

Thomas J. Lindsay, Jr
White Bird, Idaho

Rhodes

Permit No. 27230

Examination for ~~Completion of Works~~ & Beneficial Use

County Idaho

14-28N. - 1E.

Q = 2.18 a.f.s.

S = Whitebird Creek.

P.D. = SE. NE., Sec. 14, T. 28N. - R. 1E

Land Area

Use = Irrigation

Met at Kanage on S. 20
enter at 10:30 to 11:00

Filed = Jan. 20, 1958

Due = Feb. 6, 1963

✓

no other right

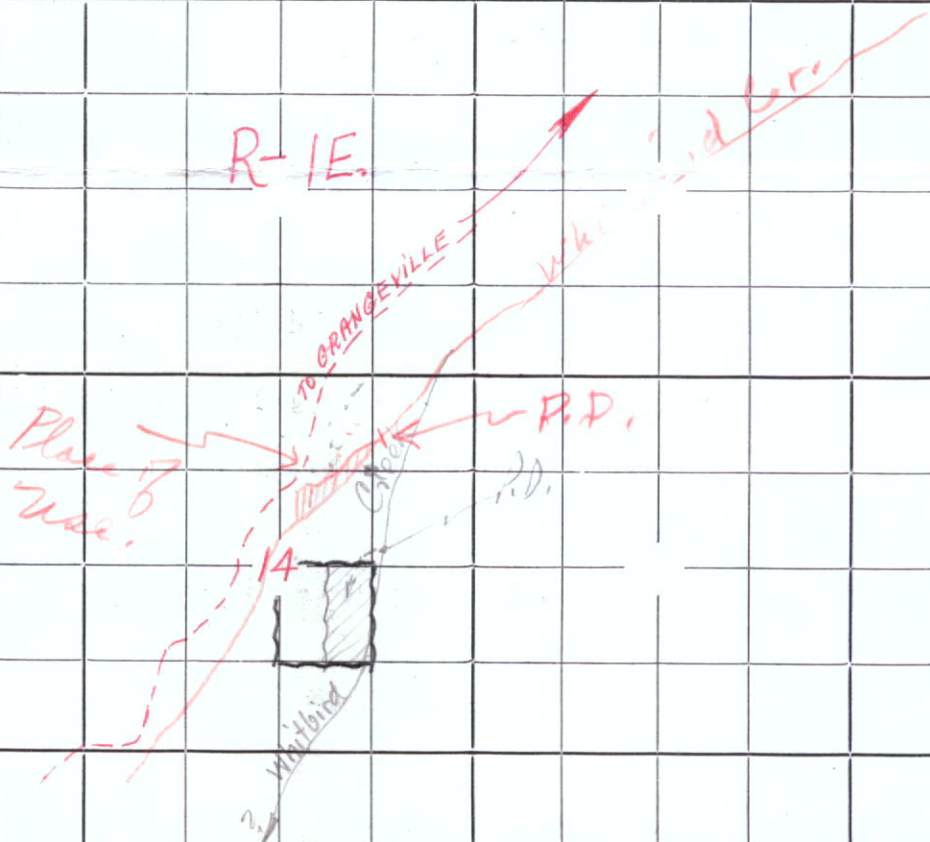
INSTRUCTIONS TO EXAMINERS

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.

T.
28
N.

14" x 30" pipe under

Flood control like



L Division = One
 Area = 9 acres
 $Q = .11 \text{ fs.}$

Amend P.D. and Place of use

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**
Notice is hereby given that at 10:00
A.M. on the 7th day of November, 1959,
at Grangeville, County of Idaho, State of
Idaho, before William J. Dee, Notary
Public, proof will be submitted of the
application to beneficial use of .18 cubic
feet per second of the waters of White
Bird Creek in accordance with the terms
and conditions of Permit No. 27230 here-
tofore issued by the Department of Re-
clamation of the State of Idaho.
The name and postoffice address of the
the person or corporation holding said
permit is Thomas J. Lindsey, Jr.
The use to which said water has been
applied is irrigation.
The amount applied to beneficial use
is .18 cubic feet per second.
The place where said water is used (if
for irrigation, give full and accurate de-
scription of the lands irrigated)
Northwest Quarter of the South-
east Quarter (NW1/4SE1/4), Section
Fourteen (14) Township Twenty (20)
North, Range One (1) E.B.M.
The name of the canal or ditch or other
works by which said water is conducted
to such place of use is A Rock & Gravel
Dam with a ditch, pipe and headgate.
The right to take water from such
works is based upon Permit No. 27230.
The source of supply from which such
water is diverted is White Bird Creek.
The date of priority which said user
is prepared to establish is Jan. 20, 1958.
GEO. N. CARTER,
State Reclamation Engineer.
08-29

RECEIVED
NOV 23 1959
Department of Reclamation
RECEIVED
DEC 9 1959
Department of Reclamation

AFFIDAVIT OF PUBLICATION

Kay M. Thompson being first duly
sworn, says she is the Chief Clerk
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for four weeks,
being published four times, the first publication being
on the 8th day of October, 1959,
and the last publication on the 29th day
of October, 1959; and that the said notice
was published in the newspaper proper and not in a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

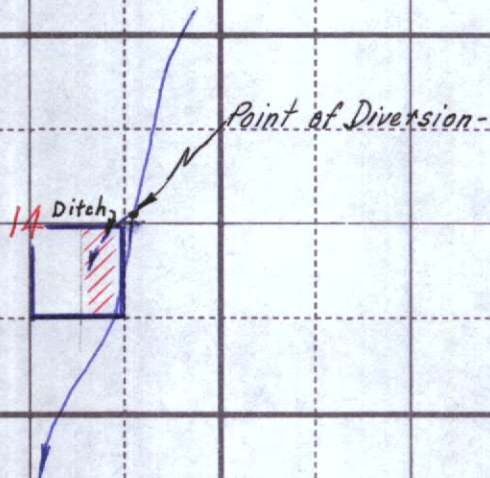
Kay M. Thompson

Subscribed and sworn to before me this 30th day
of October, 1959.

H. L. Lane, Notary Public,
for State of Idaho, residing at Grangeville, Idaho.

R-1E.

T.
28
N.



Permit Map No. 22230

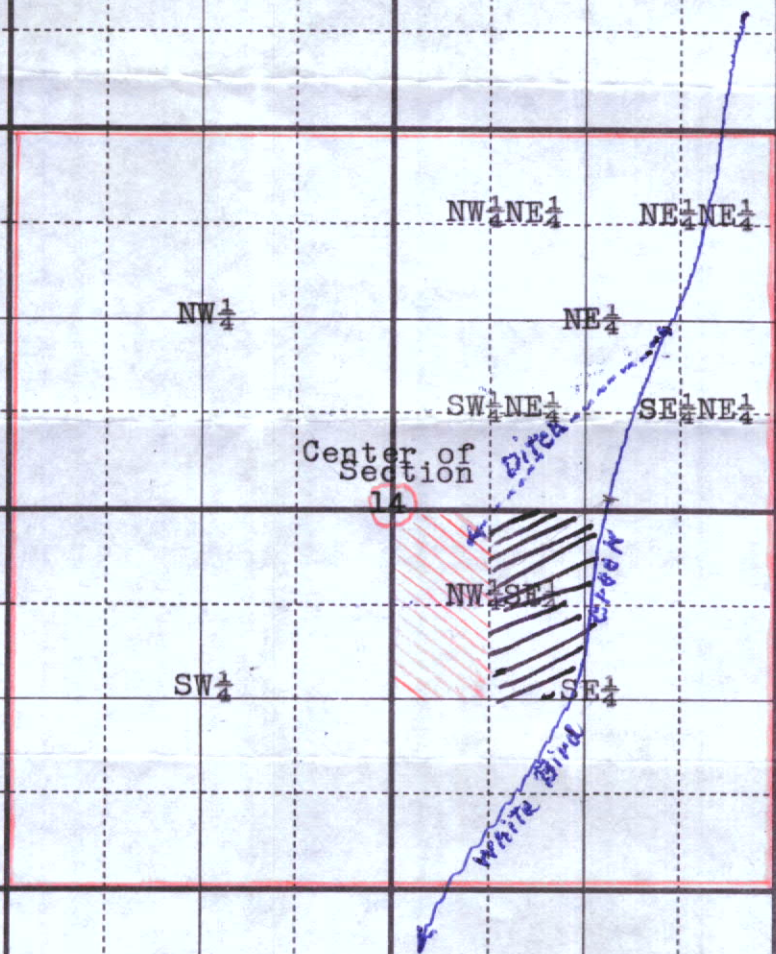
As Approved

MARK R. KULP

State Reclamation Engineer

FEB 6 1958

Twp. 28.N. Range 1.E



Permit Map No. 27230
As Approved FEB 6 1958
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 27230 Amount .18 c.f.s.
Water District No. Priority Jan. 20, 1958

THIS IS TO CERTIFY that THOMAS J. LINDSEY, Jr.
of Whitebird, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 20, 1958; that Permit No. 27230
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.18 second feet, was issued thereunder on May 20, 1960, showing that said works
were completed on the 19th day of March, 1960; and that on the 7th
day of November, 1959,

THOMAS J. LINDSEY, Jr.
of Whitebird, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Whitebird
Creek, a tributary of Big Salmon River, for the purpose of irrigation
, under Use Permit No. 27230 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
11 of Licenses at page 6998, on the 31 day of October, 1960;
The right hereby confirmed dates from January 20, 1958;

The Point of Diversion is located
in the NE 1/4 NE 1/4, Sec. 14, Tp. 28 N R. 1 E., B. M. Idaho 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 .18 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
28 N	1 E.	14	W 1/2 NE 1/4		9
			Total acres to be irrigated:		9

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
31 day of October, 1960.

(SEAL) s/ GEO. N. CARTER
State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. G-23262 Amount 4.08 c.f.s.
Water District No. _____ Priority November 22, 1952

THIS IS TO CERTIFY that M. RAY LONGHURST - Assignee - DELMAR ANDERSON
of Shelley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 22, 19 52; that Permit No. G-23262
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.08 second feet, was issued thereunder on October 31, 19 60, showing that said works
were completed on the 2nd day of April, 19 60; and that on the 2nd
day of April, 19 60,

DELMAR ANDERSON
of Shelley, State of Idaho, made proof to the satisfaction of the
STATE RECLAMATION ENGINEER of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-23262 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
11 of Licenses at page 6997, on the 31 day of October, 19 60;
The right hereby confirmed dates from November 22, 19 52;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 19, Tp. 1 N., R. 35 E., B. M. Bingham County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 4.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	35 E.	19	NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	32
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		20	NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NW 1/4 SE 1/4	40	40
			Total number of acres to be irrigated:		352

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
31 day of October, 19 60.

(SEAL) s/ GEO. N. CARTER
State Reclamation Engineer.

Application For Permit To Appropriate the Public Waters of the State of Idaho

19-2078

APPLICATION No. 35154
PERMIT No. 27230
DISTRICT No.

William J. Dee
Attorney At Law
Grangeville, Idaho

1. Name of Applicant: THOMAS J. LINDSEY, JR.

Postoffice address: Whitebird

County: Idaho

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 applicant are:

- (a) Cash on hand:
- (b) Treasury stock:

- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: .18

cubic feet per second.

3. Source of water supply: Whitebird Creek

which is a tributary of Big Salmon River

4. Location of point of diversion: 2845

feet distant from the SW

corner of Section 14, T. 28 N, R. 1 E., B.M., and is in the SE 1/4

of section 14, T. 28 N, R. 1 E, B. M., County of Idaho

5. Water is to be used for Irrigation

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

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

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

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

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

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

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

7. Estimated cost of works: \$ 1,000

8. Kind of works: Ditch, pipe and headgate

9. Height of dam 3 feet; length of dam at top 12 feet; length of dam at bottom 10

feet; material used in dam: rock and gravel

10. Size of headgate: Width 18" feet; height 2 feet.

11. Ditch: Width at bottom 2 Ft. feet; width at water line 3 feet; depth of water 1 1/3 feet;

dimensions of flume:

Diameter of pipe 12 inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 3 years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

/s/ Thomas J. Lindsey, Jr.
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. January 20, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 27230.

Recorded in Book 96 Page 27230 Approved February 6, 1958

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

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

Work to begin on or before April 6, 1958 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 6, 1959

The whole of said work to be completed on or before February 6, 1961

Beneficial use of water appropriated in accordance herewith, to be made on or before February 6, 1963

WITNESS My hand this 6th day of February, 1958

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th
day of February, 19 58.
STATE OF IDAHO

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG

By /s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS:

14.

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 $\frac{1}{4}$	
28 N	1 E.	14	Permit No. 27230 CERTIFICATE OF COMPLETION OF WORKS ✓				9
TO ALL WHOM IT MAY CONCERN: This is to certify that THOMAS J. LINDSEY, Jr. of Whitebird, County of Idaho, and State of Idaho, the holder of Permit No. 27230, issued upon Application No. 35154, bearing date of priority of January 20, 1958, authorizing the diversion of .18 second feet of waters of Whitebird Creek, County of Idaho, 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 works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use .18 second feet of the waters of White Bird Creek, tributary of Big Salmon River, that the point of diversion of said waters is SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 28 N., R. 1 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 28 N., R. 1 E., B. M. Witness my hand this 20th day of May, A. D., 1960. s/ GEO. N. CARTER State Reclamation Engineer							
Proof of Completion of Works Made: March 19, 1960							

Application for Amendment

POINT OF DIVERSION

Permit No. 27230

Comes now THOMAS J. LINDSEY, Jr. 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. 27230.

That the point of diversion is described in said Permit as being located: SE 1/4 NE 1/4, Sec. 14, T. 28 N.,

R. 1 E., B. M.

That he now requests that the point of diversion be changed to a point located: NE 1/4 NE 1/4, Sec. 14, T. 28 N.,

R. 1 E., B. M.

That the reason for desiring to make such change is as follows

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Whitebird, this 14 day of October, 1960.

s/ THOMAS J. LINDSEY, Jr.

Date of Receipt at Department of Reclamation: Oct. 24, 1960.

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, 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. 27230. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: October 31, 1960

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. 27230

Comes now THOMAS J. LINDSEY, Jr. 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. 27230, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

W 1/2, Section 14, T. 28 N., R. 1 E., B. M., making a total of 9 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 Whitebird, this 14 day of October, 1960.

s/ THOMAS J. LINDSEY, Jr.

Date of Receipt at office of Department of Reclamation: October 24, 1960

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, 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. 27230. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. N. CARTER
State Reclamation Engineer

Recorded: October 31, 1960

LICENSE ISSUED FOR 18 SEC. FV.

Page 6998

August 20, 1973

Re: License No. 27230, Thomas J. Lindsey, Jr.

Mrs. Gertrude V. Rhoades
Box 324
Whitebird, Idaho 83554

Dear Mrs. Rhoades:

We have, this date, received your note of August 17, 1973 along with \$1.00 in cash.

Please be advised that the Department has no procedure for changing the records of ownership once a permit has been licensed. When a license is issued, it becomes appurtenant to the land and ownership is automatically conveyed with the land unless it is specifically withheld in the sale transaction. Therefore, we are herewith returning your \$1.00.

We have filed your note in our file for future reference as to present ownership. If you have any questions regarding this matter, please advise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:jc
Enc: \$1.00 cash

cc: E. J. Woods

79 2078

ROBERT E. SMYLIE
Governor



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

July 19, 1966

CARL E. TAPPAN
State Reclamation Engineer

RECEIVED

AUG 20 1973

Department of Water Administration

Mrs. Gertrude V. Rhoades,
Box 324,
Whitebird, Idaho.

Dear Mrs. Rhoades:

Receipt is hereby acknowledged of your letter
of July 13, 1966.

Our records indicate that water license 27230,
page 6998, is recorded under the name of Thomas J. Lindsey,
Jr., however, when licensed, the water becomes appurtenant
to the lands and transfers with the land with deeds of sale.
It is not required that you get this license assigned to you.
However, if you so desire, you may submit a copy of your deed
of sale and a \$.50 recording fee along with a letter requesting
a notation be made showing you as holder of this license.

Please contact us if we may be of further assist-
ance.

Very truly yours,

DONALD W. McELDOWNEY
State Water Rights Clerk

DWMc:pmk

White Bird Idaho
Aug 17 1973

Dear Sir

would you please assign this license in my name. Have enclosed
a dollar to do it. They tell me I should get a new license is that true

Your Truly

Gertrude Rhoades 79 2078

July 19, 1966

C
O
P
Y

Mrs. Gertrude V. Rhoades,
Box 324,
Whitebird, Idaho.

Dear Mrs. Rhoades:

Receipt is hereby acknowledged of your letter
of July 13, 1966.

Our records indicate that water license 27230,
page 6998, is recorded under the name of Thomas J. Lindsey,
Jr., however, when licensed, the water becomes appurtenant
to the lands and transfers with the land with deeds of sale.
It is not required that you get this license assigned to you.
However, if you so desire, you may submit a copy of your deed
of sale and a \$.50 recording fee along with a letter requesting
a notation be made showing you as holder of this license.

Please contact us if we may be of further assist-
ance.

Very truly yours,

DONALD W. McELDOWNEY
State Water Rights Clerk

DWMc:pmk

27230

RECEIVED

JUL 15 1966

Department of Reclamation

White Bird Idaho

July 13 1966

Dear Sir:—

In 1960 we bought the Thomas
of Lindsay for home of 9 acres in White Bird
we have it paid for now so they gave
us the license and certificate of water right
no 27230. Should we have it put in
are ~~more~~ now and what will it cost
would you please let me know.

Yours Truly

Mrs. Bertande & Rhonda

White Bird Idaho

Box 324

Recorded in book 11 Page 6998

27230

October 31, 1960

Re: Permit No. 27230

Mr. Thomas J. Lindsey, Jr.
Whitebird, Idaho

Dear Mr. Lindsey:

We enclose Application for Amendment to the point of diversion and amendment to the land list, and License and Certificate of Water Right issued on Permit No. 27230.

We also enclose departmental receipt No. 30326 in the amount of \$4.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. amendments (2)
License
receipt

OK Enc #2

GRAHAM & CAMPBELL BLDG.

WILLIAM J. DEE

ATTORNEY AT LAW

GRANGEVILLE, IDAHO

PHONE 182

October 20, 1960

RECEIVED
OCT 24 1960

Department of Reclamation

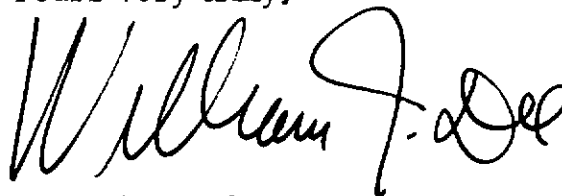
State Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Sir:

Pursuant to your last letter you will find enclosed an application for an amendment of point of diversion and an application for amendment to permit to appropriate the public waters throughout the State of Idaho for Thomas J. Lindsey, Jr. Also enclosed is Mr. Lindsey's check in the sum of \$4.00 which you stated is the balance of the fees for this amendment.

I would appreciate your communicating with me when this matter has been finally settled.

Yours very truly,



WILLIAM J. DEE

WJD:bks
enc.

27230

RECEIVED
OCT 24 1960

Application for Amendment

Department of Reclamation

POINT OF DIVERSION

Permit No. 27230

Comes now Thomas J. Lindsey, Jr. and
represent to the State Reclamation Engineer of the State of Idaho:

That he is (~~was~~) the owner and holder of Permit to Appropriate the Public
Waters of the State of Idaho, No. 27230.

That the point of diversion is described in said Permit as being located:

SE 1/4 NE 1/4, Sec. 14, T. 28 N., R. 1 E., B. M.

That he now requests that the point of diversion be changed to a point
located: NE 1/4 NE 1/4, Sec. 14, T. 28 N., R. 1 E., B. M.

That the reason for desiring to make such change is as follows:

That no one will be injured by such change, and that such change will be made
at Permit Holder's own risk.

Signed at WHITE BIRD, this 14 day of OCTOBER 1960
Thomas J. Lindsey Jr.

Date of Receipt at Department Of Reclamation: October 24, 1960

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, 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. 27230. 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 96 of
Permits, at Page 27230
October 31, 1960

G. N. Carter
State Reclamation Engineer

27230 RT

OCT 24 1960
Department of Reclamation

W₂NE₄, Section 14, T. 28 N., R. 1 E., B. M.

Geo. H. Carter 27236

WILLIAM J. DEE

ATTORNEY AT LAW
GRANGEVILLE, IDAHO

PHONE 182

September 27, 1960

SEP 29 1960
Department of Reclamation

Re 27230

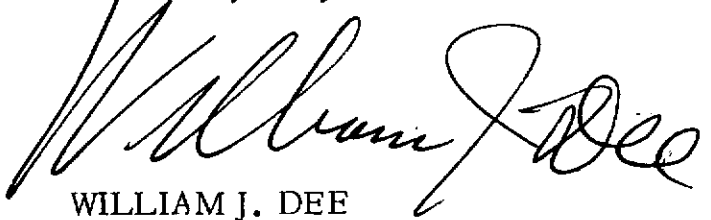
Bureau of Reclamation
State House
Boise, Idaho
Attn: Mr. Humphrey

Dear Mr. Humphrey:

Some time ago I obtained a water right for Thomas J. Lindsey, Jr of White Bird, Idaho. Mr. Lindsey called me several weeks ago and said that you had investigated the water rights and found our description on the map was incorrect.

I am inquiry as to what is necessary to correct the description or whether we can just get your authority to plat it correctly on the application form.

Yours very truly,


WILLIAM J. DEE

WJD:bks
cc: Thomas J. Lindsey, Jr.

answered Sept 28, 1960

27230

September 27, 1960

Re: Permit No. 27230
Thomas J. Lindsay, Jr.

William J. Dee
Attorney at Law
Grangeville, Idaho

Dear Mr. Dee:

We have received the report of engineer in regard to proof of beneficial use of water from Whitebird Creek.

Mr. Humphrey, field engineer, reports that he checked the aerial photo and it checks with his determination that the point of diversion is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 28 N., R. 1 E., B. M., and the place of use is 9 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 14. The permit record shows the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, and the land to be irrigated as NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14. Description of a 9.16 acre tract belonging to Mr. Lindsay from the County Recorder shows the land in the W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 14.

The point of diversion and the place of use of the water must be amended before the License and Certificate of Water Right are issued. If you agree with the amendments, have them signed and returned to this office with the proper fee.

Upon receipt of the statutory fee of \$2.00, the W $\frac{1}{2}$ NE $\frac{1}{4}$ is considered as one subdivision as the amount of land in each 40-acre subdivision cannot be determined, plus a fee of \$2.00 at the rate of \$1.00 for each amendment, or a total of \$4.00 the License and Certificate of Water Right will be issued for 0.18 c.f.s. with point of diversion from Whitebird Creek in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, for irrigation of 9 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, of said Section 14.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew
Enc. amendments

27230

COUNTY OF IDAHO

CARL T. REUTER
CLERK OF THE DISTRICT COURT
EX-OFFICIO AUDITOR AND RECORDER
GRANGEVILLE, IDAHO

September 1, 1960

RECEIVED
SEP 16 1960
Department of Reclamation

Department of Reclamation
Room 107, State House
Boise, Idaho

Dear Sirs:

Your letter of August 30th, regarding certain legal description, is herewith acknowledged.

I am enclosing herewith a copy of the description of the property of Thomas J. Lindsey, Jr. We have no record of property owned by Thomas J. Lindsey nor is there a record of the contract wherein Cecil Rhoades is purchasing property.

Kindly advise if we can be of further assistance.

Yours very truly,

Carl T. Reuter
Carl T. Reuter,
County Recorder

CTR:bw
Enc.

Book 93, Deeds, page 23. Thomas J. Lindsey, Jr.

Beginning at a point 10 feet West of the Southeast Corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 28 North, Range 1 East B.M., thence 330 feet North, Thence 330 feet West, thence 330 feet South, thence 330 feet East to the place of beginning, containing 2.50 acres, and being Assessors Tax No. 28 in said NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Book 85, Deeds, page 540. Thomas J. Lindsey, Jr.

Commencing at the northwest corner of a tract of land sold by Louis Bocher to F. Z. Taylor as described in a deed recorded in Book 14 of Deeds at Page 108, records of Idaho County, State of Idaho, running thence Two Hundred (200) feet 22 $\frac{1}{2}$ ° south of east, thence One Hundred (100) feet 22 $\frac{1}{2}$ ° west of south, thence Two Hundred (200) feet 22 $\frac{1}{2}$ ° north of west, thence One Hundred (100) feet 22 $\frac{1}{2}$ ° west of north to place of beginning, and situated in the northwest corner of Tract "B" of Everest's Addition to the Town of Whitebird, Idaho County, Idaho.

Beginning at a point on the North line of tract "B" of Everest's Addition to Whitebird, Idaho County, Idaho, said point being Two Hundred (200) feet east by 22 $\frac{1}{2}$ ° south from the northwest corner of said Tract "B", thence at right angles to said north line of Tract "B" south by 22 $\frac{1}{2}$ ° west One Hundred (100) feet, thence at right angles east by 22 $\frac{1}{2}$ ° south to Whitebird Creek, thence northerly up Whitebird Creek to the northeast corner of said Tract "B", thence west by 22 $\frac{1}{2}$ ° north along the north line of said Tract "B" to place of beginning, and being a part of said Tract "B", Everest's Addition to Whitebird, Idaho County, Idaho.

Beginning at the Northwest corner of the Southwest Quarter of the Northeast Quarter of Section 14, Twp. 28 N., R. 1 E.B.M.; thence South 0°29' West 742 feet; thence North 37°48' East 190.5 feet; thence North 48°15' East 251 feet; thence North 64°25' East 176 feet; thence North 43°38' East 480 feet to a point on the North line of the Southwest Quarter of the Northeast Quarter of said Section 14; thence West on the subdivision line 129 feet; thence North 191.2 feet; thence North 85° West 369 feet; thence South 52°37' West 368 feet to the place of beginning, containing approximately 9.16 acres, and lying and being in the West one-half of the Northeast Quarter of Section 14, Twp. 28 North, Range 1 E.B.M., Idaho County, Idaho, together with all improvements and appurtenances thereunto belonging or in anywise appertaining.

August 30, 1960

Re: Permit No. 27230

To the County Recorder
Grangeville, Idaho

Dear Sir:

Will you please advise this office as to the legal description of the land owned in Section 14, Township 28 North, Range 1 East, E. M. just east of the town of Whitebird, by Thomas J. Lindsay, Jr. or his father.

We especially need to know the description of the land sold or contracted to Cecil Rhoades in the same section.

An early reply will be appreciated. Thank you.

Yours truly,

GEO. N. CARTER
State Reclamation Engineer

By:

E. N. HUMPHREY, Deputy
State Reclamation Engineer

ENH:ew

27230

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

Permit No. 27230

This proof is for ~~Completion of Works and~~ Beneficial Use In Water District No. _____

1. Name of applicant Thomas J. Lindsay, Jr.

2. Source of water supply: Whitebird Creek, Tributary of Big Salmon River

3. Location of point of diversion: Is in the SE 1/4 of Section 14

T. 28 N. R. 1 E. County of Idaho

4. Describe works as they exist, giving dimensions and capacities of same: There is a

small ditch leads from White Bird Creek around
the top side of the place. Shortly below the P.D. it
goes thru the Flood Control dike in a 14" X 30' pipe.
Land is all in grass or gardens. Also irrigated
some pasture for Lindsay Jr. above Lindsay Jr. place.

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):

NE 1/4 Sec. 14, T. 28 N., R. 1 E., B.M.

Mr Cecil Rhoades purchased the place this
spring and lives on it.

If above description is correct then the
whole filing is wrong.

(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 Rhoades along on inspection.

Check with Lindsay Jr. re interest
Talked to Mr Lindsay Jr. - filing was for place sold to
Rhoades.

This examination was made on the 22 day of Aug, 19 60.

(Signed) E. J. Humphrey
Engineer.

Thomas J. Lindsay, Jr
White Bird, Idaho

Rhodes

Permit No. 27230

Examination for ~~Completion of Work~~ & Beneficial Use

County Idaho

14-28N. - 1E.

Q = 2.18 a.c.

S = White Bird Creek

P.D. = SE. NE, Sec. 14, T. 28N, - R. 1E

Land

Use = Irrigation

Must be done by 10/1/58
enter at 10/1/58

Filed = Jan. 20, 1958

Due = Feb. 6, 1963

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.

no other right

SE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

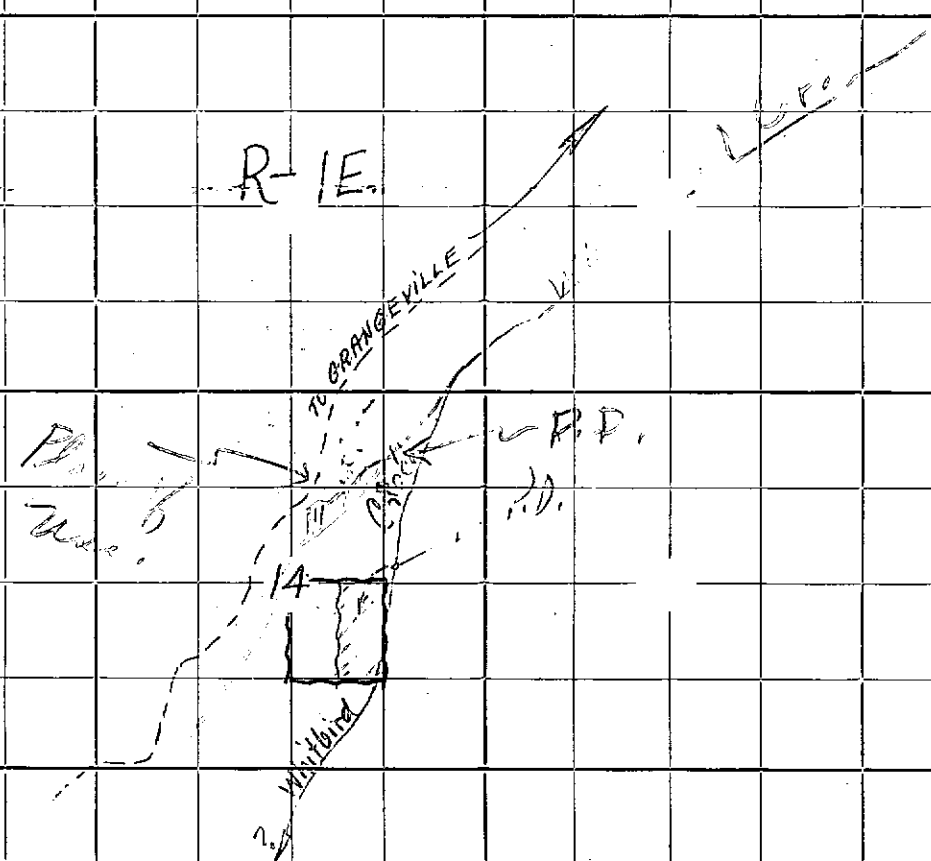
PERMIT NO. 27230

REPORT ON PROOF OF ~~Completion of Works~~ and Beneficial Use
Thomas J. Lindsay, Jr
White Bird, Idaho

Case 10 Rhoads

bought place
May 1
T.
28
N.

1st 20' zone under
Hood Corrallick



Area 9
C-10

Area 10

May 20, 1960

Re: Permit No. 27230
Thomas J. Lindsey, Jr.

William J. Dee
Attorney at Law
Grangeville, Idaho

Dear Mr. Dee:

We enclose herewith Certificate of Completion of
Works on Permit No. 27230, in the name of Thomas J. Lindsey,
Jr.

We also enclose departmental receipt No. 30119
in the amount of \$5.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

'Mrs.' Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

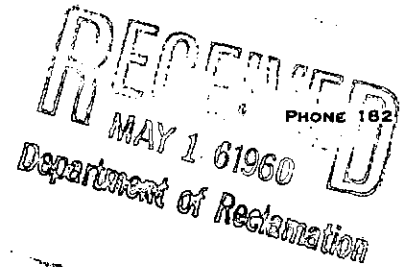
cc: Thomas J. Lindsey, Jr.
Whitebird, Idaho

27230 R

UP ENC # 500

GRAHAM & CAMPBELL BLDG.

WILLIAM J. DEE
ATTORNEY AT LAW
GRANGEVILLE, IDAHO
May 10, 1960



Department of Reclamation
State House
Boise, Idaho

Re: Thomas J. Lindsey Jr.
Permit No. 27230

Dear Sir:

Enclosed you will find completion of works of the above matter. If there are any further question on this matter, please contact me immediately.

I am enclosing a check for \$5.00 to cover the fee of filing these papers, since the said Thomas J. Lindsey Jr. is now working in Oregon.

Yours very truly,

A handwritten signature in dark ink, appearing to read "William J. Dee".

WILLIAM J. DEE

WJDbs
enc.

27230

STATE OF IDAHO
Department of ReclamationRECEIVED
MAY 1 61960
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Idaho

ss.

Thomas J. Lindsey, Jr. being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 27230, and that his postoffice address is White BirdState of Idaho

Second: That the name of the stream from which said water is to be diverted is

White Bird CreekThird: That the point of diversion of said water is 2845 feet distant from theSouthwest Corner of Sec. 14, Township 28 N. R. 1 E. B. M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by February 6, 1961Fifth: That the use for which said water is intended is irrigation

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

I. Kind of works: ditch, pipe and headgate

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 3 ft. feet, length of dam at top 12 ft. feet, length of dam at bottom 10 ft. feet. Material used in construction Rock and Gravel

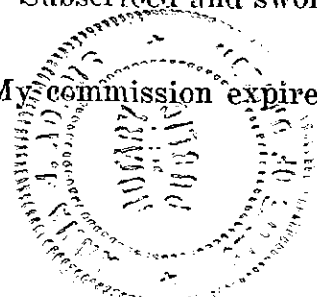
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 2 acre feet.(c) Size of headgate: Width 18 ft. feet, height 2 ft. feet.(d) Conduit ditch width at bottom 2 ft. feet, width at water line 3 ft. feet, depth of water 1 1/3 feet; diameter of pipe 12 inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use

18 second feet of water.Eighth: That water appropriated under said permit is available for Nine Acres acres of land described as follows: NW 1/4 of the SE 1/4, Sec. 14, Twp. 28 N. 1 E. B. M.

Ninth: Remarks: That

Thomas J. Lindsey, Jr.
(Sign Here)Subscribed and sworn to before me this 19th day of MAY, 1960My commission expires 3/6/61Anna J. Adams
Notary Public.

December 10, 1959

RE: Permit No. 27230
Thomas J. Lindsey Jr.

William J. Dee
Attorney at Law
Grangeville, Idaho

Dear Mr. Dee:

Enclosed is a supply of Form 6, Proof of Completion of Works, Affidavit of Holder. One of these forms should be submitted to this office at the time, or before, offering proof of beneficial use of the water. All of the questions, applicable in any case, should be answered. Necessary forms are ordinarily sent to applicant two months prior to the date when due.

Kindly have Mr. Lindsey complete one Form 6 and return to this office.

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Idaho County Free Press, all submitted in proof of beneficial use on Permit No. 27230.

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. Rutledge
Chief Clerk

RT:EPR:mr

Enc. Form 6

P.S. There is a \$5.00 fee for the certificate of completion of works which should accompany each Form 6, when filed in this office.

27230

GRAHAM & CAMPBELL BLDG.

WILLIAM J. DEE
ATTORNEY AT LAW
GRANGEVILLE, IDAHO
December 7, 1959

PHONE 182

RECEIVED
DEC 9 1959
Department of Reclamation

Department of Reclamation
Statehouse
Boise, Idaho

Re: Permit 27230
Thomas J. Lindsey, Jr.

Dear Sir:

Enclosed you will find the deposition of the holder and two witnesses, now corrected, and the Affidavit of Publication in regard to beneficial use of water from Whitebird Creek.

The reason of the incorrect description was due to the fact we did not have the original application at the time of taking proof and everyone was a little confused as to the exact location.

The applicant's deposition was actually signed on November 7, 1959, as all three were in the office at the same time and the incorrect date was merely a clerical error. If you have any further question, do not hesitate to contact me.

Yours very truly,


WILLIAM J. DEE

WJD:js

27230

RECEIVED
NOV 23 1959

Department of Reclamation
RECEIVED
DEC 9 1959
Department of Reclamation

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M. on the 7th day of November, 1959, at Grangeville, County of Idaho, State of Idaho, before William J. Dee, Notary Public, proof will be submitted of the application to beneficial use of .18 cubic feet per second of the waters of White Bird Creek in accordance with the terms and conditions of Permit No. 27230 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 Thomas J. Lindsey, Jr.

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

The amount applied to beneficial use is .18 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section Fourteen (14) Township Twenty (20) North, Range One (1) E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is A Rock & Gravel Dam with a ditch, pipe and headgate.

The right to take water from such works is based upon Permit No. 27230.

The source of supply from which such water is diverted is White Bird Creek.

The date of priority which said user is prepared to establish is Jan. 20, 1958.

GEO. N. CARTER,
State Reclamation Engineer.

08-29

AFFIDAVIT OF PUBLICATION

Kay M. Thompson being first duly

Chief Clerk

sworn, says she is the _____
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for four weeks, being published four times, the first publication being on the 8th day of October, 1959, and the last publication on the 29th day of October, 1959; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Kay M. Thompson

Subscribed and sworn to before me this 30th day of October, 1959.

H. L. Cone, Notary Public,
for State of Idaho, residing at Grangeville, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 23 1959

Department of Reclamation

RECEIVED
DEC 9 1959

Department of Reclamation

PERMIT NO. 27230

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. Walter Daly, White Bird, Idaho, Adult,

Ques. 2. Are you acquainted with Thomas J. Lindsey, Jr., the holder of Permit No. 27230? How long have you known him and where does he reside? 13 years, White Bird, Idaho

Ans. Yes

Ques. 3. Have you read or heard read said Permit No. 27230, 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. White Bird Creek, 2845 feet distant from the SW Corner of Section 14, Twp. 28 N., R. 1 E.B.M. and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, Twp. 28 N., R. 1 E.B.M. Idaho County, State of Idaho, Ditch, Pipe, headgate

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. .118 cubic feet per second

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.

2 Ans. Irrigation, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Quarter and the Northwest Quarter of Section 14, Township 28, Range 1 E.B.M. Cultivated

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. .18 Cubic Feet per Second Loam and Clay

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. Numerous times I have seen the application as I live in the general neighborhood.

(Signed) Walter Wally

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 Grangeville

County of Idaho, State of Idaho, on this 27th day of November, A. D. 19 59.

My commission expires

Sept 8, 1962

William J. Del
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 23 1959
Department of Reclamation
DEC 9 1959
Department of Reclamation

PERMIT NO. 27230

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. Carroll Cline, Adult, White Bird, Idaho

Ques. 2. Are you acquainted with Thomas J. Lindsey, Jr., the holder of Permit No. 27230? How long have you known him and where does he reside?

Ans. Yes, 4 years, White Bird, Idaho

Ques. 3. Have you read or heard read said Permit No. 27230, 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. White Bird Creek, 2845 feet distant from the SW Corner of Section 14, Twp. 28 N., R. 1 E.B.M. and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, Twp. 28 N., R. 1 E.B.M. Idaho County, State of Idaho, Ditch, Pipe, Headgate.

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. .18 cubic feet per second

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

Ans. Irrigation, the South $\frac{1}{4}$ SE $\frac{1}{4}$ quarter and the Northwest Quarter of Section 14, Township 28, Range 1 E.B.M. Cultivated.

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. 18 cubic feet per second Loam and Clay

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. Numerous times I have seen the application as I live in the general neighborhood.

(Signed)

Samuel E. Chase

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 Grangeville,

County of Idaho, State of Idaho, on this 11th day of November,

A. D. 1959.

My commission expires

Sept. 8, 1962.

William J. Del
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 23 1959
Department of Reclamation

RECEIVED
DEC 9 1959
Department of Reclamation

Permit No. 27230

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Thomas J. Lindsey, Jr., White Bird, Idaho

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

Ans. _____

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

Ans. #27230, Jan 20, February 6, 1958

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

Ans. White Bird Creek 2845 feet distant from the SW Corner of Section 14, Twp. 28 N., R. 1 E. B.M. and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, Twp. 28 N., R. 1 E. B.M. Idaho County, State of Idaho

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

Ans. Ditch, Pipe, headgate 48 Cubic feet per second

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, the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 28, Range 1 E. B.M. and the Northwest Quarter of Section 14, Township 28, Range 1 E. B.M. for a total of nine acres.

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

Ans. None

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

Ans. _____

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. None

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

Ans. Since the granting of the permit and to the extent of irrigation of said lands.

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. None

(Sign) Thomas J. Lindsey Jr

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 Grangeville, County of Idaho, State of Idaho, on this Idaho day of November 7, 1959, A. D. 1959.

My commission expires

Sept. 8, 1962

✓ W. J. M. J. Dec
Notary Public for Idaho

November 24, 1959

Re: Permit No. 27230
Thomas J. Lindsey, Jr.

Mr. William J. Dee
Attorney at Law
Grangeville, Idaho

Dear Mr. Dee:

Enclosed are the depositions of holder and two witnesses and the affidavit of publication in regard to beneficial use of water from Whitebird Creek.

Under Question 6, all three depositions describe the $W\frac{1}{2}$, Sec. 14, which does not agree with the nine acres irrigated. The subdivision of a section refers to the 40-acre subdivision. The permit calls for irrigation of land in the $NW\frac{1}{4}SE\frac{1}{4}$, Section 14, which is not in the $W\frac{1}{2}$ of the section.

Kindly have the holder and two witnesses show the legal description of the land actually irrigated. The holder should also answer Questions 7, 8, 11 showing "none" if that is the correct answer.

The date of permit is the date of approval and the priority is the date of receipt of the application in this office.

The applicant signed his deposition two days after date shown in the legal notice. We should have an affidavit showing reason for the delay.

Promptly return the three depositions and affidavit of publication to this office after the questions have been answered.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew
Enc. depositions

GRAHAM & CAMPBELL BLDG.

WILLIAM J. DEE
ATTORNEY AT LAW
GRANGEVILLE, IDAHO

November 12, 1959

RECEIVED
NOV 23 1959
Department of Reclamation PHONE 182

Dept. of Reclamation
State House
Boise, Idaho

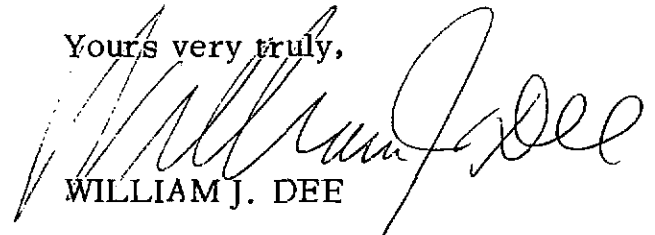
Re: Thomas Linsley, Jr.
Permit No. 27230

Dear Sir:

Enclosed you will find a deposition of the holder and two witnesses for the proof of application of water for beneficial use on the above permit. If there is a fee for the processing of these papers, I would appreciate your letting me know by return mail.

Also inclosed is the affidavit of publication of the said notice.

Yours very truly,


WILLIAM J. DEE

WJD:js

27230

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

September 24, 1959

Re: Permit No. 27230
Thomas J. Lindsey, Jr.

Mr. William J. Dee,
Attorney at Law,
Graham & Campbell Bldg.,
Grangeville, Idaho.

Dear Mr. Dee:

This acknowledges the Notice of Proof of ~~Completion of Works and~~ Application of Water to Beneficial Use under Permit No. 27230, in the name of ~~Thomas J. Lindsey, Jr.~~ Final Proof is to be made before you, as Notary on the 7th day of November, 1959, at 10:00 o'clock A.M., at Grangeville, Idaho.

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

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
BRR:rk

cc: Applicant

27230

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

DEPARTMENT OF RECLAMATION
Boise, Idaho

Date: Sept. 24, 1959

Re: Permit No. 27230
Thomas J. Lindsey, Jr.

Idaho County Free Press,
Grangeville, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to November 7, 1959 the date set for proof; the expense of the publication is to be paid by the applicant

Thomas J. Lindsey, Jr. of Whitebird, 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
By

Chief Clerk

** 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.

27230

GRAHAM & CAMPBELL BLDG.

WILLIAM J. DEE
ATTORNEY AT LAW
GRANGEVILLE, IDAHO

September 22, 1959

RECEIVED
SEP 24 1959
Department of Reclamation
PHONE 182

State Reclamation Engineer
Boise
Idaho

Dear Sir:

Enclosed you will find a request for publication and notice of proof for application for Thomas J. Lindsey, Jr., permit # 27230. You will note that I have left the last line blank, namely, the date of priority which I would appreciate your filling in.

Yours very truly,

WILLIAM J. DEE

WJD:js
enc.

27230

RECEIVED
SEP 24 1959
Department of Reclamation

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

Notice is hereby given that at 10:00 A. M. on the 7th day of November, 1959,
at Grangeville, County of Idaho, State of Idaho, before
WILLIAM J. DEE, Notary Public, proof will be submitted of the
application to beneficial use of 18 cubic feet per second of the waters of WHITE BIRD
CREEK in accordance with the terms and conditions of Permit No. 27230
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~~ is

Thomas J. Lindsey Jr.

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 18 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section Fourteen (14)

Township Twenty (20) North, Range One (1) E.B.M.

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

A Rock & Gravel Dam with a ditch, pipe and headgate

The right to take water from such works is based upon Permit No. 27230

The source of supply from which such water is diverted is White Bird Creek

The date of priority which said user is prepared to establish is Jan. 20, 1958

Geo. W. Carter

State Reclamation Engineer.

27230

RECEIVED
SEP 24 1959
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 15, 1959

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Idaho County Free Press of Grangeville, Idaho published in

the county in which the works are situated.

Thomas J. Lindsey Jr.

(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.

February 13, 1958

Re: Permit No. 27230
Thomas J. Lindsey, Jr.

William J. Dee
Attorney At Law
Graham & Campbell Bldg.,
Grangeville, Idaho

Dear Mr. Dee:

We enclose Permit No. 27230, in the name of Thomas J. Lindsey, Jr., in which we 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. 28967 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

Very truly yours,

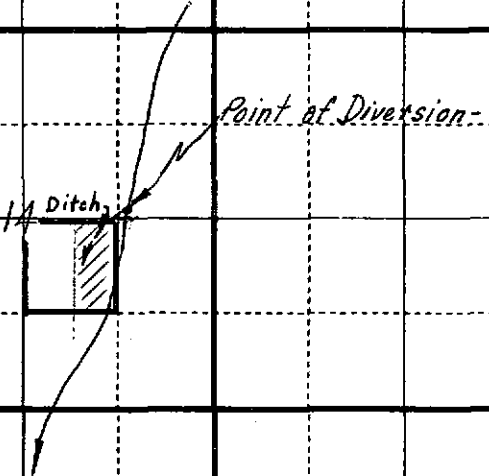
MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

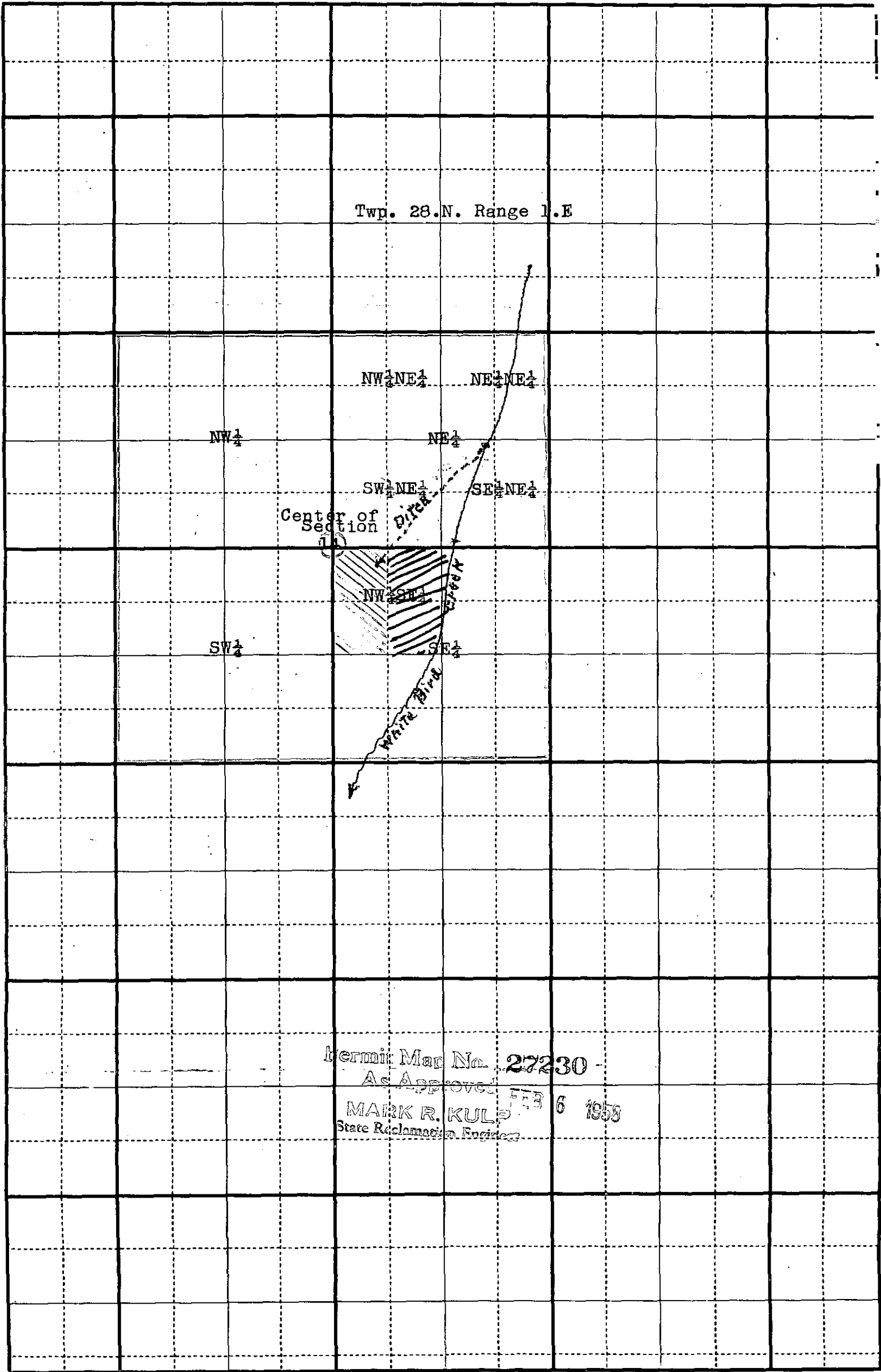
EPR:lw
Encls. (2)
cc: Thomas J. Lindsey, Jr.

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28
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Permit Map No. 22230
As Approved
MARK R. KULP FEB 6 1958
State Reclamation Engineer





ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

RECEIVED
FEB 3 1958
Department of Reclamation

January 22, 1958

Mr. Thomas Lindsey, Jr.
Whitebird,
Idaho

Dear Mr. Lindsey:

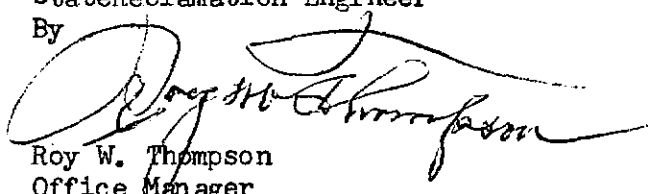
This will acknowledge receipt of the application for a water filing from Whitebird Creek. As your point of diversion and place of use as stated in the application does not agree with the point of diversion and location as to place of use as shown on the sketch-map, we are not sure which is correct.

We are enclosing herewith a sketch-map prepared in this office showing Section 14, Township 28 North, Range 1 East, showing the location of Whitebird Creek and the point of diversion of your ditch from Whitebird Creek, which is the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, and we assume by your sketch-map that the land to be irrigated is the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$. The way this sketch-map is drawn, each small square is equivalent to 10 acres in area.

Providing this is correct, please so state and return to this department. If not, please indicate by color or otherwise just what land is to be irrigated by the water filed on.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By


Roy W. Thompson
Office Manager

RWT:lw
Encls. (1)

over

27230

White Bird, Ida.
Jan. 30, 1958

Dear Sir:

We are very sorry - we made a
mistake on our sketch we sent you.

The land to be irrigated is marked
on your map in black ink.

Thank you,

Thomas J. Lindsey Jr.

January 22, 1958

Mr. Thomas Lindsey, Jr.
Whitebird,
Idaho

Dear Mr. Lindsey:

This will acknowledge receipt of the application for a water filing from Whitebird Creek. As your point of diversion and place of use as stated in the application does not agree with the point of diversion and location as to place of use as shown on the sketch-map, we are not sure which is correct.

We are enclosing herewith a sketch-map prepared in this office showing Section 11, Township 28 North, Range 1 East, showing the location of Whitebird Creek and the point of diversion of your ditch from Whitebird Creek, which is the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, and we assume by your sketch-map that the land to be irrigated is the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$. The way this sketch-map is drawn, each small square is equivalent to 10 acres in area.

Providing this is correct, please so state and return to this department. If not, please indicate by color or otherwise just what land is to be irrigated by the water filed on.

Very truly yours,

MARK R. YULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

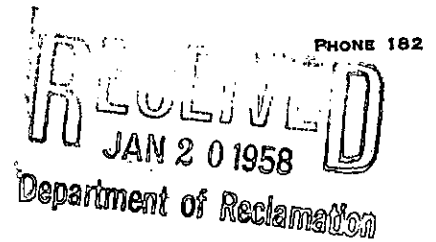
RWT:lw
Encls. (1)

27230

GRAHAM & CAMPBELL BLDG.

WILLIAM J. DEE
ATTORNEY AT LAW
GRANGEVILLE, IDAHO

January 16, 1958



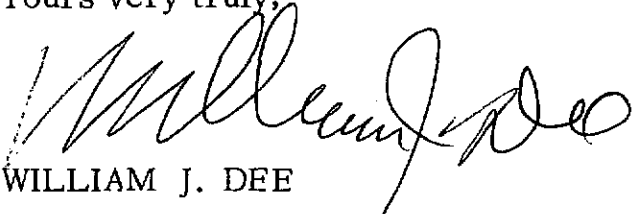
State Reclamation Engineer
State of Idaho
State House
Boise, Idaho

Dear Sir:

Enclosed you will find an application for a water permit
and a filing fee in the amount of \$5.00.

I trust the application and fee are in order.

Yours very truly,


WILLIAM J. DEE

WJD:gd
Encls.

27230

HOLD FOR OCT. 8

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M. on the 7th day of November, 1959, at Grangeville, County of Idaho, State of Idaho, before William J. Dee, Notary Public, proof will be submitted of the application to beneficial use of .18 cubic feet per second of the waters of White Bird Creek in accordance with the terms and conditions of Permit No. 27230 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 Thomas J. Lindsey, Jr.

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

The amount applied to beneficial use is .18 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section Fourteen (14) Township Twenty (20) North, Range One (1) E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is A Rock & Gravel Dam with a ditch, pipe and headgate.

The right to take water from such works is based upon Permit No. 27230.

The source of supply from which such water is diverted is White Bird Creek.

The date of priority which said user is prepared to establish is Jan. 20, 1958.

GEO. N. CARTER,

08-29

State Reclamation Engineer.

27230