

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):

W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 18., Twp. 16 S., Rge. 39 E.B.M. Making a total of 260 acres.

Amend land list to include NE 1/4 NW 1/4 (13 acres) and NW 1/4 NE 1/4 (80 ac)
Sec. 13, T16 S, R38 E (T14 N, R38 E)

(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. Tugay along

Point of diversion for sprinkler system is any place along perimeter of Reservoir but is planning to install a central pump at outlet of Reservoir and use main line with laterals.

This examination was made on the 27th day of September, 1961.
(Signed) Loren Johnson Examiner.

R-945

N^o

332

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

Department of Reclamation

Don 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

June 21, 1961, and ending with the issue of July 12, 1961.

Don E. Smith

Fees, \$ 23.22

Subscribed and sworn to before me this 25 day of July, 1961.

Don E. Smith
Notary Public, Residing at Preston, Idaho

My Commission Expires 7-22-62, 1962.

Legal Notices

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A.M. on the 5th day of June, 1961, at Preston, County of Franklin, State of Idaho, before W. C. Maughan, proof will be submitted of the application to beneficial use of 77.67 acre feet of the waters of unnamed stream a tributary of Nash Hollow in accordance with the terms and conditions of Permit No. R-945 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is W. Maurice Tingey, Weston, Idaho.

The use to which said water has been applied is Irrigation purposes.

The amount applied to beneficial use is 77.67 A.F. per annum.

The place where said water is used, giving full and accurate legal description: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 16 South, Range 38 East of the Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Tingey pipe line and ditches located on farm.

The right to take water from such works is based upon Permit No. R-945.

The source of supply from which such water is diverted is unnamed stream a tributary of Nash Hollow.

Point of Diversion (legal description) NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, Tp. 16 S. R. 38 EBM.

The date of priority which said user is prepared to establish is Aug. 28, 1954.

George N. Carter
State Reclamation Engineer

First Pub. June 21, 1961
Last Pub. July 12, 1961

← error in date not checked correct date July 25, 1961 R.T.

R-945

Proofs sent back for corrections 8/2/61

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

June 16, 1961

Re: Permit No. R-945

DEPOSITIONS ARE OF NO VALUE

UNLESS AFFIDAVIT OF PUBLICATION

IS ATTACHED

Mr. W. Maurice Tingey,
Weston, Idaho.

Dear Mr. Tingey:

This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application of Water to Beneficial Use under Permit No. R-945. The proofs are to be made at 10:30 o'clock A.M., on the 25th day of July, 1961, ~~1962~~, before W. C. Maughan, Preston, Idaho, Notary Public.

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

It is important that the enclosed depositions be executed by 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:

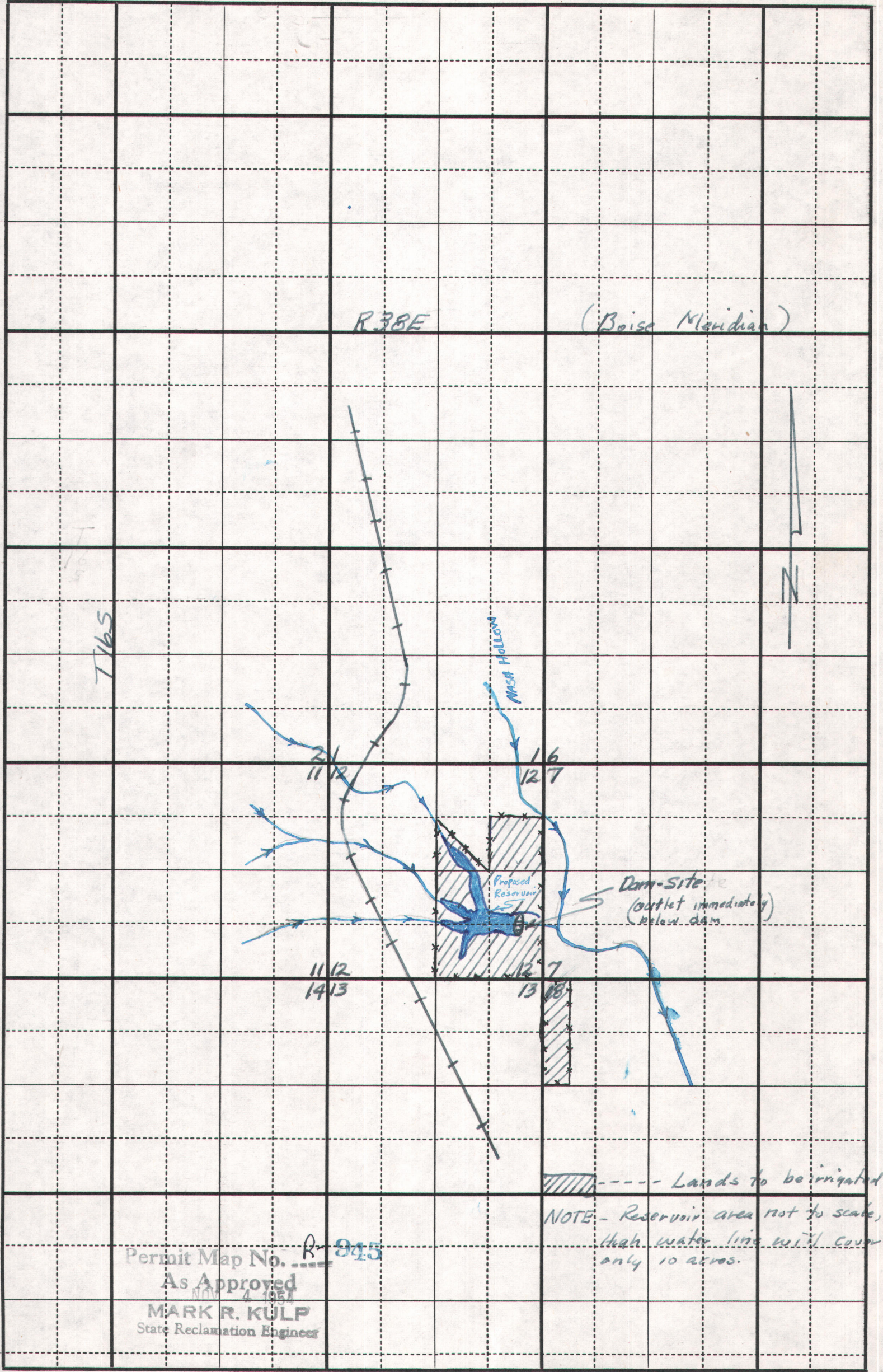
(Mrs.) Edna P. ~~Rutledge~~ ^{Rule}
Chief Clerk

Encl.
EPR:pmk
cc: Notary

R-945

NAME OF APPLICANT W. Maurice Tingey

Form No. 0



Permit Map No. R-945
As Approved
NOV 4 1954
MARK R. KULP
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

Drawn - 24 Aug 54 - RTG

R-945

State of Idaho
License and Certificate of Water Right

Water License No. R-945 Amount 77.67 ac. ft.
Water District No. _____ Priority August 28, 1954

THIS IS TO CERTIFY that W. MAURICE TINGEY
of Weston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 28, 19 54; that Permit No. R-945
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
77.67 ~~second~~ ^{acre} feet, was issued thereunder on September 28, 19 56, showing that said works
were completed on the 7th day of September, 19 56; and that on the 25th
day of July, 19 61,

W. MAURICE TINGEY

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 Nash Hollow, for the purpose of irrigation
under Use Permit No. R-945 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7248, on the 13 day of February, 19 62;

The right hereby confirmed dates from August 28, 19 54;

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 12, Tp. 16 S, R. 38 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 77.67 ~~acre~~ ^{acre} ~~feet~~ ^{feet} ~~per second~~

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	38 E.	12	SW 1/4 NE 1/4	20	9
			SE 1/4 NE 1/4	40	27
			NE 1/4 SE 1/4	40	28
			NW 1/4 SE 1/4	40	24
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	37
		13	NE 1/4 NE 1/4		40
			NW 1/4 NE 1/4		40
			NE 1/4 NW 1/4		13
			Total number of acres to be irrigated:	258	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of February, 19 62.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. G-26355Amount 1.66 c.f.s.

Water District No. _____

Priority May 18, 1956

THIS IS TO CERTIFY that FRED H. VOGT - Assignee - Lovina P. Stokes
of Sterling, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 18, 19 56; that Permit No. G-26355
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.53 second feet, was issued thereunder on February 13, 19 62, showing that said works
were completed on the 22nd day of May, 19 61; and that on the 22nd
day of May, 19 61,

FRED H. VOGT - Assignee - Lovina P. Stokes
of Sterling, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow , for the purpose of irrigation & domestic
use , under Use Permit No. G-26355 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7247, on the 13 day of February, 19 62;

The right hereby confirmed dates from May 18, 19 56;

The Point of Diversion is located
in the SW 1/4 NW 1/4, Sec. 12, Twp. 4 S., R. 31 E., E. M. Bingham County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.66 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	31 E.	11 12	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	20
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	30	10
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	30	8
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	5
			Total number of acres to be irrigated:		83

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
13th day of February, 19 62.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R-33095
Permit No. R- 945

W. Maurice Tingey
Weston, Idaho

12- 2295

1. Name of Applicant: W. MAURICE TINGEY

Postoffice address: Weston

County Franklin

State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital Stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: 78 acre feet per annum.
3. Source of water supply is an un-named stream (Creek) (River) (Spring), a tributary of Nash Hollow River.
4. The outlet of the proposed reservoir is located N 34° 30' E 1700 feet, distant from the S. E. corner of Section 12, Township 16 S., Range 38 E., B. M. and is in the N.E. ¼ of S.E. ¼ of Section 12, Township 16 S., Range 38 E., B.M. County of Franklin
5. Fill out either (a) or (b).
- (a) The reservoir is located in the channel of a tributary of Nash Hollow (Creek) (River).
- (b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section, Township, Range, B. M., and is in the ¼ of ¼ of Section, Township, Range, B. M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second.
6. (a) The area of the high water line of the reservoir is 12.6 acres.
- (b) The reservoir capacity is 77.67 acre feet.
7. Height of reservoir dam 23 feet, length at top 415 feet, length at bottom 140 feet, size of outlet 12" feet.
- The dam is to be constructed of materials as follows: Clay loam, clay, sandy clays and sands.
- (If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)
8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of Nash Hollow Tributary (Creek) (River)? Yes
- (b) Water stored in reservoir will be carried in the channel of (Creek) (River), a distance of miles to point of diversion located (bearing) feet, distant from the corner of Section, Township, Range, B. M., and in the ¼ of ¼ of Section, Township, Range, B. M.
9. (a) Area of watershed above dam site 3 square miles
- (b) Estimated maximum flow of stream 63 cubic feet per second.
10. Water is to be used for irrigation purposes.
11. If for mining, milling, power or manufacturing purposes give:
- (a) Point of use of water (bearing) feet, distant from Corner of Section, Township, Range, B. M. and is in the ¼ of ¼ of Section, Township, Range, B. M.
- (b) Amount of power generated: H. P., under feet head.
- (c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet distant from the corner of Section, Township, Range, B. M. in the ¼ of ¼ of Section, Township, Range, B. M.
12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. , which is hereby referred to and made a part hereof.
13. Kind of diversion works: canal and pipe line (Dam, canal, flume, pipe, etc.)
14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:
- (If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width 12" dia. feet, Height feet.
16. Diversion Canal: 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.
17. Estimated cost of Works: Storage Works: \$ 4000 Diversion Works: \$
18. Time required for completion of work 2 years.
19. Time required for complete application of water to proposed beneficial use is 5 years.
20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16 S.	38 E.	12			20	40									40	40	40	40	220
16 S.	39 E.	18					20	20											40
Total Number of Acres to be Irrigated																			260

Total Number of Acres to be Irrigated 260

21. Existing rights and/or valid permits appurtenant to lands described in Sec. 20 are A. 146 Shares of Twin Lakes Irr. Co. Water.
Remarks: B. 15 Shares of Weston Creek Irr. Co. Water.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

W. MAURICE TINGEY

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Aug. 28, 1954
Returned to applicant for correction
Corrected application received

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 945

Recorded in book R 4, page 945 Approved Nov. 4, 1954

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store 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 January 4, 1955 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before November 4, 1955

The whole of said work to be completed on or before November 4, 1956

Beneficial use of water stored in accordance herewith, to be made on or before November 4, 1961

Witness my hand this 4th day of November

, 1954.

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,

and IRA 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 4th day of

November, 1954.

Countersigned:

STATE OF IDAHO

(SEAL)

By LEN JORDAN

By IRA H. MASTERS
Secretary of State.

Governor.

R-945

Permit No. R-945
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. MAURICE TINGEY of Weston, County of Franklin and State of Idaho, the holder of Permit No. R-945, issued upon Application No. R-33095, bearing date of priority of August 28, 1954, authorizing the construction of a reservoir, with the right to appropriate and store 78 acre feet per annum of the waters of an un-named stream, a tributary of Nash Hollow, in the 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 set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 77.67 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 16 S., Range 38 E., and that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 12, Township 16 South, Range 38 East, B.M.

Witness my hand this 28th day of September, 1956.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made September 7, 1956
Certificate of Completion of Works issued September 28, 1956.

Application for Amendment

LAND LIST
Permit No. R-945

Comes now W. MAURICE TINGEY, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. R-945, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 12; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 16 S., R. 38 E., B. M., making a total of 258 acres.

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

Signed at Weston, this 25th day of November, 1961.

Date of Receipt at office of Department of Reclamation: February 12, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. R-945. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: February 13, 1962

LICENSE ISSUED FOR ^{acre feet} 77.67 SEC. F.I.
Page 7248

13-2295

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

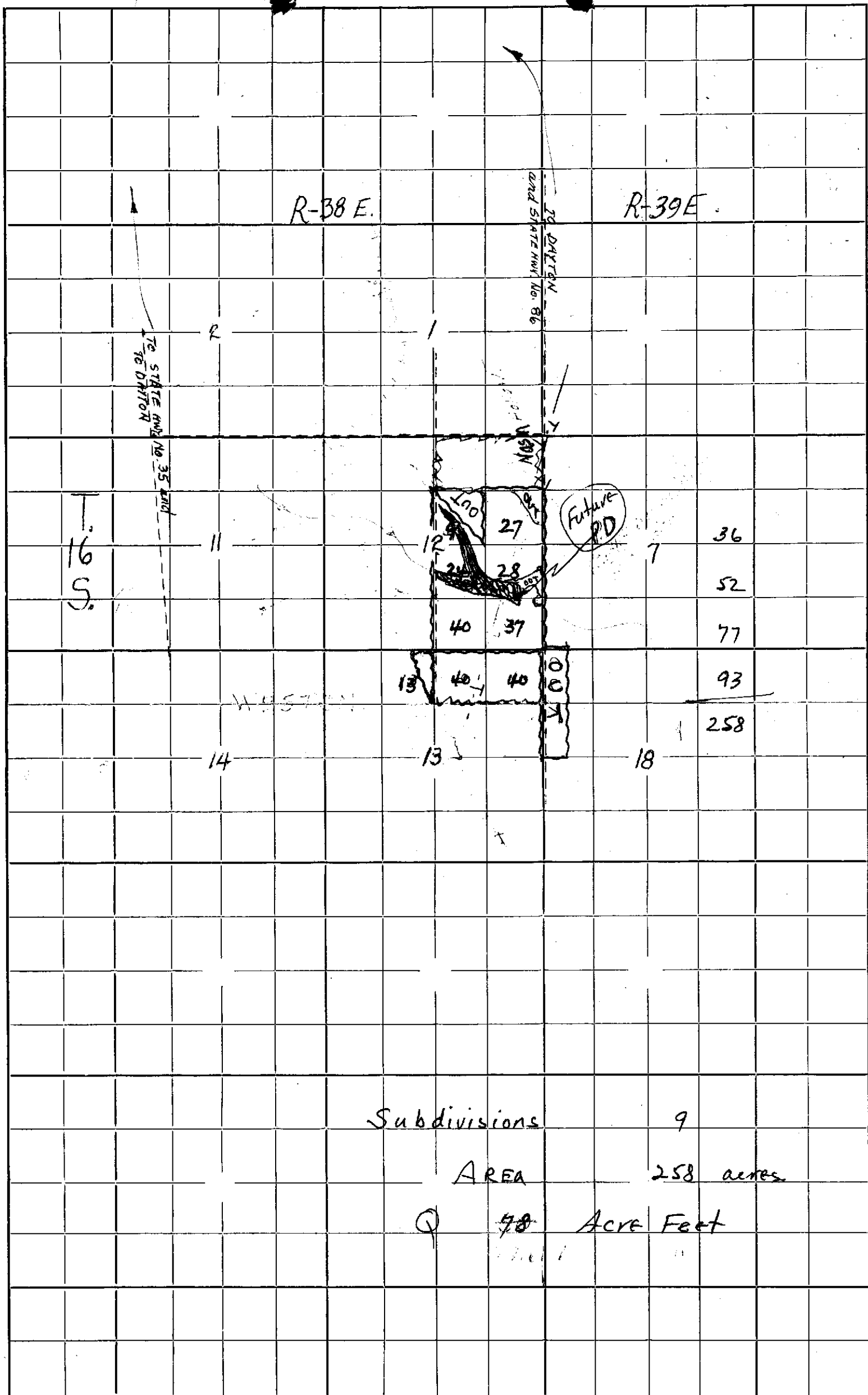
REPORT OF ENGINEER

PERMIT NO. R-945

REPORT ON PROOF OF Beneficial Use

W. Maurice Tingey, Weston, Idaho

R-945



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-945

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant W. Maurice Tingey
2. Source of water supply: an un-named stream
3. Location of point of diversion: Is in the NE 1/4 SE 1/4 of Section 12
T. 16 N R. 38 E.B.M. County of Franklin

DEPARTMENT OF RECLAMATION RECORD OF DAMS

Permit No. R-945
File No. _____

Name of Dam: Tingey Dam Stream: Unnamed Streams
Name of Owner: W. Maurice Tingey Location: NE 1/4 SE 1/4 Sec 12, T16N, R.38E.
Type: Earth Fill Purpose: Irrigation Constructed: 1955
Engineer: H.J. Woodward, Eng. SCS. Franklin Co. Contractor: Evan Koller

DIMENSIONS OF DAM

Length on Bottom: - - - - -	<u>140'</u>	Ft.	Length on Crest: - - - - -	<u>680'</u>	Ft.
Height above Stream Bed: - - - - -	<u>29'</u>	"	Depth to Bedrock: - - - - -	-	"
Top Width: - - - - -	<u>18'</u>	"	Upstream Slope: - - - - -	<u>3:1</u>	
Freeboard: - - - - -	<u>4 1/2'</u>	"	Slope Protection: <u>Rock - 2" to 12" size approx</u>		
Downstream Slope: - - - - -	<u>2:1</u>		Watershed Area: <u>Approx. 3 sq. miles</u>		
Area of Reservoir at Spillway Level: <u>16</u>		Acres.	Capacity of Reservoir: <u>126</u>		Acre Feet.

Description of Foundation, including Cut-off Walls and other Precautions as to Safety: Excavated trench and back filled compacted core. Concrete head wall around Inlet and Outlet of Conduit. 5 Cutoff Dollars, spaced on 15' centers, around upper 2/3 of Conduit.

Dimensions and Description of Spillway: Top width 26' bottom width 13', 4 1/2' deep with a 3' wide Concrete control in contour of bottom.

Dimensions and Description of Outlet Works, Gate Hoisting Mechanism, etc.: 14" x 160' smooth steel, 14 ga. pipe. There is 6" concrete with 5-5' concrete collars around steel Conduit pipe. 14" screw type control gate. There is a 16" x 19.5 feet trickle tube just behind head gate to handle small amounts of inflow above full capacity of Reservoir. Conduit is 3.5' above and 20' south of main channel of unnamed stream. so dam side cannot be drained approximately a surface area of 2 acre feet remain in bottom State Fish & Game Comm. stock Reservoir.

Historical: Dam constructed with dirt removed from North and South banks of Reservoir and is of red clay. Scraped from sides with a Carryall and compacted with a Sheeps foot Roller.

Original height was 22', but was raised to 29' in 1960 (see Permit R-1074)

Present points of diversion is any place around perimeter of Reservoir by use of portable pump and sprinkler systems.

Remarks: The original dam was 22' high and covered approximately 9 acres with a content of 60 Acre feet.

Future plans call for a pump in a sump at the outlet of dam, into a permanent sprinkler irrigation system.
Water from local Irrigation system is dumped into reservoir when not being used.

Information compiled by:

Date: September 27th, 19 61

Layman

R-945

No. Protection on downstream side.

above conduit.

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 1/4, SE 1/4 Sec. 12; Twp. 16 S; Rge. 38 E.B.M.

W 1/4 S. 18., Twp. 16 S., Rge. 39 E.B.M. Making a total of 260 acres.

Amend land list to include NE 1/4 NW 1/4 (13 acres) and NW 1/4 NE 1/4 (40 ac)
Sec. 13, T 16 S, R 38 E

(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. Tunney along

Point of diversion for sprinkler system is any place along perimeter of Reservoir but is planning to install a central pump at outlet of Reservoir and use main line with laterals

This examination was made on the 27th day of September, 1961

(Signed)

Lynn Johnson

Examiner.

R-945

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED

OCT 3 1961

Department of Reclamation

Examination for Beneficial Use

County Franklin

Sec. 12 T.16 S. R.38 E. 1/4

Quantity: 78 acre feet

Sources: Un-named stream

P.D.: NESE., Sec. 12, T.16 S. - R.38 EBM

Use: Irrigation

Filed: Aug. 28, 1954

Due: Nov. 4, 1961

Extension: _____

Completion of Works: 9-28-56

Other Rights: 146 slaves of Jain
Lakes Div. Co. water
15 slaves Weston Co. Div. Co. water

Wm Rockman
sk

February 13, 1962

Re: Permit No. R-945

W. Maurice Tingey
Neston, Idaho

Dear Mr. Tingey:

Enclosed is the License and Certificate of Water Right and the Amendment to the Land List which have been recorded in this office.

Also enclosed is departmental receipt No. 30942 in the amount of \$19.00 covering fees for the above.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

DDR:ew

Enc. license
amendment
receipt

R-945

Application for Amendment

LAND LIST

Permit No. R-945RECEIVED
FEB 12 1962

Department of Reclamation

Comes now W. Maurice Tingey, and represents

to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. R-945, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 12; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 16 S., R. 38 E., B.M.

_____, making a total of 258 acres.

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

Signed at Hester this 25 day of Nov, 1961

W. Maurice Tingey

Date of receipt at office of Department of Reclamation February 13, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

Ralph W. Thomas, Deputy

I, ~~XXXXXXXXXXXX~~, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. R-945. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 4 of
Permits, at page 945
February 13, 1962

Ralph W. Thomas
Deputy
State Reclamation Engineer

R-945

October 4, 1961

RE: Permit No. R-945

W. Maurice Tingey
Weston, Idaho

Dear Mr. Tingey:

Our field engineer's report on his inspection of the application of water to beneficial use shows the dam and sprinklers are capable of storing and conveying 77.67 acre feet of water for irrigation of 258 acres.

Upon receipt of the statutory fee of \$18.00, 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 August 28, 1954 to the use of 77.67 acre feet of surface water with the point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12 for irrigation of 258 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 12; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 16 S., Range 38 E., B.M.

Since your permit does not include the N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 13 it will be necessary to amend the land list on the permit, if you want the extra land included in the license. Complete the enclosed form, submit it with the above mentioned statutory fee, plus an additional fee of \$1.00 for recording the amendment, to this office and the License and Certificate of Water Right will be issued as shown above.

If you do not want the extra land included, the statutory fee will total \$12.00 and the land list will be restricted to the lands shown on the permit which are actually irrigated.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr
Enc. amendment

R-945

21

September 12, 1961

Re: Permit No. R-945

Mr. Maurice W. Tingey
Weston, Idaho

Dear Mr. Tingey:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Preston Citizen, all submitted in proof of completion of works and beneficial use on Permit No. R-945.

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:

R-945

August 28, 1961

RE: Permit No. R-945

Mr. Maurice W. Tingey
Weston, Idaho

Dear Mr. Tingey:

Returned herewith, for the second time, is your proof of application of water to beneficial use of the water with a form to amend the land list under your permit, and Form O.

The land descriptions you furnished omitted the direction in two places so it is not possible to determine what lands you intend to describe. However you do describe lands not included in the permit and not included in your legal notice of proof of beneficial use of the water. Under 8 you claim you need one acre foot per acre of land and you show over 300 acres for 77.67 acre feet of water

Your permit shows the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 12, T. 16 S., R. 38 E., B.M. and W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18, T. 16 S., R. 39 E., B.M. to be irrigated.

You can change the place of use by completing the enclosed amendment to the land list and show the land to be irrigated on the Form O.

Either correct your place of use on the proof of beneficial use of the water or complete the amendment to the land list with Form O. Return the necessary documents to this office with the \$1.00 recording fee for the amendment, if you wish to amend the place of use of the water.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr
Enc. proof
From O

R-945

August 2, 1961

RE: Permit No. R-945

Mr. W. Maurice Tingey
Weston, Idaho

Dear Mr. Tingey:

Returned herewith your proof of application of water to beneficial use for corrections as indicated by "?" marks.

The Publisher's Affidavit is being held in the file folder pending return of corrected proofs.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

H. Petri
Water Rights Clerk

HP:mr
Enc. proofs

R-945

AUG 28 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 28 1961

Department of Reclamation

Permit No. R 945

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. W. Maurice Tingey Weston, 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. No

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

Ans. R - 945 August 2, 1954

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

Ans. An un-named stream - a tributary of Nash Hollow. - N 34°30' E 1700 Ft. Distant from the SE corner of Section 12, Township 16 S, Range 38 EBM and is in the NE 1/4 of SE 1/4 of Sec. 12, Township 16 S, Range 38 EBM, County of Franklin

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. Use a centrifical pump Berkly No. 4. When sprinkling - pump 600 gal per min. When using water for flooding purposes pump 1600 gal per minute. When sprinkling use a 8" buried steel mainline - When flooding - pump into open ditch.

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 for irrigation of sugar beets, potatoes, corn, peas, wheat, barley and alfalfa - 260 acres of irrigated land in farm. I have other water from Twin Lakes Canal Company and use this water from Reservoir to keep up what the other won't take care of. This increased water supply has doubled output of farm crops. S 1/2 NE 1/4, SE 1/4, Sec. 12, T. 16 S., R. 38 E, B. M. and W 1/2 NW 1/4, Sec. 18, T. 16 S., R. 39 E. B. M. to be irrigated

R-945

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. acres foot per acre of ground

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. Every year during months of May-June- July- August and September water has been used to water crops from start to finish.

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. This farm has a water right of 146 shares of Twin Lakes Canal Company.

This water is used to irrigate any crops grown on this land.

(Sign)

H. Maurice Lingg

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 Prater, County of Franklin, State of Idaho, on this 25 day of July, A. D. 1961.

J. B. Thompson

My commission expires

30 Aug 61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 2 1961

Department of Reclamation

SEP 12 1961

Department of Reclamation

AUG 28 1961

Department of Reclamation

PERMIT NO. R 945

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. Harvey Dewey age 52 Farmer Weston Idaho

Ques. 2. Are you acquainted with W Maurice Tingey, the holder of Permit No. R 945? How long have you known him and where does he reside?

Ans. I moved to Weston in 1950 and have been well acquainted with Mr Tingey since that time

Ques. 3. Have you read or heard read said Permit No. R 945, 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.

N $\frac{3}{4}$ 30' E 1700 feet distant from the SE corner of Section 12, township 16, S. Range 38 EBM and is in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12. Township 16 S, range 38 EBM. County of Franklin.

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. When sprinkling-1 $\frac{1}{2}$ sec. feet - when flooding-4 sec. feet

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. Water is used for irrigation. There are 260 acres of irrigated land in farm and water from reservoir is used to irrigate any of it anytime. The water from Twin Lakes Canal ditch is not enough. All of this land is cultivated and water from storage has doubled water supply for them. Where?

S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 12, T. 16 S, R. 38 E. B. M. and W $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 16 S R. 39 E. B. M. to be irrigated

R-945

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 2 1961

Department of Reclamation

SEP 12 1961

Department of Reclamation

AUG 28 1961

Department of Reclamation

PERMIT NO. R 945

Proof of Application of Water to Beneficial Use

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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. Harvey Dewey age 52 Farmer Weston Idaho

Ques. 2. Are you acquainted with W Maurice Tingey, the holder of Permit No. R 945? How long have you known him and where does he reside?

Ans. I moved to Weston in 1950 and have been well acquainted with Mr Tingey since that time

Ques. 3. Have you read or heard read said Permit No. R 945, 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 tributary - of Nash Hollow

water is pumped from south side of Reservoir thru a forced pipeline to ground south of Reservoir - 160 acres
also from North side of Reservoir thru a portable line to ground north of Reservoir 100 acres

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. When sprinkling-1½ sec. feet - when flooding-4 sec. feet

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. Water is used for irrigation. There are 260 acres of irrigated land in farm and water from reservoir is used to irrigate any of it anytime. The water from Twin Lakes Canal ditch is not enough. All of this land is cultivated and water from storage has doubled water supply for them. Where?

3¼NW¼, SE¼, Sec 12, T. 16 S, R. 38 E.B. M. and ¼NW¼, Sec.18, T. 16 S R. 39E. B. M. to be irrigated

R-945

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

Ans. Irrigation only

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. Land runs from sandy loam to clay loam. We plan on 1 acre ft. of water to 1 acre of ground in this section.

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. I have lived close by and every year the water has all been used to water row crops, grain and alfalfa.

(Signed)

Harvey Denny

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 25 day of July, A. D. 19 61.

[Signature]

Notary Public.

My commission expires 30 aug 64

RECEIVED
SEP 12 1961
AUG 2 1961

STATE OF IDAHO Department of Reclamation
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 28 1961

Department of Reclamation

PERMIT NO. R 945

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. Clyde K. Neilsen - Age 53 - Farmer - Weston, Idaho

Ques. 2. Are you acquainted with W. Maurice Tingey, the holder of Permit No. R 945? How long have you known him and where does he reside?

Ans. Yes - since 1919 - lives in Weston, Idaho on farm he owns.

Ques. 3. Have you read or heard read said Permit No. R 945, 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 con-

N3/4 30' E 1700 feet Distant from the SE corner of Section 12, township 16 S, Range 38 EEM, and is in the NE1/4 of SE1/4 of section 12, Township 16 S, range 38 EEM. County of Franklin.

of reservoir - 100 acre - ditches from North side of reservoir - then portable line to ground north of Reservoir - 100 acre

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. When sprinkling 1 1/2 sec. feet, - when flooding 4 sec. feet.

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. Water is used for irrigation. There are 260 acres of irrigated land in Farm and water from reservoir is used to irrigate any of it anytime. The water from Twin Lakes Canal ditch is not enough. All of this land is cultivated and water from storage has doubled water supply for farm. Where?

NE1/4, SE1/4, Sec. 12, T. 16 S., R. 38 E.B.M. and SE1/4, Sec. 18, T. 16S., R. 39 E.B.M. to be irrigated.

R-945

RECEIVED
SEP 12 1961
AUG 28 1961

STATE OF IDAHO Department of Reclamation
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 28 1961

PERMIT NO. R 945

Department of Reclamation

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. Clyde K. Neilsen - Age 53 - Farmer - Weston, Idaho

Ques. 2. Are you acquainted with W. Maurice Tingey, the holder of Permit No. R 945? How long have you known him and where does he reside?

Ans. Yes - since 1919 - lives in Weston, Idaho on farm he owns.

Ques. 3. Have you read or heard read said Permit No. R 945, 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. Unnamed stream - tributary of Nash Hollow. Water is pumped from south side of Reservoir thru buried pipe line to ground south of Reservoir - 1600 ac. Also from North side of Reservoir thru portable line to ground north of Reservoir - 1000 ac.

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. When sprinkling $1\frac{1}{2}$ sec. feet, - when flooding 4 sec. feet.

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. Water is used for irrigation. There are 260 acres of irrigated land in Farm and water from reservoir is used to irrigate any of it anytime. The water from Twin Lakes Canal ditch is not enough. All of this land is cultivated and water from storage has doubled water supply for farm. Where?

S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 12, T. 16 S., R. 38 E.B.M. and S $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 16 S., R. 39 E.B.M. to be irrigated.

R-945

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

Ans. Irrigation only

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. Land runs from sandy loam to clay loam. We plan on 1 acre ft. of water to 1 acre of ground in this section.

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. I have lived close by and every year the water has all been used to water row crops, grain and alfalfa.

(Signed) Elyde K. Nielsen

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 25 day of July, A. D. 1961.

[Signature]

Notary Public.

My commission expires 30 aug 64

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Franklin

being duly sworn,

deposes and says:

That he is the 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
..... 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

....., 19....., and ending
with the issue of 19.....

Fees, \$

Subscribed and sworn to before me this 25
of July 1961

Notary Public, Residing at Preston, Idaho

My Commission Expires 7-22-62, 19.....

Legal Notices

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A.M. on the 5th day of June, 1961, at Preston, County of Franklin, State of Idaho, before W. C. Maughan, proof will be submitted of the application to beneficial use of 77.67 acre feet of the waters of unnamed stream a tributary of Nash Hollow in accordance with the terms and conditions of Permit No. R-945 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is W. Maurice Tingey, Weston, Idaho.

The use to which said water has been applied is Irrigation purposes.

The amount applied to beneficial use is 77.67 A.F. per annum.

The place where said water is used, giving full and accurate legal description: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 16 South, Range 38 East of the Boise Meridian.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Tingey pipe line and ditches located on farm.

The right to take water from such works is based upon Permit No. R-945.

The source of supply from which such water is diverted is unnamed stream a tributary of Nash Hollow.

Point of Diversion (legal description) NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, Tp. 16 S. R. 38 EBM.

The date of priority which said user is prepared to establish is Aug. 28, 1954.

George N. Carter
State Reclamation Engineer

First Pub. June 21, 1961
Last Pub. July 12, 1961

R-945

FRANKLIN
COUNTY'S
ONLY NEWSPAPER
ESTABLISHED IN 1892

THE PRESTON CITIZEN

DON E. SMITH
Publisher

PRESTON, IDAHO

SERVING A
TERRITORY
OF OVER
10,000 PEOPLE

RECEIVED
JUN 29 1961
Department of Reclamation

June 22, 1961

State of Idaho
Department of Reclamation
Geo. N. Carter, Engineer
Boise, Idaho

Dear Sir,

Inclosed please find a tear sheet of the
first publication for W. Maurice Tingey, West-
on, Idaho, as requested in your letter of June
16, 1961.

Sincerely,

Don E. Smith
By *Constance Peterson*



PRESTON

2-945

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. R-945
W. Maurice Tingey

Date: June 16, 1961

Preston Citizen,
Preston, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to July 25, 1961 the date set for proof; the expense of the publication is to be paid by the applicant

W. Maurice Tingey 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.

R-945

RECEIVED
JUN 16 1961

Notice for Publication
NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 10:30 A. M. on the 5 day of
. June, 1961, ~~1959~~, at Preston, County of
. Franklin, State of Idaho, before
W. C. Maughan, proof will be submitted of the application to beneficial use of
. 77.67 ~~cubic feet per second~~ of the waters of unnamed stream of Nash Hollow
. in accordance with the terms and conditions of Permit No. R-945
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are:
. W. Maurice Tingey, Weston, Idaho
The use to which said water has been applied is Irrigation purposes
The amount applied to beneficial use is 77.67 A.F. per a num
The place where said water is used, give full and accurate legal description:
.
. NE 1/4 Sec. 12, Township 16 South, Range 38 East of the Boise Meridian
.

The name of the canal or ditch or other works by which said water is conducted to such
place of use is Tingey pipe line and ditches located on farm
The right to take water from such works is based upon Permit No. R-945
The source of supply from which such water is diverted is unnamed stream of Nash Hollow
Point of Diversion (legal description) NE 1/4 Sec. 12, Tp. 16 S. R. 38 E.
.

The date of priority which said user is prepared to establish is Aug. 28, 1954

Geo. H. Carter

State Reclamation Engineer

R-945

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 5, 1961

(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.

W. Maurice Tingey
W. Maurice Tingey

(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.

R-945

Dear Sirs.

I hope I have these
papers completed right.
If it is not out of order
I could complete the papers
for permit R 1074 - It
is completed and the water
in the process of being
used -

Sincerely
H. Maurice Gungor
Heston Idaho

RECEIVED

JUN 16 1961

Department of Reclamation

R-945

Send necessary
forms for
B/U proof &
instructions
on R-945

R-1074 not
due yet

R-945

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

June 16, 1961

Re: Permit No. R-945

RECEIVED
DEPARTMENT OF RECLAMATION
JUN 20 1961

Mr. W. Maurice Tingey,
Weston, Idaho.

Dear Mr. Tingey:

This acknowledges the Notice of Proof of ~~completion of work~~ Application of Water to Beneficial Use under Permit No. R-945. The proofs are to be made at 10:30 o'clock A.M., on the 25th day of July, 1961, ~~1960~~ before W. C. Maughan, Preston, Idaho, Notary Public.

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

It is important that the enclosed depositions be executed by 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:

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

Encl.

EPR:pmk

cc: Notary

R-945

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

RE: Permit No. R-945Date May 9, 1961

W. Maurice Tingey
Weston, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. R-945 is due not later than Nov. 4, 1961. 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 or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date (allowing for four weeks publication), 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 40-acre 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.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc.

Forms enclosed are the ones needed for beneficial use on Permit No. 945. The letter is actually the instructions, as per your request of May 4, 1961

R-945

Hester Idaho
5-4-61

RECEIVED

MAY 8 1961

Department of Reclamation

Bureau of Reclamation
Boise, Idaho.

Dear Sirs. My reservoir
is now complete and I would
like it checked or whatever it
is that has to be done for the
proving of my water permit.

No. R 945 expires Nov the 4th
of this year.

No R 1074 not until aug
11 of 66.

Yours Truly

J. Maurice Lungey

R-945 c/w 77.67 AF } Hester Idaho
Pri. 8-28-54 @/u 11-4-61 } unnamed stream
R 1074
Filed: 6-9-60 Due: c/w 8-11-65 } unnamed stream R-945
@/u 8-11-66 }

October 2, 1956

RE: Permit No. R-945

Mr. W. Maurice Tingey
Weeton
Idaho

Dear Mr. Tingey:

We enclose, herewith, Certificate of Completion of Works issued on your Permit No. R-945 for the storage of 77.67 acre feet of water per annum of the waters of an un-named stream, a tributary of Nash Hollow, with point of outlet of said reservoir located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Township 16 South, Range 38 East, B.N., for irrigation of land in the S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 12, same Township and Range and Priority of August 28, 1954.

We also enclose departmental receipt No. 28189 for the \$5.00 completion of works fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

R-945

September 18, 1956

RE: Permit No. R-945

Mr. W. Maurice Tingey
Weston
Idaho

Dear Mr. Tingey:

We are returning, herewith, your deposition for proof of completion of works for additional information.

Under Question 3, according to your Permit your source of supply is from an un-named stream. Please add that to the answer in Question 3.

Under answer to Question 24, please state the number of acres to be irrigated under each legal subdivision, by showing Section, Township and Range.

Please furnish this additional information and return to this department.

We wish to acknowledge receipt of your check for \$5.00 in payment for completion of works proof which we will hold until receipt of the deposition.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll
Enc.

R-945

RECEIVED
SEP 11 1956

Department of Reclamation

Permit No. R-945

Proof of Completion of Works

RECEIVED
SEP 27 1956

Department of Reclamation

DEPOSITION OF HOLDER

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

Ans.

H. Maurice Lingey - Chester Idaho
Farmer

Ques. 2. If acting on behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans.

No R. 945 - 77.67 acre ft water
source of supply - winter run off - slough waters when not used by owners below dam

Ques. 4. Under terms of permit construction was required to be completed by Nov. 4, 1954

19.....

Ques. 5. Construction was actually completed on the date of Sept 30 1953

Ques. 6. Does the construction fully comply with the specifications? yes

Ques. 7. Of what material was the dam built? Clay loam - Sandy clay & sands

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans.

yes - has been full now for 1 yr.

Ques. 9. The capacity of the reservoir is 78 acre feet.

Ques. 10. The area of the high water line of the reservoir is 10 acres.

Ques. 11. The height of the dam above bottom of reservoir is 25 feet, above low water is 23 feet.

Ques. 12. The dimensions of the spillway are 10 ft bottom 18 ft top and the bottom of the spillway is 6 ft feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 10 ft bottom 18 ft top

Ques. 14. Describe the gate and control unit.

Ans.

12" slab pipe in concrete thru bottom of dam and emergency out let around North end with cement bottom to stop washing concrete & clay

Ques. 15. The reservoir outlet is made of Concrete & clay

Ques. 16. Is the reservoir filled through a feeder canal? no

Ques. 17. If so, where is the point of diversion for same?

Ans.

NE 1/4 SE 1/4 Section, 12 Twp. 16 S Range 38 E

R-945

Ques. 18. Does the feeder canal comply with the specifications in the permit?

Ques. 19. If not, explain

Ques. 20. Cost of constructing feeder canal? \$..... Cost of reservoir? \$ 5010.00

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans. Have not as yet installed permanent pipe

Ques. 22. Water has (has not) been delivered to place of intended use? yes using Spinkles

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

2. Ans. Dam 140 ft wide at Bottom - 12 ft at top
have Gravel below dam & Rocks Gravel on face of Dam

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans. Irrigation - ~~200~~ acres 160 acres in
section 12 Township 16S Range 5 County of Franklin

(Sign here)

H. Maurice Jingley

✓ 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 7 day of September A.D. 1956.

[Signature]
Notary Public

My commission expires Dec 10 1956

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

September 1, 1956

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. W. Maurice Tingey
Weston
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. R-945 you are required to complete your diversion works on or before November 1, 1956. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a 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 will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

R-945

November 10, 1954

RE: Permit No. R-945

Mr. W. Maurice Tingey
Weston
Idaho

Dear Mr. Tingey:

We enclose Permit No. R-945 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. 27009 for the \$5.00 filing fee.

It is our understanding that the Soil Conservation Service will furnish plans and specifications which must be approved by this department before construction is commenced.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:lll
Enc.

R-945

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

P. O. Box 2709
Boise, Idaho

RECEIVED
APR 23 1955
Department of Reclamation

April 22, 1955

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

Transmitted herewith are the plans, specifications, geology
report, soils report, hydrology, hydraulics, design and other
pertinent data for the M. W. Tingey Dam, Franklin SCD, Idaho.

Very truly yours,

Meador H. Wilkins

Meador H. Wilkins
State Conservation Engineer

Enclosures

R-945

August 30, 1954

Mr. W. Maurice Tingey
Weston
Idaho

Dear Mr. Tingey:

We have your application for permit to construct a reservoir and store 78 acre feet of water from Nash Hollow.

In order to give this application proper consideration we will ask that you submit duplicate plans on your proposed dam and reservoir.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br

R-945

W. Maurice Tingey

P. O.

Weston, Idaho

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R. 33095

Permit No. R. _____

1. Name of Applicant: W. Maurice TingeyPostoffice address: Weston County Franklin State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: _____

(b) Amount of Capital Stock: \$ _____

(c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

II. The financial resources of the corporation are:

(a) Cash on hand: \$ _____

(b) Treasury Stock: \$ _____

(c) Bonds to be issued: \$ _____

(d) Other resources: _____

2. Quantity of water to be stored: 78 acre feet per annum3. Source of water supply is _____ (Creek) (River) (Spring), a tributary
of Nash Hollow River.4. The outlet of the proposed reservoir is located N 34° 30' E 1700 feet, distant from the S.E.
(bearing)
corner of Section 12, Township 16 S, Range 38 E, B. M., and is in the N.E. 1/4 of S. 1/4
of Section 12, Township 16 S, Range 38 E, B. M. County of Franklin.

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of a tributary of Nash Hollow (Creek) (River)(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located _____ (bearing)
_____ feet, distant from the _____ corner of Section _____, Township _____, Range _____B. M., and is in the 1/4 of 1/4 of Section _____, Township _____, Range _____ B. M.
width at bottom _____ feet, width at top _____ feet, depth of water _____ feet; average grade
per mile _____ feet; Capacity _____ cubic feet per second.6. (a) The area of the high water line of the reservoir is 12.6 acres.(b) The reservoir capacity is 77.67 acre feet.7 Height of reservoir dam 23 feet, length at top 415 feet, length at bottom 140 feet, size of
outlet 12" feet by _____ feet. The dam is to be constructed of materials as follows: Clay loam,
clay, sandy clays and sands.(If height of dam will exceed 10 feet or capacity of reservoir will exceed 100 acre feet, plans must be approved
by Department of Reclamation, before beginning construction.)8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without com-
mingling with natural flow of Nash Hollow Tributary (Creek) (River)? Yes

R-945

- (b) Water stored in reservoir will be carried in the channel of..... (Creek.) (River.)
a distance of.....miles to point of diversion located, ..., feet, distant
(bearing)
from the.....corner of Section.....Township....., Range....., B. M., and in the
..... $\frac{1}{4}$ of $\frac{1}{4}$ of Section....., Township....., Range..... B. M.
9. (a) Area of watershed above dam site 3..... square miles
(b) Estimated maximum flow of stream 63..... cubic feet per second.
10. Water is to be used for.....irrigation..... purposes.
11. If for mining, milling, power or manufacturing purposes give:
(a) Point of use of water.....feet, distant from.....Corner of Section.....
(bearing)
Township....., Range..... B. M. and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section.....,
Township....., Range....., B. M.
(b) Amount of power generated: H. P., under.....feet head.
(c) Water is to be returned to..... (Creek) (River) (Spring) at a point
.....feet distant from the.....corner of Section....., Township....., Range
(bearing)
....., B. M., in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section....., Township....., Range....., B. M.
12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed
under the terms of Permit No....., which is hereby referred to and made a part hereof.
13. Kind of diversion works: Canal and Pipe line.....
(Dam, canal, flume, pipe, etc.)
14. Height of diversion dam:.....feet, length at top.....feet, length at bottom.....feet. The dam
is to be constructed of materials as follows:.....

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width 12" dia, feet, Height.....feet.
16. Diversion Canal: 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.
17. Estimated cost of Works: Storage Works: \$.....4000....., Diversion Works: \$.....
18. Time required for completion of work.....2.....years.
19. Time required for complete application of water to proposed beneficial use is.....5.....years.
20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16 S	38 E	12			20	40									40	40	40	40	220
16 S	39 E	18					20	20											40

Total Number of Acres to be Irrigated.....260

21. Existing rights and/or valid permits appurtenant to lands described in Sec. 20 are.....

A. 146 shares of Twin Lakes Irr. Co. Water.

B. 15 shares of Weston Creek Irr. Co. Water.

Remarks:

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

J. Maurice Lingey

Applicant.

By Agent.

Affidavit of Permission to Store and Appropriate the Water of Springs

(Not to be used when spring is situated on lands owned by applicant)

I, ..., of, County of
..... State of, do hereby certify that I am the owner or
lessee of the land on which the spring mentioned in the application of is
located, to-wit: and that I do hereby grant unto the said
..... permission to file on the said spring as set forth in the foregoing application for permit to con-
struct reservoir and store and appropriate the water from said spring.

STATE OF IDAHO,

County of

} ss.

On this day of, 19....., before me, a Notary Public for the State of Idaho, residing at
....., personally appeared
known to me to be the person whose name subscribed to the foregoing certificate, and acknowledged to me
that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

My commission expires

P. 945

Approval of State Reclamation Engineer

The number of this permit is R.....

Recorded in book R....., page..... Approved

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitation and conditions:

Bond in the sum of \$....., to be filed on or before

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

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before.....

Beneficial use of water stored in accordance herewith, to be made on or before

Witness my hand this day of, 19.....

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ..., Governor of the State of Idaho, and, 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 day of, 19.....

Countersigned:

STATE OF IDAHO

By
Secretary of State.

By
Governor.

No. R.....

STORAGE PERMIT

Date of first receipt at office of State
Reclamation Engineer

9:00 A.M. Aug. 28, 1934

Returned to applicant for correction

Corrected application received

Fees, \$5.00 Paid.

FILING FEES FOR STORAGE PERMITS:

For the first 250 acre-feet.....\$5.00

For each additional 250 acre-feet or

fraction thereof\$0.25

FOR NORMAL FLOW PERMITS:

For the first Second foot.....\$5.00

For each additional second foot or

fraction thereof\$0.25

