

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Existing

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated November 12, 1970

and the last in the issue dated November 19, 1970 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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" as aforesaid.

Subscribed and sworn to before me this 19th

day of November, 1970

William G. Daniel

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Harold Whitaker, Council, Idaho has received an approved Permit No. 33584/67-2307 issued by the Idaho Department of Water Administration authorizing the diversion of 1.0 cubic feet per second of water from Hornet Creek, trib. of Weiser River. The priority to be established under this permit is April 27, 1967 and the permit was approved May 19, 1967.

Water is to be diverted by pump, pipeline, and sprinklers from a point within the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 15, T. 16 N, R. 1 W, B. M., Adams County to be used for irrigation in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 15; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 16 N, R. 1 W, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before May 19, 1975. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director Idaho Dept. of Water Administration

Published in the Adams County Leader, Council, Idaho on November 12 and November 19, 1970.

OK
1-11-70

67 2307

Department of Water Administration

NAME OF APPLICANT Harold Whittaker

Form No. 0

N

R1W

Hornet Crk

Pump site

9 10

10 11
15 14

Area to be
irrigated

Weiser River

T
16
N

APPROVED
MAY 19 1967
33584
STATE RECLAMATION ENGINEER

67 2307

R. I. W.

T.
16
N.

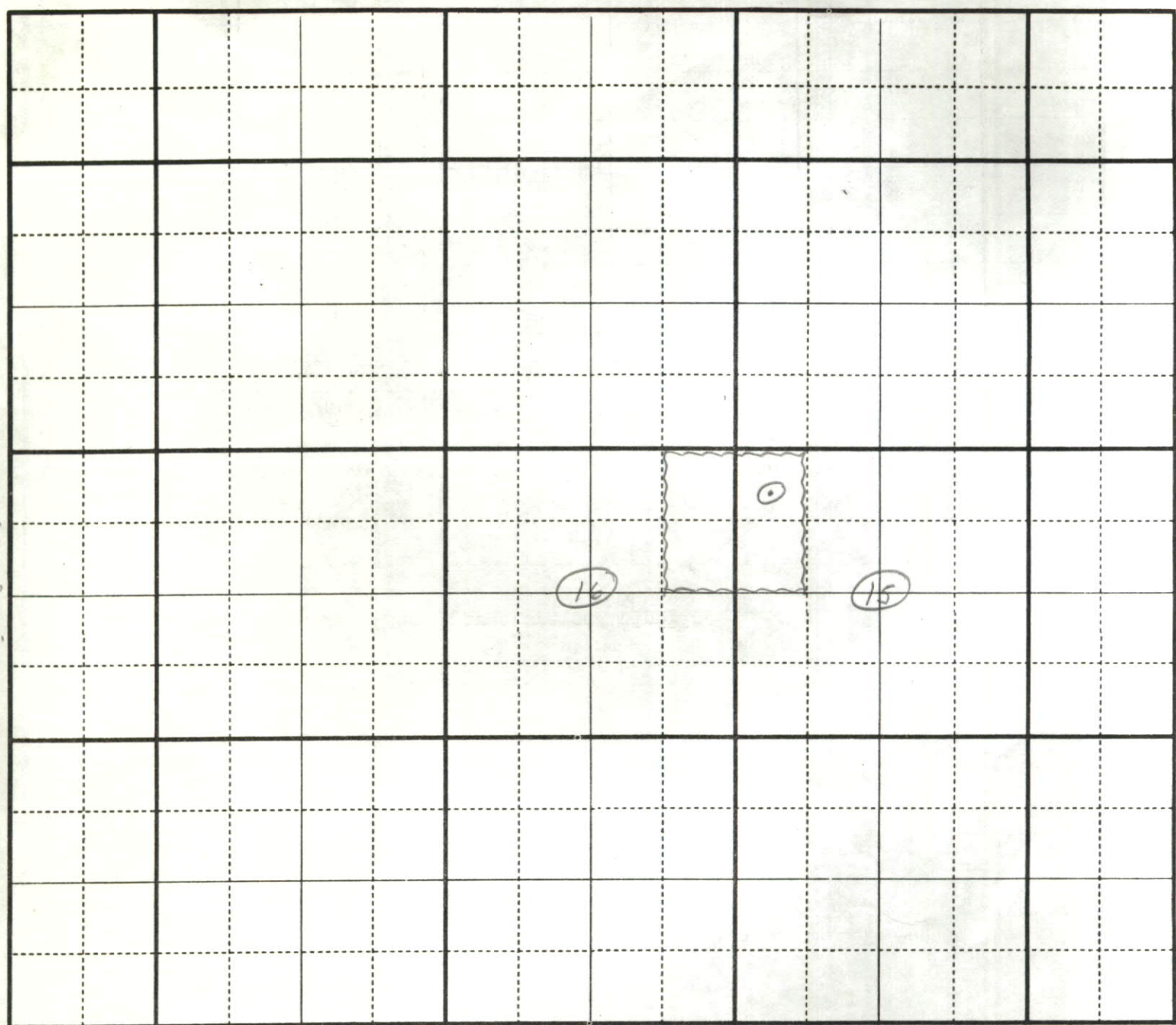
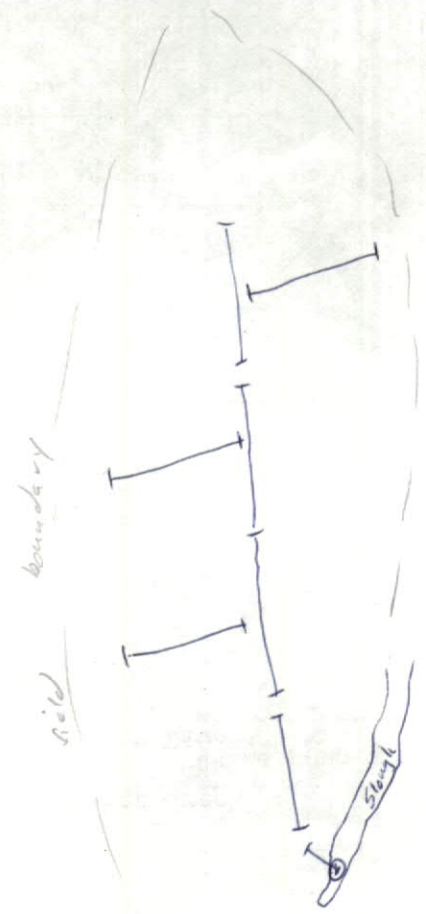


Diagram of System

DATE	EXAMINATION RECORDS
_____	_____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____
_____	_____ by: _____



State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 33584/67-2307 Priority April 27, 1967 Amount 0.67 cfs

THIS IS TO CERTIFY, that HAROLD WHITAKER
of Council, Idaho, has complied with the terms and conditions of Permit
No. 33584/67-2307 issued pursuant to Application for Permit dated April 27, 1967,
and has submitted proof to the Department of Water Administration on December 21, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.60 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Hornet Creek
tributary of the Weiser River, is hereby confirmed in the following amounts:
Amount 0.67 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.67 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp. 16 N, Rge. 1 W, B.M.

in the county of Adams; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 134 acre feet per year or _____
4.0 acre feet per acre.

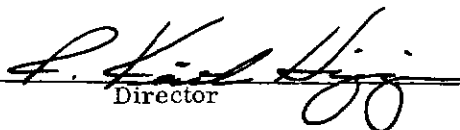
Description and location of place of use:

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 $\frac{1}{4}$	
16N	1W	15						11	1										12.0
		16	20.5			1													21.5

Total number of acres irrigated 33.5

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3 day of
October, 19 73.


Director

67 2307

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. _____

Permit No. _____

RECEIVED

DEC 21 1971

Department of Water Administration

1. a) Name of Permit Holder Harold Whitaker
b) Post Office Address P.O. Box 215, Council, Idaho
2. Permit Number 33584/67-2307
3. Date of Priority that you are prepared to establish April 27, 1967
4. a) Source from which water was appropriated Hornet Creek
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 15
Township 16N, Range 1W, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
amount 1.0 for irrigation purposes from May 1 to Nov. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.0 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Parma Water Company
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump structure and pipeline
b) Describe the type and size of measuring device which you have installed at your point of diversion: Pump is set to handle 1.0 c.f.s.
c) Give well drillers name and address and date the well was completed _____

*Examined Typed
3/8/72
CR*

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Stockwater on land under irrigation

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	1W	15					22	2											24
		16	25			1													26

Total number of acres irrigated 50

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

12-21-71 (Date) E. Harold Whitely (Signature)

State of Idaho ss. County of Ada

On this 21 day of December, 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Boise Idaho

My commission expires 2-18-74

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Existing

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated November 12, 1970

and the last in the issue dated November 19, 1970 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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

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day of November, 1970

William E. Daniel

Notary Public for Idaho,
Residing at Council, Idaho

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Water is to be diverted by pump, pipeline, and sprinklers from a point within the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 15, T. 16 N, R. 1 W, B. M., Adams County to be used for irrigation in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 15; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 16 N, R. 1 W, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before May 19, 1975. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director Idaho Dept. of Water Administration
Published in the Adams County Leader, Council, Idaho on November 12 and November 19, 1970.

OK
1-11-70

67 2307

Page 2 of 2

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33584/67-2307)
in the name of Harold Whitaker)
_____)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33584 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before May 19, 1975. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the department.

Dated this 23rd day of July, 1970.


R. KEITH HIGGINSON
Director

KH/DG

33584
2307

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

67-2307

APPLICATION No. 41836
PERMIT No. 33584
DISTRICT No.

1. Name of Applicant: Harold Whitaker

Postoffice address: Council

County: Adams

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:

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 1.0 cubic feet per second.

3. Source of water supply: Hornet Creek which is a tributary of Weiser River.

4. Location of point of diversion: 850 feet distant from the NW $\frac{1}{4}$

corner of Section 15, T. 16 N, R. 1 W, B.M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

of section 15, T. 16 N, R. 1 W, B. M., County of Adams

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: \$ 6,800.00

8. Kind of works: Pump directly from Honet Creek into pipeline and Sprinklers

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

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

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 4 years.

13. The time required for the complete application of the water to the proposed use is 4 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: none

16. (a) Is reservoir to be used? 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/ HAROLD WHITAKER *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: April 27, 1967 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33584

Recorded in Book 117 Page 33584 Approved May 19, 1967

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 July 19, 1967 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 May 19, 1969

The whole of said work to be completed on or before May 19, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before May 19, 1975

WITNESS My hand this 19th day of May, 1967.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ... DON SAMUELSON, Governor of the State of Idaho,
and PETE T. CENARRUSA, 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.....19th.....
day of May, 19 67
Countersigned: STATE OF IDAHO

STATE OF IDAHO

(SEAL)

By...../s/.....PETE T. CENARRUSA.....
Secretary of State.

By /s/ DON SAMUELSON
Governor.

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 $\frac{1}{4}$	
16 N	1 W	15 16	25			1		22	2									24 26 	
Total number of acres to be irrigated:																		50	

LICENSE ISSUED FOR 1/7 SEC 67

LICENSE ISSUED FOR 67 SEC. FT.
LICENSE PAGE NO.

Address all communications to

Form No. 1
5M 1-65

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41836

Permit No. 33584

District No. _____

RECEIVED
APR 27 1967

Department of Reclamation

1. Name of Applicant: Harold Whitaker

Post Office address Council County Adams State Idaho

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: _____

The financial resources of the applicant are: (a) Cash on hand: \$ _____

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: _____

2. Quantity of water claimed: 0.38 1.0 cubic feet per second

3. Source of water supply: Hornet Creek
which is tributary of Weiser River

4. Location of point of diversion: 850 feet distant from the N-W corner
of Section 15, Twp. 16 N, Rge. 1 W, B. M., and is in the N.W. 1/4 - N.W. 1/4
of Section 15, Twp. 16 N, Rge. 1 W, B.M., County of Adams

5. Water is to be used for: Irrigation

6. If for any non-irrigation purpose, give:

(a) Point of use of water: _____ feet distant from _____ corner of Section _____
Twp. _____, Rge. _____, B. M., in the _____ of Section _____, Twp. _____, Rge. _____, 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 _____, Twp. _____, Rge. _____, B. M., in the
_____ of Section _____, Twp. _____, Rge. _____, B. M.

7. Estimated cost of works: \$ 6800.00

8. Kind of works: Pump directly from Honet Creek into pipeline & Sprinklers
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____ feet;
material used in dam _____
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width _____ feet; Height _____ feet

11. Ditch: Width at bottom _____ feet; Width at water line _____ feet; Depth of water _____ feet;

Dimensions of flume _____; Diameter of pipe _____ inches;

Length of conduit _____ miles. Average grade per mile _____ feet.

Copied to H. M.
H. M.
H. M.
H. M.

33584

12. The time required for the completion of such work is 4..... years.

13. The time required for the complete application of the water to the proposed use is ⁴..... additional years.

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

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

Total Number of Acres to be Irrigated.....30,419 Acres

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

33C84

16. (a) Is reservoir to be used? (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:

Remarks:

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

Applicant.

By, Agent

Affidavit of Permission to File on Springs

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

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO)
County of) ss.

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

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

My commission expires Notary Public.

77504

Approval of State Reclamation Engineer

The number of this permit is 33584

Recorded in Book 117 Page 33584 Approved MAY 1 1967
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 before

Work to begin on or before July 19, 1967, and to continue diligently and uninterrupted to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before May 19, 1969

The whole of said work to be completed on or before May 19, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before May 19, 1975

Witness my hand this 19th day of May, 1967.

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, DON SAMUELSON Governor of the State of Idaho,

and PETE T. CENARRUSA 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 19th day of May, 1967.

Countersigned:

By *Pete T. Cenarrusa*
Secretary of State.

STATE OF IDAHO

By *Don Samuelson*
Governor.

No. 33584

PERMIT

Date of first receipt at office of State
Reclamation Engineer

April 27, 1967 8:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.00

FILING FEES FOR USE PERMIT:

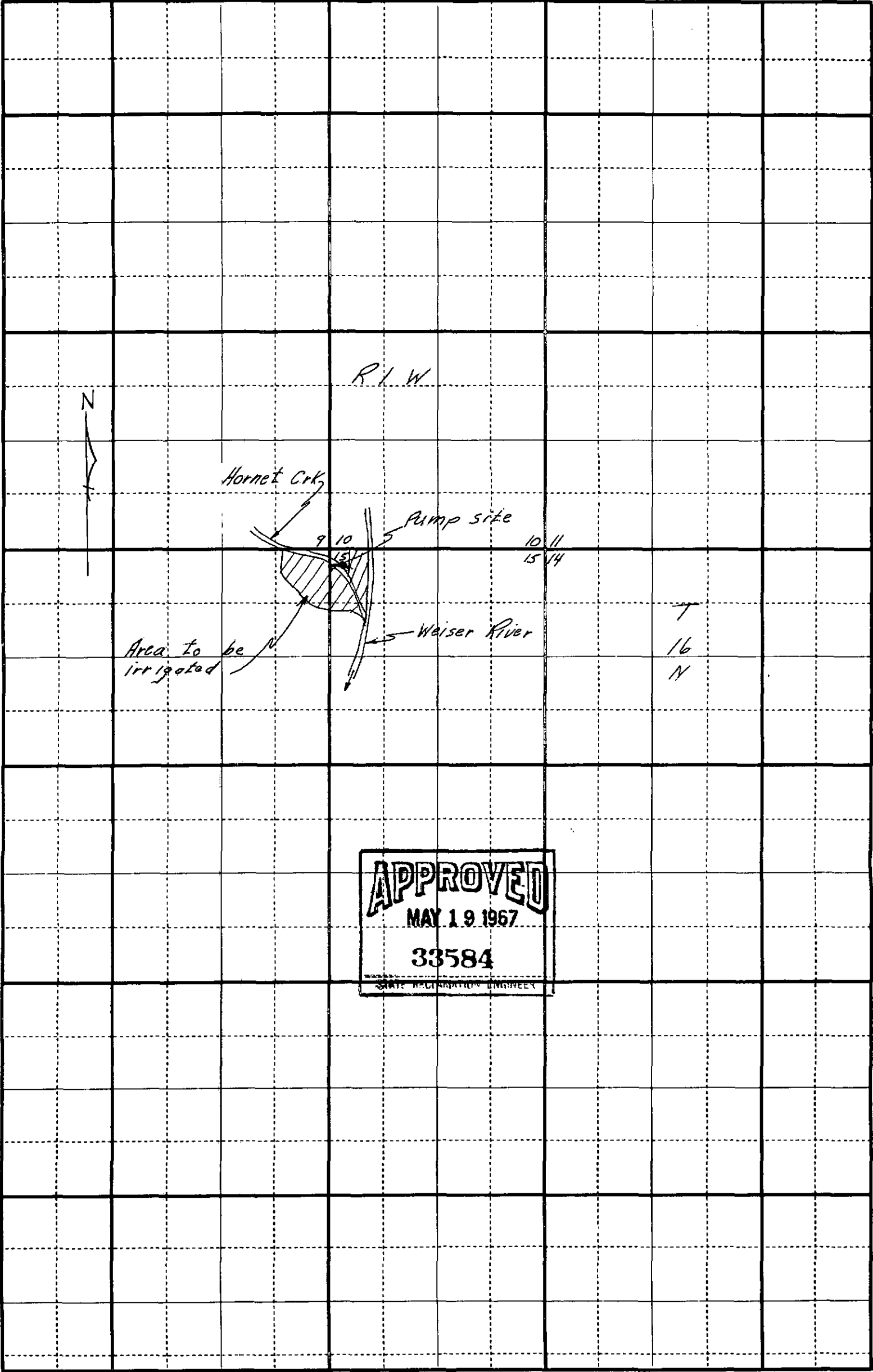
For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

NAME OF APPLICANT Harold Whittaker

Form No. 0



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

33584

WATER RIGHT NUMBER 67-2307

OWNER LAST NAME - WHITAKER

FIRST NAME - HAROLD

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - COUNCIL

STATE - ID ZIP CODE -

SOURCE - HORNET CREEK

TRIBUTARY OF - WEISER RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 04-27-1967 COUNTY - ADAMS

TOTAL DIV. RATE -

.6700 -CFS

TOTAL DIV. VOLUME - 134.00 AFA TRFR/AMEND -

WATER DIST. - 67 DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NWNW 15 16N 01W LOT REDIV -

272.0 288.0 35.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.1

FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE DIV. RATE - .6700 CFS USE DIV. VOLUME - 134.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 16N RNG 01W SEC 16 TRACT NENE LOT AC 21 TRACT SENE LOT AC 01

USE - IRRIGATION

PLACE OF USE - TWN 16N RNG 01W SEC 15 TRACT NWNW LOT AC 11 TRACT SWNW LOT AC 01

DECREE NAME -

DATE -

TOTAL ACRES 34

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 33584

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO: 67-2307

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 16, 1973

Re: Permit No. 33584/67-2307

Harold Whitaker
P. O. Box 215
Council, Idaho 83612

Dear Mr. Whitaker:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

67 2307

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 19, 1973

Mr. Harold Whitaker
P.O. Box 215
Council, Idaho 83612

Dear Mr. Whitaker:

A representative of this Department has made an examination of the works covered by your Permit No. 33584/67-2307 and has found the following:

Quantity of water diverted: 1.60 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.67 cfs

The maximum quantity diverted shall not exceed 134 acre feet per year.

Beneficial use: Irrigation of 33.5 acres within the W1/4NW1/4, Sec. 15; E1/2NE1/4 Sec. 16, Twp. 16 N, Rge. 1 W, B.M.
Source: Hornet Creek

Point of diversion: NW1/4NW1/4 Sec. 15, Twp. 16 N, Rge. 1 W, B.M.

Priority date established: April 27, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

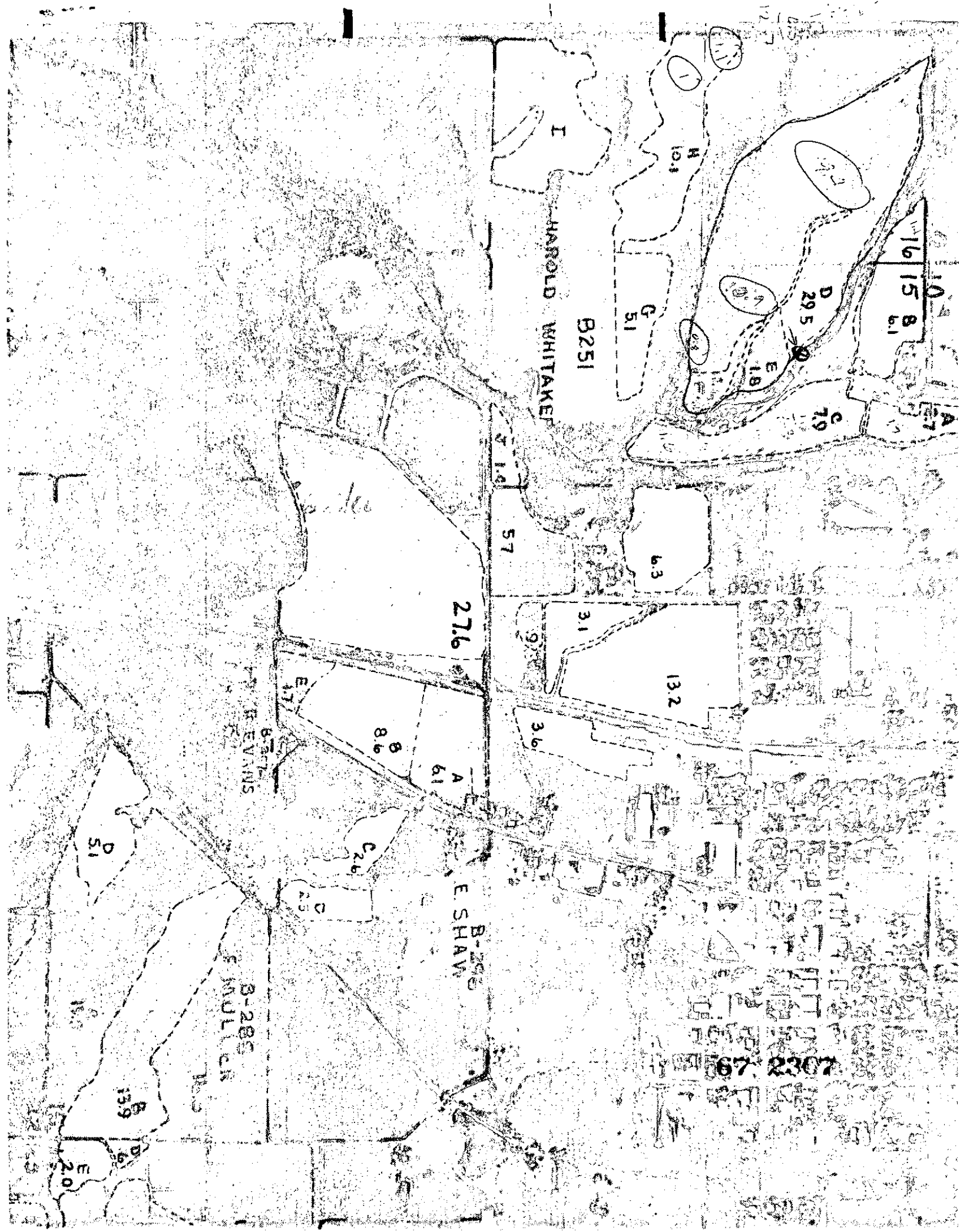
Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

57 2307

Circled acres irrigated by 67-2307



FIELD REPORT

2. Source of water supply: Groundwater ☐ Surface water ☒ Hornet Creek
(name spring, stream, etc.)
Tributary to Weiser River

- Other uses: _____

- Other Points of Diversions: _____

Description of diverting works: Pump Structure and pipeline

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

D. 1 W.

T.
16
N.

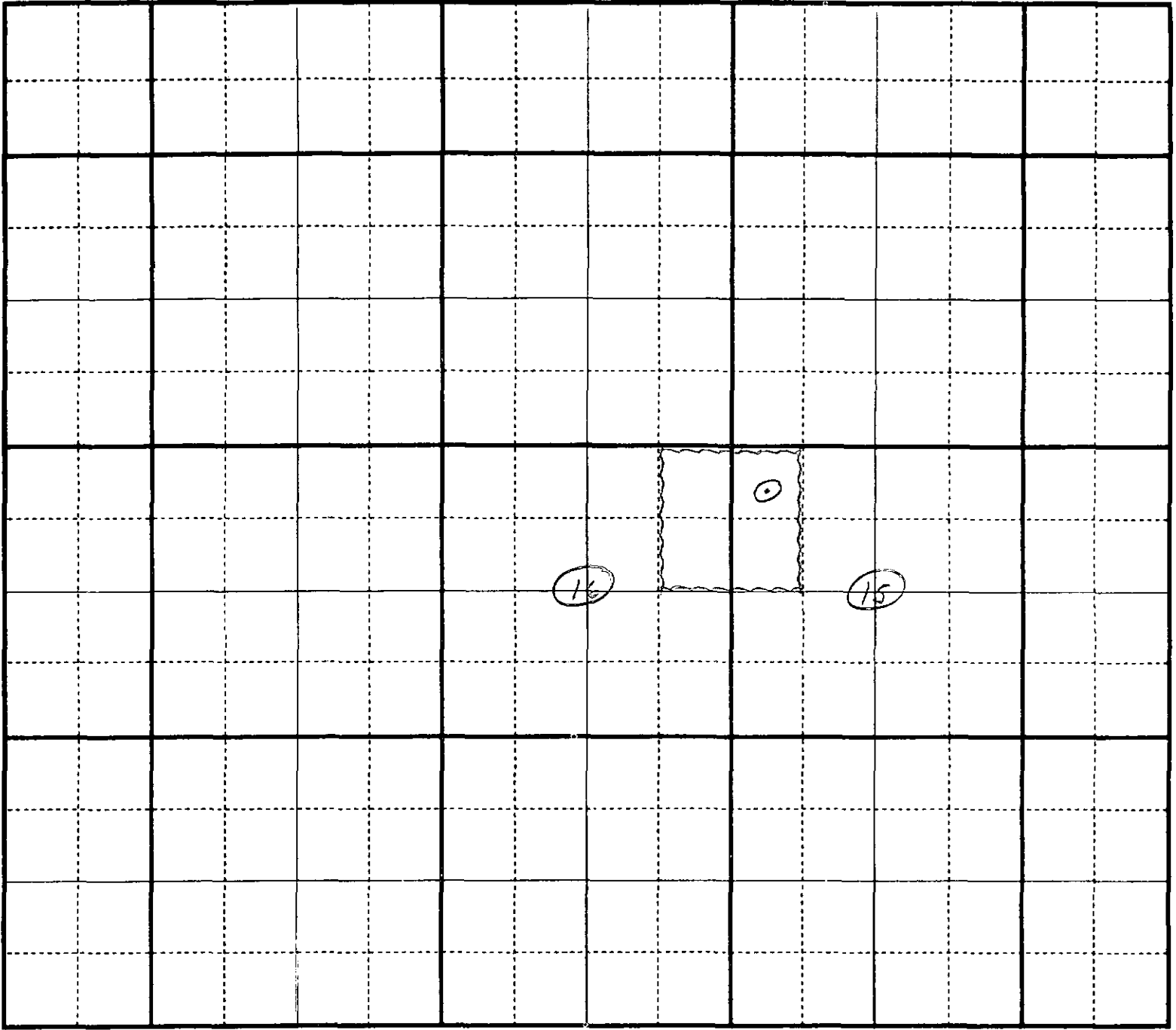
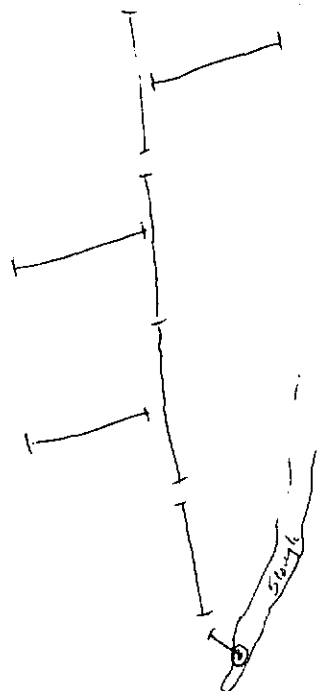


Diagram of System

DATE

EXAMINATION RECORDS

	by:
	by:
	by:
	by:



DATE OF EXAM 1 August 1972

ACREAGE
Found 33.2
Recommended 33.2

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 0.66 c.f.s. V = 132.8 AF/Ann. from 5/1 to 11/15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 1.6 cfs Method of measurement pressure gage

Total Q recommended 0.66 Meter No. _____ Type _____ Condition _____

Total V recommended 132.8 AF/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

80 Rainbird #30 heads w/ 11/64 nozzles @ 65 lbf ; 712.8 gpm. = 1.6 cfs.

SYSTEM DESCRIPTION:

System pumps water from slough off of Hornes Creek.
Rain flow pump w/ 30 H.P. G.E. 3530 RPM, 230/460 V., 60 cycle, 3 ph. motor.
Serial B.C. 201402, 4" discharge into 6" main line w/ 3" laterals w/
80 Rainbird #30 heads w/ 11/64 nozzles @ 65 lbf.

REMARKS:

Examiner's Signature W. Clayton Barrow Date 1 Aug. 1972

Checked by _____ Date _____

Approved by _____ Date _____

January 5, 1972

Re: Permits No. G-33256/67-2368 &
33584/67-2307

Mr. Harold Whitaker
P.O. Box 215
Council, Idaho 83612

Dear Mr. Whitaker:

We acknowledge receipt of your affidavits submitted as proof of beneficial use for the above referenced permits. Enclosed you will find an Order of Reinstatement for Permit G-33256/67-2368; please note that the priority has been advanced.

Before licenses can be issued, a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the systems.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Order of Reinstatement

67 2307

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse -- Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 18, 1971

FILE COPY

Re: Permits No. G-33256/67-2368

33584/67-2307

Mr. Harold Whitaker
Hornet Creek Road
Council, Idaho 83612

Dear Mr. Whitaker:

Pursuant to our phone conversation of yesterday, enclosed please find a copy of our letter of July 30, 1971. We are also enclosing a proof affidavit for your use in submitting proof of beneficial use in connection with permit G-33256/67-2368. We wish to advise you, however, that the completed proof affidavit must be received by this office on or before January 7, 1972, in order for this permit to be reinstated by the Department.

As proof of beneficial use is not required under permit 33584/67-2307 until May 19, 1975, the Department will notify you sixty days in advance of the due date.

If you have further questions or if we may be of further assistance, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of 7-30-71 ltr.
Proof affidavit

67 2307

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 11, 1971

Re: Permit Nos. G-33256/67-2368
33584/67-2307

Mr. Harold Whitaker
Hornet Creek Road
Council, Idaho 83612

Dear Mr. Whitaker:

We acknowledge receipt of the affidavits of publication submitted in connection with the above referenced permits.

Proof of beneficial use of the water is not required until May 19, 1975 for permit no. 33584/67-2307 and October 17, 1971 for permit no. G-33256/67-2368. The Department will notify you sixty days in advance of these dates as to further requirements.

We wish to advise you, however, that if you have fulfilled the requirements under these permits you may submit proof any time prior to the above dates.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

67 2307

December 31, 1970

Re: Permit No. G-33584/67-2307

Mr. Harold Whitaker
Hornet Creek Road
Council, Idaho 83612

Dear Mr. Whitaker:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until May 19, 1975; however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Adams County Leader, Council, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

67 2307

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 2, 1970

Re: Permit Nos. G-33256/67-2368
33584/67-207

Mr. Harold Whitaker
Hornet Creek Road
Council, Idaho 83612

Dear Mr. Whitaker:

The legal notices for the above referenced permits are being published in the Adams County Leader, Council, Idaho on November 12 and November 19, 1970.

You will be required to submit an affidavit of publication to this department for each permit. The affidavits may be obtained from the Adams County Leader upon payment of the bill of publication.

Very truly yours,

Donald W. McElidowney
Appropriation Supervisor

DEM/DC

67-2307
33584

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 2, 1970

Re: Permit Nos. 33584/67-2307 - Harold Whitaker
G-33256/67-2368
G-33173/67-2361 - Clifford J. Kippinger

Adams County Leader
Council,
Idaho 83612

Gentlemen:

Enclosed are three legal notices which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us galley proofs for our review before publication.

After sending us galley proofs, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notices on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the first two publications is to be paid by Harold Whitaker, Hornet Creek Road, Council, Idaho, and the third publication is to be paid by Clifford Kippinger, Indian Valley, Idaho. You should furnish each permit holder with an affidavit of publication.

Very truly yours,

Donald W. McElldowney
Appropriation Supervisor

DWM/DC

Enc: three legal notices

67-2307
33584

NOTICE OF EXISTING WATER PERMIT

SEP 30 1970

Notice is hereby given that Harold Whitaker, Council, Idaho
Idaho Department of Water Administration
 has received an approved Permit No. 33584/67-2307
 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 1.0 cubic feet per second ~~acre/feet~~
~~per/annum~~ of water from Hornet Creek, trib. of Weiser River.
 The priority to be established under this permit is April 27, 1967
 and the permit was approved May 19, 1967.

Water is to be diverted by pump, pipeline, and sprinklers
 from a point within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, T. 16 N., R. 1 W., B. M., Adams
County
 to be used for irrigation
 in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 15; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 16, T. 16 N., R. 1 W., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before May 19, 1975. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
 Idaho Dept. of Water Administration

Published in the Adams County Leader, Council, Idaho
 on November 12 and November 19, 1970.

Permit No. 67-2307

Director:
 You are hereby authorized to have the above notice published at my expense in the Adams County Leader of Council, Idaho; published in the county in which the works are situated.

Harold Whitaker
 (Signature)
10-20-70
 (Date)

Hornet Creek Rel.
 (Address)
Council Idaho 83612

33584
 67-2307

August 5, 1970

Re: Permit No. 33584/67-2307

Mr. Harold Whitaker
Council,
Idaho

Dear Mr. Whitaker:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: order
advertising package

67-2307
33584

June 3, 1970

Re: Permit No. G-33256 (New No. 67-2368)
33584 (New No. 67-2307)

Mr. Harold Whitaker
P.O. Box 215
Council, Idaho 83612

Dear Mr. Whitaker:

Pursuant to your telephone request of this date, we are enclosing one copy each of the above referenced permits.

If we may be of service at any time, please do not hesitate to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

67-2307
33584

June 5, 1967

RE: Permit 33584

Harold Whitaker
Council, Idaho

Dear Mr. Whitaker:

Enclosed is your approved permit application. Since Hornet Creek is a tributary of the Weiser River your filling is subject to all earlier rights down-stream on the river as well as any earlier rights on Hornet Creek. The Weiser River Watermaster has the authority to regulate water appropriations in his district and to turn-off water when there is no longer enough available to fill earlier rights.

There are many prior appropriations from the Weiser River and water will probably only be available for your use during periods of high water.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enclosure

cc: H. H. Jackson
Watermaster
P.O. Box 345
Weiser, Idaho

33584

May 31, 1967

RE: Permit 33584
Harold Whitaker

H. H. Jackson
Watermaster
P.O. Box 345
Weiser, Idaho

Dear Mr. Jackson:

Enclosed is a copy of the above referenced permit
issued for 1.0 c.f.s. Source of supply is Hornet Creek
tributary to Weiser River.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Permit copy

33584