

45-02685

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

(Y PURCHASE)
(WHITELY PURCHASE)

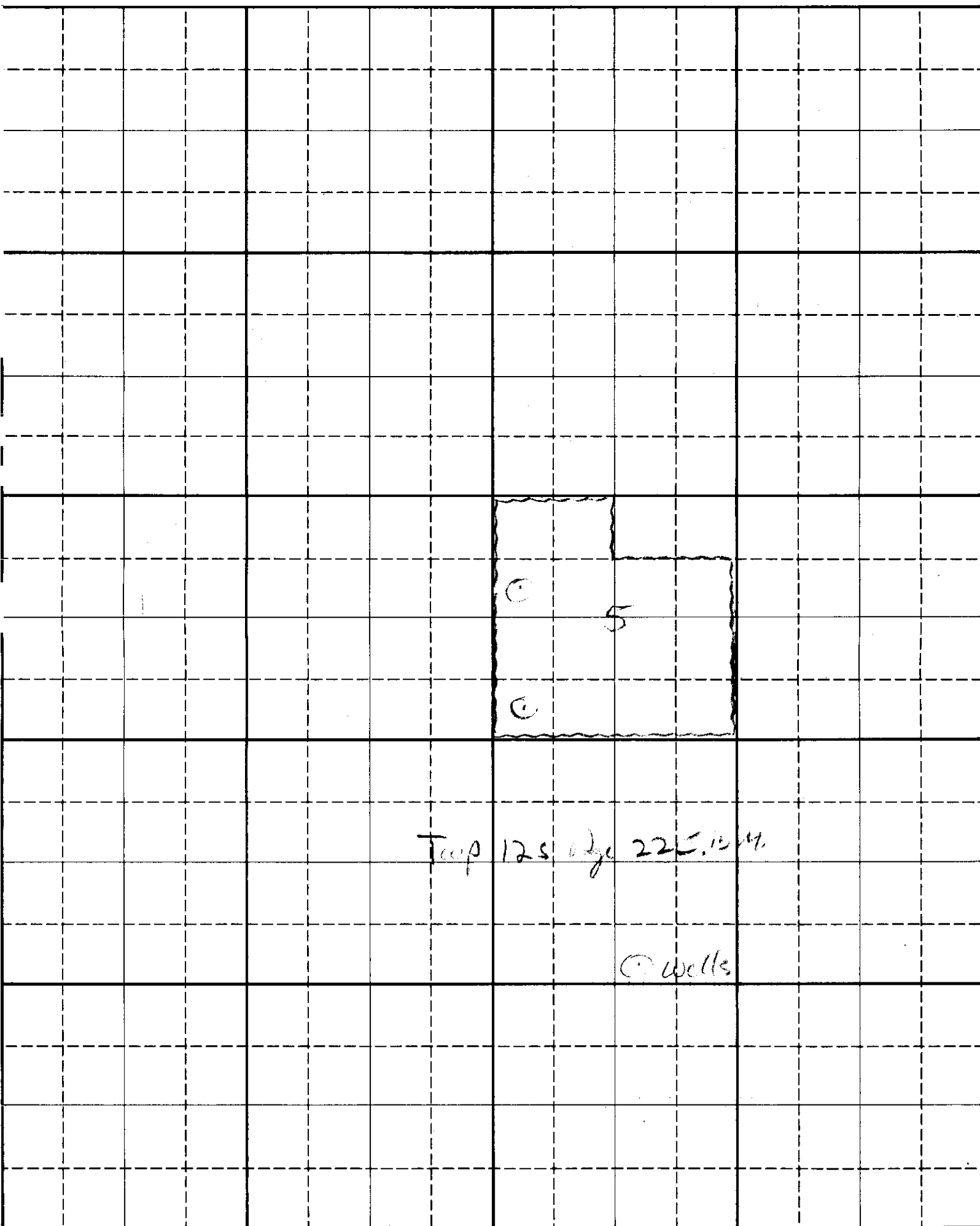
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder KENYON FARMS, INC.
Post office address Box 216, Oakley, Idaho
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____
b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Ground water tributary to _____
(Name of stream or source) a. 45-2534/ 280 / 9-4-1956 / 1.30 cfs
4. Date of Priority _____ b. 45-2606/ 280 / 3-3-1956 / 6.20 cfs
5. Amount of water a. Part of 41.75 = c.f.s. and/or c. 45-2377/ 280 Part/ 5-14-1951/ 6.4 cfs
d. 45-2356/ 280 /11-27-1950/ 6.4 cfs
e. 45-2685/ / 1-19-1963/ 5.31cfs
b. _____ acre feet/annum
6. Water is used for Irrigation from March 15 to Nov. 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is _____ 1/4 _____ 1/4 of Section _____,
Township _____, Range _____, B.M., in _____ County;
Additional points of diversion, if any NW 1/4 NW 1/4, SW 1/4 SW 1/4, Sec. 3; NW 1/4 NW 1/4, NW 1/4 SW 1/4, SW 1/4 SE 1/4,
Sec. 4; SW 1/4 NW 1/4, SW 1/4 SW 1/4, Sec. 5; SE 1/4 NW 1/4, Sec. 8; all in T. 12S, R. 22E, B.M.;
SW 1/4 SE 1/4, Sec. 32, T. 11S, R. 22E, B.M.
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11S	22E	34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
12S	22E	3					X	X	X	X	X	X	X	X					320
		4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
		5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
		8	X	X	X	X	X	X	X	X									320
11S	22E	32	38	16	39	39									39	39	38	38	286

Total number of acres presently irrigated 2846

45-2685



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

9. If applicant was not the original holder of this right explain how it was acquired: _____
By purchase.

a. 45-2534/ 280 / 0.30 cfs
b. 45-2606/ 280 / 0.20 cfs
c. 45-2377/ 2.18 cfs
d. 45-2356/ 1.09 cfs
e. 45-2685/ 5.31 cfs
10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 9.08 c.f.s. and/or _____
SW SW
b. New point of diversion: SW ¼ NW ¼, Section 5, Township 12S
Range 22E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____
Existing wells, pumps, motors, ditches, or sprinkler

d. Is water to be conveyed to the lands previously irrigated? Yes X No
If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:
To clarify existing rights for reason of sale.

f. Do you intend to make the transfer permanent? Yes
g. Do you intend to abandon completely the old point of diversion? No

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	22E	5			30	X	X	X	X	X	X	X	X	X	X	X	X	X	516.2

Total number of acres to be irrigated 516.2

45-2685

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

No

See other transfers.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None other than any use right.

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Kengon Farms Inc.
W B Whiteley Pres.
(signature of applicant)

Subscribed and sworn to before me this 12 day of June, 1972

Herman E. Beck
(notary public)

My commission expires 6-13-73

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

45-2534, 45-2606, 45-2377,
45-2356, 45-2685

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2685,

and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 18 day of July, 1972

[Signature]
Director State Reclamation Engineer
Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by dt Date 6-13-72

Protest filed by: _____ Date _____

Prelim. check by BDF Date 6/13/72

Fee received by BDF Date 6/13/72 Fee \$30.00

Approved for publication by BDF

Published in South Lake Dates 6-27 + 7-4, 1972
Press at Sulby, Idaho

Hearing held: _____

Watermaster Recommendation sent: _____

WATER LICENSE

Water License No. 45-2685 Priority January 19, 1963 Amount 5.31 c.f.s.
(late proof)

THIS IS TO CERTIFY, that WHITELEY PROPERTIES, INC.

of Oakley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 14, 1962; that Permit 45-2685 was issued pursuant to said application; that the proposed works were completed on or about June 14, 1962, with a storage/or carrying capacity of 5.31 c.f.s., said works consisting of well, pump, motor, concrete diversion works and earth ditches; and that on March 29, 1968, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1142 acre feet per season, with a maximum rate of diversion of 5.31 cubic feet per second of the waters of ground water, tributary of _____, for the purpose of irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 11 S, R. 22 E, B.M., and other additional points _____, in the County of Cassia; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1142 acre feet per year.

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 $\frac{1}{4}$	
11 S	22 E	32	38	16	39	39									39	39	38	38	286

Total number of acres irrigated 286

The right to the use of the water 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

18th day of August, 19 69.

Josh A. B...
Deputy State Reclamation Engineer

45 2685

30622
45-2685

RECEIVED
JUL 10 1972
Department of Water Administration

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

....., being first

duly sworn, deposes and says that he is the

..... of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for consecutive weeks, commencing with the issue

dated 27, 1972, and ending

with the issue dated 4, 1972.

Keith Chambers

Subscribed and sworn to before me

this 4th day of July

1972.

Edith Rautsch Notary Public

Cost of Publication 25.20

Notary Fee

Total Cost

My commission expires October 23, 1973

72-207
**NOTICE OF PROPOSED
CHANGE OF
WATER RIGHT**
NO. 45-2534, 45-2606,
45-2377, 45-2356, 45-2685

Notice is hereby given that Canyon Farms, Inc., Box 216, Oakley, Idaho, has applied to the Dept. of Water Administration for a change of the quantity, point of diversion and place of use of the waters of a ground water source. The right sought to be changed is evidenced by the above-numbered licenses and is recorded as follows:

(45-2534) Amount: 1.30 cfs
Priority: 9-4-1956
(45-2606) Amount: 6.20 cfs
Priority: 3-3-1956
(45-2377) Amount: 6.4 cfs
Priority: 5-14-1951
(45-2356) Amount: 6.4 cfs
Priority: 11-27-1950
(45-2685) Amount: 5.31 cfs
Priority: 1-19-1963

Point of diversion: NW $\frac{1}{4}$ N-W $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3; N-W $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; Twp. 12 S, Rge. 22 E, B.M., Cassia County.

The water is used for irrigation purposes from March 15 to Nov. 15 within the W $\frac{1}{2}$, Sec. 3; all of Sec. 4; all of Sec. 5; N $\frac{1}{2}$, Sec. 8; Twp. 12 S, Rge. 22 E, B.M. and E $\frac{1}{2}$, Sec. 32; all of Sec. 34; Twp. 11 S, Rge. 22 E, B.M.

**TO BE CHANGED
AS FOLLOWS**

(45-2534) Amount: 0.30 cfs
(45-2606) Amount: 0.20 cfs
(45-2377) Amount: 2.18 cfs
(45-2356) Amount: 1.09 cfs
(45-2685) Amount: 5.31 cfs

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 12 S, Rge. 22 E, B.M.

The water will be used for irrigation purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5, Twp. 12 S, Rge. 22 E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707, on or before July 14, 1972.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press at Burley, Idaho, on June 27 and July 4, 1972.

45 2685

45.2685

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38601
Permit No. G- 30622
District No.

1. Name of Applicant: WHITELEY PROPERTIES, Inc.
Postoffice address: Oakley County: Cassia State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second six second feet or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: well
4. Location of point of diversion or well is in the SW 1/4 of the SW 1/4 of Section 23
Twp. 12 S. , Rge. 21 E. , B.M., County of Cassia
5. Water is to be used for: irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump, and ditches, all on applicant's land
8. Estimated cost of works: \$ 20,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: April, 1961, Utah. - Has complied with the laws of Idaho
regarding foreign corporation
(b) Amount of capital stock: \$ 2500 shares (c) Amount paid in: \$ 102,900.00
(d) Names and addresses of directors: Winslow B. Whiteley, Oakley, Idaho; J. Reed Whiteley, Oakley, Idaho;
John W. Whiteley, Salt Lake City, Utah
 - II. The financial resources of the applicant are (a) Cash onhand: \$ 5,000.00
(b) Treasury stock: none (c) Bonds to be issued: none
(d) Other resources: Land - \$262,000.00
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: no other water rights
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 6.0 (cubic feet per second, inches or gallons per minute) is for new lands.

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

By J. REED WHITELEY *Agent.*

Corrected application received:

By ROBERT E. SMYLIE
Governor

[illegible]

APPLICATION FOR AMENDMENT

Comes now Whiteley Properties, Inc. 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. G-30622, and requests that the permit be changed as follows:

1. Place of use or land to be irrigated: E $\frac{1}{2}$, Section 32, T 11 S., R 22 E., B.M.
2. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T 11 S., R 22 E., B.M.

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

Signed at Boise, Idaho this 23rd day of February, 1968.

/s/ J. REED WHITELEY

Date of receipt at office of Department of Reclamation: February 23, 1968.

ACTION OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit G-30622.

Witness my hand this 23rd day of Feb., 1968.

/s/ R. KEITH HIGGINSON, State Reclamation Engineer

LICENSE ISSUED FOR 513 SEC. FT.
LICENSE PAGE NO.

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

July 18, 1972

Re: Transfers No. 45-2356 45-2533
45-2357 45-2534
45-2377 45-2605
45-2378 45-2606
45-2392 45-2685
45-2504

Kenyon Farms, Inc.
Box 216
Oakley, Idaho 83346

Gentlemen:

Enclosed please find copies of the above referenced Applications for Transfer of Water Right which have been approved by this office. We direct your attention to the conditions of approval as listed on the fourth page of the transfers.

Be sure to note that a special condition requiring you to install and maintain measuring devices as part of the diverting works has been placed upon these transfers. We are enclosing a letter describing different types of measuring devices accepted by the Department.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures

15 2085

June 19, 1972

Re: Transfers for Kenyon Farms, Inc. *45-2685

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

Bill submitted 7-18-72 by AK

BDF:DR
Enc: Legal notices (5)

45 2088

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2534, 45-2606, 45-2377, 45-2356, 45-2685

Notice is hereby given that Kenyon Farms, Inc., Box 216, Oakley, Idaho, has applied to the Dept. of Water Administration for a change of the quantity, point of diversion and place of use of the waters of a ground water source. The right sought to be changed is evidenced by the above-numbered licenses and is recorded as follows:

(45-2534)	Amount: 1.30 cfs	Priority: 9/4/1956
(45-2606)	Amount: 6.20 cfs	Priority: 3/3/1956
(45-2377)	Amount: 6.4 cfs	Priority: 5/14/1951
(45-2356)	Amount: 6.4 cfs	Priority: 11/27/1950
(45-2685)	Amount: 5.31 cfs	Priority: 1/19/1963

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3; NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; Twp. 12 S, Rge. 22 E, B.M., Cassia County.

The water is used for irrigation purposes from March 15 to Nov. 15 within the W $\frac{1}{2}$, Sec. 3; all of Sec. 4; all of Sec. 5; N $\frac{1}{2}$, Sec. 8; Twp. 12 S, Rge. 22 E, B.M. and E $\frac{1}{2}$, Sec. 32; all of Sec. 34; Twp. 11 S, Rge. 22 E, B.M.

TO BE CHANGED AS FOLLOWS

(45-2534)	Amount: 0.30 cfs
(45-2606)	Amount: 0.20 cfs
(45-2377)	Amount: 2.18 cfs
(45-2356)	Amount: 1.09 cfs
(45-2685)	Amount: 5.31 cfs

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 12 S, Rge. 22 E, B.M.

The water will be used for irrigation purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 5, Twp. 12 S, Rge. 22 E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Dept. of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707, on or before July 14, 1972.

R. KEITH HIGGINSON

Director

Published in the South Idaho Press at Burley, Idaho, on June 27 and July 4, 1972.

45 2685

June 8, 1972

Bob Ferry
705 First
Spokane, Washington 99204

Dear Mr. Ferry:

Please find enclosed copies of the transfer applications for Kenyon Farms, Inc., as requested.

If you should have any questions, please contact Mr. Bob Fleenor.

Very truly yours,

Donald W. McEldowney
Water Rights Supervisor
State Office

DWM:CR

Enc: copies

45 2685

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

June 8, 1972

Mr. W. B. Whiteley
KENYON FARMS, INC.
Box 216
Oakley, Idaho 83346

Dear Mr. Whiteley:

We are enclosing five (5) transfer applications which we feel will accomplish what you have requested.

Each transfer must be signed and notarized and submitted to the Department with a \$30 fee for each. Our processing time for these transfers is approximately five weeks.

If you have any questions, please contact Mr. Bob Fleenor.

Very truly yours,


Donald W. McEldowney
Water Rights Supervisor
State Office

DWM:cr

Enc: Transfer Applications (5)

August 18, 1969

Re: Permit No. 45-2685

Whiteley Properties, Inc.
Oakley,
Idaho 83346

Gentlemen:

Enclosed is your Water License issued on the above numbered permit.

Also enclosed is departmental receipt No. 3471 in the amount of \$21.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

30622
15-2685

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

July 3, 1969

RECEIVED

AUG 11 1969

Department of Reclamation

Re: Permit No. G-30622

Whiteley Properties, Inc.
Oakley, Idaho 83346

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit G-30622 and has found the following:

Quantity of water diverted: 5.31 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 5.31 c.f.s.

The maximum quantity diverted shall not exceed 1142 acre feet per season.

Purpose of use: Irrigation of 286 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 11S, R. 22E.

The priority date established is: January 16, 1963

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

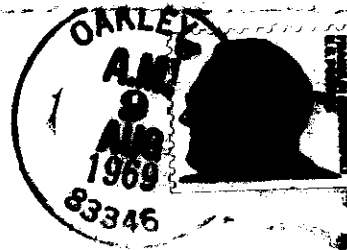
Dean R. Reynolds
Field Examiner

Olympia
Farm

DRR/mh

30622
45-2685

Whiteley Properties, Inc.
Oakley, Idaho 83346



State of Idaho
Department of Reclamation
State House - Annex 2
Boise, Idaho 83707

287285
306290
45284

July 3, 1969

Re: Permit No. G-30622

Whitely Properties, Inc.
Oakley, Idaho 83346

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit G-30622 and has found the following:

Quantity of water diverted: 5.31 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 5.31 c.f.s.

The maximum quantity diverted shall not exceed 1142 acre feet per season.

Purpose of use: Irrigation of 286 acres in NE¹/₄NE¹/₄, NW¹/₄NE¹/₄, SW¹/₄NE¹/₄, SE¹/₄NE¹/₄, NE¹/₄SE¹/₄, NW¹/₄SE¹/₄, SW¹/₄SE¹/₄, SE¹/₄SE¹/₄, Sec. 32, T. 11S, R. 22E.

The priority date established is: January 16, 1963

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR/mh

75-2683
30622

July 3, 1969

Re: Permit No. G-30622

Whitely Properties, Inc.
Oakley, Idaho 83346

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit G-30622 and has found the following:

Quantity of water diverted: 5.31 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 5.31 c.f.s.

The maximum quantity diverted shall not exceed 1142 acre feet per season.

~~Purpose of use: Irrigation of 286 acres in NE 1/4, NW 1/4, SW 1/4, SE 1/4, NE 1/4, NW 1/4, SW 1/4, SE 1/4, Sec. 32, T. 11S, R. 22E.~~

The priority date established is: January 16, 1963

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR/mh

For Paid
8-11-69
45-2685
30622
License Pending

Source of supply SUBTERRANEAN
a tributary of _____
Location of P.D.(s) SW 1/4 Sec 32 11S 22E
CASSIA CO.
Water is used for IRRIGATION
Quantity of water found 5.31 cfs
How was the measurement made? M'GROWMETER
Measurement calculations _____

$$400 \text{ c.f. } 75.3 \text{ sec}$$
$$Q = \frac{400 \text{ c.f.}}{75.3 \text{ sec}} = 5.31 \text{ cfs}$$

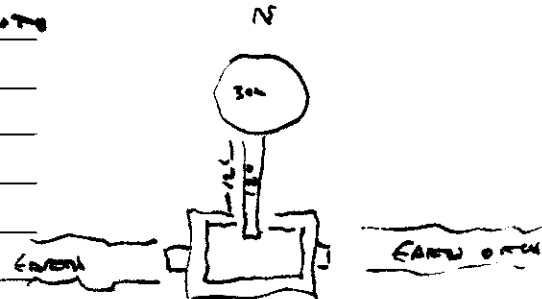
$$600 \text{ c.f. } 1:54.2$$
$$Q = \frac{600 \text{ c.f.}}{1:54.2} = 5.254 \text{ cfs}$$

Diversion works description and diagram

300 HP V5 HOLDSWORTH KEN MOTOR #1298609
2 1/2" B VTI # ?
12" DISCHARGE 12' INTO

CONCRETE DIVERSION
WORKS - THROUGH
EARTH DITCHES

I.D. 32" GAL MARKED
ON CAMP



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 286 AC

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

NOT ABLE TO CONTACT PERMIT HOLDER

Recommended allowance for licensing 5.31 cfs

Description of required amendments. Comments. _____

IRRIGATION REQUIREMENT = 4.0 AC-FT/ACRE/SEASON

Report checked? _____

Examination date 9:30 AM 8-16-68 D.R. 2 CALO

Signature

John Reynolds

			16	38	
			39	39	
			39	39	
			38	38	
			PD		
For Lic:					
AREA =					
SUBD =					
Q =					
VO L =					
PRIORITY =					

286 ACRES

Permit No. G-30622
 Name of Applicant Whiteley Properties, Inc.
 Source of Water subterranean
 a tributary of _____
 Location of P.D. SW¹/₄SE¹/₄, sec. 32, T. 11 S, R. 22 E, B.M.
Cassia County

30622
43-2685

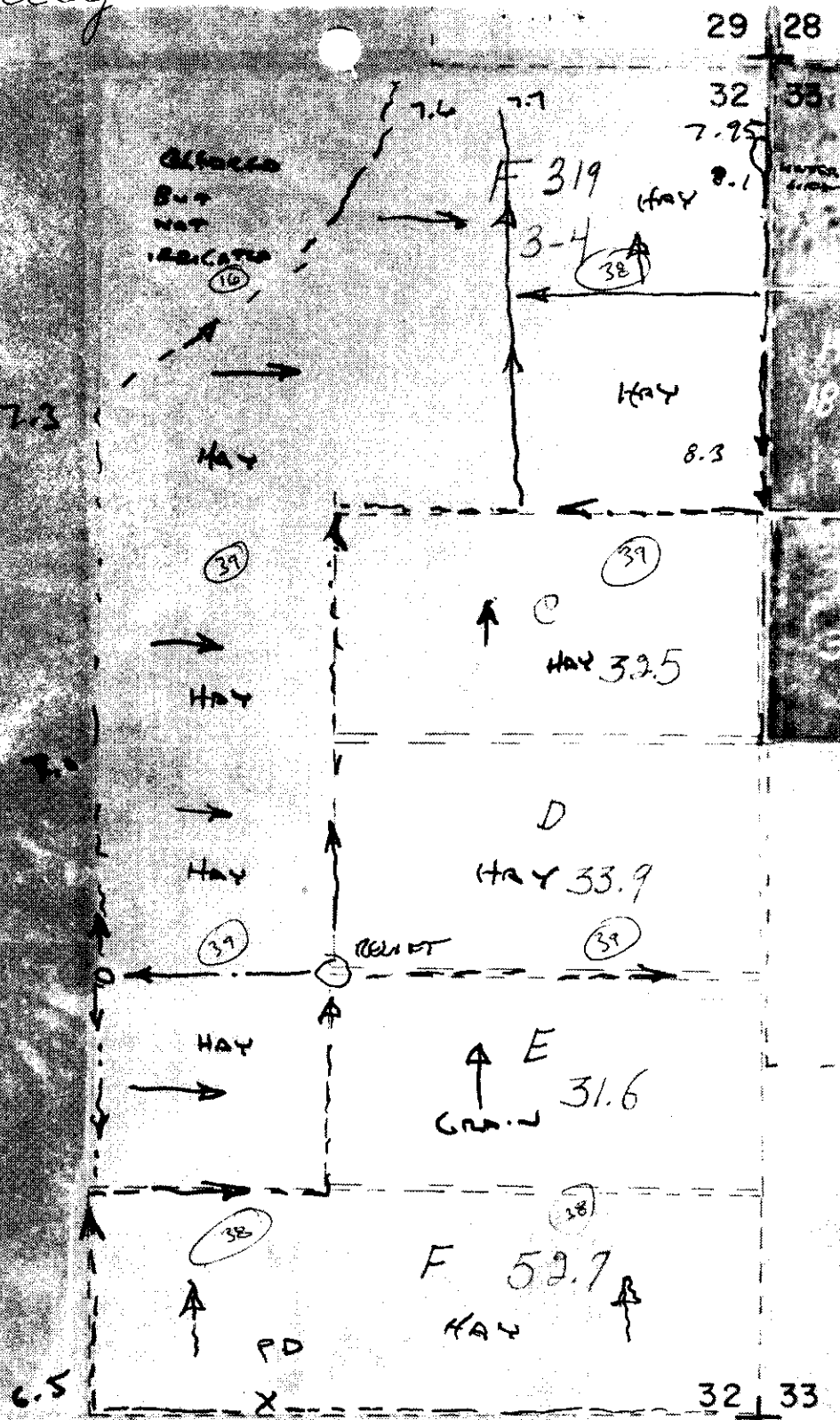
Water is used for irrigation
 Quantity of water claimed: Permit 6.0 c.f.s. Depositions 6.0 c.f.s.
 Type of measuring device installed or method of measurement and general description
 of diversion works well, pump, ditches and waste water sumps
485' x 16" / H-366' / 6.0 c.f.s.
quantity estimated

Land to be irrigated or place of use:				Description
TWP.	RGE.	SEC.		
11 S	22 E	32	E ¹ / ₂	

Total acreage 640 320
 Filed - June 14, 1962 Made - March 29, 1968
 Due - August 27, 1967 Priority - January 16, 1963
 (late proof)

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
 acreage covered by subdivision; also show land covered on the map.
none

Whalley



45.26.85
30622

two of

75.5 5.31

$$\begin{array}{r} 75.5 \sqrt{400} \\ \underline{225} \\ 175 \\ \underline{150} \\ 25 \end{array}$$

600 of

1154.2

$$\begin{array}{r} 1154.2 \sqrt{6000} \\ \underline{5710} \\ 2900 \\ \underline{2284} \\ 6160 \\ \underline{5710} \\ 4500 \end{array}$$

REPORT OF WELL DRILLER
State of Idaho

RECEIVED
JUN 16 1967

State law requires that this report shall be filed with Department of Reclamation
Engineer within 30 days after completion or abandonment of the well.

Well # 1
OWNER: WHITELY PROPERTIES INC.
Address OAKLEY IDAHO

Driller's Permit No. G. 30622
NATURE OF WORK (check): Replacement well ☐
New well ☐ Deepened ☐ Abandoned ☒
Well is to be used for: _____

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Other ☐ (explain) _____

DRILLING SCHEDULE: Threaded ☐ Welded ☒
2" Diam. from 0 ft. to 159 ft.
2" Diam. from 159 ft. to 224 ft.
2" Diam. from 224 ft. to 404 ft.
2" Diam. from 404 ft. to 558 ft.
Thickness of casing: _____ Material: _____
Seal ☒ concrete ☐ wood ☐ other ☐

(explain) _____
PERFORATED? Yes ☐ No ☒ Type of
Perforator used: _____

Size of perforations: _____" by _____"
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
SCREEN INSTALLED? Yes ☐ No ☐
Manufacturer's name _____

Model No. _____
Slot size _____ Set from _____ ft. to _____ ft.
Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐
Size of gravel _____ Gravel
Packed from _____ ft. to _____ ft. Surface seal
Provided? Yes ☐ No ☐ To what depth?
_____ ft. Material used in seal: _____

any strata contain unusable water? Yes ☐
Type of water: _____
Depth of strata _____ ft. Method of sealing
Strata off: _____

Surface casing used? Yes ☐ No ☐
Cemented in place? Yes ☐ No ☐

Locate well in section

Sec. _____

LOCATION OF WELL: County CASSIA
T. 34N Sec. 23 T. 12 R. 34 E/W

Size of drilled hole: 20" - 10" Total
depth of well: 635 Standing water
level below ground: 235 Temp. _____
Fahr. _____ Test delivery: _____ gpm
or _____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test: _____

Length of time of test: _____ Hrs. _____ Min.
Drawdown: _____ ft. Artesian pressure: _____ ft.
above land surface _____ Give flow _____ cfs
or _____ gpm. Shutoff pressure: _____
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☐

DEPTH FROM TO FEET FEET	MATERIAL	WATER YES OR NO
0 6	TOP SOIL	NO
6 159	GRAVEL WITH CLAY	NO
159 185	GRAY LAVA	NO
185 210	TAN CLAY AND GRAVEL	NO
210 290	GRAY LAVA WITH CLAY	NO
290 335	GRAY RHYOLITE	NO
335 374	TAN CLAY WITH ROCK	NO
374 386	GRAY RHYOLITE	NO
386 399	TAN CLAY	NO
399 410	RED RHYOLITE	?
410 540	BROWN RHYOLITE WITH CLAY	NO
540 555	GRAY RHYOLITE	NO
555 635	BROWN RHYOLITE - Broken	?

WELL WAS TEST PUMPED
AT ALL DEPTHS BEFORE
CASING WAS INSTALLED
BUT WOULD NOT PRODUCE

Work started: JAN 1, 1963
Work finished: JUNE 4, 1967
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.
Name: EUGENE L BARRUS
Address: Box 335 PAUL IDAHO
Signed by: Eugene L Barrus
License No. 219 Date: 6-15-67

Use other side for additional remarks

30622

April 8, 1968

Re: Permit No. G-30622

Whiteley Properties, Inc.
Oakley, Idaho

Gentlemen:

We acknowledge receipt of the depositions and affidavit of publication in the
World of Idaho submitted as proof of completion of works and beneficial use on Permit G-30622.

Before a certificate and license of water right 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 field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

30622

exam typed

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. _____

RECEIVED
APR 3 1968
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works
DEPOSITION OF HOLDER

- Ques. 1. State your name, residence occupation and postoffice address: _____
J. Reed Whiteley - Oakley, Idaho - Farmer - P.O. Box 145
- Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: _____
Whiteley Properties, Inc., Oakley, Idaho, President
- Ques. 3. State number, approval date of permit, and date of priority: G-30622
August 27, 1962 June 14, 1962
- Ques. 4. State source of water supply: Subterranean Well
Give location of point of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 11 So. R. 22 E. B. M. Cassia County
- Ques. 5. Describe your works of diversion: Well, Pump, Ditches and waste
water sumps; state amount of water they are capable of conveying from point of diversion to place of use: 6 c.f.s.; 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 485'; depth and size of casing 397' of 16" Casing; depth to water 366'; if pump is used, state discharge of pump: 6 c.f.s.; tell how it was measured or determined _____
Estimate; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____
- Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

Gene Barrus

30622

State nature of all improvements which have been made as a direct result of said use:

Land leveled, ditches and well installed, crops planted

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Gene Barrus, Heyburn, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

None

Ques. 8: 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:

None

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: June 14, 1962 6 c.f.s. - Time used since first use:

Every summer during irrigation season.

Ques. 10. Describe all other water rights appurtenant to same place of use:

None

(sign) J. Reed Whitely

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

Burley, Idaho, County of Cassia

State of Idaho, on this 29th day of March, A. D. 1968.

Herman E. Bedke

My commission expires: 6-13-69

30622

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

* * * * *

RECEIVED

APR 3 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

J. Alan Warr - 29 - Oakley, Idaho - Farmer - Oakley, Idaho

Ques. 2 Are you acquainted with Whiteley Properties, Inc., the holder of
Permit No. G-36622? How long have you known him and where does he reside?

Five Years - In Oakley, Idaho

Ques. 3. Have you read or heard said Permit No. G-36622 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean Well

Give location of place of diversion, showing subdivision, section, township and range

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 11 So., Range 22, E. B. M.

Describe works for conveying water to place of use: Electric Pump, open ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: Six How much water have you seen being so
conveyed? Six

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

30622

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Water is used only for irrigation

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.

Sage brush ground broken out and planted crops
One (1) inch per acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No interest

Ques. 10. When did you first see this water used? Summer of 1962
Other times you have seen such use: Each irrigation season since 1962

(Signed): L. Alan Hani

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 Burley,

Idaho, County of Cassia, State of Idaho, on this 29th day of March, A. D. 19 68

Herman E. Bedke
Notary Public for the State of Idaho
Residing at Burley, Idaho

My commission expires 6-13-69

30622

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED

APR 3 1968

Permit No. _____

Department of Reclamation

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

J. J. McLaws-41-Oakley, Idaho-Farmer-Oakley, Idaho

Ques. 2 Are you acquainted with Whiteley Properties, Inc., the holder of Permit No. G30622? How long have you known him and where does he reside?

Five Years - In Oakley, Idaho

Ques. 3. Have you read or heard said Permit No. G30622 read, and are you familiar with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean Well

Give location of place of diversion, showing subdivision, section, township and range
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 11 So. Range 22 E. B. M.

Describe works for conveying water to place of use: Electric pump, open ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: Six How much water have you seen being so conveyed? Six

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres

SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 acres

Sec 32 Twp 11 So

30622

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Water is used only for irrigation

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.

Sage brush ground broken out and planted crops

One (1) inch per acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No interest

Ques. 10. When did you first see this water used? Summer of 1962

Other times you have seen such use: Each irrigation season since 1962

(Signed):

J. J. Mc Law

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 Burley,

Idaho, County of Cassia, State of Idaho, on this 29th day of March, A. D. 19 68

Herman E Bedke

Notary Public for the State of Idaho
Residing at Burley, Idaho

My commission expires 6-13-69

30622

The World of Idaho

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss:
STATE OF IDAHO)

Gary L. Fernau, being first

duly sworn, deposes and says that he is the

General Manager of The World,
a daily newspaper published at Burley, Idaho,
in the county aforesaid, and that the paper is
of general paid circulation therein. Deponent
further states that the printed notice attached
hereto was duly published according to law
in the regular daily editions of The World for

four (4) consecutive weeks, commencing
March 5, 1968
with the issue dated March 26, 1968, and
ending with the issue dated March 26, 1968.

Gary L. Fernau
Subscribed and sworn to before me this
28 day of March, 1968

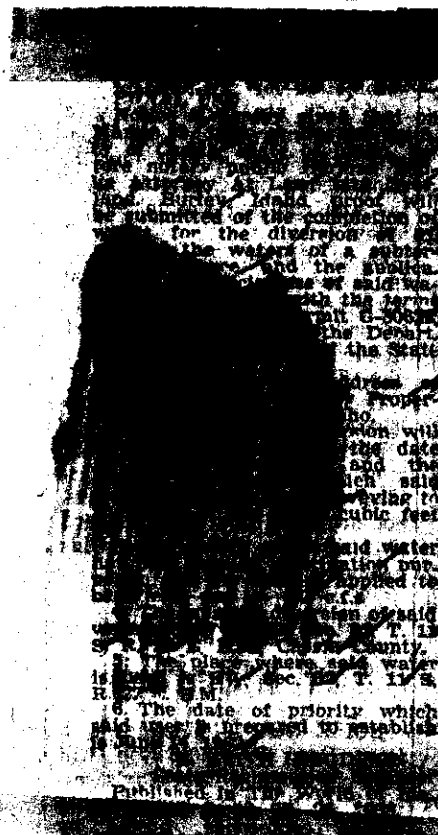
Ruth Chambers
Notary Public

My Commission Expires Feb. 18, 1969

RECEIVED

APR 3 1968

Department of Reclamation



30622

The World of Idaho

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)

) ss:

STATE OF IDAHO)

_____, being first

duly sworn, deposes and says that he is the

_____ of The World, a daily newspaper published at Burley, Idaho, in the county aforesaid, and that the paper is of general paid circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular daily editions of The World for

_____ consecutive weeks, commencing

with the issue dated _____, 19____, and

ending with the issue dated _____, 19____.

Subscribed and sworn to before me this

_____ day of _____, 19____.

_____, Notary Public

My Commission Expires Feb 18, 1969

RECEIVED

APR 3 1968

Department of Reclamation

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

Notice is hereby given that on March 29, 1968, at Burley, County of Cassia, State of Idaho, before notary public Herman Bedke Attorney At Law, 1416 Overland, Burley, Idaho, proof will be submitted of the completion of works for the diversion of 6.0 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water in accordance with the terms and conditions of permit G-30622, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Whiteley Properties, Inc., Oakley, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 6.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.0 c.f.s.

4. The point of diversion of said water is SW 1/4 Sec. 32, T. 11 S., R. 22 E., B.M., Cassia County.

5. The place where said water is used is E 1/4, Sec. 32, T. 11 S., R. 22 E., B.M.

6. The date of priority which said user is prepared to establish is June 14, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in The World of Idaho March 5, 12, 19, 26, 1968.

306-

HERMAN E. BEDKE

ATTORNEY AT LAW
POST OFFICE BOX 249
BURLEY, IDAHO 83318

TEL. 678-2401

1416 OVERLAND

RECEIVED

APR 3 1968

Department of Reclamation

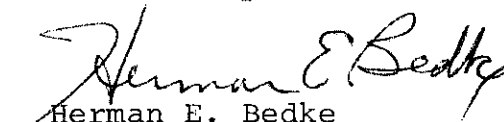
April 2, 1968

State Reclamation Engineer
State House
Boise, Idaho 83700

Dear Sir:

Please find enclosed Proof of Application of Water to Beneficial use and Completion of Works, Permit No. G-30622, for J. Alan Warr, J.J. McLaws and J. Reed Whiteley.

Yours truly,


Herman E. Bedke

HEB:rw
Enclosures

30622

February 28, 1968

RE: Permit 30622

W. B. Whiteley
Oakley, Idaho 83346

Dear Mr. Whiteley:

Enclosed herewith is a copy of the amendment you submitted to this Department. This amendment has been recorded and the original placed in our files.

Departmental receipt No. 559 in the amount of \$5.00, was given to you at the time you were in our office. This amount covers the fee for recording.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:efw

Enclosures

30622

Permit # 55-9 given

RECEIVED
FEB 23 1968

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR AMENDMENT

Permit No. 30622

Comes now Whiteley Properties, Inc.
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. G-30622, and requests that the permit be changed as follows:

1. Place of use or land to be irrigated: E½, Sec. 32, T. 11 S., R. 22 E., B.M.

2. Point of diversion: SW ¼ SE ¼, Sec. 32, T. 11 S., R. 22 E., B.M.

Other points of diversion _____

3. Period and nature of use:

For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)
For _____ purposes from _____ to _____ (both dates incl.)

4. Other: _____

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

Signed at Boise, Idaho, this 23rd day of February, 19 68

J. Russ Whiteley
(signature)

Date of receipt at office of Department of Reclamation February 23, 19 68

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for permit G-30622.

Witness my hand this 23rd day of February, 19 68.

R. Keith Higgins
State Reclamation Engineer
30622
Form 11

February 23, 1968

Re: Permit No. G-30622

Whiteley Properties, Inc.
Oakley, Idaho

Gentlemen:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No. G-30622.

We have mailed the notice to the World of Idaho to be published once a week for four consecutive weeks prior to March 29, 1968, which is the hearing date when the permit holder Whiteley Properties, Inc. and two disinterested witnesses must appear before Herman Bedke, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by J. Reed Whiteley, ^{Pres} President. Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Depositions

cc: Notary

30622

February 23, 1968

Re: Permit No. G-30622
Whiteley, Properties, Inc.

World of Idaho
Burley, Idaho 83318

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to March 29, 1968. The expense of the publication is to paid by J. Reed Whiteley, President, Whiteley Properties, Inc., Oakley, Idaho

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Legal Notice

30622

RECEIVED
FEB 23 1968NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that on March 29, 1968, at Burley,
County of Cassia, State of Idaho, before notary public (name & address) _____
Herman Bedke, Attorney At Law, 1416 Overland, Burley, Idaho, proof will be
submitted of the completion of works for the diversion of 6.0 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-30622, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Whiteley Properties, Inc.,
Oakley, Idaho.

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
6.0 cubic feet per second.

3. The use to which said water has been applied is _____
irrigation purposes, and the amount applied to beneficial
use is 6.0 c.f.s.

4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32, T. 11 S,
R. 22 E, B.M., Cassia County.

5. The place where said water is used is E $\frac{1}{2}$, Sec. 32, T. 11 S, R. 22 E, B.M.

6. The date of priority which said user is prepared to establish is _____
June 14, 1962.

R. KEITH HIGGINSON

State Reclamation Engineer

30622
dj

RECEIVED
FEB 23 1968
Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the World of Idaho of Burley, Idaho 83318; published in the county in which the works are situated.

Whiteley Properties, Inc.
(signature) by J. Reed Whiteley, Pres.
(address) _____
(date) _____

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 when proof is for completion of works.

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

Engineer

30622

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED
FEB 21 1968
Department of Reclamation

Re: Permit No. G-30622
Whiteley Properties, Inc.

February 23, 1968

Herman E. Bedke, Attorney At Law
1416 Overland Avenue
Burley, Idaho 83318

Dear Mr. Bedke:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than _____.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

30022

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Cassia)

Permit No. G 30622

Reed Whiteley of Oakley
(name) (address)

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

That he is the holder, or the duly authorized agent of the holder, of Permit to Appropriate the Public Waters of the State of Idaho No. G 30622.

That under the terms and conditions of said permit, work thereunder was required to be completed by August 27, 19 67.

That he has heretofore performed the following work described under said permit: _____

Drilled a well to a 635 foot depth. Well was caving badly in the bottom, we were unable to case and go any deeper. The well upon testing didn't produce enough water to justify pumping. A section of land has been levelled and the ditches installed. We rented water and farmed this for two or three years.
Development cost without the well was \$15,000.00 Costing \$ 8632.23 (Well only)

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Financially unable to drill another well.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to August 27, 19 69.

Reed Whiteley
(signature)

Subscribed and sworn to before me this 16 day of Nov, 1967.

Wallace A. Hale
(notary public)

My commission expires May 12th 1968

Date of receipt at office of Department of Reclamation _____

ACTION OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of Idaho, hereby _____

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

State Reclamation Engineer

30622

November 3, 1967

Re: Permit No. G-30622

Reed Whiteley
Oakley,
Idaho

Dear Mr. Whiteley:

We are in receipt of your letter of November 2, 1967 on the above referenced permit.

Pursuant to your request we are enclosing an application for extension of time. As much as your letter requesting the application for extension of time was received November 6, the date the pre-cancellation notice stated that your permit would be cancelled, the Department will withhold action from cancellation for 10 days from the date of this letter pending the receipt of your application for extension of time.

You should be advised, however, that the probable action of the department would be to disallow your application for extension of time.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElDowney
Water Rights Clerk

DMM:ks

Enclosure: Application for extension of time

30622



W. B. WHITELEY

Grower - Shipper - Processor of Idaho Potatoes

TELEPHONES

WAREHOUSE . . . UN 2-3366

RESIDENCE . . . UN 2-3229

OAKLEY, IDAHO

Nov. 2, 1967

NOV 6 1967

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

RE: Permit No. G-30622

Gentlemen:

The above permit was for a well we drilled in 1963. This well upon testing didn't produce enough water to justify pumping. The section of land where the water was to be used was farmed for two or three of the last five years with rented water from the Cottonwood area. It was left fallow this summer.

We plan to either deepen this well or try drilling at another location in the near future and would like an extension of this permit if at all possible. We may change the point of diversion for this second well.

Sincerely yours,

WHITELEY PROPERTIES, INC.

Reed Whiteley

By: Reed Whiteley

30622

POD Form

Room 107, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

31622

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.	1 2 3	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
CERTIFIED NO.		Whiteley Properties
INSURED NO.		SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
DATE DELIVERED		by Reed Whiteley
9-18-67		SHOW WHERE DELIVERED (only if requested)
		30622

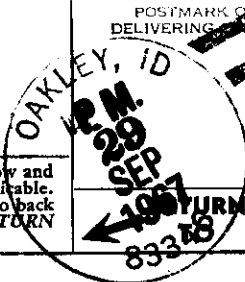
c55-16-71648-10 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POD Form 3811 Apr. 1967 655-10-10 548-10

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Mr. on gummed ends, attach and hold firmly to back of file. Print on front of article RETURN R. PT REQUESTED.



POSTMARK OF
DELIVERING OFFICE

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

30622

September 25, 1967

RE: Permit No. G-30622

Whiteley Properties, Inc.
Oakley, Idaho 83346

Gentlemen:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit G-30622 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit proof of completion of works and beneficial use due August 27, 1967, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before November 6, 1967 why said permit should not be cancelled.

Permit G-30622 claims the use of 6.0 cubic feet per second of water. The point of diversion was to be located SW/4SW/4, Sec. 23, T. 12 S, R. 21 E, B.M., Cassia Co, and the permit was approved August 27, 1962.

State Reclamation Engineer

30622

This Application
was APPROVED
under the provisions
of the law set forth
on this page.

(42-233a and 42-233b)

This law was
revoked March
25, 1963

42 - 233a. NOTICE OF APPLICATION. -- Within a period of ten days after the filing of any application for permit with the state reclamation engineer, as hereinafter provided, the state reclamation engineer in a critical ground water area, as hereinafter defined in this section, shall issue a notice of such application stating the name of the applicant, the location of the well or wells, the amount of the flow of water proposed to be used, and the description of the premises upon which the water is proposed to be used. Such notice shall also state that all persons having an interest in the critical ground water area desiring to oppose the issuance of a permit pursuant to such application, must within a period of thirty days from the first publication of such notice file in the office of the state reclamation engineer a protest to such application. A copy of the notice shall be furnished to the applicant, who shall cause the same to be published in a newspaper published in the county where the well described in said application is proposed to be located; or if no newspaper is published in such county, then in a newspaper of general circulation in such county. Publication of such notice shall be made two times, once each week for two consecutive weeks, and proof of such publication shall be furnished by the applicant to the state reclamation engineer. "Critical ground water area" means any ground water basin, or designated part thereof, not having sufficient ground water to provide a reasonably safe supply for irrigation of cultivated lands in the basin at the then current rates of withdrawal, as may be determined, from time to time, by the State Reclamation Engineer.

In the event the application for permit is made with respect to an area that has not been designated as a critical ground water area the State Reclamation Engineer shall forthwith issue a permit in accordance with the provisions of Section 42 - 234 without requiring compliance with the provisions of the preceding paragraph of this section or the provisions of Section 42 - 233b.

42 - 233b. PROTEST AND HEARING. -- All persons desiring to be heard in protest of the granting of a permit pursuant to an application made under this act must file with the state reclamation engineer within thirty days after the first publication of the notice of such application as hereinabove provided, a protest against such application; provided, that for good cause shown the state reclamation engineer may permit protests to be filed any time prior to the completion of the hearing on such application. After the lapse of thirty days following the first publication as hereinabove provided, the state reclamation engineer shall, if any protests against the application have been filed, fix a time and place for the hearing of such application. The time for holding such hearing shall not be more than fifty days from the first publication of said notice. Notice of the hearing shall be given by registered mail to the applicant and to all protestants.

The hearing shall be conducted before the state reclamation engineer under reasonable rules and regulations of procedure promulgated by him. Technical rules of pleading and evidence need not be applied. The state reclamation engineer may adjourn said hearing from time to time and place to place within the reasonable exercise of his discretion. All parties to the hearing as well as the state reclamation engineer shall have the right to subpoena witnesses, who shall testify under oath at such hearing. The state reclamation engineer shall have authority to administer oath to such witnesses as appear before him to give testimony. A full and complete record of all proceedings had before the state reclamation engineer on any hearing had and all testimony shall be taken down by a reporter appointed by the state reclamation engineer and all parties to the hearing shall be entitled to be heard in person or by attorney.

If no person protests an application within the period of thirty days following the first publication of notice thereof as hereinabove provided, and if the state reclamation engineer has determined from investigation that there probably is ground water subject to appropriation at the location of the proposed well, the state reclamation engineer may issue a permit pursuant to such application forthwith and for an amount of water not to exceed the amount of water determined to be there subject to appropriation; but if the state reclamation engineer, from the investigation made by him on said application as herein provided or from other information that has come officially to his attention has reason to believe that said application is not made in good faith, is made for delay, or that there is no water subject to appropriation at the location of the proposed well in said application described, then the state reclamation engineer shall issue a citation to the applicant to appear and show cause, if any there be, why such application should not be denied for any of those reasons. The hearing on said citation shall be fixed, noticed and conducted in the same manner as hearings on protest of application as in this section hereinabove provided.

If, at the conclusion of any hearing held pursuant to this section the state reclamation engineer finds that there is ground water available for appropriation at the location of the proposed well described in the application, and that said application is made in good faith and not for delay, then the state reclamation engineer shall issue a permit pursuant to such application; otherwise, the application shall be denied; provided, however, that if ground water at such location is available in a lesser amount than that applied for, the state reclamation engineer may issue a permit for the use of such water to the extent that such water is available for appropriation.

30622

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G - 30622

June 1, 1967

Whitely Properties, Inc.
Oakley, Idaho
83346

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30622 are due not later than Aug. 27, 1967

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,



STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

30622

Re: Permit No. G-30622
Whiteley Properties, Inc.

September 10, 1962

Mr. A. H. Nielson,
Nielson & Nielson,
Attorneys at Law,
P. O. Box 367,
Burley, Idaho.

Dear Mr. Nielson:

We enclose Permit No. G-30622 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. G-7038 which was issued covering payment in the amount of \$6.25 for the filing fee of the above mentioned permit. ~~also enclosed to you~~

Well logs are an important part of your recorded water right and State Statutes require that well drillers' supply logs on all wells, whether irrigation, domestic, drain or stock wells, to be filed in the Department of Reclamation. In view of the rapidly increasing demand for ground water, the lowering of the ground water level, and the creation of critical ground water areas, it is important that you, as owner, make sure a log on your well is filed in this office.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

By:

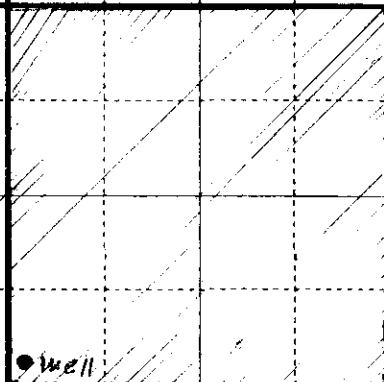
(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Enc.

cc: Whiteley Properties, Inc.,
Oakley, Idaho

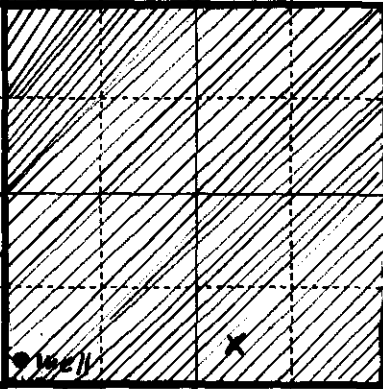
30622

Section 23, Township 12 S. Range 21. E.B.M.



Permit Map No. 988-1002
As Approved AUG 27 1982
COIN CARTER
State Reclamation Engineer

Section 23, Township 12 S. Range 21. E.B.M.



Permit Map No. 30622
As Approved AUG 27 1962
GEO. N. CARTER
State Reclamation Engineer

AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 22 1962

STATE OF IDAHO
COUNTY OF CASSIA

ss.

Department of Reclamation

Dean Stanley L. Smith
I, *Dean Stanley L. Smith*, first being duly sworn, deposes and says:
that he is the printer of The Herald-Bulletin, a daily newspaper published at Burley
in the County of Cassia, State of Idaho; that the said newspaper has a general circula-
tion in said county, and that the said newspaper is published daily and has been
continuously and uninterruptedly published in said county, not less frequently than
once a week, during a period of seventy-eight consecutive weeks immediately prior to
the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of
general circulation, made up of at last four pages of at least five columns each, print-
ed from typed matter or stereotyped forms of at least seventeen and three-fourths
inches depth, and during the whole of said time has had at least two hundred bona-
fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published
according to law, in the regular weekly editions of the said newspaper and not in any
supplement thereof, for *two* consecutive weeks, commencing with the issue

dated *June 29, 1962*, and ending with the issue dated *July 10, 1962*

Subscribed and sworn to before me this *7th* day of *July*, 19*62*

30622

Bartholomew
Notary Public for the State of Idaho
Residing at *Idaho*

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

ss.

Dean Stanley Leary, first being duly sworn, deposes and says: That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published daily and has been continuously and uninterruptedly published in said county, not less frequently than once a week, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for *two* consecutive weeks, commencing with the issue

dated *June 29, 1962*, and ending with the issue dated *July 6, 1962*

Subscribed and sworn to before me this *7th* day of *July*, 19*62*

Dean Stanley Leary
Notary Public for the State of Idaho
Residing at *Burley, Idaho*

30022

77-3601
1-3601
OF APPLICATION
TO APPROPRIATE
SUBSURFACE WATER
OF THE STATE OF IDAHO,
IN ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-
233a, IDAHO CODE

NOTICE IS HEREBY GIVEN,
That WHITELEY PROPERTIES,
Inc., Oakley, Idaho has made ap-
plication No. G-28601 on the 14th
day of June, 1962, to appropriate
6.0 cubic feet per second of sub-
terranean water for irrigation
purposes.

That the point of diversion of
said water is located in SW 1/4
Sec. 23, T. 12 S., R. 21 E.,
B. M. and that the lands to be
irrigated are all of Section 23,
Township 12 S., Range 21 East,
B. M.

That any protests against the
approval of this application must
be filed in the Department of
Reclamation at Boise, Idaho,
within thirty (30) days from the
date of the publication of this
notice, and such protest shall
state the name and address of
the protestant, and shall clearly
set forth his objection to the ap-
proval of the application.

Dated *June 29* day of *June*,
1962.
RALPH W. THOMAS,
Deputy State Reclamation
Engineer.

Date of First publication *June 29*,
1962.
Date of last publication *July 6*,
1962.
Last date for protest, *Aug. 5*,
1962.

SERVICE OF THE FOREGO-
ING, by copy is hereby acknowl-
edged this 25th day of June, 1962.
WHITELEY PROPERTIES, Inc.
By REED WHITELEY, Pres.
Applicant.

221

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN WATERS
OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-233a, IDAHO CODE

JUN 23 1962

Department of Reclamation

NOTICE IS HEREBY GIVEN, That WHITLEY PROPERTIES, Inc., Oakley, Idaho has made application No. G-38601 on the 14th day of June, 1962, to appropriate 6.0 cubic feet per second of subterranean water for irrigation purposes.

That the point of diversion of said water is located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 12 S., R. 21 E., S. M. and that the lands to be irrigated are all of Section 23, Township 12 S., Range 21 East, S. M.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within thirty (30) days from the date of first publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 14th day of June, 1962

Ralph W. Thomas
Deputy State Reclamation Engineer

Date of First Publication

Date of Last Publication

Last Date for Protest

June 27
July 6
July 5, 1962

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this

25 day of June, 1962.

Whitley Properties Inc.

by Reed Whitley, Pres.

Applicant

(282) ~~[Signature]~~

30622

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

August 21, 1962

RECEIVED
AUG 22 1962
INFORMATION DIVISION

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

Re: Application No. G-38601
Whiteley Properties, Inc.

Gentlemen:

In the above matter we are sending the Affidavit of Publication

There have not been any objections so far as we know.

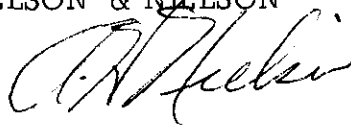
Would you please send us the application after you
have endorsed it?

Thank you.

Very truly yours,

NIELSON & NIELSON

By



A. H. Nielson

AHN:nw

30622

August 7, 1962

Re: Application No. G-38601
Whiteley Properties, Inc.

Nielson & Nielson
Attorneys
Box 367, Burley, Ida.

Attn: A. H. Nielson

Dear Mr. Nielson:

This application can be approved upon receipt
of the affidavit of publication.

Very truly yours,

GED. N. CARTER
State Reclamation engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

30422

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

July 5, 1962

RECEIVED
JUL 10 1962

Department of Reclamation

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

Re: Whiteley Properties, Inc.
Application No. G-38601

Gentlemen:

In the above matter we are sending a copy of a notice
given to the Burley Herald-Bulletin for publication.

Very truly yours,

NIELSON & NIELSON

By



A. H. Nielson

AHN:nw
Enclosure

30622

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN WATERS
OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-233a, IDAHO CODE

RECEIVED
JUL 6 1962

Department of Reclamation

NOTICE IS HEREBY GIVEN, That WHITELEY PROPERTIES, Inc., Oakley, Idaho has made application No. 0-38601 on the 14th day of June, 1962, to appropriate 6.0 cubic feet per second of subterranean water for irrigation purposes.

That the point of diversion of said water is located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 12 S., R. 21 E., B. M. and that the lands to be irrigated are all of Section 23, Township 12 S., Range 21 East, B. M.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within thirty (30) days from the date of first publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 14th day of June, 1962

Ralph Thomas
Deputy State Reclamation Engineer

Date of First Publication June 29

Date of Last Publication July 6 from paper

Last Date for Protest Aug 5

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this
25 day of June, 1962.

Whiteley Properties Inc.
by Reed Whiteley, Pres.
Applicant

30622

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN WATERS
OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-233a, IDAHO CODE

RECEIVED
JUL 6 1962

Department of Reclamation

NOTICE IS HEREBY GIVEN, That WHITLEY PROPERTIES, Inc., Oakley, Idaho has made application No. G-38601 on the 14th day of June, 1962, to appropriate 6.0 cubic feet per second of subterranean water for irrigation purposes.

That the point of diversion of said water is located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 12 S., R. 21 E., B. M. and that the lands to be irrigated are all of Section 23, Township 12 S., Range 21 East, B. M.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within thirty (30) days from the date of first publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 14th day of June, 1962

Ralph Thomas
Deputy State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

Last Date for Protest _____

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this

25 day of June, 1962.

Whiteley Properties Inc.
by Reed Whiteley, Pres.

Applicant

30622

July 2, 1962

Re: Application No. G-38601

Herald Bulletin
Burley, Idaho

Attn: LaVeda P. Murray

Dear Mrs. Murray:

Thank you for the proof sheet on the above application.

We find the following error in Paragraph 2, Line 5 "Irrigated are all of Section 23, instead of off, as shown.

We hope this correction can be made before the next publication.

Very truly yours,

SEO. N. CARTER
State Reclamation Engineer

By:

H. PETRI
Water Rights Clerk

HP:en

30622

HERALD BULLETIN

POTATO PROCESSING CAPITAL BURLEY, IDAHO IN RICH SNAKE RIVER VALLEY

ley Newspapers, Inc.

230 East Main Street

Burley, Idaho

AN STANLEY LESHER, II, Co-PUBLISHER

June 29, 1962

RECEIVED
JUL 2 1962

State of Idaho

Department of Reclamation

Boise, Idaho

Department of Reclamation

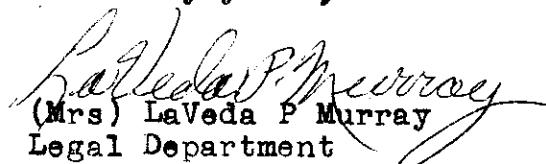
Attention: G N Carter
State Reclamation Engineer

Dear Mr. Carter:

Enclosed herewith, please find proof for the State
Permit # G-38601, in the name of Whiteley Properties Inc., by
Reed Whiteley, President.

This legal advertisement was delivered, our office,
by Nielson & Nielson, Attorneys at Law, Burley, Idaho.

Sincerely yours,


(Mrs) Laveda P Murray
Legal Department

30622

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN WATERS
OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-233a, IDAHO CODE

NOTICE IS HEREBY GIVEN, That WHITLEY PROPERTIES, Inc., Oakley, Idaho has made application No. G-38601 on the 11th day of June, 1962, to appropriate 6.0 cubic feet per second of subterranean water for irrigation purposes.

That the point of diversion of said water is located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 12 S., R. 21 E., B. M. and that the lands to be irrigated are all of Section 23, Township 12 S., Range 21 East, B. M.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within thirty (30) days from the date of first publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 11th day of June, 1962

Deputy State Reclamation Engineer

Date of First Publication _____
Date of Last Publication _____
Last Date for Protest _____

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this
_____ day of _____, 19____.

Applicant

30622

June 14, 1962

Re: Application No. G-38601
Whiteley Properties, Inc.

Nielson & Nielson
Attorneys at Law
Burley, Idaho

Attn: A. H. Nielson

Dear Mr. Nielson:

The application for permit from Whiteley Properties, Inc. is adequate, however the point of diversion is in a Critical Ground Water Area.

Enclosed are original and two copies of a legal notice to be published in Cassia County paper. You sign and date the acknowledgement of service on all copies and have the paper complete the other three dates of first and last publication and last date for protest. Leave original notice with the paper, return one copy to this office and retain a copy for your files. Also send us the affidavit of publication from the paper.

In case the approval of your application is protested a hearing will be held. After the hearing your application may be approved for the full amount of water claimed, the amount of water may be reduced, or the application may be denied.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. original and 2

30622

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 367
BURLEY, IDAHO

A. H. NIELSON
N. H. NIELSON

June 13, 1962

Reclamation Engineer
State Department of Reclamation
Boise, Idaho

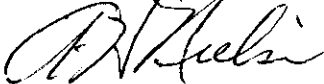
Dear Sir:

At the request of Whiteley Properties, Inc., we are sending an application for permit together with a check from Reed Whiteley for \$6.25.

No doubt this land is in a restricted area and we will have to comply with your requirements.

Very truly yours,

NIELSON & NIELSON

By 

A. H. Nielson

AHN:nw
Enclosures

LEGAL NOTICES

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE SUBTERRANEAN WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-233a, IDAHO CODE

NOTICE IS HEREBY GIVEN, That WHITELEY PROPERTIES, Inc., Oakley, Idaho has made application No. 0-38601, on the 14th day of June, 1962, to appropriate 6.0 cubic feet per second of subterranean water for irrigation purposes.

That the point of diversion of said water is located in SW 1/4 Sec. 23, T. 12 S., R. 21 E., B. M. and that the lands to be irrigated are off of Section 23, Township 12 S., Range 21 East, B. M.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within thirty (30) days from the date of first publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 14th day of June, 1962.

RALPH W. THOMAS,
Deputy State Reclamation
Engineer.

Date of First publication June 29.

Date of last publication July 6.
Last date for protest, Aug. 5, 1962.

SERVICE OF THE FOREGOING, by copy is hereby acknowledged this 26th day of June, 1962.
WHITELEY PROPERTIES, Inc.
By REED WHITELEY, Pres.
Applicant.