

State of Idaho
License and Certificate of Water Right

Water License No. 20543

Amount 1.36 second feet

Water District No. _____

Priority July 14, 1948

THIS IS TO CERTIFY that WINSLOW B. WHITELEY
of Oakley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 14,, 19 48; that Permit No. 20543
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.36 second feet, was issued thereunder on May 25,, 19 49, showing that said works
were completed on the 20th day of May, 19 49; and that on the 28th
day of June, 19 49,

WINSLOW B. WHITELEY

of Oakley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of subterranean flow
subterranean flow from a well, for the purpose of irrigation
under Use Permit No. 20543 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4584, on the 28th day of April, 19 50:

The right hereby confirmed dates from July 14,, 19 48:

The Point of Diversion is located

in the SW 1/4 NW 1/4, Sec. 3, Twp. 13 S., R. 22 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.36 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	22 E.	3	NW 1/4 NW 1/4	40	40
			SW 1/4 NW 1/4	40	30
			Number of Acres Actually Irrigated	-	70

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

28th day of April, 19 50.

MARK R. KULP

State Reclamation Engineer

(SEAL)

Nº 20543
45-2263

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28185
PERMIT No. 20543
DISTRICT No.

1. Name of Applicant: WINSLOW B. WHITELEY

Postoffice address: Oakley

County: Cassia

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) Bonds to be issued:

- (b) Treasury stock:
- (d) Other resources:

2. Quantity of water claimed: 1.6

cubic feet per second.

3. Source of water supply: Well

which is a tributary of

4. Location of point of diversion: 5 rods East and 3 rods North ~~feet distant~~ from the Southwest
of $\frac{1}{2}$ NW $\frac{1}{4}$ corner of Section 3, T. 13 S., R. 22 E., B.M., and is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 3, T. 13 S., R. 22 E., B.M., County of Cassia

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 , 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: \$ 5,200.00

8. Kind of works: Well, pump and pumping equipment

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 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.

12. The time required for the completion of such work is September 1, 1948 years.

13. The time required for the complete application of the water to the proposed use is October 1, 1948 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: No water available for the above described land

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

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

WINSLOW B. WHITELEY Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. July 14, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20543
Recorded in Book 74 Page 20543 Approved July 23, 1948
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 - 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 -
The whole of said work to be completed on or before September 1, 1948
Beneficial use of water appropriated in accordance herewith, to be made on or before October 1, 1948

WITNESS My hand this 23rd day of July, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd day of July, 1948.

Countersigned: By C. A. ROBINS, Governor.
(SEAL) By J. D. "CY" PRICE, Secretary of State.

REMARKS: Applicant is the owner of the W¹/₂ NW¹/₄ Section 3, Township 13 South, Range 22 East, B. M., in Cassia County, Idaho. This land does not have a water right and may be irrigated from a well dug in the Southwest corner as heretofore described and to water the entire 80 acres.

14.

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	
13 S.	22 E.	3					40	40											80
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 20543 to June 30, 1949.																			
Witness my hand this 6th day of December, 1948.																			
MARK R. KULP State Reclamation Engineer																			
Permit No. 20543																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN: This is to certify that WINSLOW B. WHITELEY of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. 20543, issued upon Application No. 28185 bearing date of priority of July 14, 1948, authorizing the diversion of 1.6 second feet of the waters of a well (subterranean), County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place on intended use 1.6 second feet of the waters of said well; that the point of diversion of said waters is 5 rods East and 3 rods North from the Southwest corner of the W ¹ / ₂ NW ¹ / ₄ Section 3, Township 13 South, Range 22 East, B.M. and in the SW ¹ / ₄ NW ¹ / ₄ of said Section 3; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W ¹ / ₂ NW ¹ / ₄ Section 3, Township 13 South, Range 22 East, B.M.																			
Witness my hand this 25th day of May, A.D. 1949.																			
MARK R. KULP State Reclamation Engineer																			
Proof of Completion of Works made May 20, 1949. Certificate of Completion of Works issued May 25th, 1949.																			
LICENSE ISSUED FOR 1.36 SEC. FT.																			

p. 4584

April 29, 1950

Re: Permit No. 20543

Mr. Winslow B. Whiteley
Oakley, Idaho

Dear Mr. Whiteley:

We enclose License and Certificate of Water Right issued under Permit No. 20543, confirming your right to the use of 1.36 second feet of water from a well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Township 13 South, Range 22 East, B.M., with priority of July 14, 1948, for the irrigation of land in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 3.

We also enclose Departmental Receipt No. 22289 for the \$4.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

20543

March 27, 1950

Re: Permit No. 20543

Mr. Winslow B. Whiteley
Oakley, Idaho

Dear Mr. Whiteley:

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit No. 20543.

This report shows that you have irrigated 70 acres in the $W\frac{1}{2}$ $NE\frac{1}{4}$ Section 3, Township 13 South, Range 22 East, B.M.

Therefore, upon receipt of the statutory fee of \$4.00, a License will be issued for 1.36 second feet of water from a well in the $SW\frac{1}{4}$ $NE\frac{1}{4}$ of said Section for supplemental irrigation.

Very truly yours,

MARK R. HULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

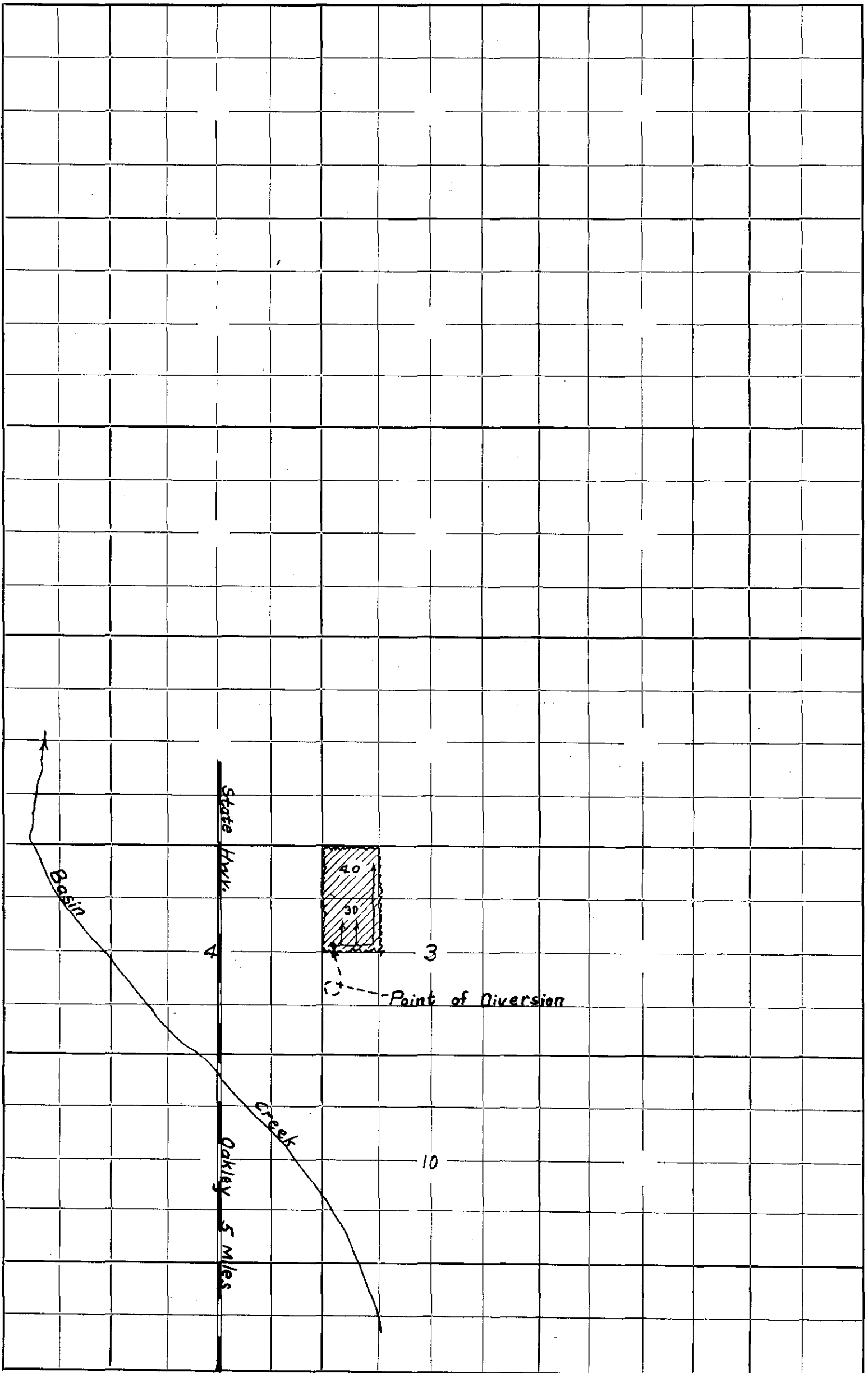
PERMIT NO. 20543

REPORT ON PROOF OF Beneficial use

1.36 cfs
Sufficient
in use

1.6 cfs

2 cfs



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

20543

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

Permit No. 20543

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Winslow B. Whiteley, Oakley, Idaho
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3
T. 13 S. R. 22 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: _____
Well 455' deep, 382' of 12" casing. Layne Bowler Turbine Pump with 8" bowls,
6" pump column, and 6" discharge pipe. U.S. Motor, 60 H.P., Serial 738022,
Type OFU, 220/440 volts, 147/73.5 amps., 3 phase, 1800 R.P.M.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
West Half Northwest Quarter Section 3, Twp. 13 S., Range 22 E., B.M.

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

8. What large stream would the water here appropriated finally reach? Unknown
- Remarks: Supplemental water. Maximum discharge = " 68 miners inches"

This examination was made on the 26 day of October, 1949.

(Signed)

F. A. Tolman

Examiner.

20543

Winslow B. Whiteley
Oakley, Idaho

Permit No. 20543

Examination for Beneficial use

County Cassia

INSTRUCTIONS TO EXAMINERS

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

MAR 10 1950
Department of Reclamation

✓
September 2, 1949

Re: Permit No. 20543

Mr. Winslow B. Whiteley
Oakley, Idaho

Dear Mr. Whiteley:

We acknowledge receipt of the depositions of yourself and two witnesses; also Affidavit of Publication in the Oakley Herald, all submitted in proof of beneficial use under your Permit No. 20543.

Before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

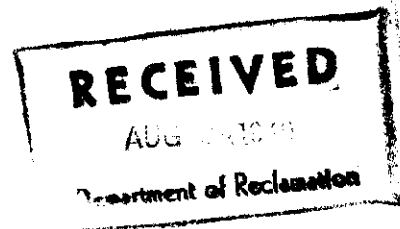
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CC: Mr. A. H. Nielson

20543

A.H. NIELSON
ATTORNEY AND COUNSELOR AT LAW
BURLEY, IDAHO

August 22, 1949



State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mark R. Kulp
State Reclamation Engineer

Dear Sir:

Re: Winslow B. Whiteley
Permit No. 20543

I am sending Deposition of Holder and the Depositions of two witnesses, filled out, signed and notarized, in connection with the above permit.

If there is any further information you require, please communicate with me.

Very truly yours,

NIELSON & NIELSON

By

A handwritten signature in dark ink, appearing to read "A. H. Nielson".

A. H. Nielson

AHN:ew
Enclosure

20543

FOR PUB
NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that at ten A. M. on the 28th day of June, 1949, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of a well located on the West Half of the Northwest Quarter, Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian, in accordance with the terms and conditions of Permit No. 20543 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit, are Winslow B. Whiteley, Oakley, Cassia County, Idaho.

The use to which said water is being applied is irrigation. The amount applied to beneficial use is 1.6 second feet.

The place where said water is used is West Half of the Northwest Quarter, Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian, in Cassia County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is all ditches located on Winslow B. Whiteley's farm.

The right to take water from such works is based upon Permit No. 20543.

The source of supply from which such water is diverted is a well located in the Southwest corner of the West Half of the Northwest Quarter, Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian.

The date of priority which is prepared to establish is 1948. 20543

MARK R. KUL
State Reclamation Engineer

at publication June 2, 1949,
first publication June 23, 1949

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the Notice

herein mentioned; that a Notice

of which the attached clipping is a copy, was published in the regular issue

of said newspaper for 4 consecutive weeks, to-wit, on

June 2, 9, 16, 23, 1949.

19

Charles Brown.

Subscribed and sworn to before me this 25th

day of, June, 1949,

E. G. Larson

Notary Public.

20543

Winslow B
Whiteley

20543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20543

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. WINSLOW B. WHITELEY

Oakley, Cassia County, Idaho.

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

Ans. _____

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

Ans. Permit No. 20543, Application No. 28185, date of priority of July 14, 1948.

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

Ans. Well. 5 rods East and 3 rods North from the Southwest corner of the West Half Northwest Quarter, Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian; and in the Southwest Quarter Northwest Quarter of said Section Three.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. 1.6 second feet of the waters of said well (subterranean)

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

Ans. Irrigation, West Half Northwest Quarter Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian.

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

Ans. _____

20543

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

Ans. 1.6 second ft.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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

Ans. 1949 - Irrigating 70 acres potatoes

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Other water used is Shores Water

in Oakley Canal Co.

(Sign) Himelaw B. 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, County of Cassia,

State of Idaho, on this 28th day of June, A. D. 19 49.

[Signature]

My commission expires February 20, 1950

20543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20543

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Willis Little 38 yrs
Oakley Ida - Farming - Oakley Ida

Ques. 2. Are you acquainted with Winslow B. Whiteley, the holder of Permit No. 20543? How long have you known him and where does he reside?

Ans. 30 yrs
Oakley Ida.

Ques. 3. Have you read or heard read said Permit No. 20543, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. A well 5 rods East and 3 rods North from the Southwest corner of the West Half Northwest Quarter, Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian; and in the Southwest Quarter Northwest Quarter of said Section Three.

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

Ans. 1.6

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

Ans. Irrigation. West Half Northwest Quarter Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian.

20543

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

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 80 acres good land
Crops can be grown on the land with irrigation. The soil is good and it is my estimate that it will take approximately one inch of water to the acre.

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

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. During the year 1949, I have made several trips to see the well in operation and watch the growth of the potatoes on the property. I would estimate that there has been delivered by the well, 1.6 cubic feet per second of water.

(Signed) Willie Whittle

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

County of Cassia, State of Idaho, on this 28th day of June,
A. D. 1949.

J. H. Huelser

Notary Public.

My commission expires February 20, 1950.

20543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20543

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. Rex Martin - 34 yrs.
Oakley Ida - Farming Oakley Ida.

Ques. 2. Are you acquainted with Winslow B. Whiteley, the holder of Permit No. 20543? How long have you known him and where does he reside?

Ans. 30 yrs Oakley Idaho

Ques. 3. Have you read or heard read said Permit No. 20543, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. A well 5 rods East and 3 rods North from the Southwest corner of the West Half Northwest Quarter, Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian; and in the Southwest Quarter Northwest Quarter of said Section Three.

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

Ans. 1.6

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

Ans. Irrigation. West Half Northwest Quarter Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian.

20543

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

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Crops can be grown on the land with irrigation. The soil is good and it is my estimate that it will take approximately one inch of water to the acre.

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

Ans. No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. During the year 1949 I have made several trips to see the well in operation and watch the growth of the potatoes on the property. I would estimate that there has been delivered by the well 1.6 cubic feet per second of water.

(Signed) Ref Martin

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 _____

County of Cassia, State of Idaho, on this 28th day of June,
A. D. 19 49.

P. H. Nelson

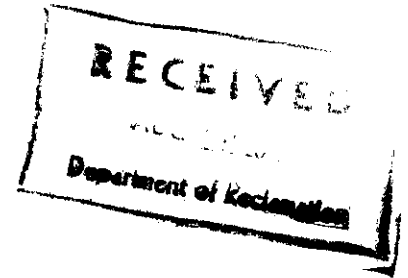
Notary Public.

My commission expires February 20, 1950.

20543

A. H. NIELSON
ATTORNEY AND COUNSELOR AT LAW
BURLEY, IDAHO

August 13, 1949



State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mark R. Kulp
State Reclamation Engineer

Dear Sir:

Re: Permit No. 20543
Winslow B. Whiteley

In the above matter, I have the signed depositions of the witnesses, and also the signed deposition of Mr. Whiteley. At the time of the hearing I neglected to fill in for Mr. Whiteley the last three questions. As soon as I discovered that I had not filled in those questions, I immediately wrote to Mr. Whiteley and to date Mr. Whiteley has not been back to my office with the information.

I notice by the papers, this applicant has been in Portland, Oregon, and Salt Lake City, Utah, and no doubt is working on some committee as he is very active in the potato growers organization.

I am sending the affidavit of the publisher showing that the notice was published and will mail the other just as soon as I can contact Mr. Whiteley.

I hope this will not inconvenience your procedure too greatly.

Very truly yours,

NIELSON & NIELSON

By


A. H. Nielson

AHN:ew
Enclosure

20543

✓
August 11, 1949

Re: Permit No. 20543

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We have not yet received the Proofs of Beneficial Use which were advertised to be made before you on June 28, 1949, on Permit No. 20543 in the name of Winslow B. Whiteley.

We wrote Mr. Whiteley about this on July 28, but have had no reply.

You understand, of course, that it is important that this matter be taken care of if the Permit is to be continued in good standing, with its present priority.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20543

✓
July 28, 1949

Re: Permit No. 20543

Mr. Winslow B. Whiteley
Oakley, Idaho

Dear Mr. Whiteley:

We do not seem to have received your Proof
on Beneficial Use under Permit No. 20543 which was to
have been made on June 28, 1949, before Mr. A. H. Nielson,
Notary Public.

Please advise if these proofs have been made
and if so, they should be transmitted promptly to this
Department, together with Affidavit of Publication which
the Oakley Herald was instructed to send you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

CC: Mr. A. H. Nielson.

20543

June 3, 1949

Re: Permit No. 20543

Mr. A. H. Nielson
Attorney at Law
Oakley, Idaho

Dear Mr. Nielson:

We enclose Certificate of Completion of Works issued under Permit No. 20543 in the name Winslow B. Whiteley, for the diversion of 1.6 second feet of water from a well in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Township 13 South, Range 22 East, B.M., for the irrigation of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section.

We also enclose Departmental Receipt No. 21537 for the \$5.00 fee paid by you in connection with Completion of Works Proof.

Notice of Beneficial Use Proof to be made under this Permit before you as Notary Public, on June 28, 1949, has been sent to the Oakley Herald, with instructions to publish it once a week for four consecutive weeks prior to that date, and to send Mr. Whiteley the Affidavit of Publication, together with statement of costs.

We enclose the necessary forms of deposition for making this proof, consisting of one for the Permit Holder and one for each of the two witnesses, and at the time set, Mr. Whiteley should appear before you with two disinterested witnesses, who are familiar with the terms of the Permit, and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20543

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: May 25, 1949

Re: Permit No. 20543

Oakley Herald

Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 22, 1949, the date set for proof, the expense of the publication to be paid by the applicant, Winslow B. Whiteley of Oakley, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

20543

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

Notice is hereby given that at ten A. M. on the 28th day of June, 1949,
at Burley, County of Cassia, State of Idaho, before
A. H. Nielson, Notary Public, proof will be submitted of the
application to beneficial use of 1.6 cubic feet per second of the waters of a well located
on the West Half of the Northwest Quarter, Section Three, Township Thirteen South,
Range Twenty-two, East Boise Meridian, in accordance with the terms and conditions of Permit No. 20543
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
Winslow B. Whiteley, Oakley, Cassia County, Idaho.

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 1.6 second feet

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) The West Half of the Northwest Quarter, Section Three, Township
Thirteen South, Range Twenty-two, East Boise Meridian, in Cassia County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is all ditches located on Winslow B. Whiteley's farm

The right to take water from such works is based upon Permit No. 20543

The source of supply from which such water is diverted is a well located in the Southwest
corner of the West Half of the Northwest Quarter, Section Three, Township Thirteen
South, Range Twenty-two, East Boise Meridian.

The date of priority which said user is prepared to establish is May 14, 1949
~~February 14, 1948~~ July 14, 1948

MARK B. KULP
State Reclamation Engineer.

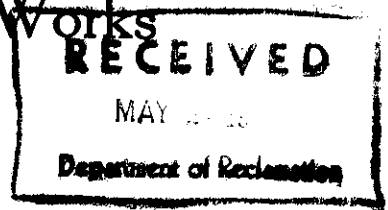
20543

Permit No. 20543

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER



STATE OF IDAHO

County of Cassia

ss.

Winslow B. Whiteley, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20543, and that his postoffice address is Oakley, Idaho.

Second: That the ~~name of the stream from which said water is to be diverted is~~ said water is to be diverted from a well located as hereinafter described.

Third: That the point of diversion of said water is 5 rods East and 3 rods North from the Southwest corner of the West Half of the Northwest Quarter, Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian, in Cassia County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 31, 1949.

Fifth: That the use for which said water is intended is irrigation.

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

I. Kind of works: Drilled well and pump installed therein.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line.
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 1.6 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: The West Half of the Northwest Quarter, Section Three, Township Thirteen South, Range Twenty-two, East Boise Meridian, in Cassia County, Idaho.

Ninth: Remarks: That since the 14th day of May, 1949, water from the above mentioned well has been used on the above described land. The well is located on affiant's land and water is transported from the well all on the affiant's land in small ditches and the land has a gentle slope to the North and no interference and water is all applied through open ditches.

Winslow B. Whiteley
(Sign Here)

Subscribed and sworn to before me this 20th day of May, 1949

[Signature]

My commission expires February 20, 1950

Notary Public
in and for Idaho, Residing at Burley therein.

20543

1949

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 21, 1949

(P. O.) Oakley, Idaho

STATE RECLAMATION ENGINEER

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Oakley Herald of Oakley, Idaho, published in
the county in which the works are situated.

Kinslow B. Hultberg

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

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

Engineer.

20543

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

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

Boise, Idaho

May 2, 1949

Mr. Winslow B. Whiteley

Oakley, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 20543. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than July 31, 1949, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KUTP

State Reclamation Engineer

20543

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Winslow B. Hiteley

Boise, Idaho

April 1, 1949

Oakley, Idaho

Dear Sir:-

Under the terms of your permit No. 20543 you are required to complete your diversion works on or before June 30, 1949. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KUTP

State Reclamation Engineer

20543

✓
December 7, 1948

Re: Permit No. 20543

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We enclose approval of the State Reclamation Engineer of Winslow B. Whiteley's application for extension of time for completion of works under Permit No. 20543 to June 30, 1949.

This should be attached to the original permit of which it now forms a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Enc.

20543

Permit No. 20543

Application for Extension of Time FOR COMPLETION OF WORKS

Winslow B. Whiteley, of Oakley,
State of Idaho, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 20543

Under the terms and conditions of said permit, construction work thereunder was required to be
completed by September 1, 1948.

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

That he has had a well drilled on his property in plenty of time
to be pumping water prior to September 1, 1948,

costing \$2,000.00.

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

That applicant, after the well was dug, was in a position to install a pump but
it was then found there was a bend in the casing; that in order to straighten the
bend out a liner was placed in the casing; that the liner became caught in the bend
and until the liner is removed and the casing straightened it is impossible for the
pump to commencing working. It now appears that it will be approximately the 30th
day of May, 1949, before the well is delivering water.

State Reclamation Engineer
WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the comple-
tion of works under said permit to June 30, 1949.

Subscribed and sworn to before me this 2d day of December, 1948.

My commission expires February 20, 1950.

Date of receipt at office of Department of Reclamation

STATE RECLAMATION ENGINEER
APPROVAL OF COMMISSIONER OF RECLAMATION

I, MARK R. KULP, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the com-

pletion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 20543 to
June 30, 1949.

Witness my hand this 6th day of December, 1948.

20543
Mark R. Kulp
State Reclamation Engineer

✓
December 6, 1948

Re: Permits Nos. 20406 and 20543

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of your letter of December 3 enclosing application of Winslow B. Whitely for extension of time for completion of works on Permit No. 20543, which will be approved and returned to you in a few days.

In reference to the enclosed forms submitted in proof of completion of works under Permit No. 20406 in the name of Albert Anderson and Sons Company and their application for extension of time for beneficial use proof, no doubt are this, Albert Anderson and Sons Company have received registered notice that Permits Nos. 20406, 20407 and 20374 are being held for cancellation upon failure to make proof of completion of works within the time designated in the permits.

Reference to the permits will show that on Permits Nos. 20406 and 20407 this proof was due on or before July 22, 1948, and on Permit No. 20374 on or before July 7, 1948.

If these works were completed within that time the permits may be reinstated by furnishing depositions of the permit holder and two witnesses on each permit that the works were so completed prior to said date.

When that has been done we can then consider an application for extension of time for making beneficial use.

We enclose the necessary forms for making proof of completion of works and return the depositions of two witnesses on Permit No. 20406 since the deposition of the permit holder is also required.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
Encls.

20543

✓
November 23, 1948

Re: Permit No. 20543

Mr. Winslow B. Whitely
Oakley, Idaho

Dear Mr. Whitely:

Under date of October 13, 1948, we sent you a form of application for extension of time for completion of works on Permit No. 20543.

This was sent to take the place of a wrong form which was sent Mr. A. H. Nielson on October 6.

Since this proof was due on or before September 1, 1948, it is necessary that the extension application be received and approved at once if the permit is to be continued in good standing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
CC: Mr. A. H. Nielson

20543

✓
October 13, 1948

Re: Permit No. 20543

Mr. Winslow B. Whiteley
Oakley, Idaho

Dear Mr. Whiteley:

We wish to acknowledge receipt of application for extension of time for completion of works on the above captioned permit.

We have evidently sent you the wrong form in requesting this extension. This form which you have used requires publication and is to be used only for requesting extension on permits where the completion of works proof is to be granted over and above the five year maximum statutory period.

The enclosed form for application of extension of time is the proper form to be used in connection with your permit and will ask you to fill out said form and return to this office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T/gt

Enc.

See 9-1-48
20543

October 6, 1948

Re: Permit No. 20543
Winslow B. Whitely, Oakley, Idaho

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We are enclosing herewith forms upon which to make application for extension of time for completion of works of the above numbered permit.

This is confirming your request of October 5, 1948.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T/gt

Encls.

20543

A. H. NIELSON
ATTORNEY AND COUNSELOR AT LAW
BURLEY, IDAHO

October 5, 1948

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mark R. Kulp
State Reclamation Engineer

Dear Sir: Re: Permit No. 20543
 Winslow B. Whiteley
 Oakley, Idaho

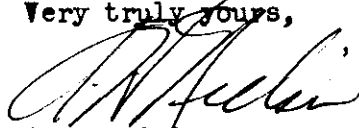
In the above application permit, drilling has been going on on the Whiteley property.

The hole has not been made straight, and the tools have been lodged in the well.

Would you send me the appropriate forms to make application for extension of time?

It appears now water will not be put to beneficial use until May, 1949.

Very truly yours,


A. H. Nielson

AHN:ew

20543

July 26, 1948

Re: Permit No. 20543

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We enclose Permit No. 20543 in the name of Winslow B. Whiteley together with Departmental Receipt No. 20741 for the \$5.25 filing fee in which you will note that proof of completion of works is due on or before September 1, 1948 and proof of beneficial use on or before October 1, 1948.

The first proof or proofs of completion of works is made by executing Form 8 enclosed before a Notary Public, and returning to this Department with a statutory fee of \$5.00, upon receipt and approval of such a certificate of completion of works will be issued.

The final or beneficial use proof requires publication once a week in a county newspaper for four consecutive weeks prior to the date for making proof. Notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of the notice to be returned to this Department together with Form 11 which is your authorization for us to have the notice published in the designated newspaper at your expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and on the date set you should appear before the Notary Public together with two disinterested witnesses to execute depositions of proof on forms furnished by this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/et

Enc. 5

20 543

NAME OF APPLICANT WINSLOW B. WHITELEY

FORM No. 0

West Half of Northwest Quarter,
Section Three, Township Thirteen South,
Range Twenty-two, East Boise Meridian.

Well



Permit Map No. 20543

As Approved

JUL 23 1948

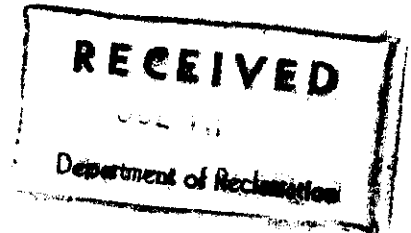
MARK R. KULP

State Reclamation Engineer

20543

A. H. NIELSON
ATTORNEY AND COUNSELOR AT LAW
BURLEY, IDAHO

July 15, 1948



Department of Reclamation
State of Idaho
Boise, Idaho

Attention: Jeanne L. Anderson
Chief Clerk

Dear Miss Anderson:

As requested in your letter of July 14th,
we are sending another check in the amount of
\$5.25 in the matter of the application of Winslow
B. Whiteley to appropriate four second feet of
water from a well.

Very truly yours,

A. H. Nielson

By *Wilma Southern*
Secretary

WS
Enc. ck.

20543

July 14, 1948

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of your letter of July 10th, which reached us this morning, enclosing the application of Winslow E. Whiteley to appropriate four second feet of water from a well.

We note, however, that this water is to be used for the irrigation of only 80 acres of land; and as the maximum amount allowed by statute is one inch per acre, the application can only be approved for that amount, or 1.6 second feet.

The correct filing fee for that amount is \$5.25, and we return your check in order that you may substitute one in the correct amount.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

20543

A.H. NIELSON
ATTORNEY AND COUNSELOR AT LAW
BURLEY, IDAHO

July 10, 1948

State Reclamation Engineer
State of Idaho
Boise, Idaho

Gentlemen:

At the request of Winslow B. Whiteley
of Oakley, Idaho, I am sending water right application
for permit.

I am also sending my check in the amount of
\$5.75 to pay for the filing of this application.

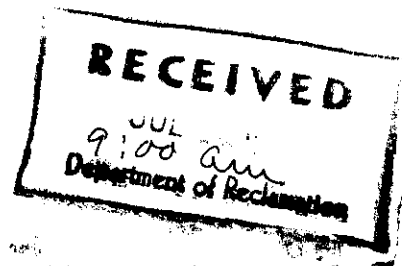
If the application is not complete, would
you notify me as to any needed information?

Very truly yours,



A. H. Nielson

AHN:ew
Enclosure



20543