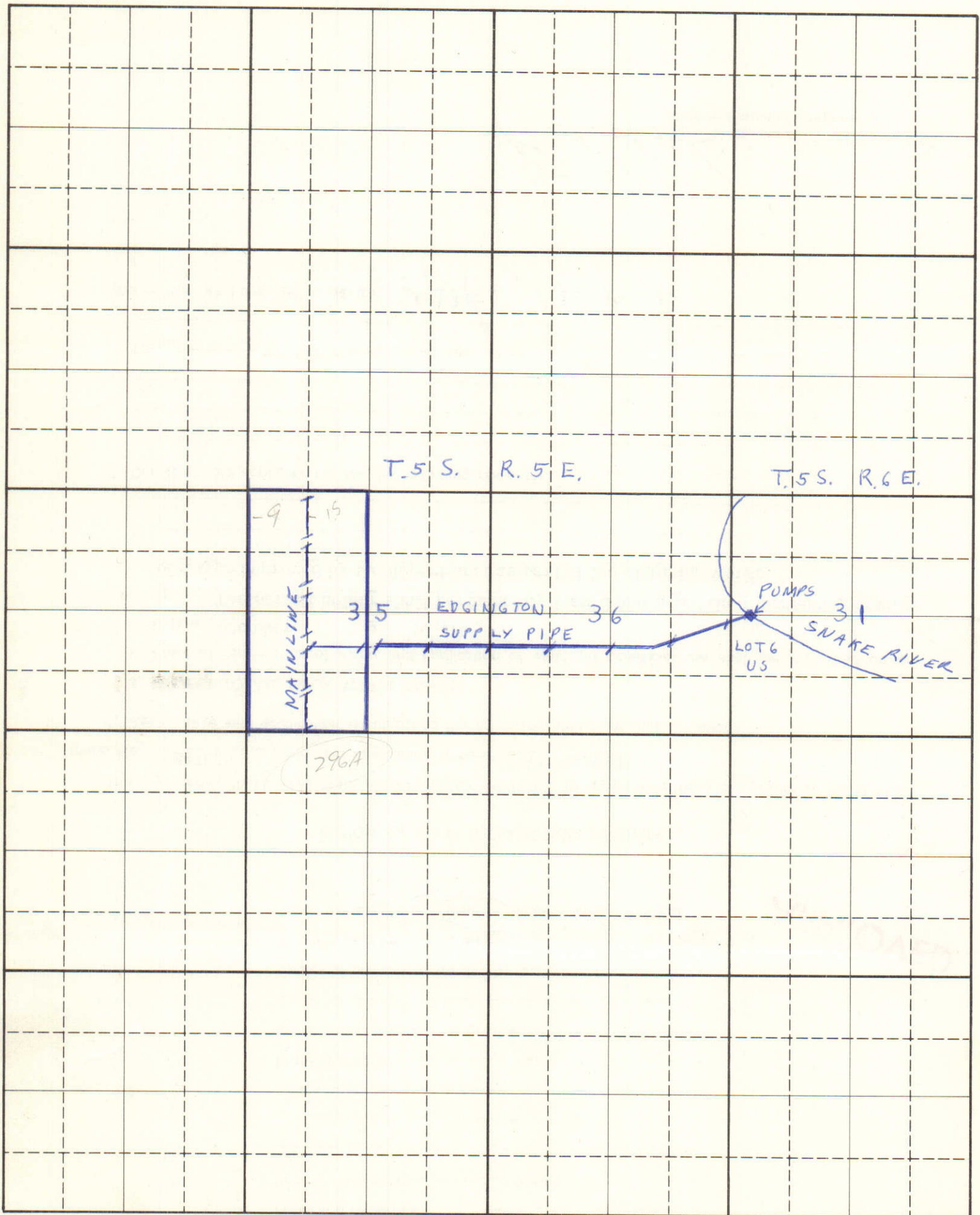


11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

David L Whitney
(Applicant)

02-7055

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 12 day of February, 19 70, and the last publication being on the 19 day of February, 19 70;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.



PUBLISHER.

Subscribed and sworn to before me this 19 day of

February, 19 70.



NOTARY PUBLIC

My commission expires

9-10-72

(SEAL)

RECEIVED

FEB 25 1970

Department of Reclamation

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that David L. Whitney, Rte. 3, Twin Falls, Idaho, has on January 23, 1970, submitted Application No. 02 - 7055 to appropriate the public waters of the Snake River tributary of Columbia River. The proposed use is for irrigation from March 1 to December 1.

The application proposes a maximum diversion and appropriation of 5.83 cubic feet per second of water to be diverted by pumps, motors, pipeline and sprinkler system within the Lot 6 SW $\frac{1}{4}$ Sec. 31, T. 5 S., R. 6 E., B. M., in Owyhee County, and is to be used within the W $\frac{1}{2}$ Sec. 35, T. 5 S., R. 5 E., B. M., for the irrigation of 320 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before March 2, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Owyhee
Nugget on February 12th and
February 19th, 1970.

02-7055

R 5 6 E

2 7055

T
5
5



Diagram of System

P.D. 55, 6E, 31 - Lt. #6, SW 1/4

Attached

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 02-7055 Priority Jan. 23, 1970 Amount 5.83 cfs

THIS IS TO CERTIFY, that DAVID L. WHITNEY
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 02-7055 issued pursuant to Application for Permit dated January 23, 1970,
and has submitted proof to the Department of Water Administration on February 1, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 36.88 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Snake River
tributary of the Columbia River, is hereby confirmed in the following amounts:

Amount 5.83 cfs for Irrigation from March 1 to Dec. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 5.83 cfs of water be diverted at
any one time, said waters to be diverted within the

Lot 6, Sec. 31, Twp. 5 S, Rge. 6 E, B.M.

in the county of Owyhee; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,480 acre feet per year or _____
5.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 S	5 E	35					25	31	40	40	40	40	40	40					296

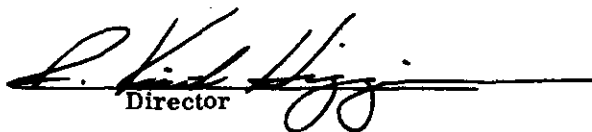
Total number of acres irrigated 296

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2ND day of

August, 1972.


Director

2 7055

LICENSE ISSUED FOR 5.83 SEC. FT.
LICENSE PAGE NO. _____

Identification No. 02-7055
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant DAVID L. WHITNEY & WITHERSPOON
post office address RT 3, TWIN FALLS, IDAHO 83301
2. Source of water supply SNAKE RIVER which is a tributary of COLUMBIA RIVER
3. a. Location of point of diversion is LOT 6 $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 5 S.
Range 6 E, B.M. OWYHEE County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 5.83 for IRRIGATION purpose from MARCH 1 to DECEMBER 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 5.83 cubic feet per second and/or
b. ~~1.83~~ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
PUMPS, MOTORS, PIPELINE AND SPRINKLER SYSTEM

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 90,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

02-7055

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

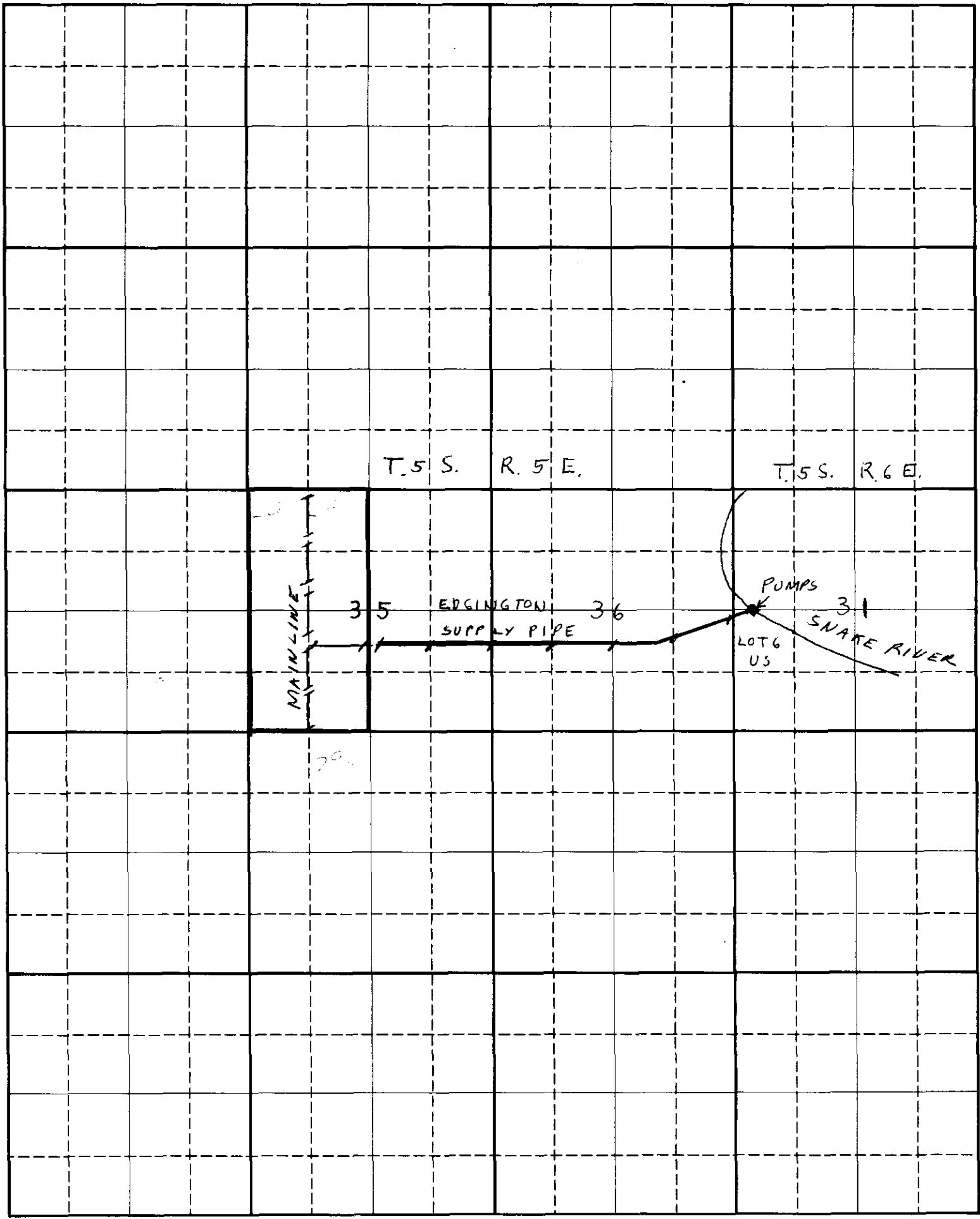
Total number of acres to be irrigated ~~160~~ 320

c. Describe any other water rights used for the same purposes _____

9. a. Who owns the property at the point of diversion U.S. (ROW I-2406)
b. Who owns the land to be irrigated or place of use U.S. (DESERT ENTRY I-3237)
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing APPLICANT IS JOINING EDGINGTON IRRIGATION ASSOCIATION, WATER WILL BE CONVEYED IN A COMMON PIPELINE PRESENTLY BEING USED BY THE MEMBERS OF EDGINGTON IRRIGATION ASSOCIATION

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

David L. Whitney
(Applicant)

02-7055

Received by D Date 1-23-70 Time 10:45A
Preliminary check by D Fee \$ 45.00 plus 1.00 BLM copy
Received by e Date 1-23-70
Publication prepared by Rh Date 2-4-70
Published in Owyhee Nugget
Publication dates 2-12-19-70
Publication approved dr Date 3-3-70
Priority reduced to _____ Reason _____

Rec'd #4102 given

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Dele J. C. A.

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7055, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 75.
- Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 8th day of October, 19 70.

P. Keith Higgins
State Reclamation Engineer

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No. <u>02-7055</u>		Name <u>David L. Whitney</u>	
Source <u>Snake River</u>			
Point of Diversion <u>Lot 6 - SW¹/₄, Sec. 31, T. 5S, R. 6E, B.M., Owyhee County</u>			
Quantity <u>5.83</u>	Use <u>Irrigation</u>	Period <u>March 1 - Dec. 1</u>	
Quantity _____	Use _____	Period _____	
Quantity _____	Use _____	Period _____	
Well Size _____	Diameter _____	Proposed Depth _____	Feet _____
Use <u>Irrigation of 320 acres</u>			
Date Forwarded <u>2-4-70</u>		Date Returned <u>2-10-70</u>	Received by <u>Deller</u>

RECOMMENDATIONS: flow during summer months ranges from 20,000 cfs to @ 6000 cfs (Water Resources Data 1967). Considering Prior rights & licenses the Snake River might be approaching full appropriation in the area of this application. An abstract & comparison should be conducted in the near future.

Qty. <u>5.83</u>	Use <u>Irr.</u>	Period <u>March-Decl</u>	AF _____	AFA _____
Qty. _____	Use _____	Period _____	AF _____	AFA _____
Qty. _____	Use _____	Period _____	AF _____	AFA _____

ACTION: Approved X Denied _____

Conditions of approval or reason for denial: Recommend measuring device w/ totalizer

INVESTIGATION By Shirley H. Chapman Title RIA II

Date 2-10-70

02-7055

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss.

I, RODNEY A. HAWES, being first duly sworn, on oath says that
he is the Publisher of the OWYHEE NUGGET, a newspaper of gen-
eral circulation, published weekly by Rodney A. Hawes, publisher
and printer thereof, at Marsing, County of Owyhee, State of Idaho;

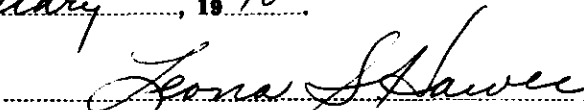
That the annexed notice was published in said newspaper once
each week and every week for 2 consecutive weeks, the first pub-
lication being on the 12 day of February, 19 70, and
the last publication being on the 19 day of February,
19 70;

That the said newspaper has been published continuously and un-
interruptedly in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of the attached
notice.


PUBLISHER.

Subscribed and sworn to before me this 19 day of

February, 19 70.


NOTARY PUBLIC

My commission expires 6-10-72

(SEAL)

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that
David L. Whitney, Rte. 3, Twin
Falls, Idaho, has on January 23,
1970, submitted Application No.
02-7055 to appropriate the
public waters of the Snake
River tributary of Columbia
River. The proposed use is for
irrigation from March 1 to Dec-
ember 1, 1970.

The applicant proposes a
maximum ~~of~~ and appro-
priation of ~~of~~ cubic feet per
second of water to be directed
by pumps, motors, pipeline and
sprinkler system within the Lot
6 SW 1/4 Sec. 31, T. 5 S., R. 6 E.,
B. M., in Owyhee County, and is
to be used within the W 1/4 Sec.
35, T. 5 S., R. 5 E., B. M., for
the irrigation of 320 acres.

Any permit issued pursuant to
this application will be subject
to ALL PRIOR WATER RIGHTS
and subject to the CONTROL OF
A STATE WATERMASTER.
Any protest against this appli-
cation must be filed with the
Idaho Department of Reclama-
tion on or before March 3, 1970.

R. KEITH HUGGINS,
State Reclamation Engineer
Published in the Owyhee
Nugget on February 12th and
February 19th, 1970.

02-7055

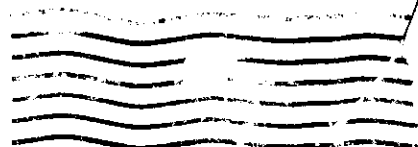
STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
tehouse — Annex 2
Boise, Idaho 83707

☐ Moved, left no address
☐ No such number
☐ Moved, not forwardable
☒ Addressee unknown

David L. Whitney
Route # 3
Twin Falls, Idaho

83301

Department of Water Administration



2 7055

August 3, 1972

02-7055
Re: Permit No. ~~02-7005~~

Mr. David L. Whitney
Route # 3
Twin Falls, Idaho 83301

Dear Mr. Whitney:

Enclosed herewith is your Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License

2 7055

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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



R. Keith Higginson
Director

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

July 20, 1972

David L. Whitney
Route # 3
Twin Falls, Idaho 83301

Dear Mr. Whitney:

A representative of this Department has made an examination of the works covered by your Permit No. 02-7005 and has found the following:

Quantity of water diverted: 36.88 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 5.83 cfs

The maximum quantity diverted shall not exceed 1,480 acre feet per season.

Beneficial use: Irrigation of 296 acres within the W $\frac{1}{2}$ of Sec. 35,
Twp. 5 S, Rge. 5 E, B. M.

Point of diversion: Lot 6, Sec. 31, Twp. 5 S, Rge. 6 E, B. M.

The priority date established is: January 23, 1970

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

2 7055

FIELD REPORT

1. Name of permit holder DAVID L. WHITNEY % WITHERSPOON

Post office address Route #3, Twin Falls, Idaho 83301 Phone

Person to contact Roger G. Young - ENGINEER Phone 587-7244

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

Amount 5.83 c.f.s. for irrigation
 AF/Annum (nature of use)

Period of Use: from March 1 to December 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 02-7055
Examination for Beneficial Use

Max Rate of Diversion 5.83 cubic feet per second and annual volume _____ AF/Annum.

Township 5 S N/S, Range 6 E E/W, B.M., Section 31, Subdivision Lot 6 $\frac{1}{4}$ SW $\frac{1}{4}$, Owyhee
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____ County _____

Other Points of Diversions: _____

Description of diverting works: micrometer 34" meter

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

320

R 5
6 E

2 7055

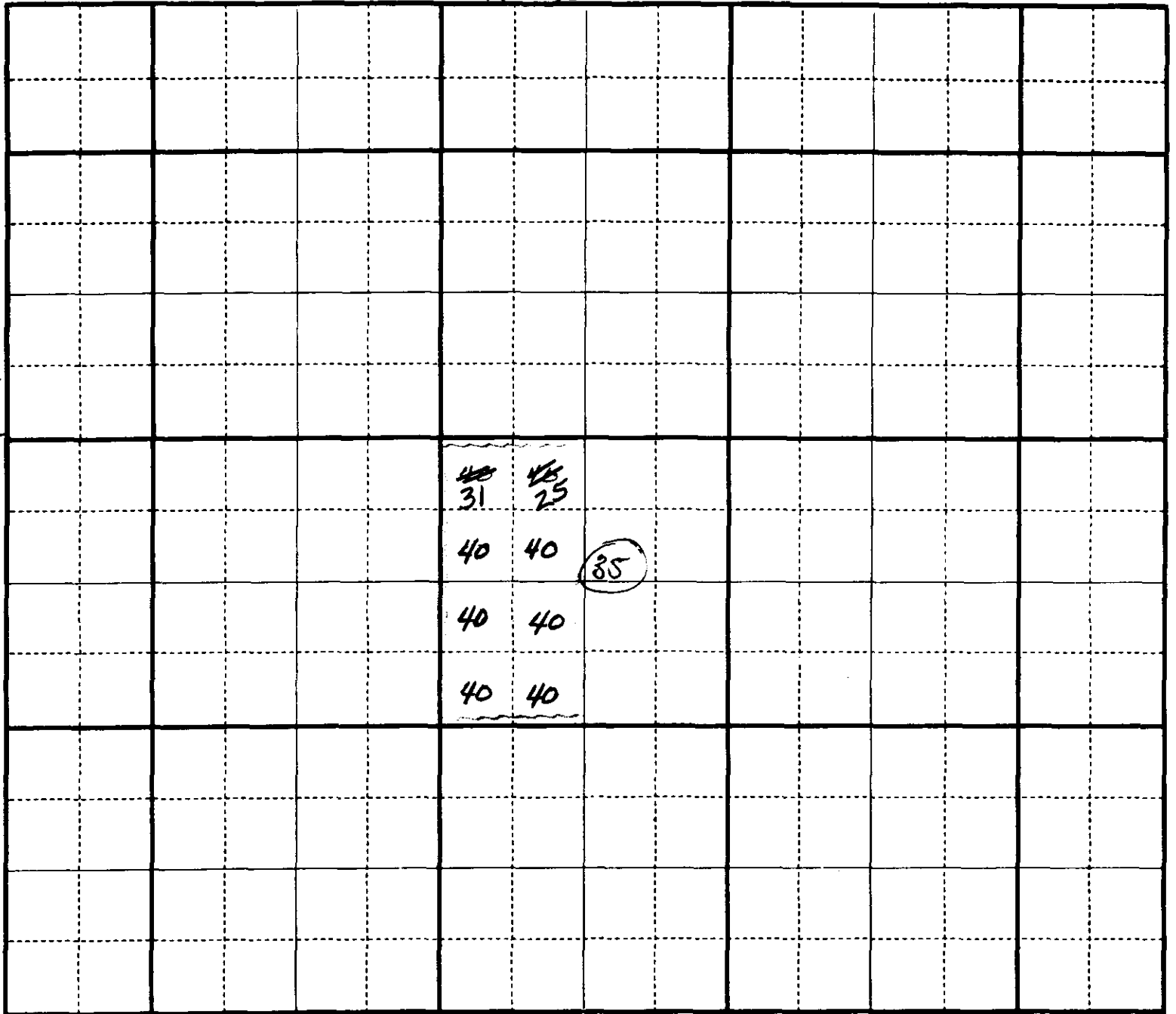


Diagram of System

P.D. 55, 6E, 31 - Lt. #6, SW 1/4

— Attached —

① U.S. Motors Hollowshaft pump motor
600 H.P. - 3 ph. - 60 cycle - 1780 R.P.M.
2300 Volts - SER# J1423650
Layne & Bowler pump - SER# 60628
12" discharge North 80° West for
8' to penstock.

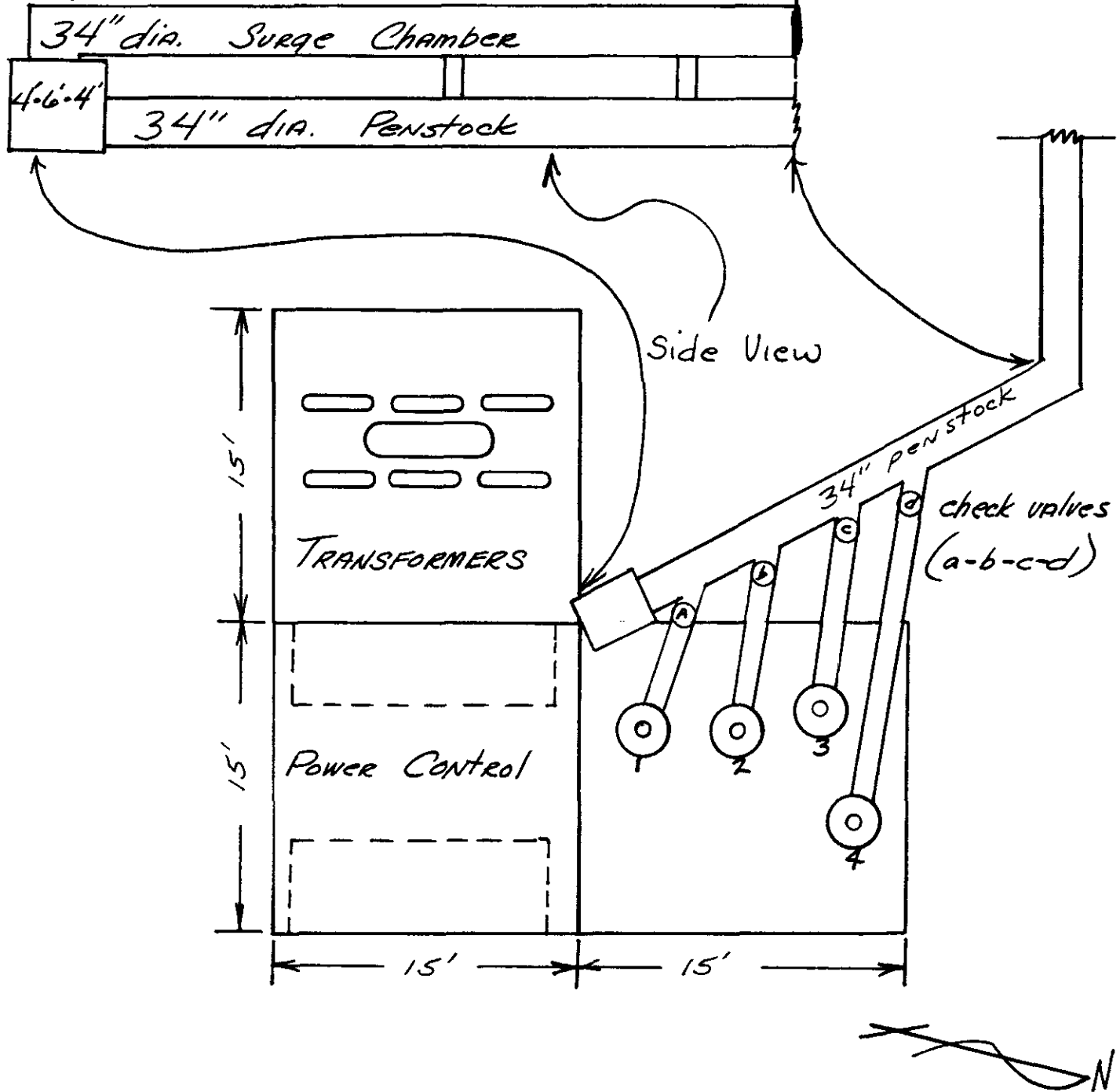
② U.S. Motors Hollowshaft pump motor
600 H.P. - 3 ph. - 60 cycle - 1780 R.P.M.
2300 Volts - SER# J1423651
Layne & Bowler pump - SER# 60629
12" discharge West for 14' to penstock.

③ U.S. Motors Hollowshaft pump motor
600 H.P. - 3 ph. - 60 cycle - 1780 R.P.M.
2300 Volts - SER# J1423563
LB Verti-line pump - SER# D221268
12" discharge West for 20' to penstock.

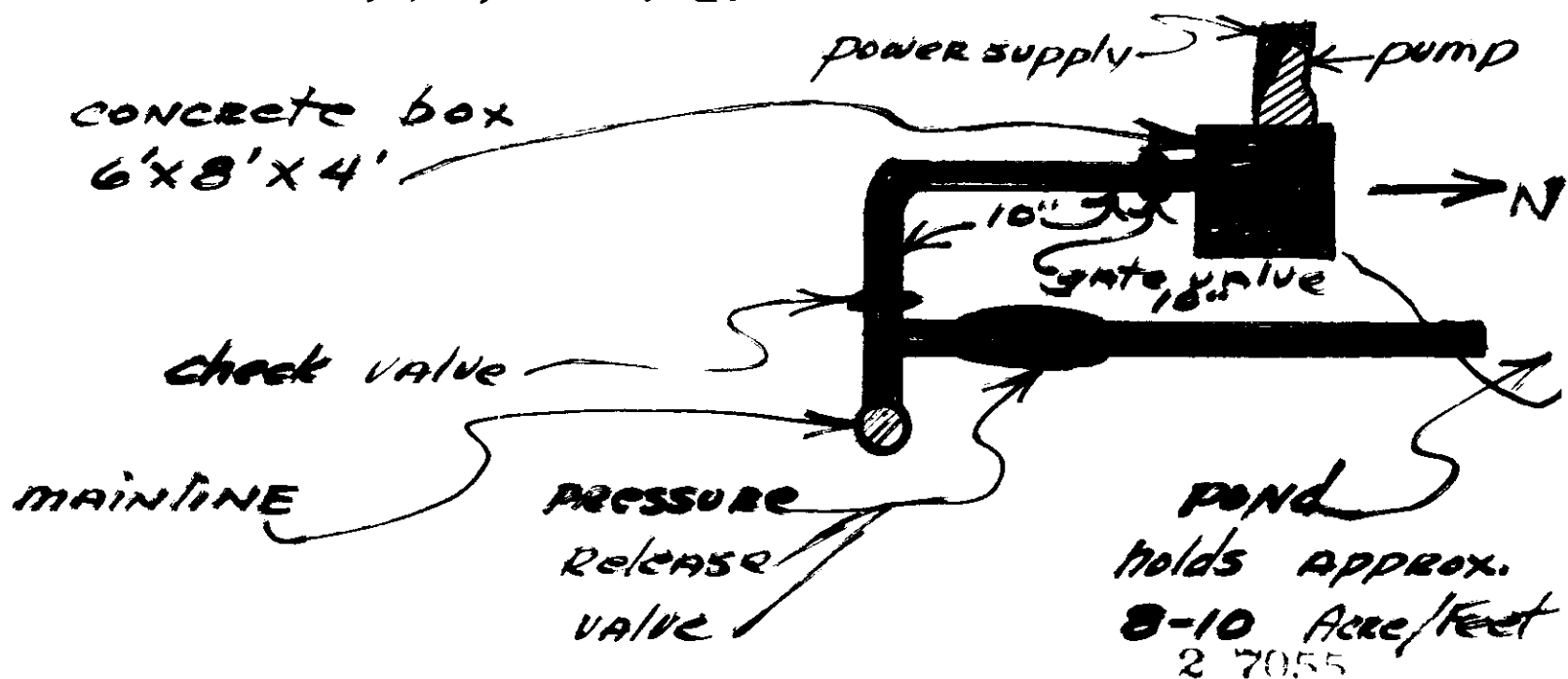
④ U.S. Motors Hollowshaft pump motor
600 H.P. - 3 ph. - 60 cycle - 1780 R.P.M.
2300 Volts - SER# J1423562
LB Verti line pump - SER# D221264
12" discharge West for 30' to penstock

34" penstock RUNS N. 45° W. for 50' then
West to mainlines.

Surge Chamber dead-ends into side of hill.



When the pressure in the mainline exceeds a certain limit the water is released through a pressure release valve and into a storage pond about 100' x 50'. When the pressure is down or the owner wants to save a little on his power bill he shuts some of the river pumps down and pumps out of the storage pond. This pump is located in the
 and is described as: U.S. Motors Hollowshaft pump motor - 100 H.P. - 3 ph. - 60 cycle - 220/440 Volts - 1800 R.P.M. - ser# 1411058 - LB vertical pump - ser. # 44680 - 10" discharge south for 1.5' then 10" gate valve and on south for 15' then straight down for 4' into mainline.



DATE OF EXAM MARCH 10, 1972

ACREAGE
Found 296
Recommended 296

Irrigation Requirement 5.0 Ac Ft/Ac

USE

Irrigation Q = 5.92 c.f.s. V = 1480 AF/Ann. from MARCH 15 to NOV. 15 - 245 days
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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

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

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

Total Q measured 36.88 cfs Method of measurement _____

Total Q recommended 5.92 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1480 AF/ANN

Recommended Amendments:

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

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

- Attached -

REMARKS:

Water measurement taken at earlier date by a water resource examiner or another engineer.

Examiner's Signature Det. L. Chapman Date MARCH 13-72

Checked by _____ Date _____

Approved by _____ Date _____

February 3, 1972

Re: Permit No. 02-7055

Mr. David L. Whitney
% Witherspoon
Route # 3
Twin Falls, Idaho 83301

Dear Mr. Whitney:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Identification No. _____

Permit No. 02-7055

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
Department of Reclamation

1. a) Name of Permit Holder David L. Whitney
b) Post Office Address Route 3, Twin Falls, Idaho
2. Permit Number 02-7055
3. Date of Priority that you are prepared to establish 1-23-70
4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: Lot 6 $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31
Township 5 S, Range 6 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount 5.83 for irrigation purposes from Mar. 1 to Dec. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 5.83 cfs cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Roger Young P. E.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: pumping plant, pen stock, pipe line, pond and ~~re-lift~~ booster pump
b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) mccrometer 34" meter
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

*E. J. Young typed
3/8/72
C.S.*

2 7055

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

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 S	5 E	35					40	40	40	40	40	40	40	40					320

Total number of acres irrigated 320

10. Remarks: _____

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

Jan. 31, 1972
(Date)

David R Whitney
(Signature)

State of _____)
County of _____) ss.

On this 31st day of Jan., 1972, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Floyd L. Vanshipe
Notary Public residing at Fairfield, Idaho

My commission expires AUG. 1, 1975

ENGINEER'S STATEMENT

Roger G. Young states that he is by occupation a professional engineer registered in the State of Idaho and that he examined the W₂¹, S-35, T. 5 S., R. 5 E., B. M. periodically during the 1971 growing season; he observed that sufficient equipment (1320' 12" buried mainline, 5000' 10", 8", & 6" portable mainline and 52 3" x 1300' sprinkler laterals) was being used to irrigate the land; that the water was being put to beneficial use irrigating potatoes and barley; that the watermeter showed a maximum flow rate of 2600 gpm and the total seasons use to be 754.5 acre-ft.

Roger G. Young 1-24-72
Roger G. Young, Engineer

SEAL
1-24-72
Roger G. Young

02-7055
file



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
Boise, Idaho

IN REPLY REFER TO:

L:MG
I-3237

NOTICE OF ALLOWANCE

David L. Whitney
Box 531 (216 5th St.)
Filer, Idaho 83328

OCT 21 1970

Serial No. I-3237 320 Acres

T. 5 S., R. 5 E., Boise Mer., Idaho

Sec. 35: $W\frac{1}{2}$

Your desert land application for the above described land has this day been approved and allowed, subject to any valid existing rights and your further compliance with laws and regulations applicable thereto. The acceptability of final proof is contingent upon compliance with the requirements of the Desert Land Act and appropriate rules and regulations in addition to development and reclamation of the land basically in accordance with your plan of development which is on file in the Boise Land Office. Any substantial change in source of water or deviation in the construction of the irrigation facilities must have the approval of the Bureau of Land Management. The irrigable acreage of this entry has been determined to be approximately 275 acres. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914 which will require the reservation of all oil and gas deposits to the United States.

Also subject to right-of-way I-2406 to Roger G. Young et al for irrigation pipeline; and right-of-way I-2891 to Idaho Power Company for transmission line.

IN WITNESS WHEREOF, I have hereunto set
my hand and seal this 21st day
of October, 19 70

cc: ~~Water Administration~~

Orval G. Hadley
MANAGER, LAND OFFICE
Orval G. Hadley

ILO-2226-20
11/69

02-7055

October 13, 1970

Re: Permit No. 02-7055 - D.E. #I-3237

Mr. Curtis Taylor, Acting Manager
Bureau of Land Management
Room 334, Federal Building
Boise, Idaho 83702

Dear Curt:

Enclosed is a copy of the above referenced permit which has been approved by this office.

Very truly yours,

C. STEPHEN ALLRED
Deputy Director

CSA:kh

Enclosure

02-7055

October 13, 1970

Re: Permit No. 02-7055

Mr. David L. Whitney
c/o Witherspoon
Route 3
Twin Falls, Idaho 83301

Dear Mr. Whitney:

Enclosed is a copy of your approved Application for Permit No. 02-7055. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

C. Stephen Allred
Deputy Director

CSA:kh

Enclosures: Copy of permit
1 informational letter

02-7055



IN REPLY REFER TO:

United States Department of the Interior

L:MG
I-3237

BUREAU OF LAND MANAGEMENT
Idaho Land Office
Room 334, Federal Building
550 West Fort Street
Boise, Idaho 83702

Department of Water Administration

October 7, 1970

R. Keith Higginson, Director
Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attn: Donald W. McEldowney
Appropriation Examiner

Dear Sir:

Confirming your telephone conversation October 5 with Mrs. Gillespie of our staff, enclosed is another copy of our January 6, 1970 letter to David L. Whitney.

Early in February Mr. Whitney filed application with your office for water permit 02-7055 as a result of this letter.

We trust that receipt of this copy will enable you to issue a permit to him. He has met the other requirements for our allowance of his desert entry I-3237.

Sincerely yours,

Eugene E. Babin
Assistant Manager, Operations

Encl.

02-7055

March 3, 1970

Re: Application for Permit No. 02-7055

Mr. David L. Whitney
c/o Witherspoon
Route # 3
Twin Falls, Idaho 83301

Dear Mr. Whitney:

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Reclamation, the Department of Reclamation will take no further action until such time as evidence that your desert entry has been allowed is submitted to this Department in writing.

Please contact us if we may be of further service.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

02-7055

**NOTICE OF APPLICATION
FOR PERMIT
TO APPROPRIATE
THE PUBLIC WATERS
OF THE STATE OF IDAHO**

Notice is hereby given that David L. Whitney, Rte. 3, Twin Falls, Idaho, has on January 23, 1970, submitted Application No. 02 - 7055 to appropriate the public waters of the Snake River tributary of Columbia River. The proposed use is for irrigation from March 1 to December 1.

The application proposes a maximum diversion and appropriation of 5.83 cubic feet per second of water to be diverted by pumps, motors, pipeline and sprinkler system within the Lot 6 SW $\frac{1}{4}$ Sec. 31, T. 5 S., R. 6 E., B. M., in Owyhee County, and is to be used within the W $\frac{1}{2}$ Sec. 35, T. 5 S., R. 5 E., B. M., for the irrigation of 320 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before March 2, 1970.

R. KEITH HIGGINSON,

State Reclamation Engineer
Published in the Owyhee
Nugget on February 12th and
February 19th, 1970.

02-7055

February 4, 1970

Re: Applications filed in connection with desert entries

Mr. Curtis Taylor, Acting Manager
BUREAU OF LAND MANAGEMENT
Room 334, Federal Building
550 West Fort St.
Boise, Idaho 83702

Dear Mr. Taylor:

Please be advised that the following applications have been received
in connection with desert entries:

I-3237

02-7055

David L. Whitney

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

DWM:DR

02-7055

February 4, 1970

Re: Application for Permit No. 02-7055 - David L. Whitney

Owyhee Nugget
Marsing,
Idaho 83639

Gentlemen:

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

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

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

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

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

*See attached
3-3-70
ds*

02-7055

NOTICE OF APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that David L. Whitney, Rte. 3, Twin Falls, Idaho,
_____ has on January 23, 1970,
submitted Application No. 02-7055 to appropriate the public waters of
the Snake River tributary of Columbia River
The proposed ~~uses~~ use is for irrigation from March 1 to December 1

The application proposes a maximum diversion and appropriation of 5.83
cubic feet per second ~~xxxxxx~~ of water to be diverted by _____
pumps, motors, pipeline and sprinkler system within the Lot 6 SW $\frac{1}{4}$ Sec. 31,
T. 5 S., R. 6 E., B.M., in Owyhee County,

and is to be used within the W $\frac{1}{2}$ Sec. 35, T. 5 S., R. 5 E., B.M., for the irrigation
of 320 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Reclamation on
or before March 2, 1970.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Owyhee Nugget
on February 12th and February 19th, 1970.

dr
02-7055

L:MG
I-2384
I-3231

Idaho Land Office
Room 334 Federal Building
550 W. Fort Street
Boise, Idaho 83702

Mr. David L. Whitney
Box 531
Filer, Idaho 83328

JAN 6 1970

Dear Mr. Whitney:

The Edgington Irrigation Project was approved as a source of water for the five desert entries of Roger Young, Delmar Mechan, Blaine Mechan, Beulah Witherspoon and George Greer on July 22, 1969.

The lands of your desert land application were classified suitable for agricultural entry under the Desert Land Act in connection with relinquished desert entry Idaho 015201. That classification is now continued pertaining to your desert land application I-3237. The plan you have submitted indicates that you intend to become one of the Edgington Irrigation Project Tenants-in-Common and share their common irrigation system which was planned to serve the lands for which you have applied.

You should now submit an executed copy of your Tenancy-in-Common Agreement with the other members of the Edgington Irrigation Project. This agreement should specifically include your right to convey water through their right-of-way grant I-2406 and an easement through the lands owned by Roger Young (Sec. 36, T. 5 S., R. 5 E.), as well as to specify how your part of the construction, maintenance and operation costs of the common system are to be shared, similar to the presently approved executed Tenancy-in-Common Agreement of the five desert land entrymen. The Agreement must be signed by all tenants-in-common of the project.

Also, you should now obtain from the State Department of Reclamation a permit to appropriate water from the Snake River. Attached is an extra copy of this letter. It should be submitted to the Department of Reclamation when you apply for a permit. Unless they have knowledge that the lands of your desert land application have been classified as suitable for entry, they may decline to issue the water permit. You should make arrangements with the State Reclamation Engineer to have a copy of the permit sent to this office as soon as it is issued. Also, please advise us when you have applied for your permit.

02-7055

When you have submitted evidence of your accepted membership in the project by furnishing the copy of your executed Tenancy-in-Common Agreement and approved water permit further action will be taken on your application.

Sincerely yours,

/s/ E. D. BARNES

E. D. Barnes
Acting Manager, Land Office

Enclosure