idaho, before  
Ted B. Larsen, 10 West Oneida, Preston, Idaho, proof will be submitted of the  
application to beneficial use of <sup>1.24</sup>~~1.21~~ cubic feet per second of the waters of  
un-named springs in accordance with the terms and conditions of  
Permit No. 26153 heretofore issued by the Department of Reclamation of the State of  
Idaho.

The name and post office address of the person or corporation holding said permit \_\_\_\_\_

Fred Weyerman, Weston, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1.24 cfs

The point of diversion of said water is any place along drain 100 feet S. of  
corner  
the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  Sec 30 Twp 16 S., R. 39 EBM.

The place where said water is used (LEGAL DESCRIPTION) 25 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 Acres  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; and 12 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30,  
Twp 16 S., R. 39 EBM, making a total of 62 acres.

The date of priority which said user is prepared to establish is December 19, 1955

26153

[Signature]  
State Reclamation Engineer

1200  
6-28-61

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
Boise, Idaho

Re: Permit No. 26153  
Fred Weyerman

Date: January 7, 1963

Preston Citizen,  
Preston, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **February 18, 1963** the date set for proof; the expense of the publication is to be paid by the applicant

**Fred Weyerman** of **Weston, 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.

26153

January 7, 1963

Re: Permit No. 26153

Mr. Fred Weyerman,  
Weston, Idaho.

Dear Mr. Weyerman:

This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application of Water to Beneficial Use under Permit No. 26153. The proofs are to be made at 10:00 o'clock A.M., on the 18th day of February, 1963, before Ted B. Larsen, 10 West Oneida, Preston, Idaho, Notary Public.

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

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

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

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

Enc.  
EPR:pmk  
cc: Notary

26153

*Assignment is in  
Edna*

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

SS.

County of Franklin

*Wayne D Bell*

being duly sworn,

deposes and says:

That he is the *G-publisher* of  
THE PRESTON CITIZEN, a weekly newspaper published at Preston,  
in the County of Franklin and State of Idaho; that said paper has  
been and is in general circulation in the county aforesaid, and in  
the vicinity of Preston; that the advertisement, a copy of which is  
attached hereto, was published in said newspaper once a week for

*four* consecutive weeks in the regular  
and entire issue of said paper during the period and time of publica-  
tion, and was published in the newspaper proper and not a supple-  
ment; that said paper has been established and regularly published  
for more than seventy-eight consecutive weeks prior to the date of  
first publication of said advertisement.

Such notice was published in the issue beginning with

*Jan 12*, 19 *63*, and ending  
with the issue of *Feb 7*, 19 *63*.

Fees, \$ *18.92*.

Subscribed and sworn to before me this *18th* day  
of *February*, 19 *63*.

*Vivonne J. Rose*  
Notary Public, Residing at Preston, Idaho

My Commission Expires *December*, 19 *66*.

## NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at  
10:00 A.M. on the 18th day of  
February, 1963, at Preston, Ida-  
ho, County of Franklin, State of  
Idaho, before Ted B. Larsen, 10  
West Oneida, Preston, Idaho,  
proof will be submitted of the  
application to beneficial use of  
1.24 cubic feet per second of  
the waters of un-named springs  
in accordance with the terms and  
conditions of Permit No. 26153  
heretofore issued by the Depart-  
ment of Reclamation of the State  
of Idaho.

The name and post office ad-  
dress of the person or corpora-  
tion holding said permit is Fred  
Weyerman, Weston, Idaho.

The use to which said water

has been applied is Irrigation.

The amount applied to bene-  
ficial use is 1.24 cfs.

The point of diversion of said  
water is any place along drain  
100 feet S. of the NW corner of  
the NE¼ of the SE¼ Sec. 30  
Twp 16 S., R. 39 EBM.

The place where said water is  
used is 25 acres NE¼SE¼; 10  
acres NW¼SE¼; 15 acres SW¼  
SE¼; and 12 acres in the SE¼  
SE¼ of Section 30, Twp 16 S.,  
R. 39 EBM, making a total of  
62 acres.

The date of priority which said  
user is prepared to establish is  
December 19, 1955.

GEO. N. CARTER  
State Reclamation Engineer  
No. 480—First Pub. Jan. 17, 1963  
Last Pub. Feb. 7, 1963

26153

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

FEB 19 1956

Reclamation

Permit No. 26153

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. Fred Weyerman Resident of the State of Idaho Farmer  
Weston, 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. 26153 January 24, 1956 Dec. 19  
October 40, 1955

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

Ans. Unnamed stream, open drain in SE $\frac{1}{4}$  sec 30 Twp 16 S., R. 39 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.

Ans. Water is picked up in drain ditch and flood irrigated on pasture,  
and sprinkle irrigated on other land. 66 heads 1" riser pipe.

**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. Irrigation - 25 Acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; 15 Acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
12 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 30, T. 16 S - R. 39 EBM

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

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

26153

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. 1.21 cfs

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. Original filing was made by Delbert Jensen, who assigned it to me when I purchased his farm.

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

Ans. All of the above water has been diverted by myself and the prior owner of the farm and used in irrigating the aforesaid land by means of flood irrigation and sprinkler irrigation. Irrigation water is used from this permit in the full amount all during the irrigation season. This water is also used for stock purposes throughout the year.

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. 100 shares of West Cache Irrigation Company has also been used on this farm, but is not enough to properly irrigated said farm without the supplemental water applied for under this permit.

(Sign) Fred Meyermann

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 Preston, County of Franklin, State of Idaho, on this 18th day of February, A. D. 1963.

Red B. Larsen

My commission expires May 12, 1966

26153

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 26153

**Proof of Application of Water to Beneficial Use**  
**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. Weldon R. Reeder 49 Farmer Weston, Idaho

Ques. 2. Are you acquainted with Fred Weyerman, the holder of Permit No. 26153? How long have you known him and where does he reside?

Ans. yes, three years, Weston, Idaho

Ques. 3. Have you read or heard read said Permit No. 26153, and are you familiar with its provisions and conditions?

Ans. yes, yes

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. Unnamed stream which drains into open drain in SE $\frac{1}{4}$  of Section 30 Twp 16 S., R. 39 EBM. Conveyed from point of diversion through ditches for flood irrigation, and by use of pump and sprinkler system

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. 2.00 cfs

Ques. 6. 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. Irrigation - 25 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; 10 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$  15 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$   
12 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

26153

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

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

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.

Ans. pasture and crop land. Between 2 and 3 acre feet per season.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 10. 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. Since 1956 in the amount of at least 1.24 cfs

(Signed)

Melton R. Reeder

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 Preston, County of Franklin, State of Idaho, on this 18th day of February, A. D. 1963.

Ed B. Larsen

Notary Public.

My commission expires May 12, 1966.

26153

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 26153

## Proof of Application of Water to Beneficial Use

### 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. Melvin W. McKay 56 Farmer Weston, Idaho

Ques. 2. Are you acquainted with Fred Weyerman, the holder of Permit No. 26153? How long have you known him and where does he reside?

Ans. yes, three years, Weston, Idaho

Ques. 3. Have you read or heard read said Permit No. 26153, and are you familiar with its provisions and conditions?

Ans. yes, yes

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. unnamed stream which drains into open drain in SE $\frac{1}{4}$  of Sec. 30. Twp. 16 SR 39 EBM. conveyed from point of diversion through ditches for flood irrigation, and by use of pump and sprinkler system.

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. 2.00 cfs

Ques. 6. 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. Irrigation - 25 acres NE $\frac{1}{4}$  Sec. 30, T. 16 S. - R. 39 EBM. 15 Acres SE $\frac{1}{4}$  Sec. 30, T. 16 S. - R. 39 EBM.

26153

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

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

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.

Ans. mature and crop. land. Between 2 and 3 acre feet per season.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 10. 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. Since 1956 in the amount of at lease 1.2h cfs

(Signed)

William H. McKay

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 Preston, County of Franklin, State of Idaho, on this 18th day of February, A. D. 1963.

Ed B. Lamm

Notary Public.

My commission expires May 12, 1966.

26153

1M April 1962

February 19, 1963

Re: Permit No.  
26153

Fred Weyerman  
Weston, Idaho

Dear Mr. Weyerman:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Preston Citizen Preston, Idaho, all submitted in proof of completion of works and beneficial use on Permit No. 26153.

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:

P. S. We enclose statement from newspaper for your use

26153

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION

Preston, Idaho

RECEIVED  
JUL 10 1964

July 9, 1964

Department of Reclamation

Bureau of Reclamation  
State of Idaho  
Boise, Idaho

Re: Ferdinand Weyerman

Gentlemen:

This farm was visited early this spring by the Bureau of Reclamation to make final inspection for issuance of license. The system was not in operation at that time and the applicant was advised another visit would be made later this year.

Mr. Denton W. Greene and Platt B. Greene have obtained a real estate loan from the Farmers Home Administration to purchase this farm from Ferdinand Weyerman. The issuance of a license to the Greene's would be appreciated at your earliest convenience.

Very truly yours,

*W. C. Maughan*

W. C. Maughan   
County Supervisor

Enclosure

26153

RECEIVED  
JUL 19 1964

Department of Reclamation

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 26153 to Denton W. Greene and Platt B. Greene of Weston, Idaho

Fred Weyerman  
Permit Holder

Olive J. Weyerman  
Wife of Permit Holder

STATE OF Idaho )  
COUNTY OF FRANKLIN ) ss:

On this 30 day of June 1964, before me a Notary Public for the State of Idaho, residing at Preston, Idaho, personally appeared Ferdinand Weyerman and Olive J. Weyerman, his wife, known to me to the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

My Commission expires; 5-12-66

Platt B. Larsen  
Notary Public  
Residing at Preston, Idaho

ROBERT E. SMYLLIE  
Governor

JUL 13 RECD



CARL E. TAPPAN  
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION  
107 STATE HOUSE  
BOISE, IDAHO 83701

July 10, 1964

RECEIVED  
JUL 17 1964

RE: Permit No. 26153  
Fred Weyerman

Department of Reclamation

W. C. Maughan, Supervisor  
Farmers Home Administration  
Preston, Idaho

Dear Mr. Maughan:

We received the assignment in triplicate of Permit No. 26153 to Denton W. and Platt B. Greene without the \$.50 recording fee. One form is all that is required and it is returned after recording in this office.

The field inspectors are out in the field and I cannot say when Franklin County will be visited.

Remit the fee and the assignment will be recorded.

Very truly yours,

A handwritten signature in cursive script that reads "Ralph W. Thomas".

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RWT:ct

FIRST ENDORSEMENT: 16 July 1964

Check for \$.50 enclosed to cover cost of recording above assignment.

Very truly yours,

W. C. Maughan  
W. C. Maughan  
County Supervisor

26153

July 17, 1964

Re: Permit No. 26153

Denton & Platt B. Greene  
Weston, Idaho

Dear Mr. Greene:

Enclosed is the Assignment of the above numbered permit to you which has been recorded in this office. This was assigned to you from Fred Weyerman.

Also enclosed is departmental receipt 32338 in the amount of \$0.50 covering fees.

Very truly yours,

CARL E. TAPPAN  
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule  
Chief Clerk

EPR:ew

Enc. assignment  
receipt

26153

May 27, 1965

Department of Reclamation  
Room 107, State House  
Boise, Idaho

RECEIVED  
MAY 28 1965

Department of Reclamation

Gentlemen:

This letter is written concerning  
Permit Number 26153 issued to  
Fred Heyerman of Weston, Idaho.

I plan to start pumping water on  
June 1, 1965.

Expecting to see you soon. I am,

Respectfully yours,  
Denton W. Greene

Weston

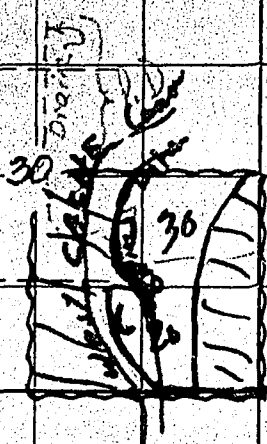
26153



TC. WESTERN  
STATE HWY. NO. 39

R-39E.

T.  
16  
S.



37

26

63

Drain Area

Subdivisions 4

Area 63 acres.

Q .84 c.f. or 42 inches

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 26153

This proof is for Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant Fred Weyerman, Weston, Idaho

2. Source of water supply: unnamed stream, which drains into a large slough

3. Location of point of diversion: Is in the various points along drain in SE $\frac{1}{4}$  of Section 30

T. 16 S. R. 39 E. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: 25 HP 4 cyp

Allis-Chalmers Gas Engine # PU 99855 B, Berkeley centrifugal pump 3x4 size mounted as a unit on a trailer; 18" pulley on Engine 4 1/2" pulley on pump.

5. Water is used for: irrigation

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

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

SE $\frac{1}{4}$ , Sec. 30, T. 16 S., R. 39 E., B. M.

5/12/66 Mr. Angel phoned me and said he had a permit from the Dept. of Reclamation for water to be used for irrigation. He said he had a permit from the Dept. of Reclamation for water to be used for irrigation. He said he had a permit from the Dept. of Reclamation for water to be used for irrigation.  
P.D. says at various points along drain in SE $\frac{1}{4}$  Sec. 30.  
At time of inspection pump was NW corner SE SE Sec. 30.

(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. Denny Green along (new owner)

Check to see if Permit has been assigned to Green

Measured by catching flow from nozzle into 5 gal can  
5 gal 40 sec. = 7 1/2 GPM x 52 = 390 cfs

This examination was made on the 15<sup>th</sup> day of July, 1966

26153

(Signed)

L. Johnson

Examiner.

October 10, 1966

Re: Permit No. 26153

Fred Weyerman  
Weston, Idaho

Dear Mr. Weyerman:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 26153 shows the pump is capable of conveying 42 miner's inches, or 0.84 c.f.s. of water for the irrigation of 63 acres.

Upon receipt of the statutory fee of \$ 13.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of January 13, 1956 to the use of 0.84 second feet of surface water with the point of diversion in ~~xx~~ along drain in SE $\frac{1}{4}$ , Sec. 30, for irrigation of 63 acres in SE $\frac{1}{4}$ , Sec. 30, T. 16 S, R. 39 E, B.M.

Very truly yours,

M. Russell Bosch  
Office Manager

MRB:nw

26153

BN

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

*check*  
No 33748

Boise, Idaho, *April 19,* 19*57*

RECEIVED

FROM

*Helen M. Greene of Western Idaho \$13.00*

*Thirteen Dollars and 00/100* DOLLARS

FOR

|                                  |    |              |
|----------------------------------|----|--------------|
| Carey Act Trust Fund - - -       | \$ |              |
| Application for Permit No. - - - | \$ |              |
| Proofs <i>26153</i> - - -        | \$ | <i>13.00</i> |
| Certified Copy - - -             | \$ |              |
| Recording Deed - - -             | \$ |              |
| Certificate - - -                | \$ |              |
| TOTAL - - -                      | \$ | <i>13.00</i> |

*R. Reith Harrison*  
State Reclamation Engineer

By *Mary Leader*

Fred Weyerman  
Weston, Idaho

Dear Mr. Weyerman:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 26153 shows the *pump* is capable of conveying *42* miner's inches, or *0.84* c.f.s. of water for the irrigation of *63* acres.

Upon receipt of the statutory fee of \$ *13.00* -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of *January 13, 1956* to the use of *0.84* second feet of surface water with the point of diversion *in* along drain in SE $\frac{1}{4}$ , Sec. 30, for irrigation of *63* acres in SE $\frac{1}{4}$ , Sec. 30, T. 16 S, R. 39 E, B.M.

Very truly yours,

M. Russell Bosch  
Office Manager

MRB:nw

*26153*

October 10, 1966

Re: Permit No. 26153

RECEIVED  
APR 19 1967

Department of Reclamation

Fred Weyerman  
Weston, Idaho

Dear Mr. Weyerman:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 26153 shows the pump is capable of conveying 42 miner's inches, or 0.84 c.f.s. of water for the irrigation of 63 acres.

Upon receipt of the statutory fee of \$ 13.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of January 13, 1956 to the use of 0.84 second feet of surface water with the point of diversion in ~~xx~~ along drain in SE $\frac{1}{4}$ , Sec. 30, for irrigation of 63 acres in SE $\frac{1}{4}$ , Sec. 30, T. 16 S, R. 39 E, B.M.

Very truly yours,

M. Russell Bosch  
Office Manager

MRB:mx

Enclosed is a photo copy of a letter we sent you on October 10, 1966. Please send the statutory fee's totaling \$13.00, so that we may clear our records.

*Mr. Weyerman just handed me this letter a very few days ago. I am sending the \$13.00 requested and hope this will clear your records. Will the license & Certificate be in my name or Weyerman's? (I've bought the farm). 26153*

*Letter to Grease*

April 20, 1967

Re: Permit No. 26153

Denton W. Greene  
Platt B. Greene  
Weston, Idaho

Gentlemen:

Enclosed are your License and Certificate of Water Right  
and departmental receipt No. 33748 in the amount of \$13.00  
covering the fees on the above numbered permit.

Thank you.

Very truly yours,

Donald W. McElowney  
Water Rights Clerk

DWM:dj

Enclosures: License  
Receipt

26153

State of Idaho

# License and Certificate of Water Right

Water License No. 26153 Priority January 13, 1956 Amount 0.84 c.f.s.  
(late proof)

THIS IS TO CERTIFY that DELBERT JENSEN -Assignees - DENTON W. GREENE  
PLATT B. GREENE

of Weston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 19, 1955; that Permit No. 26153 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 1.24 second feet, was issued thereunder on January 14, 1958, showing that said works were completed on the 10th day of December, 1956; and that on the 18th day of February, 1963, FRED WEYERMAN

of Weston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of an unnamed stream,

a tributary of Bear River for the purpose of irrigation under Use Permit No. 26153 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 14 of Licenses, at Page 8796, on the 20th day of April, 1967.

The right hereby confirmed dates from January 13, 1956.

The Point of Diversion is located at various points along the drain in the ~~1/4~~ SE 1/4, Sec. 30, Twp. 16 S, R. 39 E, B.M., Franklin 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 0.84 cubic feet per second.

Description and location of use:

| Twp.                                   | Range | Section | Forty-Acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|----------------------------------------|-------|---------|------------------|-------------------------------|------------------------------|
| 16 S                                   | 39 E  | 30      | NE 1/4 SE 1/4    | 25                            | 30                           |
|                                        |       |         | NW 1/4 SE 1/4    | 10                            | 7                            |
|                                        |       |         | SW 1/4 SE 1/4    | 15                            | 6                            |
|                                        |       |         | SE 1/4 SE 1/4    | 12                            | 20                           |
| Total number of acres to be irrigated: |       |         |                  |                               | 63                           |

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 20th day of April, 1967.

*R. Keith Higgins*  
State Reclamation Engineer.

26153

State of Idaho

LICENSE AND CERTIFICATE  
OF WATER RIGHT

Water License No. 26153

To Delbert Jensen - Assignees -  
Denton W. Greene and Platt B. Greene  
Weston, Idaho

Source of Supply Unnamed stream,  
tributary of Bear River

Franklin County

Amount 0.84 Sec. ft.

Point of Diversion At various points

along the drain in the SE $\frac{1}{4}$ , Sec. 30,  
T. 16 S, R. 39 E, B.M.

Place of Use

SE $\frac{1}{4}$ , Sec. 30, T. 16 S, R. 39 E, B.M.

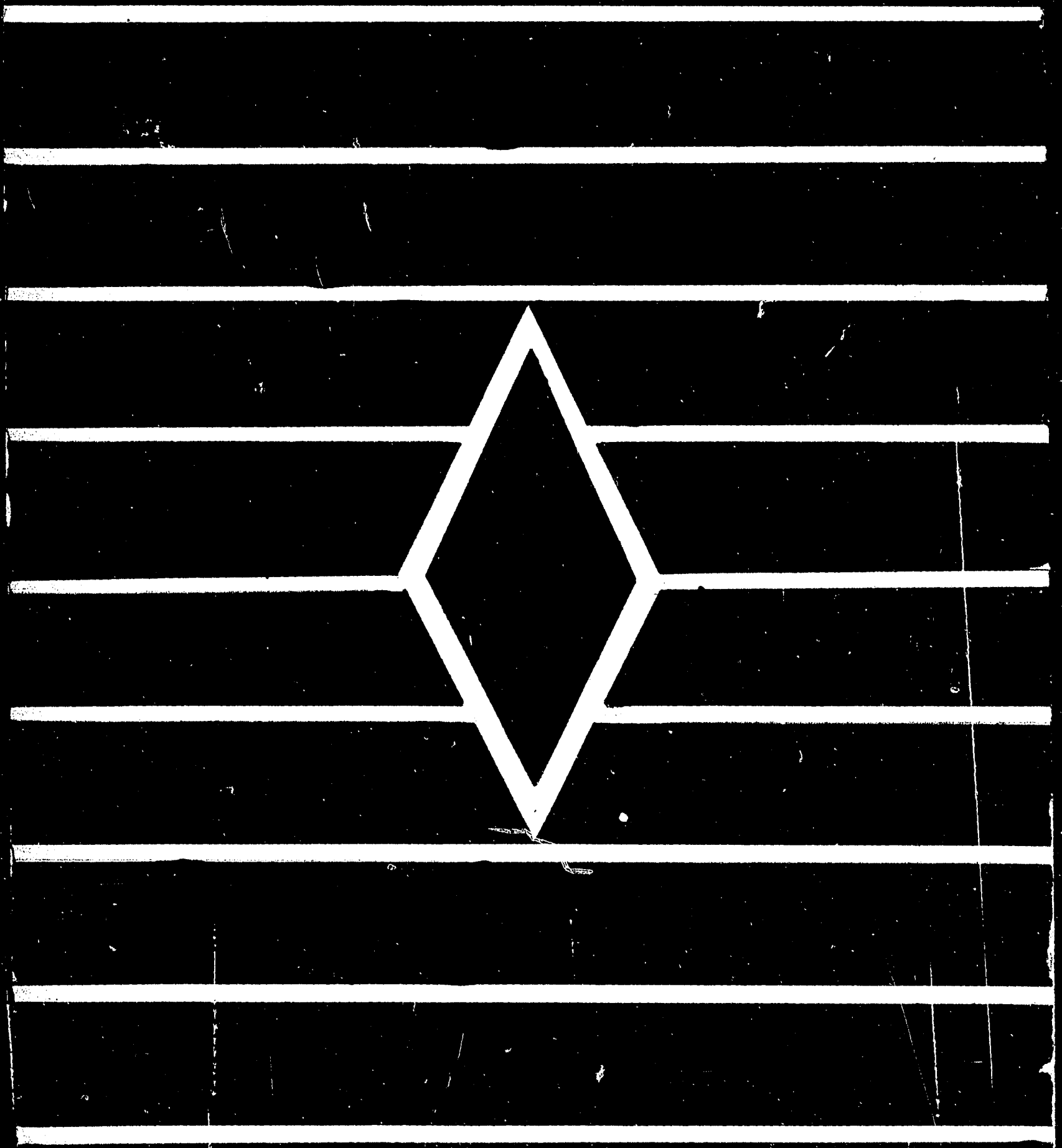
Purpose Irrigation

Date of Priority January 13, 1956

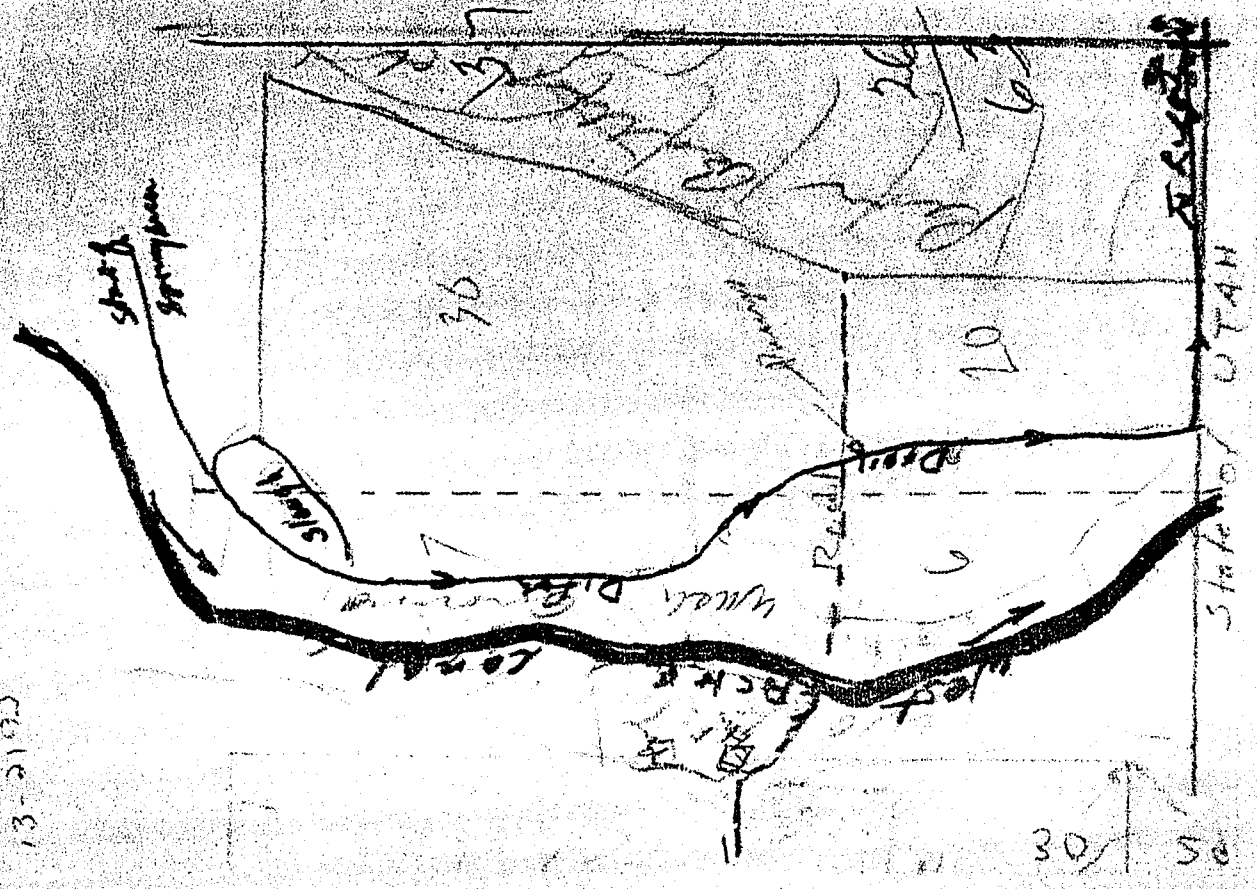
Recorded April 20, 1967

in Book 14 of Licenses, Page 8796

26153



36153  
13-2192



RECEIVED

Department of Reclamation

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 26153 to Denton W. Greene and Platt B. Greene of Weston, Idaho

Fred Weyerman  
Permit Holder

Olive J. Weyerman  
Wife of Permit Holder

STATE OF Idaho )  
COUNTY OF FRANKLIN ) ss:

On this 30 day of June 1964, before me a Notary Public for the State of Idaho, residing at Preston, Idaho, personally appeared Ferdinand Weyerman and Olive J. Weyerman, his wife, known to me to the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

My Commission expires; 5-12-66 Red B. Larsen  
Notary Public  
Residing at Preston, Idaho

26153  
13-2192

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 26153 to Denton W. Greene and Platt B. Greene of Weston, Idaho

Fred Weyerman  
Permit Holder

Olive J. Weyerman  
Wife of Permit Holder

STATE OF Idaho )  
COUNTY OF FRANKLIN ) ss:

On this 30 day of June 1964, before me a Notary Public for the State of Idaho, residing at Preston, Idaho, personally appeared Ferdinand Weyerman and Olive J. Weyerman, his wife, known to me to the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

My Commission expires; 5-12-66

R. B. Larsen  
Notary Public  
Residing at Preston, Idaho

26153  
13-2192

April 16, 1957

Re: Permit No. 26153  
Delbert Jensen

J. N. Larsen Company  
P. O. Box 466  
Preston, Idaho

ATTENTION: Mr. J. N. Larsen

Dear Mr. Larsen:

Our records disclose that notice of proof of application of water to beneficial use was published in the Preston Citizen, stating that Mr. Delbert Jensen was to make said Proof on January 27, 1957, before you as Notary Public. Up to date this office has not received the Proofs for beneficial use.

We also wish to refer you to our office letter of December 31, 1956, stating that a Certificate of Completion of Works would be issued you upon receipt of the \$5.00 statutory fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR

cc: Mr. Delbert Jensen  
Route #1, Box 65  
Preston, Idaho

26153  
13-2192



8796

nw

copy in new folder  
13-2192

## State of Idaho License and Certificate of Water Right

Water License No. 26153

Amount 0.84 c.f.s.

Water District No.

Priority January 13, 1956  
(late proof)

THIS IS TO CERTIFY that DELBERT JENSEN - Assignees - DENTON W. GREENE  
PLATT B. GREENE  
of Weston, Idaho, made application for a permit to appropriate the  
public waters of the State of Idaho, dated December 19, 1955; that Permit No. 26153  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
1.24 second feet, was issued thereunder on January 14, 1958, showing that said works  
were completed on the 10th day of December, 1956; and that on the 18th  
day of February, 1963, FRED WEYERMAN

of Weston, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed  
stream, a tributary of Bear River, for the purpose of irrigation  
, under Use Permit No. 26153 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  
14 of Licenses at page 8796, on the 20 day of April, 1967;

The right hereby confirmed dates from January 13, 1956;

The Point of Diversion is located at various points along the drain  
in the ~~xx~~ SE 1/4, Sec. 30, Tp. 16 S, R. 39 E, B. M., County of Franklin.

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 0.84 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 |
|------|-------|------|----------------------------------------|----------------------------------|---------------------------------|
| 16 S | 39 E  | 30   | NE 1/4 SE 1/4                          | 25                               | 30                              |
|      |       |      | NW 1/4 SE 1/4                          | 10                               | 7                               |
|      |       |      | SW 1/4 SE 1/4                          | 15                               | 6                               |
|      |       |      | SE 1/4 SE 1/4                          | 12                               | 20                              |
|      |       |      | Total number of acres to be irrigated: |                                  | 63                              |

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  
20th day of April, 1967.

s/ R. Keith Higginson  
State Reclamation Engineer.

(SEAL)

13 2192

