Licensed: Preston-Whitney, 1-17-39
P-16174, L.p. 3909
215 c.f.s. Priority: 1-1-29

Decreed: Jan. 26, 1906:
Cub River Middle Ditch Co.:
30.0 c.f.s. – 1882
69.9 " – " high water

Cub River & Worm Co. Canal Co.:
25 c.f.s. – 1882
85 " – " high water

FORM M-3503 TOWNSHIP PLAT—6" FORM

Preston-Whitney Irr. Co. R-793, 2407.9 F.S.

SCALE: ONE INCH TO ONE MILE

Township 15 S. Range 39 E

FORM M-3503 TOWNSHIP PLAT—6" FORM

P-16174, L.p. 3909
215 c.f.s. ✓

SCALE: ONE INCH

Township 15 S

T. 15 S.

T. 16 S.

RESERVOIR

Creek

OUT

out

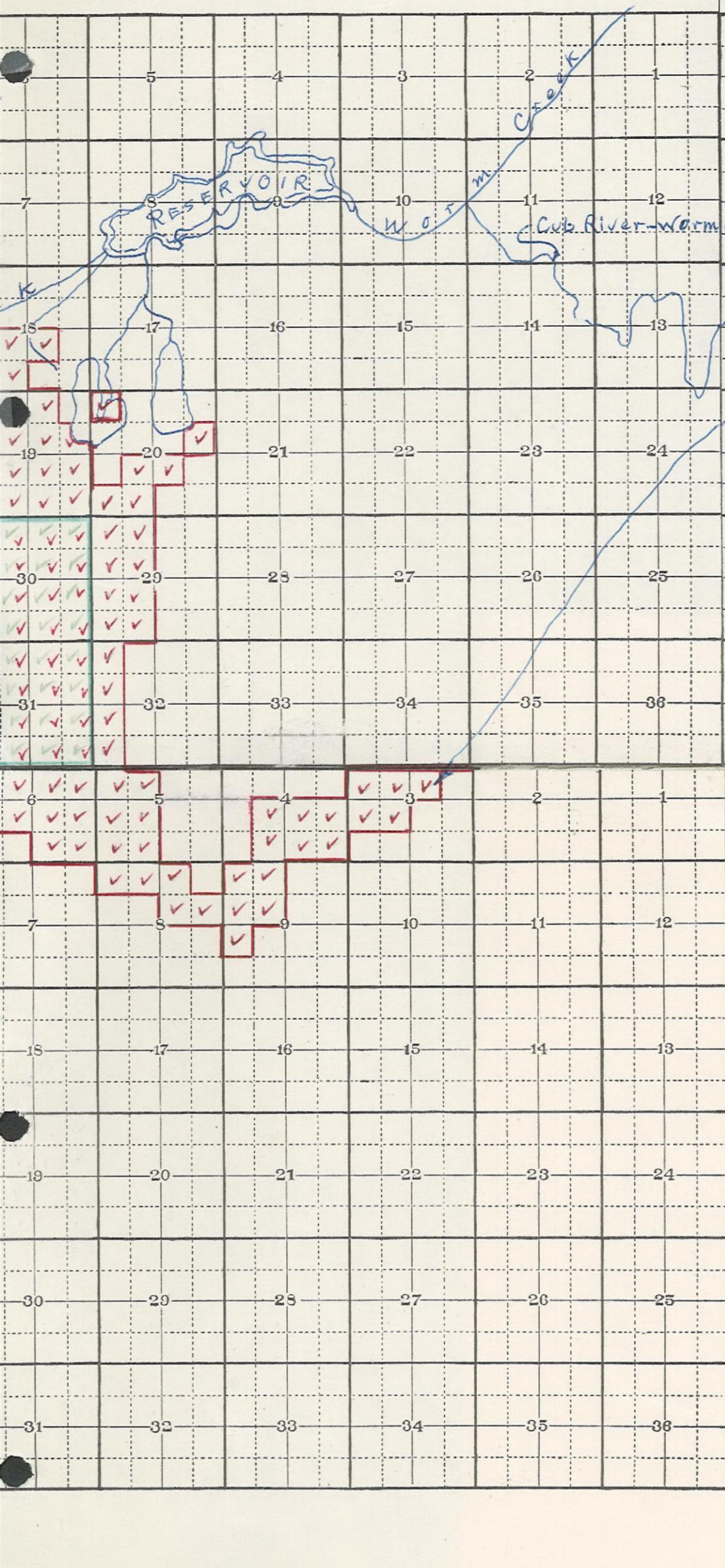
out

FORM M.3503 TOWNSHIP PLAT—6" FORM

P-16174, L.p.3909
215 c.f.s. ✓

SCALE: ONE INCH TO ONE MILE

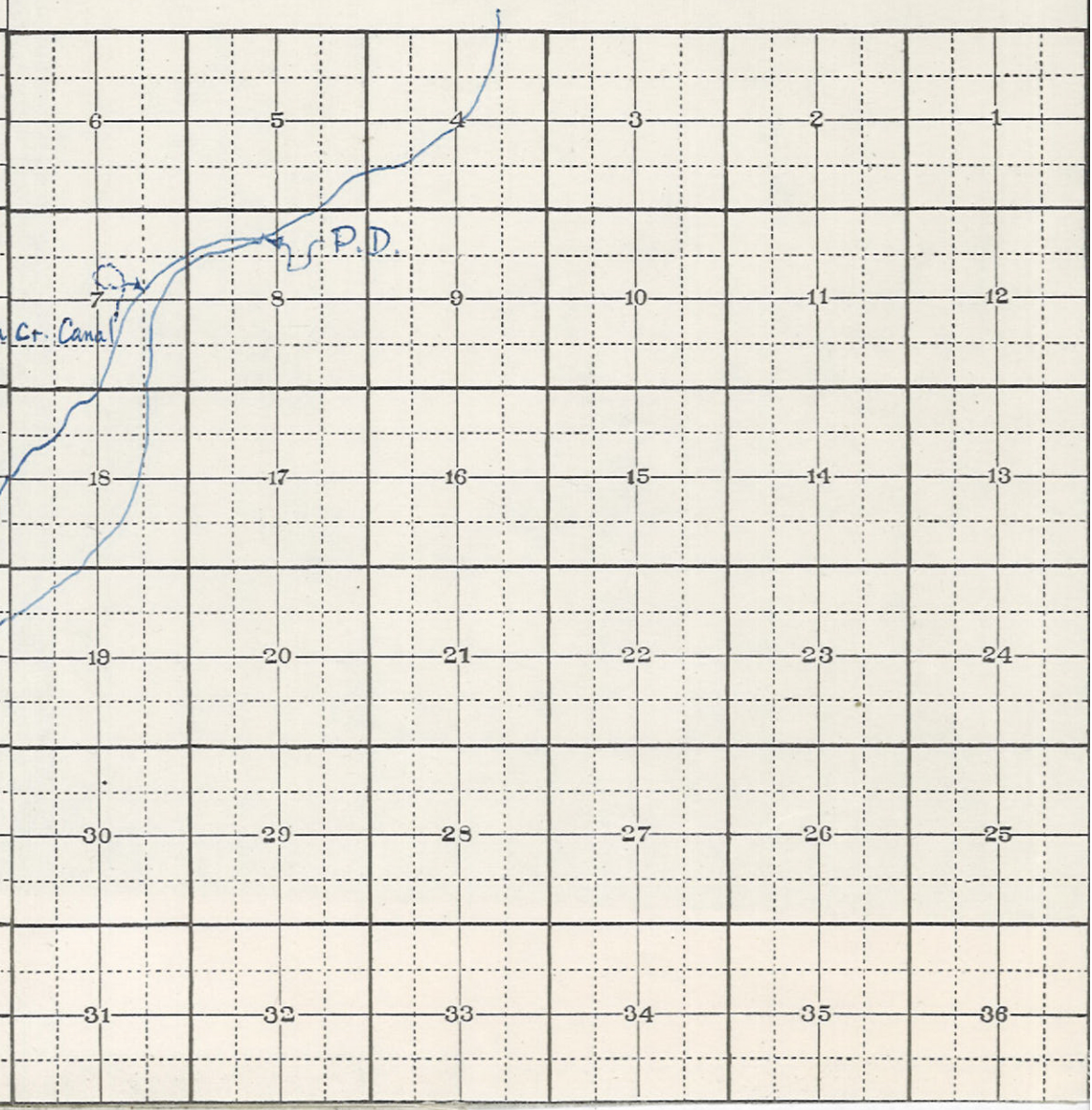
Township 15 S Range 40 E



FORM M.3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

Township 15 S Range 41



R-793

FORM M-3503 TOWNSHIP PLAT—6" FORM

NE MILE

Range 39 E.

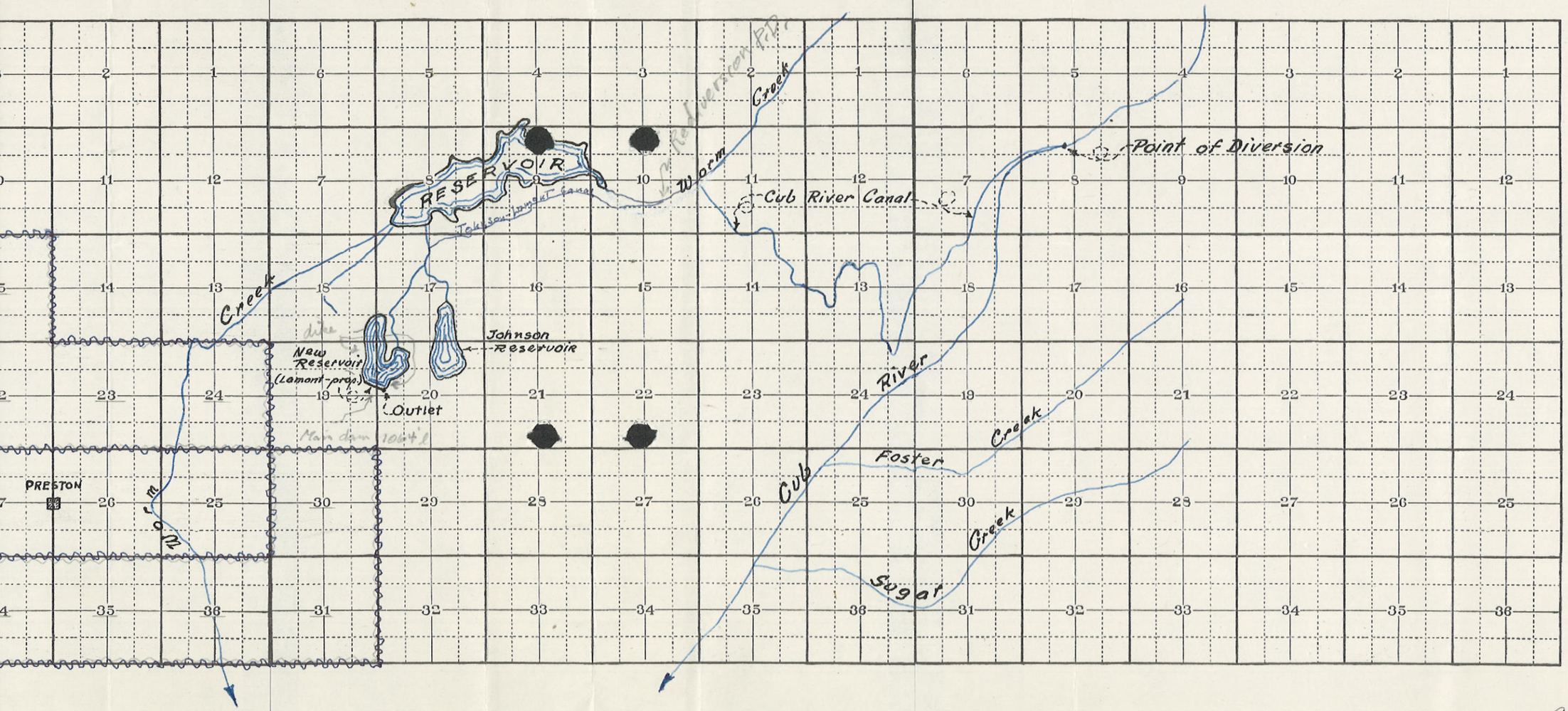
FORM M-3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

Township 15 S. Range 40 E.

SCALE: ONE INCH TO ONE MILE

Township 15 S. Range 41 E.

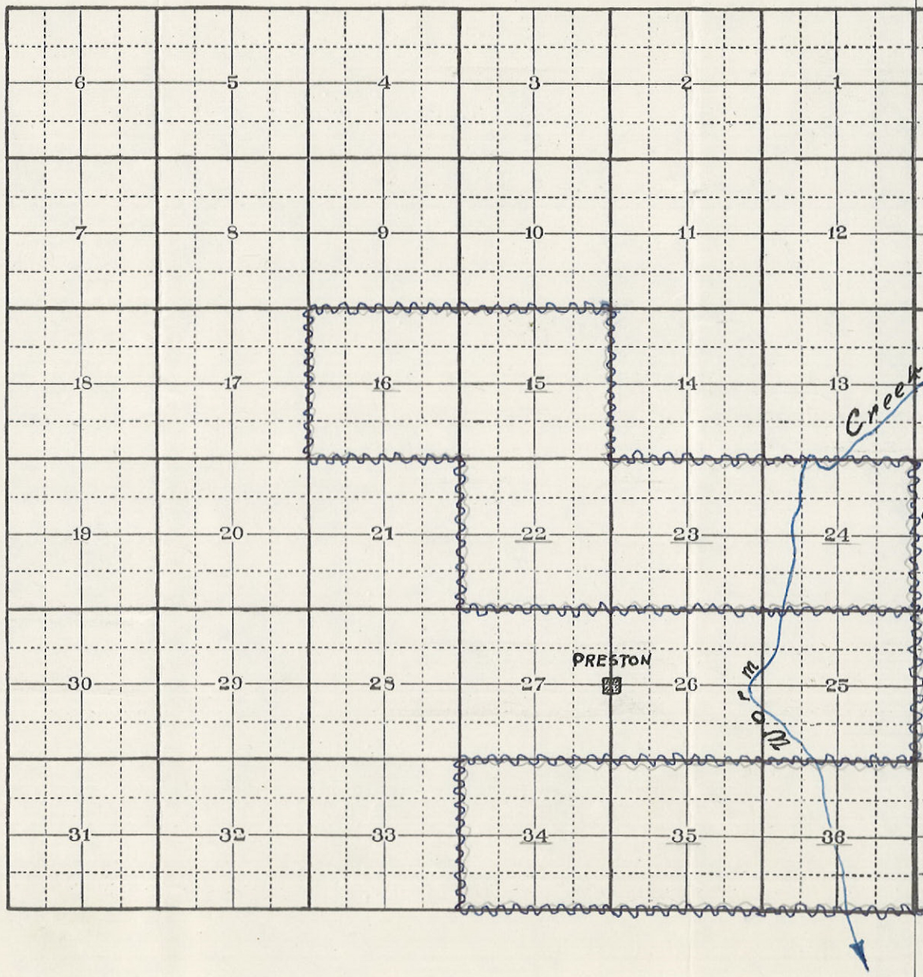


R-493

FORM M.3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

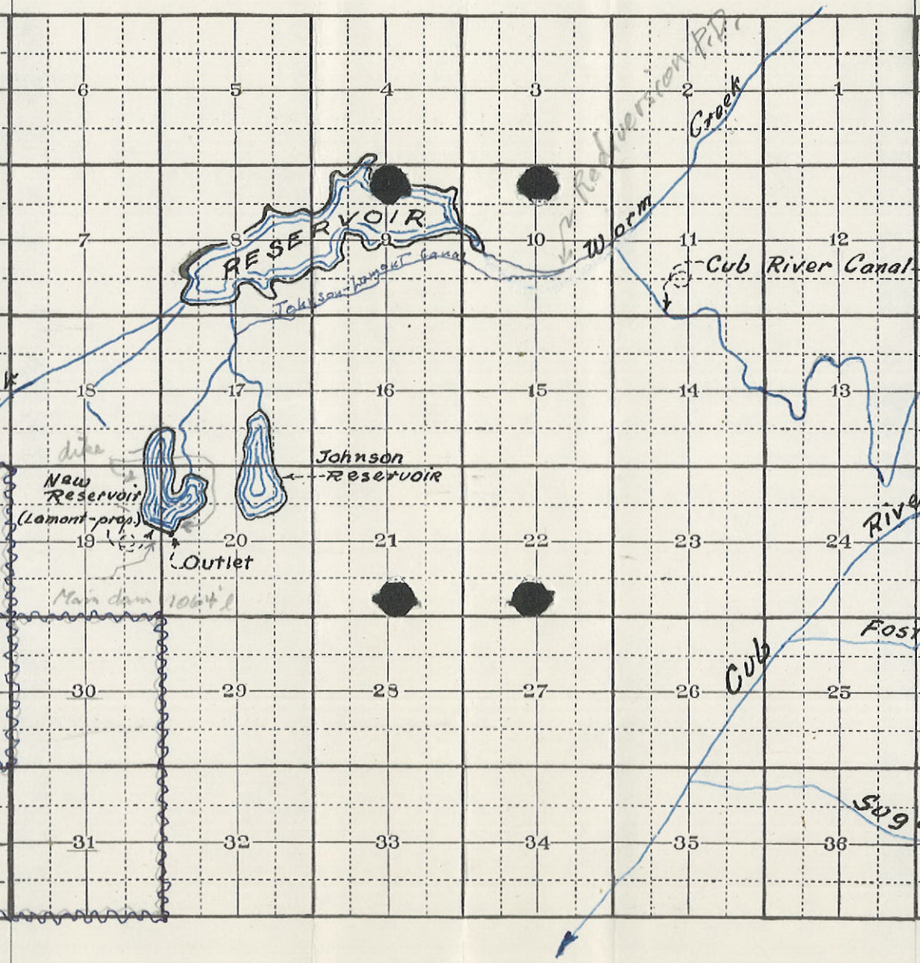
Township 15 S. Range 39 E.



FORM M.3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

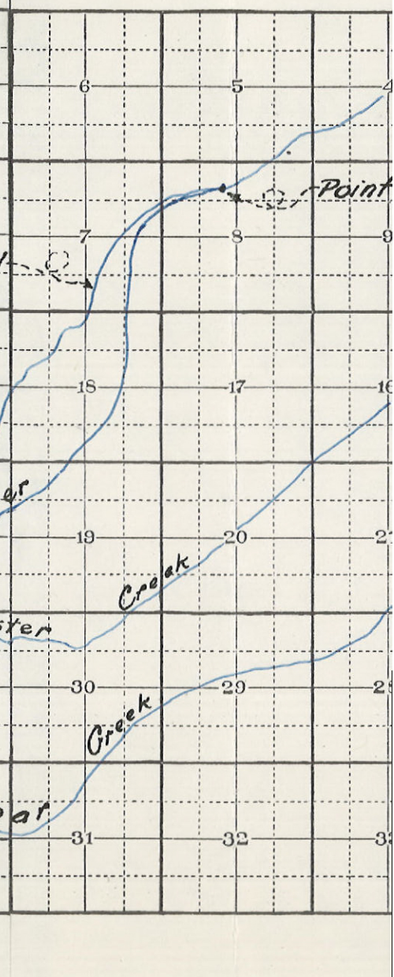
Township 15 S. Range 40 E.



FORM M.3503 TOWNSHIP PLAT—6" FORM

SCALE: O

Township 15 S.



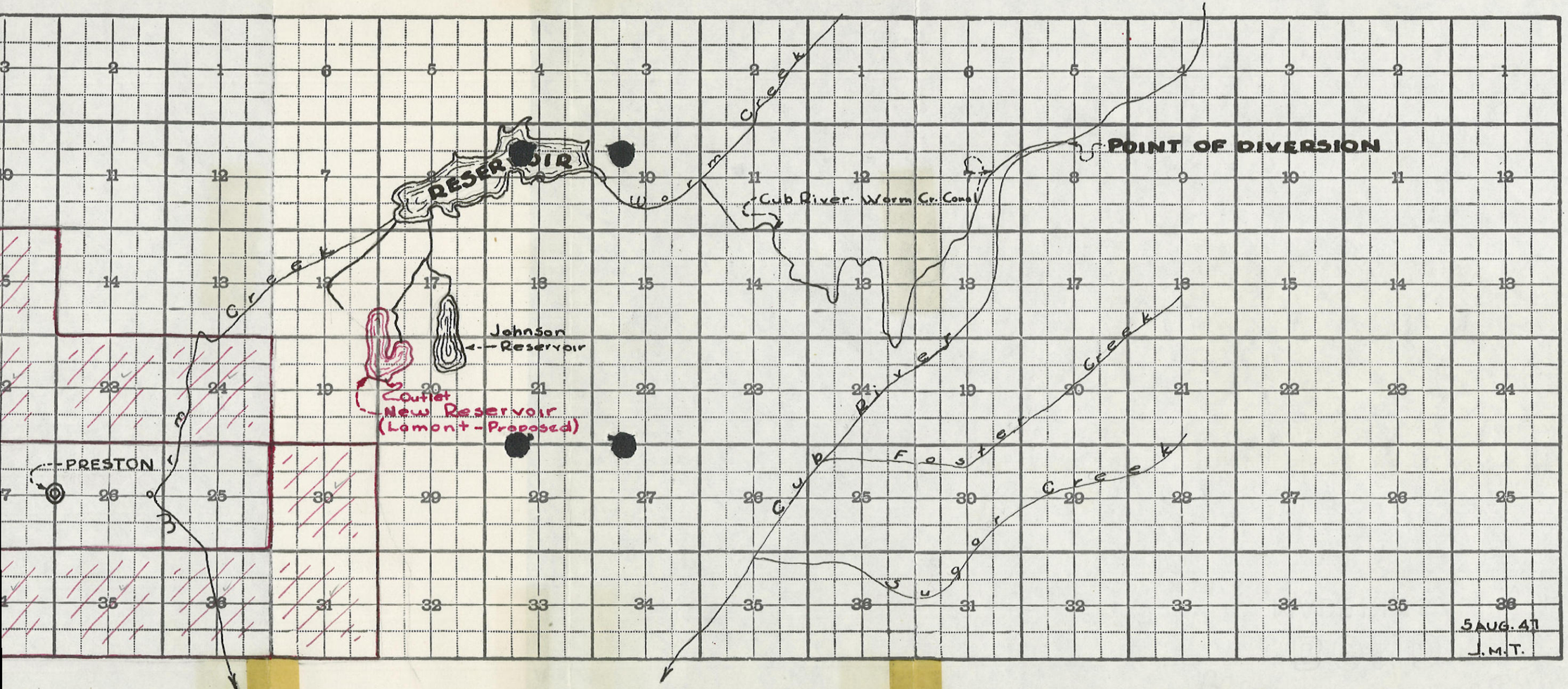
PRINTED AND FOR SALE BY IDAHO PRINTCRAFTERS, INC. 723—TOWNSHIP PLAT
PRINTED AND FOR SALE BY IDAHO PRINTCRAFTERS, INC.

ONE MILE

SCALE: ONE INCH TO ONE MILE

SCALE: ONE INCH TO ONE MILE

Range 39 E Township 15 S Range 40 E Township 15 S Range 41 E



Permit Map No. R-793
As Approved
AUG 23 1941
MARK R. KULP
State Reclamation Engineer

723—TOWNSHIP PLAT PRINTED AND FOR SALE BY IDAHO PRINTCRAFTERS, INC.
723—TOWNSHIP PLAT

SCALE: ONE INCH TO ONE MILE

Township 15S Range 39 E

SCALE: ONE INCH TO ONE MILE

Township 15 S Range 40 E

SCALE:

Township 15S



FORM M-3503 TOWNSHIP PLAT—6" FORM

Lease 16174 + R

SCALE: ONE INCH TO ONE MILE

Township 13 S Range 39 E

License
Green = 15933
Yellow = 15929
Red = 16174
" = R364
Blue = 15883

Area = 13766

mmm = boundary of Preston-Whitney Irrig. Co.

FORM M-3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH

Township 13 S

License 16174 + R

INCH TO ONE MILE

Range 39 E

FORM M-3503 TOWNSHIP PLAT—6" FORM

License 16174 + R 39 E

SCALE: ONE INCH TO ONE MILE

Township 15 S Range 40 E

- License 15883
× License 15883

- License 15883
× Licence 15883

R-793

5205

State of Idaho
License and Certificate of Water Right

Water License No. R-793 Amount 2,407.5 acre feet

Water District No. Priority June 30, 1947

THIS IS TO CERTIFY that PRESTON - WHITNEY IRRIGATION COMPANY

of Preston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 30, 1947; that Permit No. R-793 was issued under said application; that Certificate of Completion of works, with a ~~carrying~~ storage capacity of 2,407.5 ~~second~~ acre feet, was issued thereunder on December 30, 1953, showing that said works were completed on the 26th day of September, 1953; and that on the 26th day of September, 1953,

PRESTON-WHITNEY IRRIGATION COMPANY

of Preston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Cub River, a tributary of Bear River, for the purpose of irrigation, under Use Permit No. R-793 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 9 of Licenses at page 5205, on the 30th day of December, 1953;

The right hereby confirmed dates from June 30, 1947;

The Point of ~~Diversion~~ outlet is located in the SW ¼ NW ¼, Sec. 20, Tp. 15 S. R. 40 E., B. M. County 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 2,407.5 ~~cubic feet per second~~ acre feet per annum.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Lands within the boundaries of the Preston-Whitney Irrigation Company, located in Sections 15, 16, 22, 23, 24, 34, 35, and 36, Twp. 15 South, Range 39 East, B.M. and Sections 30 and 31, Twp. 15 South, Range 40 East, B.M.		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 30th day of December, 1953.

MARK R. KULP
State Reclamation Engineer.

(SEAL)

13 2291

State of Idaho
License and Certificate of Water Right

Water License No. 23254 Amount One second foot

Water District No. Priority November 19, 1952

THIS IS TO CERTIFY that DEWEY CAMPBELL

of Weston, Idaho , made application for a permit to appropriate the public waters of the State of Idaho, dated November 19 , 1952 ; that Permit No. 23254 was issued under said application; that Certificate of Completion of works, with a carrying capacity of one second foot, was issued thereunder on January 12 , 19 53 , showing that said works were completed on the 10th day of January , 19 53 ; and that on the 7th day of February , 19 53 ,

DEWEY CAMPBELL

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 un-named stre , a tributary of Weston Slough , for the purpose of irrigation , under Use Permit No. 23254 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 9 of Licenses at page 5206 , on the 30th day of December , 19 53 ;

The right hereby confirmed dates from November 19 , 19 52 ;

The Point of Diversion is located

in the NW ¼ SW ¼, Sec. 12 , Tp. 16 S., R. 38 E. , B. M. County 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 one cubic foot 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	NE¼ SW¼	40	8
			NW¼ SW¼	40	10
			SW¼ SW¼	40	--
			SE¼ SW¼	40	40
			Number of Acres Actually Irrigaed - - - - - - -		58

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 30th day of December , 1953 .

MARK R. KULP
State Reclamation Engineer.

(SEAL)

R-793

13-2291

Preston-Whitney Irrigation Co.
Angus Condie, Sec'y.
Preston, Idaho

APPLICATION FOR PERMIT

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

Application No. R 27706
Permit No. R 793

1. Name of Applicant: PRESTON-WHITNEY IRRIGATION CO.

Postoffice address: Preston County Franklin State Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: July 9, 1926 (b) Amount of Capital Stock: $ 300,000.00

(c) Amount paid in: $ 240,000.00 (d) Names and addresses of directors: H. C. Nelson, President; E. J. Alder, Frank Gamble, J. T. Lewis, Geo. C. Peterson, Cecil Foster, Ray S. Ransbottom All addresses, Preston, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: $ 1,800.00 (b) Treasury Stock: $ 60,000.00

(c) Bonds to be issued: $ (d) Other resources: Present assets consisting of present reservoir, canal system and water rights

2. Quantity of water to be stored: 2407.5 acre feet per annum.

3. Source of water supply is Cub River (Creek) (River) (Spring), a tributary of Bear River River.

4. The outlet of the proposed reservoir is located South 1950' and 526 feet; distant from the N W corner of Section 20, Township 15 S., Range 40 E., B. M. and is in the SW ¼ of NW ¼ of Section 20, Township 15 S., Range 40 E., B. M. County of Franklin
(bearing) S.51°43' E.

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

(a) The reservoir is located in the channel of natural ravine, no stream (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located feet distant from the SW corner of Section 8, Township 15 S., Range 41 E., B. M., and is in the (bearing) SW¼ ¼ of SW ¼ of Section 8, Township 15 S., Range 41 E., B. M.; width at bottom 9 feet, width at top 12 feet, depth of water 4 feet; average grade per mile 10 feet; Capacity 115 cubic feet per second.

6. (a) The area of the high water line of the reservoir is 91.6 acres.

(b) The reservoir capacity is 2407.5 acre feet.

7. Height of reservoir dam 72.5 feet, length at top 1800 feet, length at bottom 50 feet, size of outlet 2.5 feet by 2.5 feet. The dam is to be constructed of materials as follows: Compacted earth fill (Good clay material) Concrete and steal outlet structure.

(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 acqueduct, thence to land to be irrigated without commingling with natural flow of (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. Amount of water claimed from (Creek) (River) (Spring) in addition to that stored in reservoir 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.~~ License No. 16174, which is hereby referred to and made a part hereof.

13. Kind of diversion works: (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 feet, Height feet.

16. Diversion Canal: Width at bottom 5 feet, width at water line 10 feet, depth of water 5 feet, Dimensions of Flume Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: $ 80,000.00 Diversion Works: $ None

18. Time required for completion of work One (1) years.

19. Time required for complete application of water to proposed beneficial use is Five (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.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			This water will supplement present irrigation on all of Sections 15, 16, 22, 23, 24, 34, 35, 26, of Township 15 South, Range 39 East, B.M.; and all of Sections 30 and 31, Township 15 South, Range 40 East, B.M.																

Total Number of Acres to be Irrigated

Remarks: The proposed dam is located on one of the main laterals of the company's present system, and will be built for the purpose of storing additional water for the water users of the company rights. These consist of 215 second feet in Cub River, including the original filings of the Cub River and Worm Creek Canal Co. and the Cub River Middle Ditch.

The existing rights are as follows: Decreed right for 55 second feet from Cub River, with 1882 priority, during irrigation season, with additional not to exceed 69.9 second feet during high water; 39 second feet from Cub River with 1887 priority, during irrigation season; Also License No. 16174 for 215 second feet with priority of January 1, 1929

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.

PRESTON-WHITNEY IRRIGATION CO. Applicant.

By Angus Condie Agent.
Secretary-Treasurer

Date of first receipt at office of ~~Commissioner of Reclamation~~ State Reclamation Engineer: 9:00 A. M. June 30, 1947

Returned to applicant for correction July 3, 1947

Corrected application received August 2, 1947

STATE RECLAMATION ENGINEER

APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

The number of this permit is R 793

Recorded in book R 3, page 793 Approved August 23, 1947

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 limitations and conditions:

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

Work to begin on or before October 23, 1947 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before February 23, 1948

The whole of said work to be completed on or before August 23, 1948

Beneficial use of water stored in accordance herewith, to be made on or before August 23, 1953

Witness my hand this 23rd day of August, 1947.

MARK R. KULP
~~Commissioner of Reclamation.~~
State Reclamation Engineer

R-793

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, 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 23rd day of August, 1947.

(S E A L)

Countersigned:
By J. D. "CY" PRICE
Secretary of State

STATE OF IDAHO
By C. A. ROBINS
Governor

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

O R D E R R E I N S T A T I N G P E R M I T

In the Matter of the Reinstatement of Permit No. R-793 Under the Provisions of Section 42-311 Idaho Code

WHEREAS, Permit No. R-793 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: August 23, 1948; and,

WHEREAS, On the 15th day of July, 1953, notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Complied Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 1st day of August, 1953, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 26th day of September, 1953, depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. R-793, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. R-793 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho this 30th day of December, 1953.

(S E A L)

MARK R. KULP
State Reclamation Engineer

Permit No. R-793
C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S

TO ALL WHOM IT MAY CONCERN:

This is to certify that PRESTON-WHITNEY IRRIGATION COMPANY of Preston, County of Franklin and State of Idaho, the holder of Permit No. R-793, issued upon Application No. R-27706, bearing date of priority of June 30, 1947 authorizing the construction of reservoir, with the right to appropriate and store 2,407.5 acre feet per annum of the waters of Cub River a tributary of Bear River, 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 2,407.5 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 $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 20, Township 15 S., Range 40 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: Lands within the boundaries of the Preston-Whitney Irrigation Company, located in Sections 15, 16, 22, 23, 24, 34, 35 and 36, Twp. 15 South, Range 39 East, B.M., and Sections 30 and 31, Twp. 15 South, Range 40 East, B.M.

Witness my hand this 30th day of December, 1953.

Proof of Completion of Works made September 26, 1953.
Certificate of Completion of works issued December 30, 1953.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 2407.5 ~~SEC. FT.~~ Acre Ft.

P = 5205

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 31, 1992

Preston-Whitney Irrigation Co.
Carl Swainston, President
942 N. 800 E.
Preston, ID 83263

Re: Cub River storage water diversions
Water right no.s 13-2291, 13-2298 & 13-2302

Dear Mr. Swainston:

The Bear River watermaster has informed the department that the Preston-Whitney Irrigation Co. may have exceeded its Cub River storage water diversion allotment for the current year.

I have reviewed the above Preston-Whitney Cub River storage rights with the Bear River watermaster, Pete Peterson. Mr. Peterson receives diversion data under these rights from the Cub River watermaster. According to the rights in our records, the total annual volume allotted under the three rights is 6,492.5 acre-feet. The diversion data received by Mr. Peterson indicates that the amount of water diverted from the Cub River under these rights during the current non-irrigation season is significantly greater than 6,492 acre-feet.

Please be advised that if the storage capacity of the Irrigation Company's reservoirs is greater than 6,492.5 acre-feet, then the Company should file an additional application to divert additional volume from the Cub River. Storage rights from other sources tributary to the same reservoirs do not account for additional diversions from the Cub River.

If you have questions regarding this matter and/or questions regarding the Company's water rights, please contact me directly at 327-7864. I would encourage you to first discuss this matter with both the Bear River and Cub River watermasters.

Respectfully,

Tim Luke
Hydrologist In Training

cc: Region
Pete Peterson, District 11 Watermaster
Conan Foster, District 13-A Watermaster

13-2291

State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

January 23, 1979

Mr. Angus Condie
Secretary
Preston-Whitney Irrigation Company
Preston, ID 83263

Dear Mr. Condie:

Re: Preston-Whitney Irrigation Co. Water Rights

In researching our records for water rights in the names of Preston-Whitney Irrigation Co., Preston-Riverdale and Mink Creek Canal Co., and Cub River Irrigation Co., I located the following:

Licensed Rights

10883/13-2066
15929/13-2103
15933/13-2104
16174/13-2108 and R-364/13-2288
R-793/13-2291 ✓
R-1009/13-2298

Decreed Rights

13-0001 and 13-0026
11-0840
13-0034
13-0143

Beneficial Use Rights - Worm Creek Drainage

13-0222
13-0271
13-0223--included in 13-0222

Along with copies of the licensed and decreed rights, I have enclosed copies of those pages in the Proposed Finding of Water Rights - Worm Creek Drainage which describe your rights as presented to the court. Rights 13-2103, 13-2108 and 13-2288, and 13-0143 show the same place of use as 13-0271.

Decreed right 13-0001 in the case of Cub River Irrigation Co. vs. Cub River Middle Ditch Co., et al. is included in 13-0026 in a later decree, McEwan vs. Franklin County Sugar Co., et al.

If you have any questions or feel there is a need for further research for additional rights, please let me know.

Sincerely,

Roberta Garrett

Roberta Garrett
Records Supervisor

Enclosures

cc John Hammond

January 13, 1969

COPY

RE: Permit R-793
13-2108

Dell W. Smith
Attorney at Law
Preston, Idaho 83263

Dear Mr. Smith:

This is in reply to your letter of January 14, 1969, regarding the SE¼SE¼, Section 33, T 15 S., R 39 East, B.M. There are two licensed rights covering the land in question. These permits are owned or were at one time, by Franklin Sugar Company. There was 13,766 acres under these permits and the priority date of 13-2108 was January 1, 1929.

If we can be of further assistance please let us know.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

R-793

Law
Office
Dell W. Smith
Preston
Idaho
83263

JAN 15

Department of Reclamation

January 14, 1969

Department of Reclamation
State House
Boise, Idaho 83700

Gentlemen:

Mr. Dean Shaffer of Preston, Idaho has requested that I inquire of your office as to whether or not there has ever been any water filing or rights recorded in your office concerning the following described real property situated in Franklin County, Idaho, to-wit: Southeast quarter of the Southeast quarter of Section 33, Township 15 South, Range 39 East, Boise Meridian.

If there be any fees connected with this information, would you kindly bill this office.

Very truly yours,

Dell W. Smith
Attorney at Law

DWS/sm

CC: Dean Shaffer
Preston, Idaho

15929 - 13 203
15933 - 13 2104
16174 - 13 2108

R-793 6000 AF
Franklin Irrig. Co.
315 C.F.S.
12,766 ACRES
PRIORITY 1/1/29

R-793

June
[redacted] 1967

N O T E

Plans, specifications, and drawings have been withdrawn from this file and entered into the Records of Dams file.

Permit No. R-793
D9

R-793

Licensed: Preston-Whitney, 1-17-39
P-16174, L.p. 3909
215 c.f.s. Priority: 1-1-29

Decreed: Jan. 26, 1906:
Sub River Middle Ditch Co.:
30.0 c.f.s. – 1882
69.9 " – " high water

Sub River & Worm Cr. Canal Co.:
25 c.f.s. – 1882
85 " – " high water

FORM M-3503 TOWNSHIP PLAT—6" FORM

R-793, 240 c.f.s.

SCALE: ONE INCH TO ONE MILE

Township 15S. Range 39E

T. 15 S.

T. 16 S.

FORM M-3503 TOWNSHIP PLAT—6" FORM

P-16174, L.p. 3909
215 c.f.s. ✓

SCALE: ONE INCH

Township 15S

RESERVOIR

out

out

out

FORM M-3503 TOWNSHIP PLAT—6" FORM

P-16174, L.p. 3909
215 acs. ✓

SCALE: ONE INCH TO ONE MILE

Township 155 Range 41 E

FORM M-3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

Township 155 Range 41

RESERVOIR

C & O

W & O

Cub River-Worm Cr. Canal

P.D.

P-798

FORM M.3503 TOWNSHIP PLAT—6" FORM

NE MILE

Range 39 E.

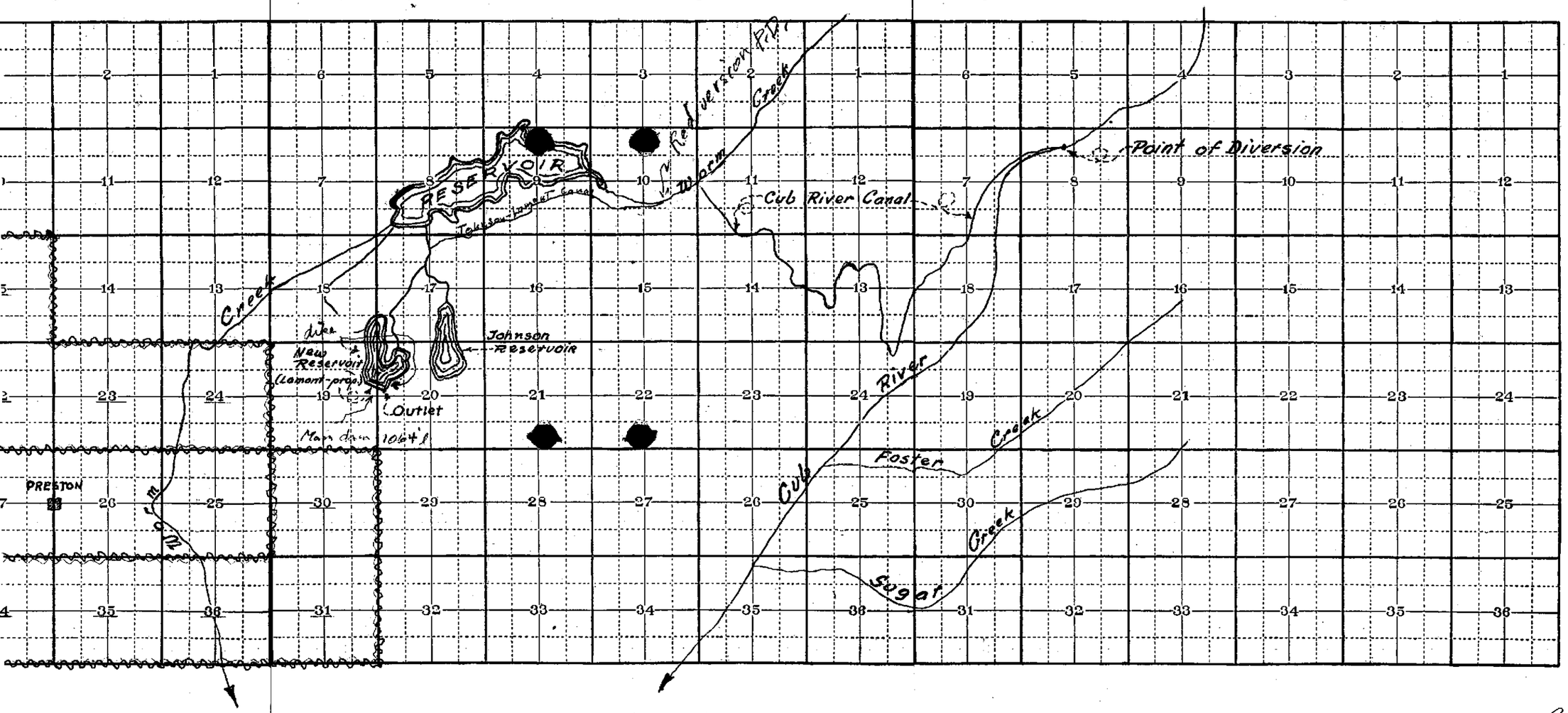
FORM M.3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

Township 15 S. Range 40 E.

SCALE: ONE INCH TO ONE MILE

Township 15 S. Range 41 E.



R-498

FORM M-3503 TOWNSHIP PLAT—6" FORM

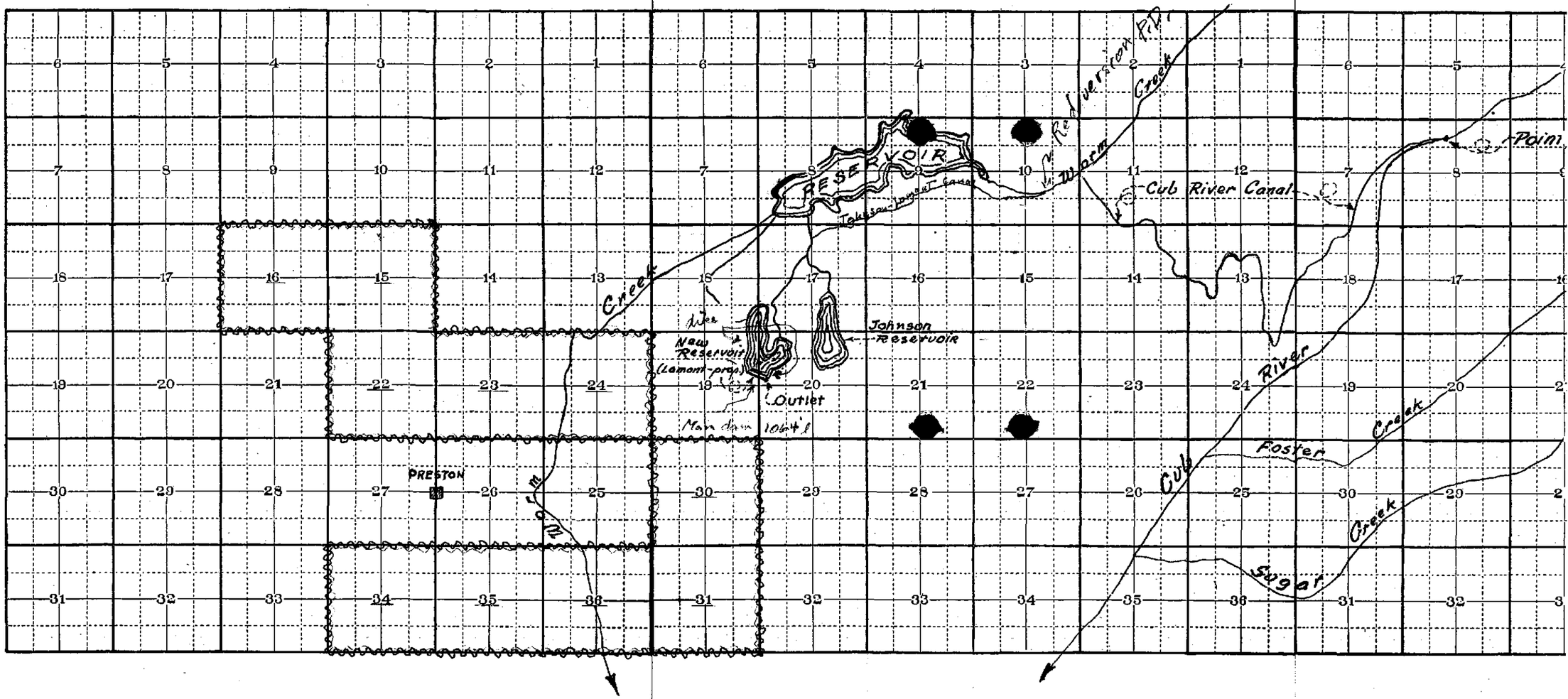
SCALE: ONE INCH TO ONE MILE

Township 15 S. Range 39 E.

FORM M-3503 TOWNSHIP PLAT—6" FORM

SCALE: ONE INCH TO ONE MILE

Township 15 S. Range 40 E.



FORM M-3503 TOWNSHIP PLAT—6" FORM

SCALE:

Township 15 S.

PRINTED AND FOR SALE BY IDAHO PRINTCRAFTERS, INC. -TOWNSHIP PLAT

ONE MILE

Range 39 E nship 15 S

PRINTED AND FOR SALE BY IDAHO PRINTCRAFTERS, INC. -TOWNSHIP PLAT

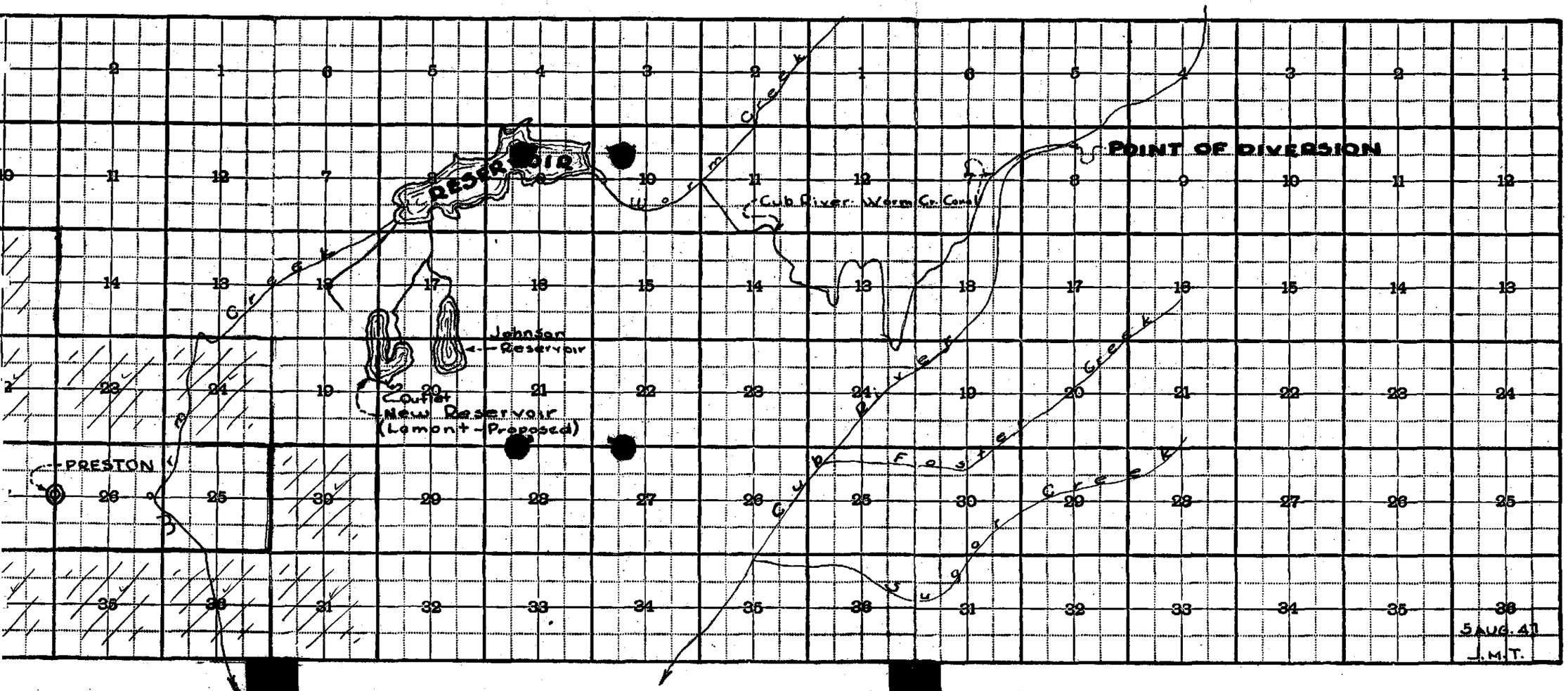
SCALE: ONE INCH TO ONE MILE

Range 40 E Township 15 S

PRINTED AND FOR SALE BY IDAHO PRINTCRAFTERS, INC.

SCALE: ONE INCH TO ONE MILE

Range 41 E



Permit Map No. R-793
As Approved
AUG 23 1941
MARK R. KULP
State Reclamation Engineer

SCALE: ONE INCH TO ONE MILE

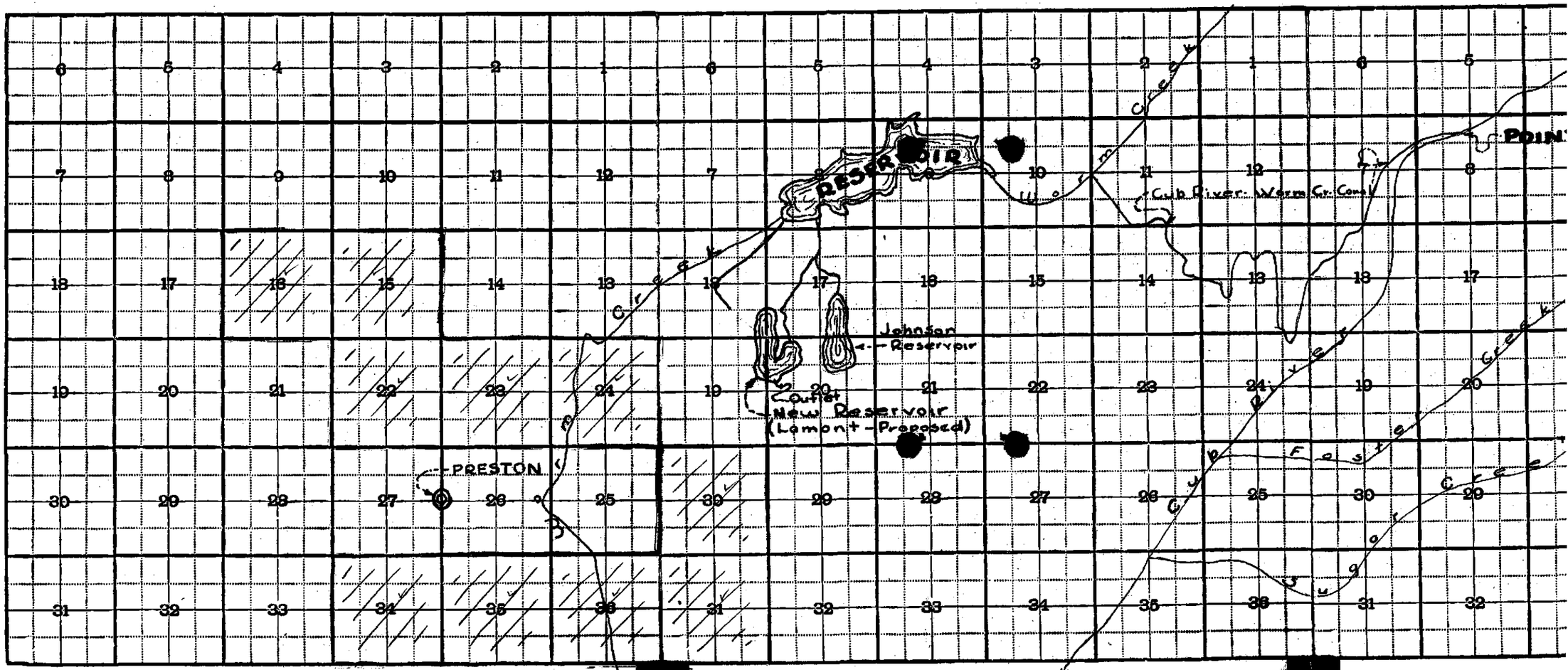
Township 15 S Range 39 E

SCALE: ONE INCH TO ONE MILE

Township 15 S Range 40 E

SCALE:

Township 15 S



PRESTON-WHITNEY IRRIGATION CO.

ANGUS CONDIE, SECRETARY

PRESTON, IDAHO.

RECEIVED
DEC 14 1953
Department of Reclamation

Dec 12, 1953

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

Re: Permit No. R 793

Attention: E.N.Humphrey
Deputy State Rec. Eng.

Dear Sir;

I have secured the following information from the files of Franklin County records for your information as requested in your letter of the 21st.

In 1924 a District court hearing was held at which time the waters of Cub River were ajudicated according to prior claims of the water users of the river.

The record is found in Book # 2 of Book of Decrees of Judgements, page 373 and is headed as, a decree of the 5th District Court of the State of Idaho and bears the date July 9, ~~1858~~ 1924

The rights are as follows: Cub River Middle Ditch
30 C.F.S.of irrigation water and
69.9 c.f.s. of high water, both as of 1882.

Cub River & Worm Creek Canal Co.
25 c.f.s. of irrigation water and
85 c.f.s. of high water, both as of 1882.

The Preston Whitney Irrigation Co. is a consolidation of the two companies mentioned above and acquired the rights of both companies.

License # 16174 was applied for when the Glendale reservoir was built by the consolidated company and they were in need of storage water .

I trust this gives you the information you requested, If I can be of additional help, let me know.

Sincerely yours
Angus Condie
Secretary

R-793

File 200

ABSTRACT OF WATER RIGHTS
belonging to
PRESTON - WHITNEY CANAL COMPANY

By Decree:

File 530 Decreed to Cub River Middle Ditch Company, amount - 30 cubic feet per second, Priority of 1882.

File 530 Decreed to Worm Creek Canal Company - 25 cubic feet per second. Priority - 1882.
Claimed from Mink Creek - Bear River Decree
Decreed to Preston - Riverdale and Mink Creek Canal Company,- 20 cubic feet per second, Priority - May 1, 1888.

Decreed Rights in addition to the above:

File 530. To Cub River Middle Ditch Company, 30/100 of excess high water not to exceed 69.9 cubic feet from Cub River.

File 530 To Cub River and Worm Creek Canal Company, 1/4 of the excess water of Cub River not to exceed 85 cubic feet per second.

Excess water not good until all decreed water rights are filled according to Decree.

License Rights:

License No. 15929 to Cub River Worm Creek Canal Company. Source - Worm Creek, Amount - 25 cubic feet per second, Priority - March 4, 1924.
License No. 15933 to Cub River Worm Creek Canal Company, Source - Cub River, Amount - 25 cubic feet per second, Priority - March 4, 1924.
License Right No. 16174 from Cub River, Worm Creek and Worm Creek Reservoir, Amount - 215 cubic feet per second, Priority - January 1, 1929.
License Right No. R-364 from Cub River and Worm Creek, amount - 600 acre feet, Priority - January 1, 1929.

The above two permits are compnaion permits filed on under the old companion permit law.

Remarks: It could be probable, during short water years that the right of 215 cubic feet per second under License No. 16174 would not produce much water after filling of the reservoir right during the non-irrigation season, or from high water. Above permits were in the first instance issued to Franklin County Sugar Company and later assigned to the Preston - Whitney Irrigation Company.

License Right No. 15883 from Worm Creek, amount - 10 cubic feet per second, Priority - September 18, 1923.
License Right No. R-364, amount - 730 acre feet, Priority - September 18, 1923.

Companion permits same as above.

Dec. 2, 1953

R-493

FORM M [redacted] TOWNSHIP PLAT—6" FORM [redacted] 16174 [redacted] RM M-3503 TOWNSHIP PLAT—6" FORM [redacted]

SCALE: ONE INCH TO ONE MILE

SCALE: ONE INCH

Township [redacted] Range [redacted] Township [redacted]

License

Green = 15933

Yellow = 15929

Red = 16174

IC = R364

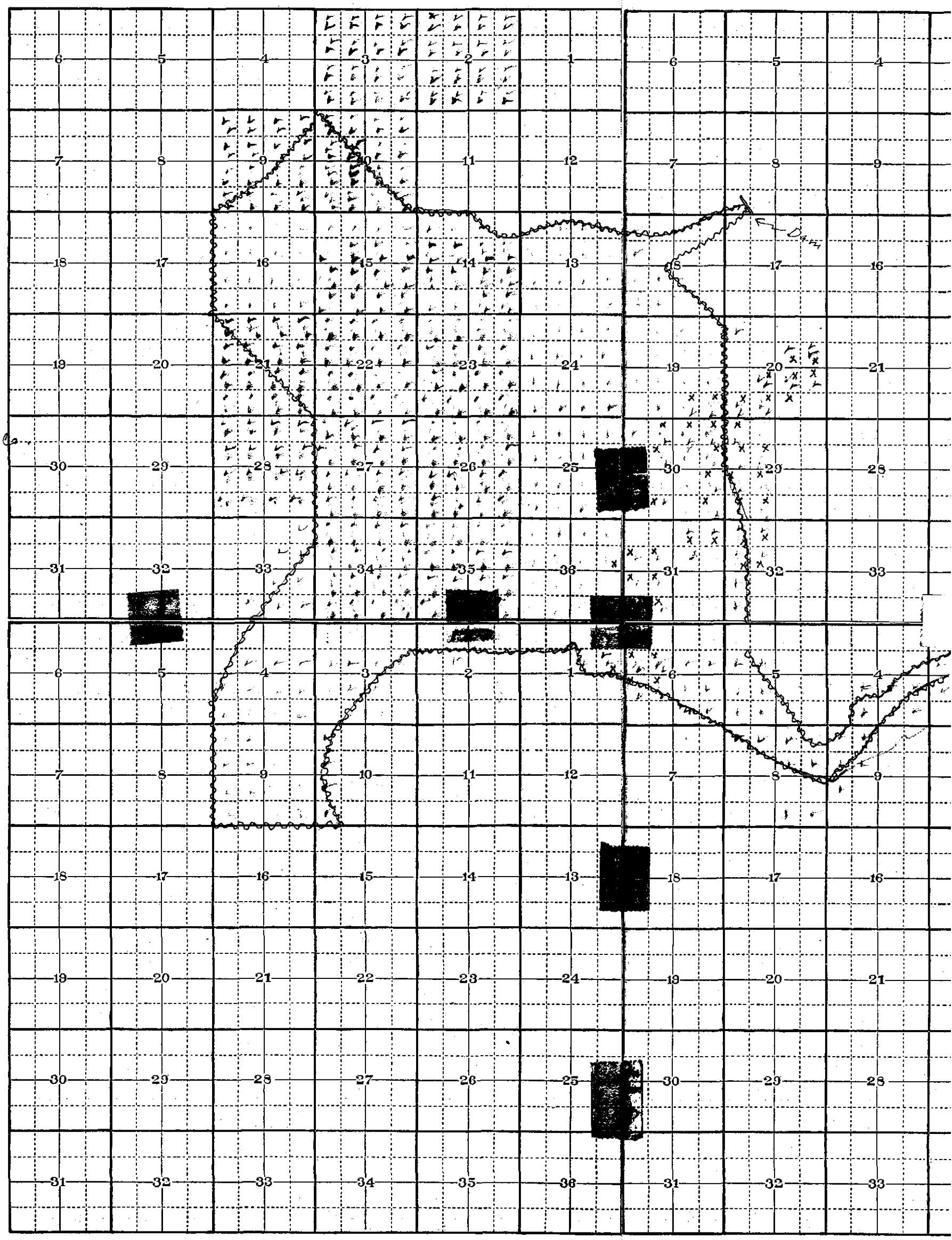
Blue = 15883

Area = 13766

mmm = boundary

of Preston-Whitney Irrig Co.

[redacted]



FORM M-3503 TOWNSHIP PLAT—6" FORM

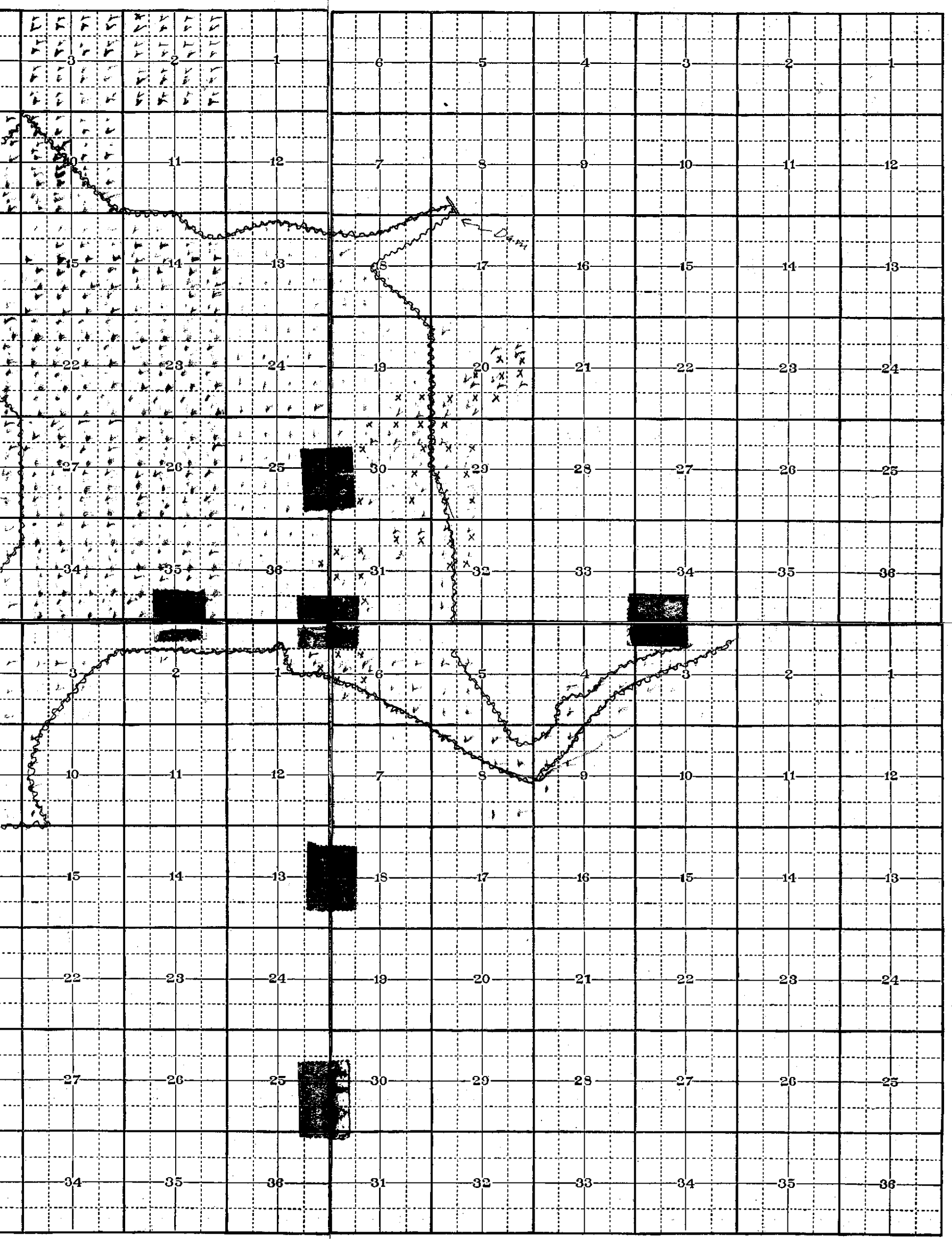
INCH TO ONE MILE

Range

SCALE: ONE INCH TO ONE MILE

Township

Range



R-793

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO. R-793

REPORT ON PROOF OF Completion of works and Beneficial Use

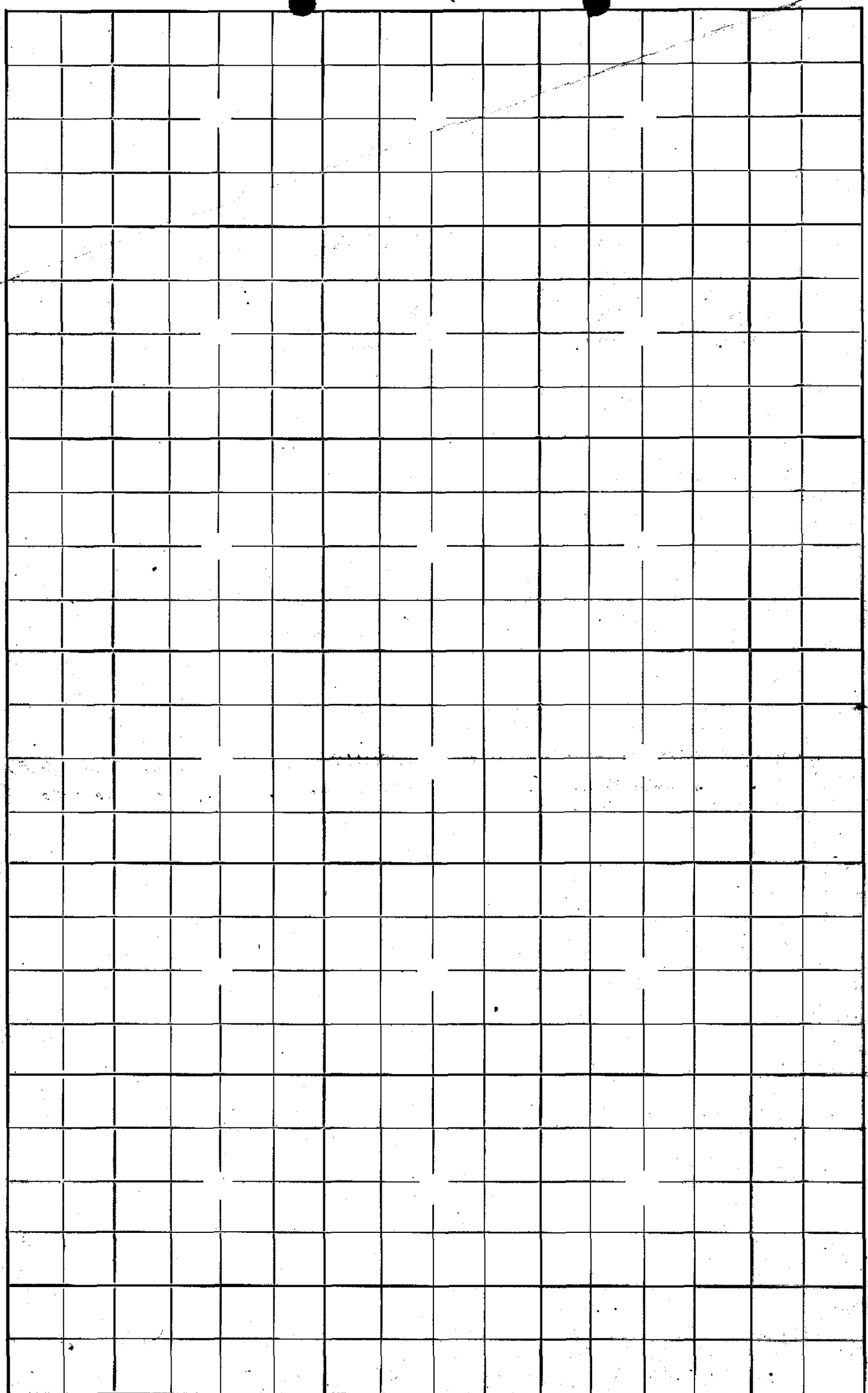
COMPANY

PRESTON-WHITNEY IRRIGATION DISTRICT, Preston, Idaho

2407.5 acft
S.R.K

app - 2407.5 a.f.,

R-793



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

Form 28

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-793

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

1. Name of applicant Preston-Whitney Irrigation Company, Angus Condie, Sec'y., Preston, Idaho

2. Source of water supply: Cub River, a tributary to Bear River.

3. Location of point of ~~diversion~~ outlet: Is in the SW¼ NW¼ of Section 29

T. 15 S. R. 40 E. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same Water is diverted from Cub River thru a canal (capy 110cfs) across divide into Worm Creek; carried in Worm Creek a short distance then the Johnson Lamont feeder canal diverts 20 cfs that is used to fill the two off stream reservoirs. Diversion works out of Cub River consists of a heavy concrete structure 8'8"w. 6½'h. x approx. 24' long. Two vertical headgates size 5'h.x 4' wide in this structure controls the flow into the canal. A low headwall approx. 12" high made of concrete extends diagonally across the channel just below the canal heading to divert water into the canal. Part of this canal is deeply eroded. There is a concrete structure in the Lamont Canal heading 8'w.x 2½'h.x 10'long with check gates. There is a wooden check structure in Worm Creek 16'w.x 2' h. plank bottom in disrepair.

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):

Lands within the boundary of the company in Sections 15, 16, 22, 23, 24, 34, 35 and 36, Twp. 15 S., Range 39 E., B.M. and Sections 30 and 31, Twp. 15 S., Range 40 E., B.M.

See Map

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

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

Remarks:

This examination was made on the 12 day of Nov, 19 [illegible]

(Signed) C. N. Humphrey
Examiner.

R-793

Slope 3:1 & 2:1

Heavy concrete headwall at downst. end of outlet.
7'x 10'x 6" h.
30" culvert pipe thru dam.
30" pipe also comes in from West ½ mile approx. 250 yds long.
Old Glendale canal used to wind thru bottom of this res. used only in emergency now.
Canal is 8' W x 18"
$\frac{5'}{10} + 2$ = 55 h. above outlet
20' W on Top

Area = 95a

Decreed 55 cfs. for Cub R. 1882
69.9 " " " high water
39.0 " " " 1887
215.0 " " " 1929
378.9 cfs.

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.

Copy Main canal 100 cfs. or 110 cfs.
Copy Pumping Canal is 20 cfs.

Company
Preston-Whitney Irr. ~~District~~
Angus Condie, Sec'y. Preston, Idaho

Permit No. R-793

Examination for Completion of works and Beneficial use

County Franklin

120 - 15S - 40E

Q = 2407.5 acre feet

S = Cub River

P.O. = SW.NW. Sec. 20, T. 15S. - R. 40E

Use = Irrigation

feeder Pl. is in SW SW, SE, 15S, 41E

Dam # = 72.5' L = 1850

Priority = June 30, 1947.
Due = Aug. 23, 1953

Present right = 215 cfs. Cub R. includes Cub R. Power Co. Canal & middle

existing rights = Cub R. 55 cfs. 1882
" " 69.9 cfs. high water
" " 39 " 1887
L. 16174 " 215 cfs 1929.

Victor Peterson 386 J
3 blocks E, then N. to end of road
baled hay on S.

Lamont Res. Capy = 2407.5 a.f.
Outlet works in concrete well
size 6'x6'
24" C.I. gate.

December 30, 1953

RE: Permit No. R-793

Mr. Angus Condie
Secretary, Treasurer
Preston-Whitney Irrigation Co.
Preston, Idaho

Dear Mr. Condie:

We have reinstated Permit No. R-793 in the name of the Preston-Whitney Irrigation Company and enclose herewith, Certificate of Completion of Works, also License and Certificate of Water Right, issued under Permit No. R-793, confirming the right of the Preston-Whitney Irrigation Company to the Storage and Use of 2,407.5 acre feet of water from Cub River, with priority of June 30, 1947, point of outlet being located in the SW¼ NW¼ Section 20, Township 15 South, Range 40 East, B.M., for the irrigation of land within the boundaries of the Preston-Whitney Irrigation Company.

We also enclose departmental receipt No. 26411 for the $5.00 fee in connection with Completion of Works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re
Encls.

R-793

December 18, 1953

RE: Permit No. R-793

Mr. Angus Condie
Secretary, Treasurer
Preston-Whitney Irrigation Co.
Preston, Idaho

Dear Mr. Condie:

The report of our field engineer is now on file in connection with proofs of Completion of Works and Beneficial Use on Permit No. R-793 of the Preston-Whitney Irrigation Company.

Therefore, upon receipt of the statutory fee of $5.00, Certificate of Completion of Works and License will be issued for 2,407.5 acre feet of water from Cub River.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

R-793

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement of Permit No. R-793 Under the Provisions of Section ~~5594, Idaho Compiled Statutes~~ 42-311 Idaho Code

ORDER REINSTATING PERMIT

WHEREAS, Permit No. R-793 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: August 23, 1948; and,

WHEREAS, On the 15th day of July 1953, notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 1st day of August, 1953, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 26th day of September, 1953 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the ~~Commissioner of~~ State Engineer Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. R-793, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. R-793 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 30th day of December, 1953.

Mark R Kulp

~~Commissioner of Reclamation~~
State Reclamation Engineer

By .....
Assistant

R-793

December 15, 1953

RE: Permit No. R-793

Preston-Whitney Irrigation Company
Preston
Idaho

ATT: Mr. Angus Condie, Secretary

Dear Mr. Condie:

Thank you very much for your letter of December 12, 1953, furnishing the information regarding the source of your water right.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

R-793

November 21, 1953

RE: Permit No. R-793

Mr. Angus Condie, Secretary
Preston-Whitney Irrigation Company
Preston, Idaho

Dear Mr. Condie:

In checking the amount of water and appurtenancy of same in connection with the Preston-Whitney rights, I am having some difficulty as to determination of rights.

Can you give me exact information as to origin of rights claimed, namely Decreed right for 55 c.f.s. from Cub River with priority of 1882; decreed right for 69.9 c.f.s. from Cub River, high water, priority not given; decreed right for 39 c.f.s. from Cub River with priority of 1887; and License right for 215 c.f.s.

It will not be necessary to say much regarding License No. 16174, as it is of record in this department.

It will be necessary to have this information before report on your Permit No. R-793 can be made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

R-793

September 30, 1953

RE: Permit No. R-793

Mr. Angus Condie, Secretary-Treasurer
Preston-Whitney Irrigation District
Preston, Idaho

Dear Mr. Condie:

We acknowledge receipt of the depositions of yourself 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-793.

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

A:fg

R-793

Do not approve
prior to inspection

R-193

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R 793

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Angus Condie, Preston, Idaho, Secty.Treasurer of corporation.

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. Preston-Whitney Irrigation, principal place of business: Preston, Idaho. Statutory agent: Cecil Foster. I am Secty-Treas. authorized by directors.

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

Ans. R.793 dated August 23, 1947, date of priority Aug. 23, 1947.

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

Ans. Cub River; diversion point: SW¼ SW¼ Section 8, Tp. 15 S. Range 41 E. B.M

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.

Ans. Concrete dam across Cub River, headgates to control flow into canal; Canal about about 9 miles long to reservoir holding 115 cfs reducing to 30 cfs as it enters reservoir; from reservoir it is conveyed through steel embedded in concrete outlet into canal about six miles long holding about 25 cfs. with headgates for individual users.

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 of Sections 15, 16, 22, 23, 24, 34, 35, 36, Tp. ~~16~~ 15 South, Range 39 E. B. M. and Sections 30 and 31, Tp. 15 South, Range 40 E. B.M.

R-793

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. 25 Cfs during the irrigation season; all of the water available is used

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. All of the water stored has been used each year in the irrigation of the lands mentioned. since 1949

.....

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. Glendale reservoir water and old rights of ~~Cunningham~~ Cub River & Worm Creek Canal Co. and Cub River ~~Cunningham~~ Middle Ditch .

.....

.....

(Sign) Cunningham Condie

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 26th day of September, , A. D. 19 53.,

N. M. Condie

My commission expires Nov. 29, 1954.

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R 793

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. Victor Peterson, 61 years, reside at Preston, Idaho, watermaster farmer, post office address: Preston, Idaho.

Ques. 2. Are you acquainted with Preston-Whitney Irrigation Co., the holder of Permit No. R 793? How long have you known him and where does he reside?

Ans. Since organization about 1926, at Preston, Idaho

Ques. 3. Have you read or heard read said Permit No. R 793, 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. Cub River, place of diversion in SW¼ SW¼ of Section 8, Tp. 15 S. R. 41 E. B. M. Works: Concrete and steel pipe outlet structure and canal approximately six miles long.

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. Twenty-five second feet. I have seen that much water so conveyed every year since the canal was built.

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. Used for irrigation as supplementary supply for all of Sections 15, 16, 22, 23, 24, 34, 35, 36, of Township 15 South, Range 39 E. B. M. and All of sections 30 and 31, Township 15 South, Range 40 E. B. M.

R-793

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. **All kinds of soil, all land under cultivation producing crops of sugar beets, grain, alfalfa hay, beans, corn, peas, etc. All of this water is required and used each year.**

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

Ans. **Am a stockholder.**

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. **Have distributed this water for a period of ~~seven~~ five years and have seen it used in the irrigation of the lands described.**

Average flow is 20 Cfs.

(Signed) Victor Peterson

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~~ **26** day of **September,**, A. D. 19**53**.

Notary Public.

My commission expires **Nov. 29, 1954.**

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R 793

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. Wells McEntire, 65 years old, reside in Preston, Idaho, occupation farmer. Post office address: Preston, Idaho.

Ques. 2. Are you acquainted with Preston-Whitney Irrigation Co., the holder of Permit No. R 793? How long have you known him and where does he reside?

Ans. Since organization in 1926, at Preston, Idaho.

Ques. 3. Have you read or heard read said Permit No. _____, 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. Dub River, place of diversion in SW¼ SW¼ Section 8, Tp. 15 S., Range 41 E. B. M. Works: Concrete and steel pipe outlet structure and canal approximately six miles long.

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. Twenty-five second feet. I have seen that much water so conveyed every year since the canal was built. (Since dam was built in 1949).

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. Used for irrigation as supplementary supply for all of Sections 15, 16, 22, 23, 24, 34, 35, 36, of Tp. 15 South, Range 39 E. B. M. and All of sections 30 and 31, Tp. 15 South, Range 40 E. B. M.

R-793

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. **All kinds of soil, all land under cultivation producing crops of hay, grain, sugar beets, corn, beans, peas, etc.**

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

Ans. **Stockholder only.**

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. **During each year since year 1949, I have seen the water flowing in the canal and used on the lands described herein.**

(Signed) Nellie McEntire

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 **26** day of **September,** A. D. 19**53.**

A. M. Condie
Notary Public.

My commission expires **Nov. 29, 1954.**

Form 15-R

RECEIVED
SEP 28 1953
Department of Reclamation

Permit No. R-793

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Angus Condie, Preston, Idaho, occupation: Secty.-Treasurer of Preston-Whitney Irrigation Company

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. Preston-Whitney Irrigation Compan, principlace of business: Preston, Idaho; Secty. Treasurer. Authorized by directors to execute this proof.

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

Ans. R-793, dated Aug. 23, 1947; 2407.5 acre feet; source: Cub River a tributary of Bear River, Franklin County, Idaho.

Ques. 4. Under terms of permit construction was required to be completed by Aug. 23, 1948 19.....

Ques. 5. Construction was actually completed on the date of August 23 19 48.

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

Ques. 7. Of what material was the dam built? Compacted earth ; with steel embedded in concrete outlet structure.

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

Ans. Turned in ln spring of 1949 to fill reservoir.

Ques. 9. The capacity of the reservoir is 2407.5 acre feet.

Ques. 10. The area of the high water line of the reservoir is 91.6 acres.

Ques. 11. The height of the dam above bottom of reservoir is 72.5 feet, above low water is 72.5 feet.

Ques. 12. The dimensions of the spillway are none and the bottom of the spillway is none feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are 2.5 by 2.5 feet.

Ques. 14. Describe the gate and control unit.

Ans. Manually operated control from top of dam; gate is screw gate of steel.

Ques. 15. The reservoir outlet is made of steel pipe embedded in concrete.

Ques. 16. Is the reservoir filled through a feeder canal? yes

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

Ans. SW ¼ SW ¼ Section, 8 Twp. 15 S. Range 41 E. B. M.

R-793

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

Ques. 19. If not, explain .....

Ques. 20. Cost of constructing feeder canal? $ 5,000.00 Cost of reservoir? $ 73,000.00.

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. yes

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

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.

Ans. 1800 feet at top lengh, 50 feet long at bottom; slope upstream 3 2 to 1; downstream 2 to 1; riprapped with rock to protect against wave actio

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 of Sections 15, 16, 22, 23, 24, 34, 35, 36, Tp. 14 15 Range 39 E. B. M. South and Sections 30 and 31, Tp. 15 South, Range 40 E. B. M.

(Sign here) Angus Condie

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 26th day of September, A.D. 1953.

N. Condie
Notary Public

My commission expires Nov. 29, 1954.

Form 14-R

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R-793

Proof of Completion of Works

DEPOSITION OF WITNESS

Ques.1. State your name, residence, occupation and postoffice address.
Ans. Wells McEntire, age 65, residence at Preston, Idaho, farmer.

Ques. 2. Are you acquainted with Preston-Whitney Irrigation Co. the holder of Permit No. R 793, authorizing the storage of 2407.5 acre feet of the waters of Cub River which is tributary to Bear River, in the County of Franklin, State of Idaho? How long have you known him, and where does he reside?
Ans. Since organization about 1926; place of business at Preston, Idaho.

Ques. 3. Have you read or heard read said Permit? R 793 Are you familiar with its terms and conditions? yes

Ques. 4. Of what material and how has the dam been constructed?
Ans. Good clay material. Concrete and steel pipe outlet structure

Ques. 5. Is the reservoir fully constructed? yes Has water been turned into it? yes
And to what extent? Filled in 1949 and used each year since then.

Ques. 6. Where is the point of diversion of the feeder canal?
Ans. SW ¼ SW ¼ Section 8, Township 15S Range 41 E. B.M.

Ques. 7. The outlet of the reservoir is located in the SW ¼ NW ¼ Section 20 Twp. 15 S. Range 40 E. B. M.

Ques. 8. Describe the spillway.
Ans. None

Ques. 9. How much below the top of the dam is the bottom of the spillway? none Ft.

Ques. 10. State the dimensions of the outlet for the reservoir 2.5 by 2.5 feet

Ques. 11. Of what material is the outlet made? Steel pipe in concrete

Ques. 12. How is the outlet gate operated? Manually from top of dam.

Ques. 13. Of what material has the dam been constructed?
Compacted earth.

Ques. 14. Are the works from the reservoir to place of use fully completed? yes

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.
Ans. Earth canal with headgates for users, about six miles long, with 25 cfs capacity.

Ques. 16. For what purpose is the water to be used?
Ans. Irrigation

R-793

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? yes
How much water is required for its profitable cultivation?

Ans Various kinds of soil. All of this water is required as a supplementary supply.

Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

Ans. All of Sections 15, 16, 22, 23, 24, 34, 35, 36, Tp. 15 South, Range 39 E. B. M. and all of Sections 30 and 31, Tp. 15 South, Range 40 E. B. M.

(Sign here) Wells M. McEntire

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, at my office in Preston, County of Franklin, State of Idaho, on this 26th day of September 1953.

A. M. Landie
Notary Public

My commission expires Nov. 29, 1954.

Form 14-R

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. R-793

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Victor Peterson, age 61 years, residence at Preston, Idaho. Occupation: farmer and water master.

Ques. 2. Are you acquainted with Preston-Whitney Irrigation Co, the holder of Permit No. R 793, authorizing the storage of 2407.5 acre feet of the waters of Cub River which is tributary to Bear River, in the County of Franklin, State of Idaho? How long have you known him, and where does he reside?

Ans. Corporation of Idaho with place of business at Preston, Idaho. Twenty years acquaintance.

Ques. 3. Have you read or heard read said Permit? R 793 Are you familiar with its terms and conditions? yes

Ques. 4. Of what material and how has the dam been constructed?

Ans. Earth fill (good clay material) Concrete and steel pipe outlet structure.

Ques. 5. Is the reservoir fully constructed? yes Has water been turned into it? yes And to what extent? Filled in 1949 and used each year since then

Ques. 6. Where is the point of diversion of the feeder canal?

Ans. SW ¼ SW ¼ Section eight, Township 15 S. Range 41 E. B. M.

Ques. 7. The outlet of the reservoir is located in the SW ¼ NW ¼ Section 20 Twp. 15S. Range 40 E. B. M.

Ques. 8. Describe the spillway.

Ans. None

Ques. 9. How much below the top of the dam is the bottom of the spillway? None Ft.

Ques. 10. State the dimensions of the outlet for the reservoir 2.5 by 2.5 feet

Ques. 11. Of what material is the outlet made? Steel pipe surrounded by concrete

Ques. 12. How is the outlet gate operated? Manually from top of dam

Ques. 13. Of what material has the dam been constructed? Compacted earth

Ques. 14. Are the works from the reservoir to place of use fully completed? yes

Ques. 15. Describe these works as they now exist, and give your estimate of their capacity.

Ans. Earth canal with headgates for users, about six miles long, with capacity of 25 mfmm cfs.

Ques. 16. For what purpose is the water to be used?

Ans. Irrigation

R-793

Ques. 17. If for irrigation purposes, are you acquainted with the land to be irrigated? yes
How much water is required for its profitable cultivation?

Ans. Used as supplementary supply; all needed for profitable irrigation of land covered.

Ques. 18. Give the legal description of the land to be irrigated, or the place of use.

Ans. All of Sections 15, 16, 22, 23, 24, 34, 35, 36, Tp. 15 South, Range 39 E. B. M. and all of Sections 30 and 31, Tp. 15 South, Range 40 E. B. M.

(Sign here) Victor Peterson

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, at my office in Preston, County of Franklin, State of Idaho, on this 26th day of September, 19 53.

T. M. Condie

Notary Public

My commission expires Nov. 29, 1953.

No 487

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Franklin }

Vlon R. 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 September 3, 1953, and ending with the issue of September 24, 1953

Vlon R. Smith

Fees, $ 14.89

Subscribed and sworn to before me this 26 day of Sept, 1953

P. M. Condie

Notary Public, Residing at Preston, Idaho

My Commission Expires Nov. 29, 1954

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

Notice is hereby given that at 2:00 P.M., on the 26th day of September, 1953, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, proof will be submitted of the completion of works for the storage and diversion of 2,407.5 acre feet per annum of the waters of Cub River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. R-793 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Preston Whitney Irrigation Company, Preston, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing and conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2,407.5 acre feet per annum.

3. The use to which said water has been applied is irrigation purpose, and the amount applied to beneficial use is 2,407.5 acre feet per annum.

4. The place where said water is used is in the boundaries of the Company, in Sections 15, 16, 22, 23, 24, 34, 35 and 26 Twp. 15 South, Range 39 East, B.M. and Sections 30 and 31, Twp. 15 South, Range 40 East, B.M.

5. The date of priority which said used is prepared to establish is June 30, 1947.

MARK R. KULP
State Reclamation Engineer
36-39c

R-793

November 4, 1953

RE: Permit No. R-793

Mr. Angus Condie, Secretary
Preston-Whitney Irrigation Company
Preston, Idaho

Dear Mr. Condie:

I, E. N. Humphrey, Deputy State Reclamation Engineer, intend to make inspection in connection with your Permit No. R-793 on Thursday, November 12, 1953.

An inspection is required by law in connection with all permits being brought to license.

Please be prepared to accompany me on this inspection.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

Preston Petersen 386 J
Williams School
8th grade

R-793

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

Notice is hereby given that at 2:00 P.M., on the 26th day of September, 1953, at Preston, County of Franklin, State of Idaho, before P. M. Condie, Notary Public, proof will be submitted of the completion of works for the storage and diversion of 2,407.5 acre feet per annum of the waters of Cub River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. R-793 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Preston Whitney Irrigation Company, Preston, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing and conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2,407.5 acre feet per annum.

3. The use to which said water has been applied is irrigation purpose, and the amount applied to beneficial use is 2,407.5 acre feet per annum.

4. The place where said water is used is in the boundaries of the Company, in Sections 15, 16, 22, 23, 24, 34, 35 and 26 Twp. 15 South, Range 39 East, B.M. and Sections 30 and 31, Twp. 15 South, Range 40 East, B.M.

5. The date of priority which said used is prepared to establish is June 30, 1947.

MARK R. KULP
State Reclamation Engineer
R-793
36-39c

PRESTON-WHITNEY IRRIGATION CO.

ANGUS CONDIE, SECRETARY

PRESTON, IDAHO.
Nov. 7, 1953

NOV 9 '53
Department of Reclamation

Mr. E. N. Humphrey
Dept. of Reclamation
Boise, Idaho

Dear Mr. Humpphrey,

Our Water Master, Mr. Victor Peterson, Will be ready to accompany you on your inspection of our project Thursday. He lives he e in Preston. His phone number is 386 J.

Sincerely yours

Angus Condie

Secretary

R-793

September 9, 1953

Re: Permit No. R-793

Preston Citizen
Preston, Idaho

Gentlemen:

On August 13, we sent you notice for publication in connection with Permit No. R-793 of The Preston Whitney Irrigation Co.

You acknowledged receipt of this notice on August 14, but to date we have not received a copy of your issue containing same. Please let us have such a copy.

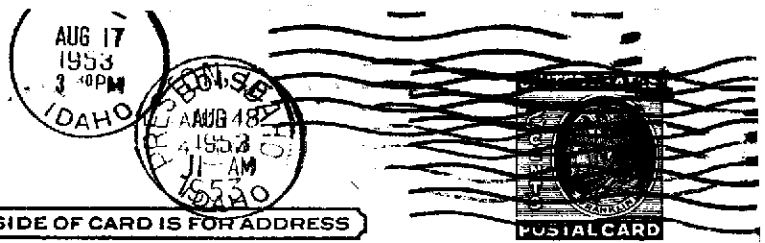
Very truly yours,

Mark R. Kulp
State Reclamation Engineer
By

Chief Clerk

A:re

R-793



Jeanne L. Anderson
Chief Clerk
Department of Reclamation
Boise, Idaho

Slate Hall

Just A Short Message From **The Preston Citizen** PRESTON, IDAHO

Aug. 14

Acknowledging receipt of publication order for Preston-Whitney Irrigation Co. for four issues.

The Preston Citizen

RECEIVED
AUG 18 1953
Department of Reclamation

R-493

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permit No. R-793

Date: August 13, 1953

Preston Citizen

Preston, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 26, 1953 the date set for proof, the expense of the publication to be paid by the applicant, Preston Whitney Irrigation Co. of Preston, Idaho, C/o Angus Condie, 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

R-793

Form 36

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

Notice is hereby given that at 2:00 P. M., on the 26th day of September, 1953, at Preston, County of Franklin State of Idaho, before P. M. Condie, Notary Public, proof will be submitted of the completion of works for the storage and diversion of 2,407.5 ~~cubic~~ acre feet per ~~second~~ annum of the waters of Cub River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. R-793 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Preston Whitney Irrigation Company, Preston, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing and conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 2,407.5 ~~cubic~~ acre feet per ~~second~~ annum.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 2,407.5 ~~cubic~~ acre feet per ~~second~~ annum.

4. The place where said water is used is within the boundaries of the Company in Sections 15, 16, 22, 23, 24, 34, 35 and 26, Twp. 15 South, Range 39 East, B.M. and Sections 30 and 31, Twp. 15 South, Range 40 East, B.M.

5. The date of priority which said user is prepared to establish is June 30, 1947.

MARK R. KULP

State Reclamation Engineer

R-793

Form No. 11

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 8, 1953

(P. O.) Preston, 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.

PRESTON WHITNEY IRRIGATION CO.

Secretary

(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-793

Form 36

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

Notice is hereby given that at 2 :00 P M., on the 26th day of September, 19 53, at Preston, County of Franklin State of Idaho, before P.M.Condie proof will be submitted of the completion of works for the diversion of 215 cubic feet per second of the waters of Cub River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. R 793 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Preston Whitney Irrigation Co. Preston, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 215 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 215 cubic feet per second.

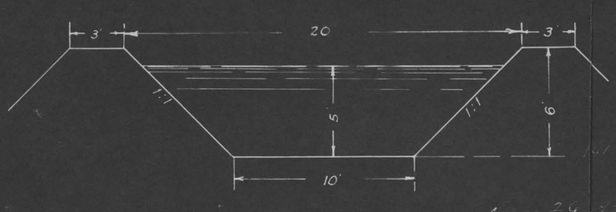
4. The place where said water is used is The Preston Area, the East Side Area and the Whitney Area

5. The date of priority which said user is prepared to establish is January 1, 1929 and August 27, 1947.

State Reclamation Engineer

R-793

Typical Canal Section



S = 0005 R = 3.10
A = 75 V = 2.82
Q = 212

CERTIFICATE OF ENGINEER

I A.A.Weiland of Pueblo, Colorado, an engineer licensed by the State of Idaho, do hereby certify that this map was made from notes taken during an actual survey made under my immediate supervision on October 6, 1924, and that it correctly represents the works described in the accompanying application, and has written thereon the area in each smallest legal subdivision which it is proposed to irrigate.

A.A. Weiland
ENGINEER

MAP OF THE

CUB RIVER - WORM CREEK CANAL

TO ACCOMPANY APPLICATION FOR PERMIT

October 6, 1924 Scale: 1 in. = 3000 ft.

16174

R.793

August 15, 1953

RE: Permit No. R-793

Mr. Angus Condie, Secretary
Preston Whitney Irrigation Co.
Preston, Idaho

Dear Mr. Condie:

We have set 2:00 p.m., September 26, 1953, as the date for making proof of Completion of Works and Beneficial Use on Permit No. R-798.

A copy of the notice has been sent 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 cost.

We enclose the necessary forms of deposition to be used in making these proofs, consisting of one set for Completion of Works and one for Beneficial Use proof.

These depositions are to be executed by the permit holder and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder before Mr. P.M. Condie, Notary Public.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

R-793

LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, RECLAMATION ENGINEER

BOISE

August 10, 1953

RE: Permit No. R-793

RECEIVED
AUG 13 1953
Department of Reclamation

Angus Condie, Secretary
Preston Whitney Irrigation Co.
Preston, Idaho

Dear Mr. Condie:

We acknowledge receipt of notice for proof of Completion of Works and Beneficial Use on Permit No. R-793 to be made September 26, 1953, together with authorization to publish it in the Preston Citizen.

However, this notice differs slightly from the permit in the following respects:

1. The permit is for 2407.5 acre feet of the waters of Cub River and not 215 second feet.

2. The place of use is described as Sections 15, 16, 22, 23, 24, 34, 35, and 26, Township 15 South, Range 39 East, B.M. and Sections 30 and 31, Township 15 South, Range 40 East, B.M.

If this agrees with the conditions, we can change the notice accordingly upon receipt of your further advice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By Jeanne L. Anderson
Chief Clerk

A:pj

Preston, Idaho
Aug. 11, 1953

Thanks for your help, your corrections stand.
We Concur in the above .

Preston Whitney ~~Irrigation~~ Co.
Angus Condie
Secretary

R-793

August 4, 1953

RE: Permit No. R-793

Preston-Whitney Irrigation Company
Preston
Idaho

ATT: Mr. Angus Condie, Secretary

Dear Mr. Condie:

We have your letter of August 1, 1953, in reply to notice that Permit No. R-793 is being held for cancellation for failure to make proof of completion of works on or before August 23, 1948, as required under the terms of said permit.

We note your statement that the works have been completed and the water applied to beneficial use. In that case, the permit may be reinstated as follows:

Execute and return duplicate copies of Form 36, setting time and place and naming the Notary Public before whom the proofs will be made. Both copies to be returned to this department with Form 11 which is authorization for us to have the notice published in the designated county newspaper at permit holder's expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making the proofs. These depositions must definitely state that the works were completed on or before August 23, 1948, the due date.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

R-793

PRESTON-WHITNEY IRRIGATION CO.

ANGUS CONDIE, SECRETARY

PRESTON, IDAHO.
August 1, 1953

RECEIVED
AUG 3 1953
Department of Reclam.

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

Dear Mr. Kulp;

We are in receipt of your registered notice that our permit # R-793 is being held for cancellation as of August 23, 1953.

Due to our lack of understanding of what was expected of us , we have not completed the necessary legal proceedure.

We have been informed by the attorney that there are certain forms to be filled out and notices to be published. Will you please provide us with the necessary forms and information, and, if there is not sufficient time to complete this work before the 23rd, inform us of the steps necessary to get sufficient extension of time to complete the information.

The water has been put to beneficial use and the only time we need if for filing the claim.

Thanking you for your cooperation in this matter, we remain,

Sincerely yours

PRESTON WHITNEY IRRIGATION CO.

By Angus Condie
Angus Condie, Sec'y

R-793

Post Office Department

OFFICIAL BUSINESS

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

(GPO)

POSTMARK OF DELIVERING OFFICE

PRESTON, IDAHO
JUL 20
4—PM
1953

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Return to (NAME OF SENDER)

Street and Number, or Post Office Box, 107 State House

REGISTERED ARTICLE

No. 82434

INSURED PARCEL

No. _____

16—12421-1

BOISE,

IDAHO.

16—12421-1

Form 3811
Rev. 1-52

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1 _____
(Signature or name of addressee)

2 Mrs. August Conkus
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 7-20-, 1953

U. S. GOVERNMENT PRINTING OFFICE 16—12431-8

R-793

Form 24

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

July 15, 1953

Re: Permit No. R-793

To Preston-Whitney Irrigation Company

Preston, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. R-793 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of works August 23, 1948

you are hereby notified in compliance with Sec. 42-311 (41-311), Idaho Code annotated that said Permit No. R-793 is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. R-793 claims the storage use of 2407.5 acre cubic feet per annum of the waters of Cub River with point of outlet diversion located in the SW¼ NW¼ Section 20, Twp. 15 South, Range 40 East, B. M., and was approved August 23, 1947.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 15th day of July, 1953

Mark R. Kulp

State Reclamation Engineer.

By .....

Assistant.

R-793

August 26, 1947

Re: Permit No. R-793

Mr. Angus Condie, Secretary
Preston-Whitney Irrigation Co.
Preston, Idaho

Dear Mr. Condie:

We enclose herewith Permit No. R-793, issued on your application for Permit to construct a reservoir and store 2407.5 acre feet per annum of the waters of Cub River.

Your attention is directed to the limitations and conditions of same, as given on the fourth page, under approval of the State Reclamation Engineer

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

R-793

PRESTON-WHITNEY IRRIGATION CO.

ANGUS CONDIE, SECRETARY

PRESTON, IDAHO.

August 23, 1947



Mr. Mark R. Kulp
Commissioner of Reclamation
Boise, Idaho

Enclosed is the map to go with our application for our storage permit which you have.

We have received a satifactory bid on the construction of the reservoir dam and will start construction as soon as our storage permit and a few other details have been completed.

Sincerely yours

PRESTON WHITNEY IRRIGATION CO

Angus Condie
Secretary

R-793

app. 2706

August 4, 1947

Mr. Wendell H. Smith
Route #2
Preston, Idaho

Dear Mr. Smith:

We are returning under seperate cover the tracings for the Preston-Whitney Lamont Dam, which have been duly approved by the State Reclamation Engineer.

We have had prints made from these tracings for our files at a cost of $1.50 for which kindly send us your check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS

R-793

WENDELL H. SMITH
ENGINEER
REGISTERED IDAHO - WYOMING
PRESTON, IDAHO
Rt. 2

July 31, 1947

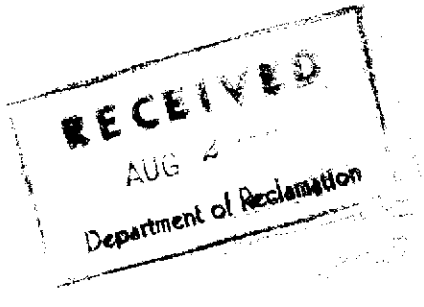
Mr. Mark P. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

The tracings for the Preston-Whitney Lamont Dam are being forwarded to you under seperate cover for your approval.

The spillway has been added in the form of an overflow pipe in the control well as was discussed in your office. The other revisions requested in your letter of July 25, 1947 have also been made. We will be glad to make any other additions that you feel will be necessary.

Very truly yours,
Wendell H. Smith
Wendell H. Smith



R-493

W46,2706

July 25, 1947

Mr. Wendell H. Smith
Route 2
Preston, Idaho

Dear Mr. Smith:

Plans and specifications of the Preston-Whitney Lamont Dam are returned, under separate covers, for the additions outlined in our conversation.

Also, the outlet should be tied to a subdivision corner, the supply ditch located, and a spillway provided.

Specifications are approved.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:A

R-793

FORM NO. 30

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, July 3, 1947

Application No. R-27706

Mr. Angus Condie, Secretary
Preston-Whitney Irrigation Co.
Preston, Idaho

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

1. In Question 5, state which corner Sec. 8, Twp. 15 S., Range 4E E., B.M.
2. Answer Questions 19 and 20
3. In Question 21, state amount of existing water rights, in inches or cubic feet per second, appurtenant to this same land
4. Answer such parts of Questions 12 to 16 as are pertinent, describing diversion works.
5. Furnish duplicate maps in accordance with Section 6, page 4 of enclosed pamphlet.

For your information we enclose a reprint of Section 41-1507, Idaho Code Annotated, in regard to plans and specifications for dams.

You are allowed 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application can be refiled under a new number with later priority, requiring additional fee.

Yours truly,

STATE RECLAMATION ENGINEER.

By .....

Chief Clerk

A
Encl: App. R-27706
Receipt # 20044

R-793

April 21, 1947

Mr. Angus Condie, Secretary,
Preston-Whitney Irrigation Company,
Preston, Idaho

Dear Mr. Condie:

Reference is made to your letter of April 19th, in regard to reservoir site East of Preston.

In reply we enclose a form of application for permit to construct a reservoir and appropriate and store the public waters of the State of Idaho; also a pamphlet giving regulations and instructions in regard to filing same, and a reprint of the statute governing the requirements in regard to plans for dams, etc.

I will try and call on you in regard to this contemplated reservoir site at the earliest opportunity.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

KIA
Encls.

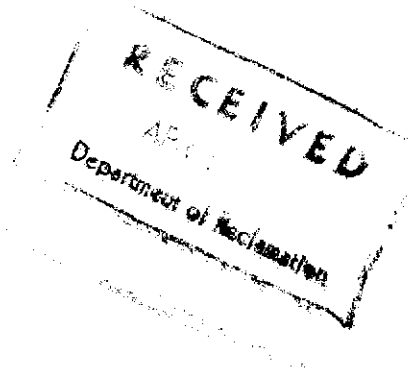
R-793

PRESTON-WHITNEY IRRIGATION CO.

ANGUS CONDIE, SECRETARY

PRESTON, IDAHO.

4,19,1947



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

Dear Mr. Kulp;

We have developed a small reservoir site, 1500 to 2000 acre feet, east of Preston and we would like to make application for a permit to build the same. Will you kindly send us the necessary forms to fill out for your office so that we may do this.

Next time you are down in this section of the country we would appreciate it very much if you would take the time to look over this site for us. We have no derversion canals to build and only about a mile and a half of filling canal.

Because of the serious position of the Preston Riverdale & Mink Creek Canal Co. at this time we are anxious to move as rapidly as possible with this project. The site we have is of no value to them but if the reservoir is built it will leave us in a position to render assistance to them. You see we both use the same canals in the Preston area and serve about the same groupe of stockholders. The larger site we already have file upon cannot be developed until the state can move the present state highway. This new site has no roads to concern us.

Sincerely yours

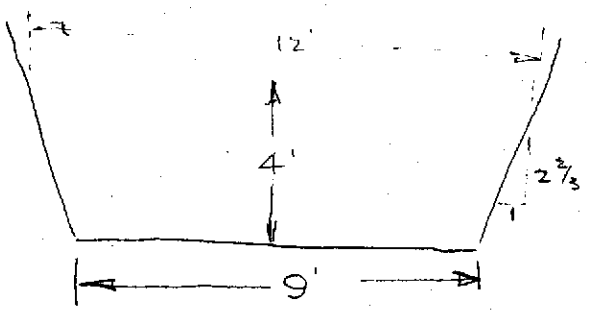
PRESTON WHITNEY IRRIGATION CO.

Angus Condie

Secretary

R-793

J.M.T.
11 AUG 47



$A = \left(\frac{12+9}{2}\right)4 = 42 \text{ FT.}^2$

$n = .0225$

$w.p. = 9 + 2\sqrt{18.5} = 17.6$

$R = \frac{42}{17.6} = 2.4$

$S = 10' \,|\, \text{MI} = 1.89' \,|\, 1000'$

$V = 5.1' \,|\, \text{sec.}$

$Q = 5.1 \times 42 = \underline{214 \text{ CFS}}$

R-793

PRESTON-WHITNEY IRRIGATION CO.

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ANGUS CONDIE, SECRETARY

PRESTON, IDAHO.

August 9, 1947

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

Re: application # R -27706

Dear Mr. Kulp;

In your letter of the 5th you call our attention to the size of our feeder canal.

Two errors were made in these figures: The grade is only 10ft per mile not 100 ft. the depth of the water is 4 ft instead of six.

I trust these corrections will be satisfactory. We hope to let our contract on the dam August 18th.

Sincerely yours

PRESTON WHITNEY IRRIGATION CO.
Angus Condie
Secretary

P. S. Enclosed is our check for $1.50 for payment of the prints you had made of the tracings.

AC

RECEIVED
AUG 12
Department of Reclamation

R-793

August 5, 1947

Re: Application No. R-27706

Mr. Angus Condie, Secretary,
Preston-Whitney Irrigation Co.
Preston, Idaho

Dear Mr. Condie:

We are considering your Application No. R-27706 for approval.

The hydraulic elements of your feeder canal show a bottom width of 9 feet, top width of 12 feet, and a depth of water of 6 feet, with an average grade of 100 feet per mile, and a capacity of 115 cubic feet per second.

A canal this size running full would have a velocity of more then 17 feet per second, and a discharge of about 1100 cubic feet per second.

We suggest that this design be amended.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:A

R-793