

WATER LICENSE

Water License No. G-28194 Priority September 29, 1959 Amount 1.75 c.f.s.

THIS IS TO CERTIFY, that WHITWORTH BROTHERS, F. M. & E. L.
of Soda Springs, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 29, 1959; that Permit G-28194 was issued pursuant
to said application; that the proposed works were completed on or about September 12, 1959,
with a storage/or carrying capacity of 3.95 c.f.s., said works consisting of
well, pump, motor, and steel underground mainline; and that on October 15, 1964,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 585
acre feet per season, with a maximum rate of diversion of 1.75 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 Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 7 S, R. 38 E, B.M., and
other additional points _____, in the County of
Caribou; 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 585 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 $\frac{1}{4}$	
<u>7 S</u>	<u>38 E</u>	<u>2</u>															<u>12</u>		<u>12</u>
		<u>11</u>	<u>39</u>	<u>31</u>		<u>36</u>													<u>106</u>
		<u>12</u>						<u>40</u>	<u>37</u>										<u>77</u>

Total number of acres irrigated 195

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

4th day of August, 19 69.

[Signature]
State Reclamation Engineer

29 2418

28194
29-2418

gme

29-2418

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

Application No. G- 36146
Permit No. G- 28194
District No.

1. Name of Applicant: Whitworth Brothers, F. M. & E. L.
Postoffice address: Bancroft County: Caribou State: Idaho

2. Quantity of water claimed:

- (a) Rate of withdrawal in cubic feet per second 1.75 or Idaho
Miners' inches or gallons per minute 788
(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 SE 1/4 of the NE 1/4 of Section 11
Twp. 7 So. , Rge. 36 E. , B.M., County of Caribou

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 and sprinklers - diesel power to start

8. Estimated cost of works: \$ 15,000.00

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 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

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

(b) Treasury stock:

(c) Bonds to be issued:

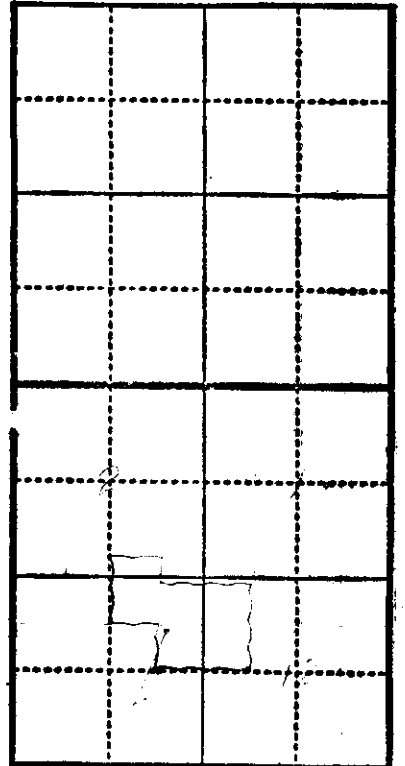
(d) Other resources:

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: We have a water right in Topans Canal Company, and their right is from Topans Creeks

(a) 1.75 (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) (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks: This well is for supplemental water, nearly every year we are out of water around July 1st.
When the creeks go down the water goes to Indian rights.

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

s/ WHITWORTH BROTHERS Applicant.

By s/ F. M. Whitworth Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. September 29, 1959

Returned to applicant for correction: September 29, 1959

Corrected application received: October 5, 1959

Approval of State Reclamation Engineer

The number of this permit is G— 28194

Recorded in Book 99

Page 28194

Approved

October 15, 1959

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 the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 15, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before October 15, 1964

Witness my hand this 15th day of October, 1959

s/ GEO. N. CARTER

STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 15th day of October, 1959.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE

Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 S	38 E	2																	
		11	40	40											20				20
		12					40	40											80
															Total				220

LICENSE ISSUED FOR 1.75 SEC. FT.
LICENSE PAGE NO.

August 4, 1969

Re: Permit No. G-28194

Whitworth Brothers, F. M. & E. L.
Bancroft,
Idaho 83217

Dear Sirs:

Enclosed you will find your Water License issued on the
above numbered permit.

Also enclosed is departmental receipt No. 3336 in the
amount of \$17.00 covering the fees.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

C
O
P
Y

29-2418
28194

July 16 - 1969

Department of Reclamation

Dear Sirs: In regards to
Permit no B-28194. I am
Sending you the \$17 as requested.

Yours truly
C. L. Whitworth
Bancroft Ida

RECEIVED
JUL 18 1969

JUL 18 1969

Department of Reclamation

29-241
28194

July 14, 1969

Re: Permit No. G-28194

Whitworth Brothers, F.M. & E.L.
Bancroft, Idaho 83217

28194

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit G-28194 and has found the following:

Quantity of water diverted: 3.95 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 3.95 c.f.s.

The maximum quantity diverted shall not exceed 585 acre feet per season.

Purpose of use: Irrigation of 195 acres in SW+SE+, Sec. 2, T. 7S, R. 38E, NE+NE+, NW+NE+, SE+NE+, Sec. 11, T. 7S, R. 38E, NW+NW+, SW+NW+, Sec. 12, T. 7S, R. 38E.

The priority date established is: September 29, 1959

A fee totaling \$ 17.00 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,

Donald W. McElDowney
Appropriation Examiner

DWM/mh

29-2418
28194

July 14, 1969

Re: Permit No. G-28194

Whitworth Brothers, F.M. & E.L.
Bancroft, Idaho 83217

Gentlemen:

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

3.95 c.f.s.

Quantity of water diverted: _____

Amount of water that can be recognized as beneficially used under Idaho Law: _____

The maximum quantity diverted shall not exceed 585 acre feet per season.

Irrigation of 195 acres in SW+SE+, Sec. 2, T. 7S, R. 38E, NE+NW, Sec. 11, T. 7S, R. 38E, NE+NW, SW+NW, Sec. 12, T. 7S, R. 38E.

September 29, 1959

The priority date established is: 17.00

A fee totaling \$ _____ 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,

Donald W. McEldowney
Appropriation Examiner

DWM/mh

*Serial Pending
Fees Paid
7-18-69*

*29-2418
28194*

Whitewater Dred.
Twp 7-S Range 38 E



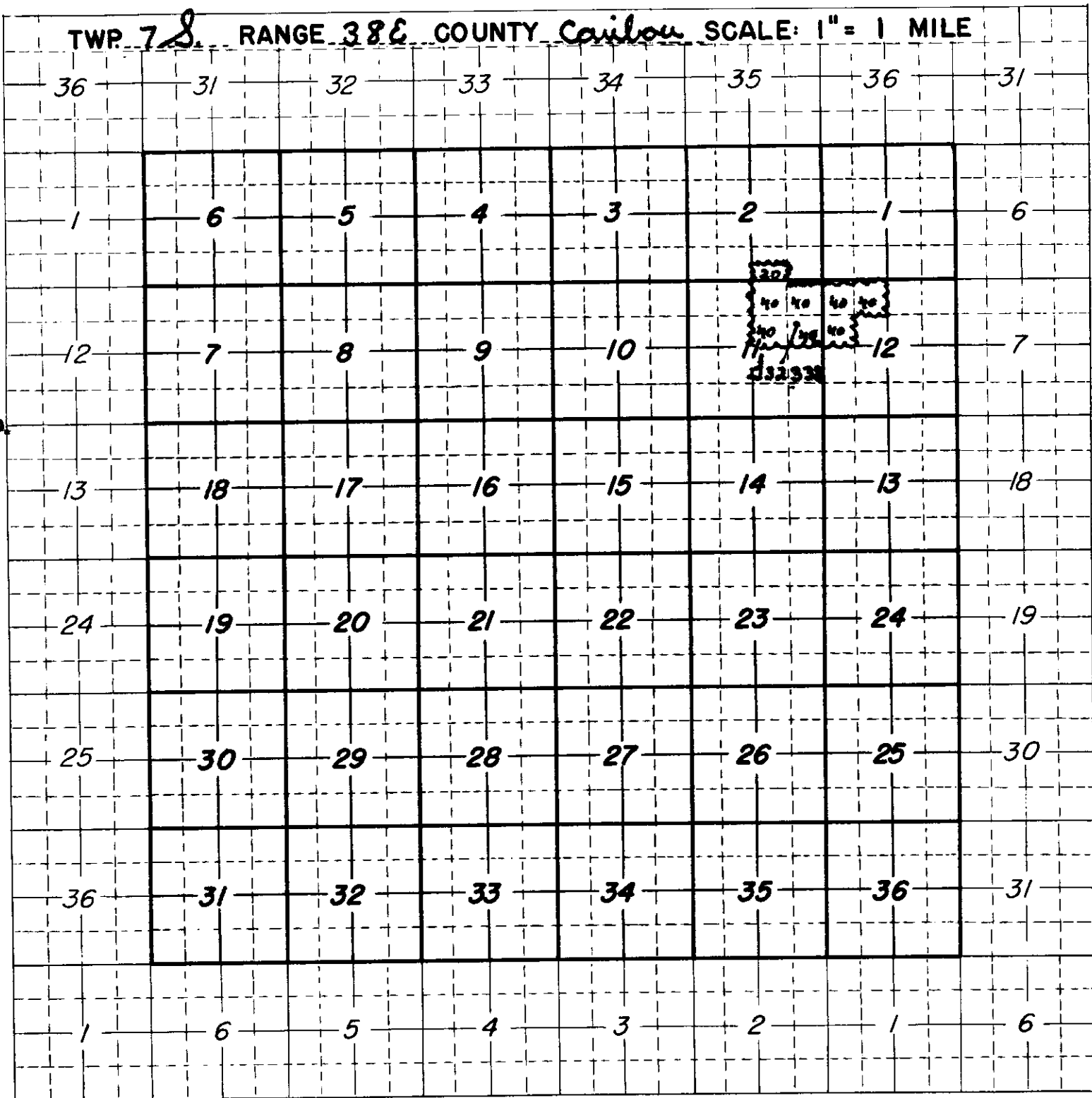
292418
28194

Wm. H. ...
Twp 7. S Range 38 - st.



TWP 7 S. RANGE 38 E. COUNTY Carbon SCALE: 1" = 1 MILE

d. 32338
2.0 cfs
well
tentative priority
4-27-65
300 acres
proof to be
made 4-30-70
Whitworth Co.



28194
39-2-418

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

Permit No. G-28194This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Whitworth Brothers2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SE 1/4 NE 1/4 of Section 11T. 7 S. R. 38 E.B.M. County of Caribou

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

100 HP US HOUSE/ART # 1304057
F & M V.T.P. # PN 2105
8" DISCHARGE INTO STEEL UNDERGROUND
MAIN LINE - 60 lbs - WEST 1/4 EAST 1/2

5. Water is used for: irrigation6. 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):

SW 1/4 SE 1/4 Sec. 2., N 1/4 NE 1/4, SE 1/4 NE 1/4, Sec. 11., W 1/4 NW 1/4 Sec. 12., Twp. 7 S., Rge. 38 E.B.M.
(220 acres)

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

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

Remarks: _____

Mr. Whitworth CONTACTED6 1/2 - 4 mile LAT 7/32" DRAINING 20 M @ 35 LBS

$$Q = (6 \text{ LAT}) (39 \text{ M}) + 16 \text{ M} (8.26 \text{ gpm}) = 3.95 \text{ CFS}$$

118.8 gpm
IRRIGATION REQUIREMENT = 30 AF - FY / 1000 / SEASON

This examination was made on the 25th day of JULY 1958

(Signed) _____

Examiner.

28194
29-2418

OR
per
X.H.

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.

250' x 18" - h: 17'
119' x 18" - c: 49'
3" thick 8' x 12'
240' x 18" - c: 70' ??
Whitworth Brothers
Bancroft, Idaho
Permit No. G-28194
C-700 ??

Examination for Completion of Works & Beneficial Use

County.....Caribou.....

Sec. 11 T. 78 R. 38 EBM

Quantity: 1.75

Source: 29-
Well

P.D.: SENE-11

Use: Irrigation

Filed: 29 September 59

Due: 15 October 64

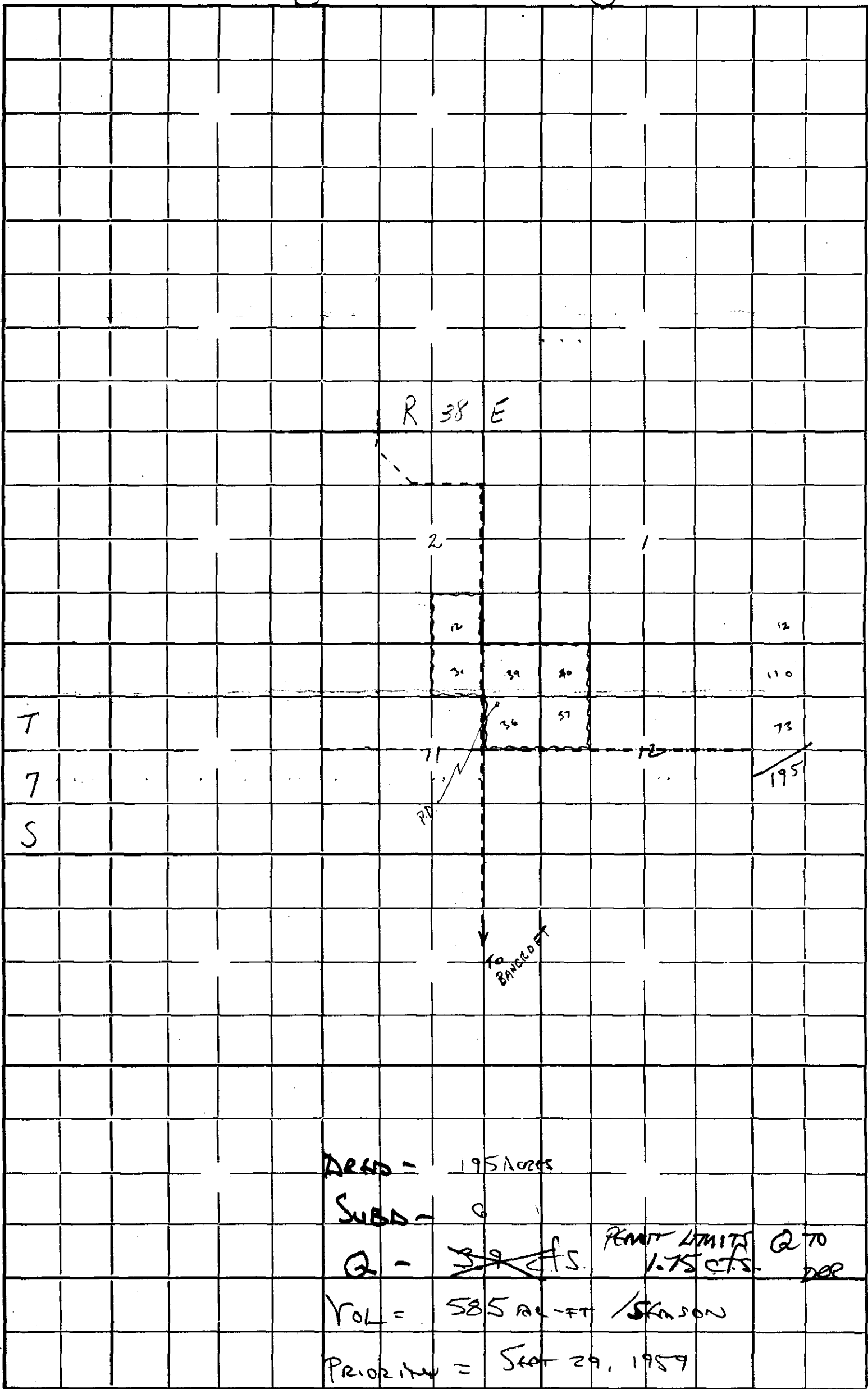
Extension: _____

Protest: _____

Completion of Works: _____

Other Rights: Toxams Canal
Co. _____

Made: Oct 22, 1964
Priority = 597 29 1959



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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-28194

REPORT ON PROOF OF Completion of Works & Beneficial Use

Whitworth Brothers, Bancroft, Idaho

June 11, 1968

C
O
P
Y

Re: Permit No. G-28194
Whitworth Brothers

Wallace M. Transtrum
Attorney At Law
35 West Center
Soda Springs, Idaho 83276

Dear Mr. Transtrum:

Please be advised that it is the intention of the Department of Reclamation to inspect the land and works covered under the above referenced permit during the latter part of August of this year.

We will call in advance of the inspection.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj

28194

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
PHONE 547-3944

35 WEST CENTER
SODA SPRINGS, IDAHO 83276

29

June 6, 1968

RECEIVED

JUN 7 1968

Department of Reclamation

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

Gentlemen:

Re: Permit No. G-28194
Whitworth Brothers
Bancroft, Idaho

Would you kindly advise me if it is on your agenda to inspect the system installed by Whitworth Brothers under the above stated reference number. At one time this was scheduled to be examined in the 1967 season, and Mr. Frank Whitworth is concerned that it be approved as early as possible. Thank you for your assistance.

Very truly yours,


Wallace M. Transtrum
WMT/jl

28194

REPORT OF WELL DRILLER
State of Idaho

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

WELL OWNER:
Name FRANK WHITWORTH BROS
Address BAN (ROFT) IDAHO

Owner's Permit No. 28194

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: IRRIGATION

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

CASING SCHEDULE: Threaded ☐ Welded ☒
18 "Diam. from 0 ft. to 12 1/2 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
Thickness of casing: 2.50 Material:
Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☒ No ☐ Type of
perforator used: TORCH

Size of perforations: 6 " by 1/4 "
84 perforations from 100 ft. to 120 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☐
Manufacturer's name

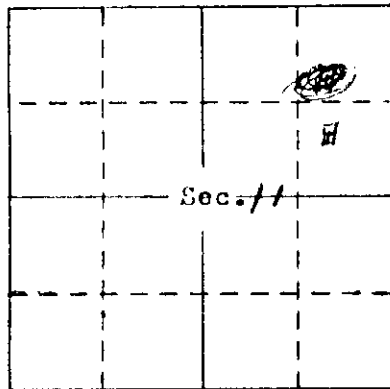
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐
No ☐ size of gravel Gravel
placed from ft. to ft. Surface seal
provided? Yes ☐ No ☐ To what depth?
 ft. Material used in seal:

Did any strata contain unusable water? Yes ☐
No ☒ 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



LOCATION OF WELL: County CARBON
SE & NE Sec. 11 T. 7 N/S R. 30E/4

Size of drilled hole: 18 Total
depth of well: 250 Standing water
level below ground: 2' 6" 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		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		
0	13	CLAY	
13	20	GRAVEL	
20	76	CLAY YELLOW	
76	84	CLAY WITH GRAVEL YELLOW	
84	99	" BLUE GRAVEL	
99	116	GRAVEL	YES
116	119	ROCK LOOSE	YES
119	142	" SOLID LIGHT GREY	
142	145	CRACKED ROCK LIGHT GREY	
145	163	SOLID " WHITE	
163	165	CRACKED " "	YES
165	174	SOLID " "	
174	193	CRACKED " "	YES
193	197	BRUISED " "	YES
197	223	SOLID " "	
223	228	CRACKED " "	
228	237	SOLID " "	
237	241	LOOSE " "	YES
241	250	SOLID " "	

Work started: July 1959
Work finished: Aug 1959
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.
Name: BERT WESTLAKE
Address: BENNINGTON IDAHO
Signed by: Bert Westlake
License No. Date: OCT 31 1967

Use other side for additional remarks

28194

January 30, 1967

Re: Permit No. G-28194
Whitworth Brothers

C
Wallace M. Transtrum
Attorney at Law
159 South Main
Soda Springs, Idaho 83276

Dear Mr. Transtrum:

Permit No. G-28194 in the name of Whitworth Brothers will probably be examined sometime during the coming irrigation season. If there is a special reason for desiring an early inspection, please advise.

Very truly yours,

Donald J. Watts
Engineer

Y
DJW:nw

28/94

LAW OFFICES

WALLACE M. TRANSTRUM

ATTORNEY AT LAW

PHONE 547-3944

January 27, 1967

159 SOUTH MAIN

SODA SPRINGS, IDAHO 83276

RECEIVED
JAN 30 1967

Department of Reclamation

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

Dear Sir:

Re: Transfer of Water Right No. 1052
F. M. Whitworth

Subsequent to the issuance of the above referenced permit to the Whitworth Brothers your fieldman checked with Mr. Whitworth in the fall of 1965, but the electrical power was off and he was unable to test the well at that time. There has been no further contact by your office with Mr. Whitworth for the purpose of testing the well preparatory to issuance of his water license, and your cooperation and attention to this will be greatly appreciated.

Very truly yours,


WALLACE M. TRANSTRUM

WMT/ehd

28194

1M April 1962

November 30, 1964

Re: Permit No. 28194

Whitworth Brothers
Bannock, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the CARIBOU COUNTY SUN, all submitted in proof of completion of works and beneficial use on Permit No. 28194.

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

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:
cc: Wallace M. Transtrum
Attorney at Law
P. O. Box 976
Boda Springs, Idaho

28194

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
COURT HOUSE
PHONE 547-3944

P. O. BOX 976
SODA SPRINGS, IDAHO

November 18, 1964

NOV 19 1964

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Re: Whitworth Brothers Permit No. G-28194

Thank you for your letter of November 10, 1964. I have completed the Deposition of Holder as indicated and have returned to you the Deposition of Holder, Deposition of Witness Asa F. Hatch, Deposition of Witness Edmond J. Reed, Affidavit of Publication, and affidavit.

The deposition of Mr. Reed was made upon a verifax copy of your form and used as an original since I ran short of forms at that time and was unable to complete it otherwise. You will note that all information and signatures appears as an original. The deposition was filed in my files through error rather than being attached to my previous letter.

On the date and at the time scheduled in the notice under this permit the holder of the permit and witness Edmond J. Reed appeared, made their statements before me, and caused them to be executed. Mr. Asa Hatch apparently through oversight failed to appear at the required time and his statement was obtained subsequently on the same date before a different notary at Bancroft, Idaho. No one appeared in opposition to said permit on the date and at the time indicated nor at any other time since said permit was issued until the date of the write in hereof. The deposition of Mr. Hatch was taken from a statement personally made to me and the execution of the instrument only was taken before the notary public at Bancroft, Idaho.

Thank you for your usual cooperation.

Very truly yours,


WALLACE M. TRANSTRUM

WMT/dg
Enc's

28194

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
COURT HOUSE
PHONE 547-3944

RECEIVED
NOV 10 1964

P. O. BOX 976

SODA SPRINGS, IDAHO

Department of Reclamation

November 9, 1964

RECEIVED
NOV 19 1964

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

Re: Whitworth Brothers G-28194

I have enclosed herewith Deposition of Witnesses
Asa F. Hatch and Edmond J. Reed and Deposition of Owner F. M.
Whitworth as well as Affidavit of Publication from the Caribou
County Sun. I trust that everything is in order and that the
water license might issue.

Very truly yours,


WALLACE M. TRANSTRUM

WMT/dg
Enc.s

*Only 1 witness's aff.
came in*

28194

A F F I D A V I T

STATE OF IDAHO)
 : ss.
COUNTY OF CARIBOU)

Wallace M. Transtrum being first duly sworn deposes and says

That he is a notary public for the State of Idaho with offices at
159 South Main, Soda Springs, Idaho.

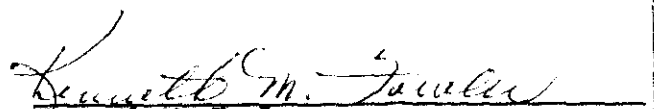
That the witness, Asa F. Hatch, made a statement to the undersigned
concerning the completion of works for the diversion of 1.75 cubic feet per
second of underground water and the application of the same to beneficial use
permit number G-28194, owned by Whitworth Brothers of Bancroft, Idaho;
that said statement was reduced to writing in the form of a Deposition but that
at the precise hour of the taking of such deposition pursuant to published
notice Mr. Hatch, through oversight, failed to appear; that such deposition
was completed latter on that same date before a different notary public.

That at the time and date specified in the aforesaid published
notice the permit holder and one other witness appeared and made public state-
ment of the completion of such works and diversion of such water and that neither
at that time and date nor at any other time and date has any person appeared
in protest of said permit.

Dated: November 17, 1964.


Wallace M. Transtrum

SUBSCRIBED AND SWORN to before me this 18th day of November, 1964.


Kenneth M. Fowler
Clerk of the District Court

RECEIVED
NOV 19 1964

Department of Reclamation

RECEIVED
NOV 10 1964

Department of Reclamation

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

....V. E. Lansberry.....
being first duly sworn on his
oath, states:

That he is Co-Publisher
of the Caribou County Sun, a
newspaper of general circulation
in Caribou County, Idaho, pub-
lished weekly at Soda Springs in
said County, that said newspaper
has been published in said county
uninterruptedly and continuously
for over seventy-eight consecu-
tive weeks, prior to the first pub-
lication of the annexed notice or
advertisement:

That the annexed notice was
published as per clipping at-
tached in the regular and entire
edition of said newspaper and
not in any supplement thereof

for Four
successive weekly issues thereof,
the date of the first publication

being the 17th day

of September 1964..

The date of the last publication

being the 8th day of

October 1964..

X V. E. Lansberry

Subscribed and sworn to be-

fore me this 8th day

of Dec 1964

S. B. Bantam

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

..... day of July

1968..

LEGAL NOTICE	
NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE	
Notice is hereby given that at 3:30 P. M. on the 15th day of September, 1964 at Soda Springs, County of Caribou, State of Idaho, before Wallace M. Trautman, Notary Public, at 159 South Main Street, Soda Springs, Idaho, proof will be submitted of the comple- tion of works for the diversion of 1.75 cubic feet per second of underground water from a well, and of the application to bene- ficial use of said water, in accord- ance with the terms and condi- tions of Permit No. G-28194, here- tofore issued by the Department of Reclamation of the State of Idaho.	
1. The name and postoffice ad- dress of the person or corpora- tion holding said permit is Whit- worth Bros., M. and E. L.	
2. The point of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.75 cubic feet per second.	
3. The use to which said water has been applied is Irrigation pur- poses, and the amount applied to beneficial use is 1.75 cubic feet per second.	
4. The point of diversion of said water is SE1/4 Section 11, Township 7 South, Range 38 East, E. M.	
5. The place where said water is used is SW1/4 SE1/4, Section 2; NW1/4 NE1/4 and SE1/4 NE1/4, Section 11; and W1/4 NW1/4, Section 12, all in Township 7 South, Range 38 East, E. M.	
6. The date of priority which said user is prepared to establish is September 22, 1959.	
CARL E. TAPPAN State Reclamation Engineer Pub. ST-24-01-3	

Whitworth Bros.

28194

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

...V. E. Lansberry...
being first duly sworn on his
oath, states:

LEGAL NOTICE

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

Notice is hereby given that at 3:00 P. M., on the 15th day of October, 1964, at Soda Springs, County of Caribou, State of Idaho, before Wallace M. Transtrum, Notary Public, at 159 South Main Street, Soda Springs, Idaho, proof will be submitted of the completion of works for the diversion of 1.75 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28194, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Whitworth Brothers, F. M., and E. L., Bancroft, Idaho.

2. Said works of diversion will

be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.75 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 1.75 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, Township 7 South, Range 38 East, B. M.

5. The place where said water is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11; and W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 12, all in Township 7 South, Range 38 East, B. M.

6. The date of priority which said user is prepared to establish is September 29, 1959.

CARL E. TAPPAN
State Reclamation Engineer
Pub. S17-24-01-8

That he is Co-Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for Four
successive weekly issues thereof,
the date of the first publication

being the 17th day

of September 19, 1964.

The date of the last publication

being the 8th day of

October, 1964.

X *V. E. Lansberry*
Subscribed and sworn to before me this 8th day of October, 1964.

Notary Public, residing at Soda Springs, Idaho.

(SEAL)

My Commission expires the 1st day of July, 1968.

Whitworth Bros.

28194

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. G-28194

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and ~~Completion of~~ *****

RECEIVED
NOV 10 1964
RECEIVED
NOV 19 1964
Department of Reclamation

DEPOSITION OF HOLDER

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

F. M. Whitworth, Bancroft, Idaho, Farmer (partner in Whitworth Brothers)

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:

Whitworth Brothers, F. M. and E. L., Bancroft, Idaho (Partnership)

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; G-28194 October 15, 1959 Same date of priority

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range:

Point of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, T 7S, R 38E., B.M.

Ques. 5. Describe your works of diversion: Well and pump with main and lateral lines

_____ ; state amount of water they are capable of conveying from point of diversion to place of use over 1.75 ^{cubic feet per second} ; Give name of canal or ditch or other works by which water is conducted to such place of use: none

_____ ; if a well, state depth of well 250 feet ; depth and size of casing: 119 feet by 18 inches ; depth to water 17 feet ; if pump is used,

state discharge of pump: 8 inches ; tell how it was measured or determined: by number of lateral and heads ; if sprinkler irrigation, give number and size of nozzles and operating pressure: 240 nozzles at 70 pounds pressure, Size 13

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 :

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2; N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11; and ~~W $\frac{1}{2}$ NW $\frac{1}{4}$~~ Section 12, all in T 7S, R 38E, B.M. being a total of ~~440~~ 220 acres

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

suppliment all irrigation resulting in better crops

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

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: September 12, 1959 Time used since first use:

Several times annually for irrigation

Ques. 11. Describe all other water rights appurtenant to same place of use:

4,500 shares Topans Canal and 1½ feet Indian Water Rights leased

(sign)

Whitworth Bros.
A. M. Whitworth

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

Soda Springs, County of Caribou

State of Idaho, on this 15th day of October, A.D. 19 64.

Wallace M. Brant

My Commission expires: 8-28-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
Permit No. G-28194

RECEIVED
NOV 10 1964

Department of Reclamation

RECEIVED
NOV 19 1964

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:

ASA F. HATCH Age 64 Bancroft, Idaho - Farmer

Ques. 2. Are you acquainted with Whitworth Brothers, F. M. And E. L., the holder of
Permit No. G-28194 ? How long have you known him and where does he reside:

Since 1915, he resides at Bancroft, Idaho

Ques. 3. Have you read or heard said Permit No. G-28194 read, and are you familiar
with its provisions and conditions: Yes: yes No:

Ques. 4. State source of water supply: Subteranean

State place of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, T 7S, Range 38E., B.M.

Describe works for conveying water to place of use: 18 inch well 250 feet deep; 100 hp
electric turbine pump; 8 inch steel main and 6 inch steel main; five $\frac{1}{4}$ mile, 4 inch
aluminum pipe laterals

Ques. 5. How many second feet of water do you estimate said works will safely conduct
per second
to place of use: in excess of 1.75 cubic feet How much water have you seen being so
conveyed: in excess of 1.75 cubic feet per second

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

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2; N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ ~~XXXXXX~~ of Section 11; and ~~N $\frac{1}{2}$ NW $\frac{1}{4}$~~ Section 12,
all in T 7S, R 38E, B.M. being a total of 440 acres

220

28194

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

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:

Land is almost flat of medium sandy loam and requires approximately 5.6 GPM per acre

Ques. 9. Have you any 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: Water first used September 12, 1959

Other times you have seen such use: Several times each year since that date

(Signed)

Asa J. Hatch

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 Bancroft

 , County of Caribou, State of Idaho, on this 15th day of October,

A. D., 1968.

Christina Hatch

Notary Public for State of Idaho

Residing: Bancroft

My commission expires: Nov 1, 1964

NOV 19 1964

RECORDATION

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G-28194

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:

Edmund J. Reed, Age 47, Bancroft, Idaho - Occupation Plumber

Ques. 2. Are you acquainted with Whitworth Brothers, E. M. and E. L., the holder of
Permit No. G-28194 ? How long have you known him and where does he reside:

Approximately 40 years - they reside on a ranch in the Bancroft area

Ques. 3. Have you read or heard said Permit No. G-28194 read, and are you familiar
with its provisions and conditions: Yes: yes No:

Ques. 4. State source of water supply: subteranean

State place of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, T 7S, R 38E, B.M.

Describe works for conveying water to place of use: 18inch well 250 feet deep; 100 hp
electric turbine pump; 1830 feet 8 inch steel main and 3670 feet 6 inch steel main; five
 $\frac{1}{4}$ mile x-4 inch aluminum pipes with 7 GPM Sprinklers each 60 feet.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
per second

Answer: in excess of 1.75 cubic feet How much water have you seen being so

in excess of 1.75 cubic feet per second

For irrigation, show number of acres irrigated in each subdivision, giving
description:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2; N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11; and, W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 12, all in T 7S,

R 38E, B.M. being a total of 440 acres

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

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:

Land is almost flat of medium sandy loam and requires approximately 5.6 GPM per acre

Ques. 9. Have you any 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: Water first used September 12, 1959.

Other times you have seen such use: I have seen it used several times each year
since that date

(Signed)

Edmund J. Reed

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 Soda Springs

 , County of Caribou, State of Idaho, on this 15th day of October,

A. D., 1963-1964.



Wallace E. Hunsaker

Notary Public for State of Idaho

Residing: Soda Springs, Idaho

November 19, 1904

Permit No. G-23194
Whitworth Brothers, F. H. & H. L.

Wallace H. Franstrum
Attorney at Law
Box 976
Soda Springs, Idaho

Dear Mr. Franstrum:

Receipt is acknowledged of Proofs of Completion of Works and Application of Water to Beneficial Use for the above referenced permit. These proofs cannot be accepted since only one deposition of witness was received. The one for Edmond J. Reed was not included with the other correspondence. It was noted that the deposition of Asa Hatch was notarized by Christina Hatch in Bancroft, and not before you as stated in the Notice of publication. The depositions are returned herewith for corrections and/or completion as listed below and marked in red on the forms:

Deposition of Holder: Question #2 - Should be filled in, giving the full name of the permit holder; Question # 6 - Should be 220 acres as listed on our permit records.

Deposition of Witness: The completed deposition of Edmond J. Reed should be forwarded. An affidavit will be required stating the circumstances that prevented Asa F. Hatch from appearing at the place prescribed by the publication notice for completion of the deposition.

Very truly yours,

ROBERT W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

October 16, 1964

RE: Permit No. G-48194
Whitworth Brothers

Wallace M. Transtrum
Attorney at Law
Soda Springs, Idaho

Dear Mr. Transtrum:

Enclosed is departmental receipt No. G-8947 in the amount of \$1.50 covering the fee for the copy of the above numbered permit, which was mailed to you previously.

Thank you.

Very truly yours,

CARL E. TAMM
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. receipt

October 14, 1964

RE: Permit No. G-28194
Whitworth Brothers

Wallace M. Transtrum
Attorney at Law
Soda Springs, Idaho

Dear Mr. Transtrum:

On August 13, 1964 we mailed a copy of Permit No. G-28194 to you and requested that the fee of \$1.50 be mailed to this Department. Up to date we have no record of receiving this fee.

Your prompt attention in this matter will be much appreciated.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR

cc: Whitworth Brothers
Bancroft, Idaho

28194

September 30, 1964

Re: Permit No. G-28194
Whitworth Brothers

Wallace M. Transtrum
Attorney at Law
P.O. Box 976
Soda Springs, Idaho

Dear Mr. Transtrum:

We are sending a supply of Form No. 3 under
separate cover.

The amount of water claimed on a permit can
never be increased. Proper amount of water should be claimed
on the original application.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

28194

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
COURT HOUSE
PHONE 547-3944

P. O. BOX 976
SODA SPRINGS, IDAHO
September 29, 1964

RECEIVED
SEP 30 1964

OLSON - - - - -

State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Re: Permit No. G-28194 - Whitworth Brothers

Whitworth Brothers are desirous of and can prove upon 4½ feet of water under the Well and Works Constructed pursuant to permit G-28194. They are desirous at this time of obtaining a license for the increased amount of water under the circumstances that publication is already being paid for proving up under this permit. Would you recommend application be made for the additional water as an original application or for an amendment of the referenced permit.

If an amendment is feasible and allowable at this point would you please forward me necessary forms for applying for such an amendment, otherwise would you please forward me necessary forms for making an original application.

Thank you for your kind assistance.

Very truly yours,


WALLACE M. TRANSTRUM

WMT/dg

28/94

RECEIVED 10/1/63
SEP 10 1964

NOTICE OF PROOF OF COMPLETION OF WORKS

and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 3:00 P.M., on the 15th day of October, 1964, at Soda Springs, County of Caribou, State of Idaho, before Wallace M. Transtrum, Notary Public, at (address) 159 South Main Street, Soda Springs, Idaho, proof will be submitted of the completion of works for the diversion of 1.75 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 8-28194, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Whitworth Brothers, F.M. and E. L. Bancroft, Soda Springs
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.75 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 1.75 cubic feet per second.
4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, Township 7 South, Range 38 East, B. M.
5. The place where said water is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11; and W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 12, all in Township 7 South, Range 38 East, B. M.
6. The date of priority which said user is prepared to establish is September 29, 1959 ~~October 15,~~ 1959.

Carl E. Tappan

State Reclamation Engineer

28194/R

Re: Permit No. G-28194
Whitworth Brothers, F. M. & E. L.

Date: Sept. 11, 1964

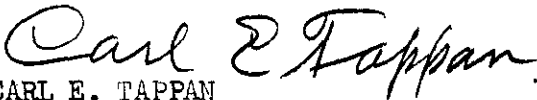
Caribou County Sun,
Soda Springs, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to October 15, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant 's attorney, Wallace M. Transtrum
of Box 976, Soda Springs, Idaho to whom you should
furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this
office with a copy or tear sheet of the first publication. **

Very truly yours,


CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

Re: Permit No. G-28194
Whitworth Brothers, F. M. & E. L.

September 11, 1964

Mr. Wallace M. Transtrum,
Attorney at Law,
P. O. Box 976,
Soda Springs, Idaho.

Dear Mr. Transtrum:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28194, in the name of Whitworth Brothers, F. M. & E. L.. Final Proof is to be made before you, as Notary on the 15th day of October, 19 64, at 1:00 o'clock P.M., at 159 South Main Street, Soda Springs, Idaho.

As of this date, we have mailed the Notice to the Caribou County Sun Soda Springs, Idaho, with instructions to publish it once a week for two consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

28/94

Re: Permit No. G-28194
Whitworth Brothers, F. M. & E. L.

September 11, 1964

Mr. Wallace M. Transtrum,
Attorney at Law,
P. O. Box 976,
Soda Springs, Idaho.

Dear Mr. Transtrum:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-28194, in the name of Whitworth Brothers, F. M. & E. L.. Final Proof is to be made before you, as Notary on the 15th day of October, 19 64, at 3:00 o'clock P.M., at 159 South Main Street, Soda Springs, Idaho.

As of this date, we have mailed the Notice to the Caribou County Sun Soda Springs, Idaho, with instructions to publish it once a week for 5 consecutive weeks prior to the date set for final proof and then mail the Affidavit of Publication and statement of costs to you.

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

In returning the depositions to this office, be sure that all copies have been returned, that your Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
CTR:pak
cc: Applicant

28/94

September 1, 1964

Re: Permit No. G-28194 - Whitworth Bros.
G-28825 - Vestal Christensen & Sons

Wallace M. Transtrum
Attorney at Law
Soda Springs, Idaho

Dear Mr. Transtrum:

Enclosed is a supply of Form 36, legal notice of proofs of completion of works and beneficial use of water from subterranean source.

We received the Forms 11, Authority for Publication of legal notice under the two permits noted above. The Forms 36 previously submitted without Form 11 have been misplaced.

Kindly complete Forms 36 in duplicate for each of the permits and return to this office.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 36

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 20, 1964

(P. O.) Bancroft, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Caribou County Sun of Soda Springs, Idaho published in the county in which the works are situated.

Whitworth Bros -
By J.M. Whitworth partner

(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

LAW OFFICES
WALLACE M. TRANSTRUM
ATTORNEY AT LAW
COURT HOUSE
PHONE 547-3944

P. O. BOX 976
SODA SPRINGS, IDAHO
August 12, 1964

RECEIVED
AUG 13 1964

State Reclamation Engineer
State House
Boise, Idaho

Department of Reclamation

Gentlemen:

Re: Whitworth Brothers permit No. G-28194

Mr. Whitworth has retained my office to handle the matters necessary in proving up under the above referenced permit but after a thorough search of his personal records are unable to find his copy of the permit. We would greatly appreciate receiving a copy of this permit and application as appears in your office and will remit any charges to your office immediately.

Thank you for your kind assistance.

Very truly yours,


WALLACE M. TRANSTRUM

WMT/dg

28194

LAW OFFICES

WALLACE M. TRANSTRUM

ATTORNEY AT LAW

COURT HOUSE
PHONE 547-3944

P. O. BOX 976

SODA SPRINGS, IDAHO

AUG 27 1964

August 26, 1964

Department of Reclamation

State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

I have enclosed form no. 11 2M 2/63 as requested
on Vestal Christensen & Sons and the same form no. on
Whitworth Brothers.

Thank you very much.

Very truly yours,


WALLACE M. TRANSTRUM

WMT:dr
Enc.

28194

August 13, 1964

RE: Permit No. G-28194
Whitworth Brothers, F.M. & E.L.

Wallace M. Transtrum
Attorney at Law
Soda Springs, Idaho

Dear Mr. Transtrum:

Enclosed is the copy of the above numbered permit which you requested in your letter of August 12, 1964.

There is a fee of \$1.50 for the copy which you may remit to this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. copy of permit

28194

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G- 28194

July 31, 1964

Whitworth Brothers (F. M. & E. L.)
Bancroft, Idaho

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- 28194 are due not later than **Oct. 15, 1964**

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,

CARL E. TAPPAN

State Reclamation Engineer

Enclosures Form 36 and 11

28194

October 22, 1959

Re: Permit No. G-28194

Whitworth Brothers,
Bancroft, Idaho.

Gentlemen:

We enclose Permit No. G-28194 in which we direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

Departmental Receipt No. G-4351 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit was sent to you with our letter of September 29, 1959.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

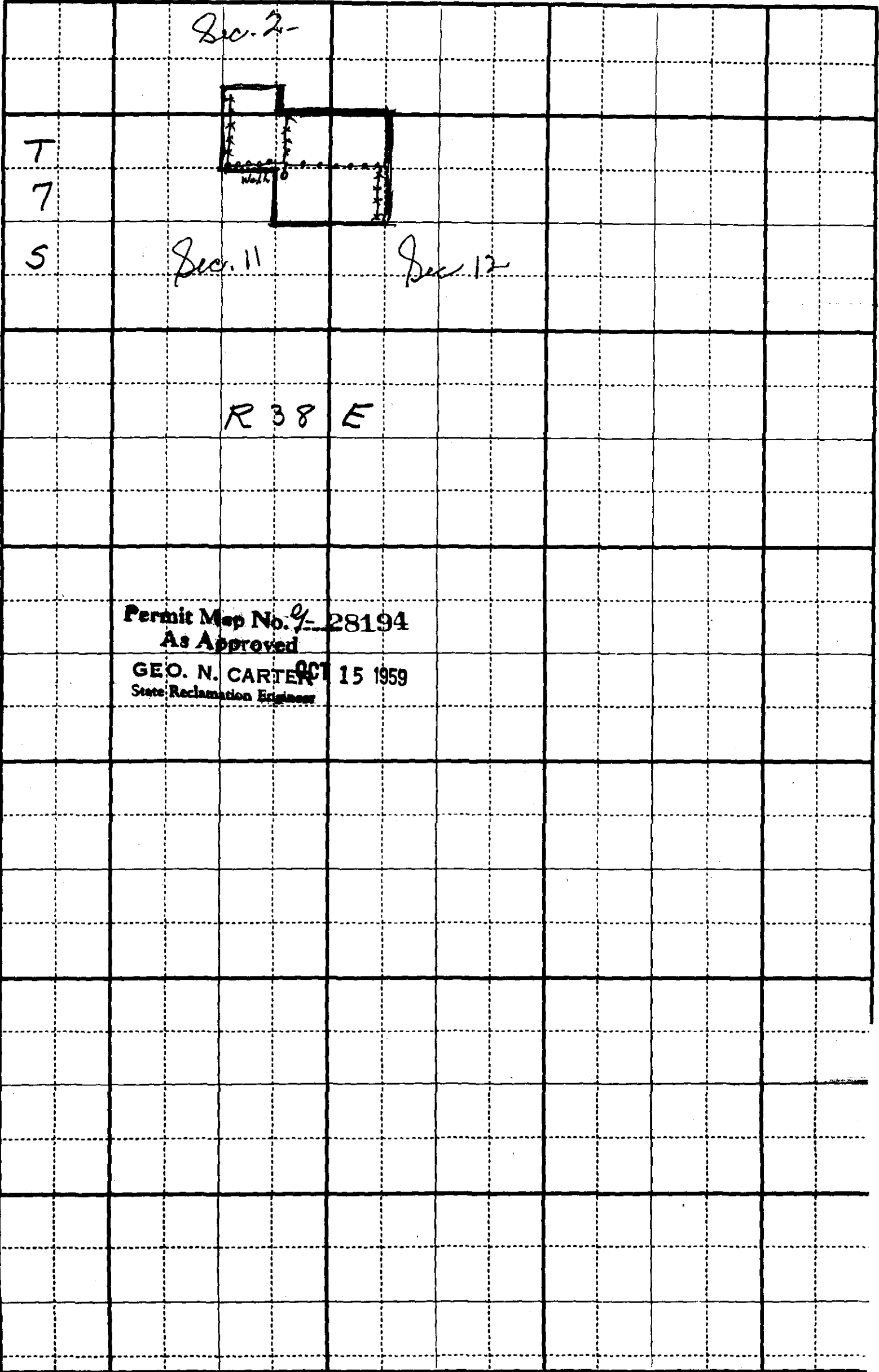
(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.
EPR:pmk

28/94

NAME OF APPLICANT M.H. Worth Brothers

Form No. 0



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

28194

RECEIVED
OCT 5 1959

Bancroft, Idaho
October 2, 1959

Geo. N. Carter
Department of Reclamation
Boise, Idaho

Dear Mr. Carter,

Sorry that I made a mistake
in the discription of the 20 acres, also in
adding the acres. Yours are correct.

Yours very truly
Whitworth Brothers
By J. M. Whitworth Partner

September 29, 1959

Re: Application No. G-36146

Whitworth Brothers
Bancroft, Idaho

Attn: F. M. Whitworth

Dear Mr. Whitworth:

#G-4351

Enclosed is your application for permit to appropriate subterranean water, together with receipt for \$5.25 covering fees.

Under 10, the time for completion of works and application of the water to beneficial use has been changed to 5 years, the statutory limit. You may make the proofs at any prior time.

Under 12, you show 20 acres in the SW 1/4, of Sec. 2, whereas your map shows the land in the SW 1/4 of Sec. 2. Your total acres is 120. Possibly that is all you intend to irrigate. If that is true kindly change the acreage we have shown in pencil. One map only is included and we will retain that copy for our files.

The application will be approved upon your returning it to this office clarifying the land description.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:EPR:ew
Enc. application
receipt No. G-4351

28194 17

LEGAL NOTICE

FIRST TIME PUBLISHED

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

Notice is hereby given that at 3:00 P. M., on the 15th day of October, 1964, at Soda Springs, County of Caribou, State of Idaho, before Wallace M. Transtrum, Notary Public, at 159 South Main Street, Soda Springs, Idaho, proof will be submitted of the completion of works for the diversion of 1.75 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-28194, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Whitworth Brothers, F. M., and E. L., Bancroft, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.75 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 1.75 cubic feet per second.

4. The point of diversion of said water is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, Township 7 South, Range 38 East, B. M.

5. The place where said water is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11; and W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 12, all in Township 7 South, Range 38 East, B. M.

6. The date of priority which said user is prepared to establish is September 29, 1959.

CARL E. TAPPAN

State Reclamation Engineer
Pub. S17-24-01-8

28194