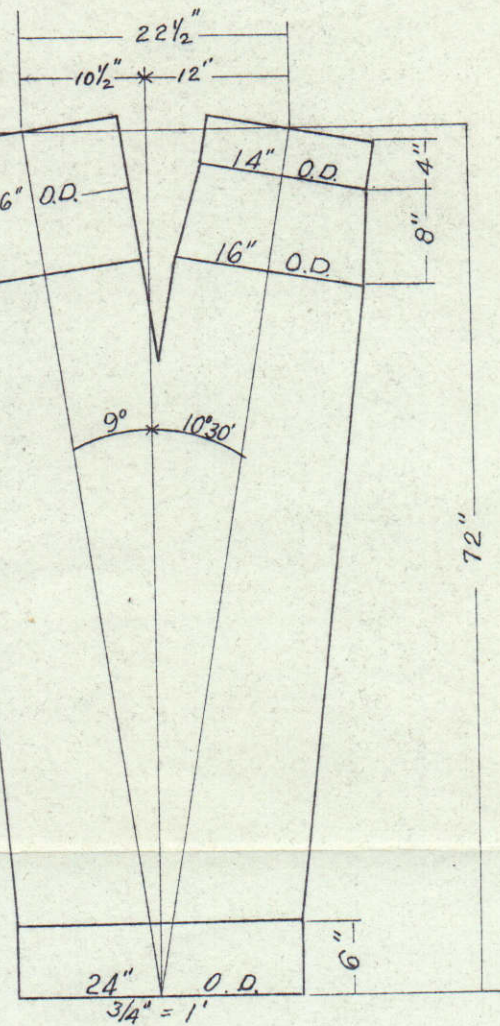


$n = 0.025$ $r = 1.24$
 $S = 0.0005$ $A = 12.00$
 $d = 2.0$ $V = 1.45$
 $Q = 17.4$

Typical Section
 Canal Enlargement
 $\frac{1}{2}'' = 1'$

3" Nipple



FABRICATION Detail
 "Y" TRANSITION CONNECTION
 3/16" Mild Steel - Red Lead Painted
 Electric Welded

This
 3" By-Pass
 Not Constructed

3" drain placed
 at bottom of
 check valves
 H.L. Height

50 H.P.
 2250 G.P.M.

100 H.P.
 4480 G.P.M.

Plan Showing Supplemental
 2250 G.P.M. Pump Installation And
 Relocation of Present 4480 G.P.M. Pump.
 $\frac{1}{2}'' = 1'$
 8.0'

EL. 2

Av. W

L.W.

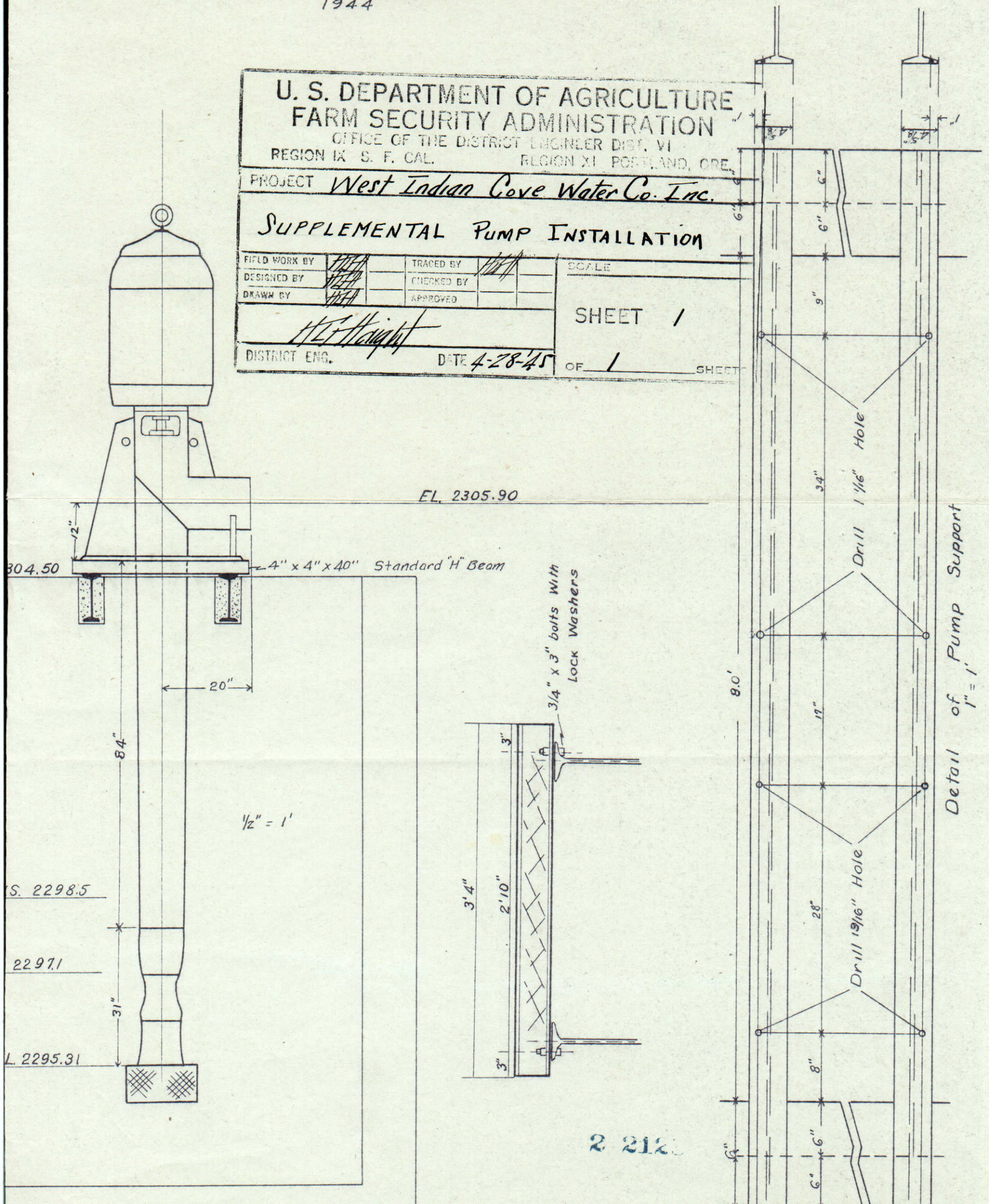
E

WEST INDIAN COVE WATER COMPANY INC. HAMMETT IDAHO

SUPPLEMENTAL PUMP INSTALLATION CANAL ENLARGEMENT 1944



U. S. DEPARTMENT OF AGRICULTURE FARM SECURITY ADMINISTRATION			
OFFICE OF THE DISTRICT ENGINEER DIST. VI REGION IX S. F. CAL.		REGION XI PORTLAND, ORE.	
PROJECT <i>West Indian Cove Water Co. Inc.</i>			
SUPPLEMENTAL PUMP INSTALLATION			
FIELD WORK BY <i>[Signature]</i>	TRACED BY <i>[Signature]</i>	SCALE	
DESIGNED BY <i>[Signature]</i>	CHECKED BY <i>[Signature]</i>	SHEET 1	
DRAWN BY <i>[Signature]</i>	APPROVED	OF 1 SHEET	
DISTRICT ENG. <i>[Signature]</i>		DATE 4-28-45	





West Indian Cove 2 of 3

RD

2 2128

C-154

5-29

33/34
4/3

14.6

3.8

C-244

3.3

5.7

C-244

6.0

6.7

11.2

6.0

3.5

9.3

9.2

12.2

3.2

15.6

4.8

11.1
C-153

12.0

9.9

7.4

8.2

10

3.5

4.0

3.9

9.5

C-265

5.9

C-244

m

6

3.1

9.7

13.1

7.8

3.1
9.3

4.5

8.8
C-210

12.8

5.7

4.8

4.9

4.2

6.4

C-243



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

3
18
4
760

Permit No. 26267/02-2128

This proof is for Beneficial Use

In Water District No.

- Name of applicant West Indian Cove Water Co.
- Source of water supply: Snake River
- Location of point of diversion: Is in the Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 34
T. 5 S R. 7 E County of Owyhee
- Describe works as they exist, giving dimensions and capacities of same:

- Water is used for: Irrigation
- State whether or not water has been turned into works of diversion: Yes

- 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):

S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 5 S, R. 7 E, B.M.; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 6 S, R. 7 E, B.M.

490 Acres (depositions)
761 " (permit sheet)

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

- What large stream would the water here appropriated finally reach?

Remarks: I measured 18.20 cfs flowing in the canal. Measured with the pygmy meter. There is 507 acres being irrigated at time of examination. 458 acres of the land has been licensed all ready under lic. 19467 & 18636 at 1 $\frac{1}{2}$ " per acre or 13.74 cfs. The additional 49 acres at 1 $\frac{1}{2}$ " equals 1.47 cfs which can be licensed under this permit.

This examination was made on the 7 day of July, 1971

(Signed)

Fred Eisenbuth
2 2128

Examiner.

458 acres of this
Land has been Lic
Under 02-2044 + 02-2055
at 1 1/2" per acre.
(13.74 c.f.s.)

Obtain new photos of
this land and any new
developed land over
458 acres can be
Licensed at 1 1/2" per acre
provided that they can
pump enough water
Fred

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.

2 2128

West Indian Cove Water Co, Inc.
Hammett, Idaho

Wesley Hooley, Sec.-Treas.
Hammett, Idaho

Permit No. 26267/02-2128

pumps, pipe, canal
Q-18 c.f.s.

Examination for Beneficial Use

County Owyhee

Call Early AM.

Quantity: 5.0 c.f.s. Sec. 34 T.5S R.7E

Source: Snake River 51-

41

P.D.: Lot 2 (SW 1/4 NW 1/4), Sec. 34, T. 5 S, R. 7 E, B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works: March 18, 1961

Other Rights: 13.74 c.f.s. of water rights

L.C. 18636
19467
10 c.f.s.
3.74

Filed: March 23, 1956

ENGINEER (1950) STATES
DESIGN CAPACITY FOR
15.0 c.f.s.

Due: March 26, 1967

Made: May 3, 1967

Priority: April 30, 1956

Pgc. 7 E

Trp. 58

P.D.

34

5

5

OUT

41

20

41

37

20

Trp. 62

10.6

30

37

39

20

19.0

40

40

40

18

72

OUT

28

40

40

91

OUT

31

39

39

A25

Acres

48

35

39

NOTE - LIC 19467
3.74 fs
18636
10.0 cfs

10

11

Q measured 18.20
Q recommended 1.47 cfs
Volume 4.5 x 49 = 220.5 cfs
Acreage -
Found 507
recommended 49
Subdy. 16

Ammendments
☒ None
☐ P.D.
☐ Place of use
☐

Area - 422 Acres

SUBD - 16

Q -

2 2128

RECEIVED
MAY 5 1967

Department of Reclamation

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

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 4 consecutive weeks, the first publication being on the 23 day of March, 1967, and the last publication being on the 13 day of April, 1967;

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

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 20 day of April, 1967.

Leon S. Hawes
NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

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

Notice is hereby given that on the 3rd day of May, 1967, at Mountain Home, County of Elmore, State of Idaho, before W. W. Sanders, 465 S 2 E, Mountain Home, Idaho, proof will be submitted of the application to beneficial use of 5.0 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 26267 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit West Indian Cove Water Company, Inc., Hammett, Idaho.

The use to which said water has been applied is irrigation purposes.

The amount applied to beneficial use is 5.0 c.f.s.

The point of diversion of said water is Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 34, T. 5 S, R. 7 E, B. M.

The place where said water is used (LEGAL DESCRIPTION) S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 5 S, R. 7 E; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 6 S, R. 7 E, B. M.

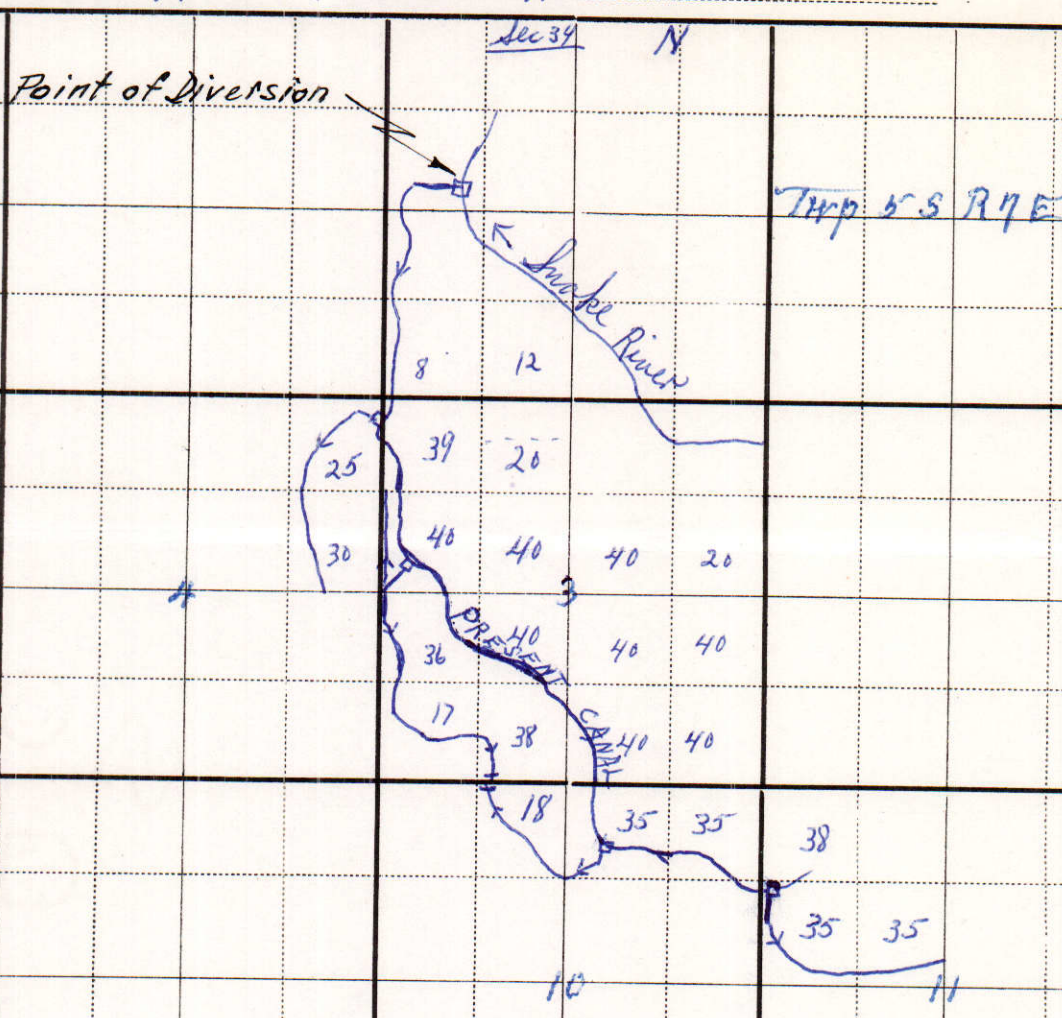
The date of priority which said user is prepared to establish is March 23, 1956.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published March 23 and 30,
April 6 and 13, 1967
The Owyhee Nugget
Marsing, Owyhee County, Idaho

26267

NAME OF APPLICANT West Indian Cove Water Co.

Form No. 0



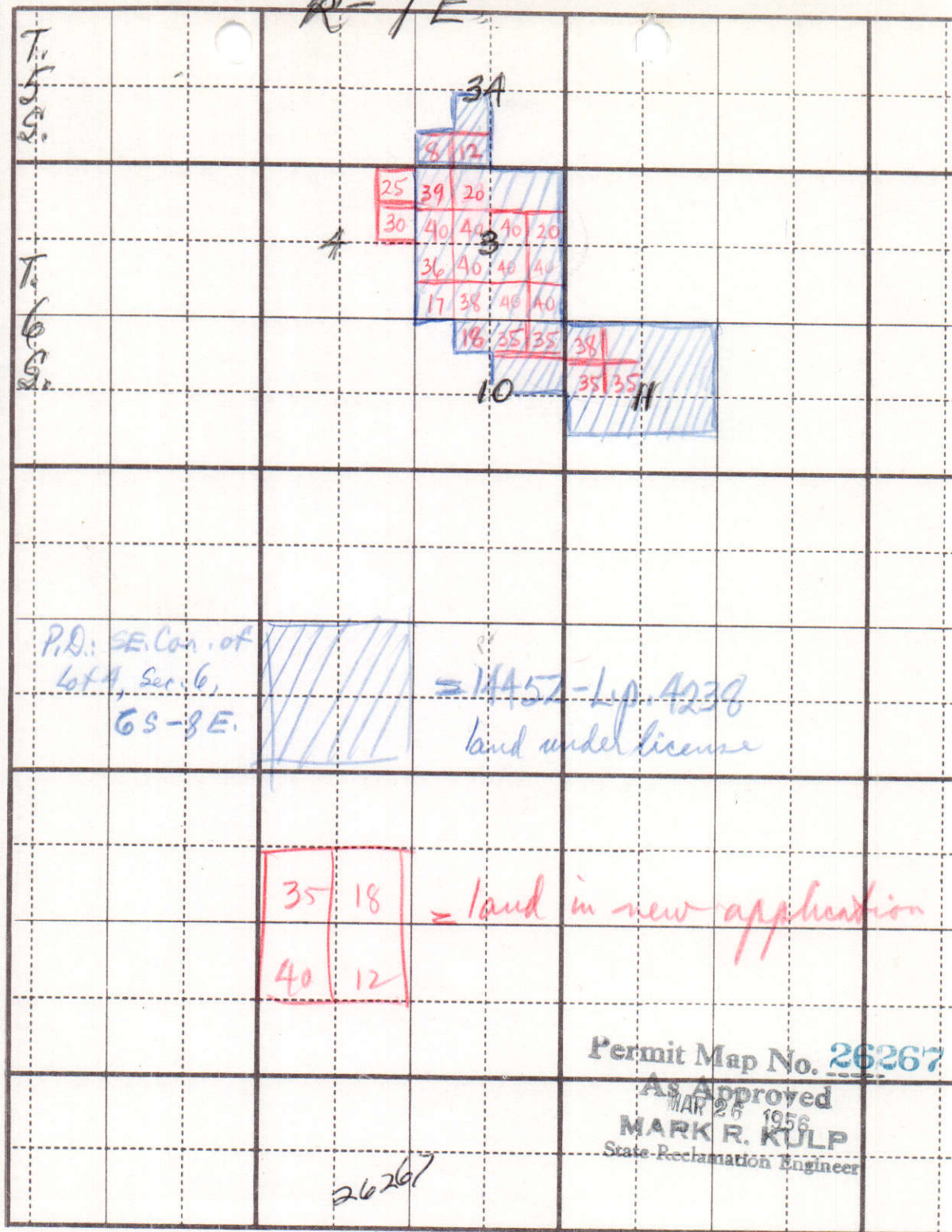
Permit Map No. 26267
As Approved
MAR 26 1956
MARK R. KULP
State Reclamation Engineer

SCALE: 2 inches Equal 1 Mile. Draw Plan in ink.

R-7E

T. 5 S.

T. 6 S.



State of Idaho
Department of Water Resources
AMENDED
WATER RIGHT LICENSE

License of Water Right No. 26267/02-2128 Priority April 30, 1956 Amount 0.96 cfs

THIS IS TO CERTIFY, that WEST INDIAN COVE WATER CO., INC.
of Hammett, Idaho, has complied with the terms and conditions of Permit
No. 26267/02-2128 issued pursuant to Application for Permit dated March 23, 1956,
and has submitted proof to the Department of Water Resources on May 3, 1967 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 18.20 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.96</u> cfs and	<u>8.9 acre feet per acre</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.96 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
* _____ acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot # 2) of
Sec. 34, Twp. 5 S, Rge. 7 E, B. M. in the County of Owyhee

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 $\frac{1}{4}$	
5 S	7 E	34										18	6						24
6 S	7 E	3			40	20	23	34	26	40	31	2		1	40	40	40	40	377
6 S	7 E	10	33	24															57
6 S	7 E	11					32												32

Total number of acres irrigated 490

* Subject to the condition that the maximum volume per season shall not exceed
4,361 acre feet when combined with Licenses No. 02-2044 and 02-2055.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 18 day of
December, 19 75.

Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF Correcting)
License No. 26267/02-2128,)
West Indian Cove Water Co., Inc.)
_____)

ORDER

WHEREAS, on August 20, 1973, the Department of Water Resources (formerly the Department of Water Administration) issued the above numbered license to West Indian Cove Water Co., Inc. for 0.96 cubic feet of water per second from the Snake River for the irrigation of 490 acres with the condition that the maximum volume per season not exceed 2,205 acre feet, or 4.5 acre feet per acre, when combined with Licenses No. 02-2044 and 02-2055; and

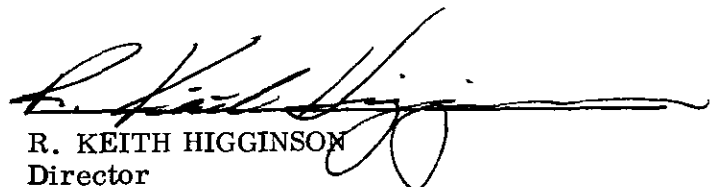
WHEREAS, West Indian Cove Water Co., Inc. objected to the limitation of 2,205 acre feet being placed on the license; and

WHEREAS, West Indian Cove Water Co., Inc. by and through their attorney, William F. Ringert, requested that the acre foot limitation be corrected and offered further proof as to the amount of water beneficially used; and

WHEREAS, after having reviewed the matter, and based upon use records and the type of soil being irrigated, the Director finds that more than 4.5 acre feet per acre is needed and has been put to a beneficial use by the licensee;

IT IS, THEREFORE, HEREBY ORDERED that License No. 26267/02-2128 be corrected to an acre foot limitation of 8.9 acre feet per acre and 4,361 acre feet per season when combined with Licenses No. 02-2044 and 02-2055.

Dated this 18 day of December, 1975.


R. KEITH HIGGINSON
Director

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 26267/02-2128 Priority April 30, 1956 Amount 0.96 cfs
(late proof)

THIS IS TO CERTIFY, that WEST INDIAN COVE WATER CO., INC.
of Hammett, Idaho, has complied with the terms and conditions of Permit
No. 26267/02-2128 issued pursuant to Application for Permit dated March 23, 1956,
and has submitted proof to the Department of Water Administration on May 3, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 18.20 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 0.96 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 0.96 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot #2) of Sec. 34, Twp. 5 S, Rge. 7 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 * 2,205 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use

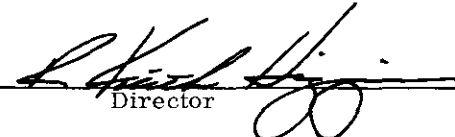
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S	7 E	34											18	6					24
6 S	7 E	3			40	20	23	34	26	40	31	2		1	40	40	40	40	377
6 S	7 E	10	33	24															57
6 S	7 E	11						32											32

Total number of acres irrigated 490

* Subject to the condition that the maximum volume per season shall not exceed
2,205 acre feet when combined with Licenses No. 02-2044 and 02-2055.

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 20 day of
August, 19 73.


Director

2 2128

02 - 2128 26267

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34161
PERMIT No. 26267
DISTRICT No.

West Indian Cove Water Co.
Hammett, Idaho

1. Name of Applicant: WEST INDIAN COVE WATER CO., INC.

Postoffice address: Hammett

County: Elmore

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: March 16, 1940

(b) Amount of capital stock: \$8,750.00

(c) Amount paid in: \$6078.03

(d) Names and addresses of directors: Tim Shenk, Pres., Vernon Kauffman, Vice-Pres., Wesley Hooley, Sec.-Treas., Willard Hooley, Dan Good, Members. All Hammett, Idaho

II. The financial resources of the applicant are:

(a) Cash on hand: Savings Acct. \$3268.73

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources: Farmers Home Adm. Loan - Approx. \$12,000.

2. Quantity of water claimed: 10 cubic feet per second.

3. Source of water supply: Snake River which is a tributary of Columbia River

4. Location of point of diversion: N 18° 57½' E 3183.6 feet distant from the SW corner of Section 34, T. 5 S, R. 7 E, B.M., and is in the SW¼ NW¼ (lot 2) of Section 34, T. 5 S, R. 7 E, B.M., County of Owyhee

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: \$ 14,000.

8. Kind of works: Pumps, Pipes, Ditches

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 5 feet; width at water line 9 feet; depth of water 2 feet; dimensions of flume:

Diameter of pipe 24 inches; length of conduit Pipe 410 ft. - Canal 2½ miles.

Average grade per mile 2.6 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 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: 10 Sec. Ft. and 3.74 Sec Ft. Water Rights.

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.

WEST INDIAN COVE WATER CO. *Applicant.*

By WESLEY HOOLEY, Sec.-Treas. Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. March 23, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26267

Recorded in Book 93 Page 26267 Approved March 26, 1956

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 May 26, 1956 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 September 26, 1958

The whole of said work to be completed on or before March 26, 1961

Beneficial use of water appropriated in accordance herewith, to be made on or before March 26, 1967

WITNESS My hand this 26th day of March, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, 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 26th
day of March, 19 56. STATE OF IDAHO

day of _____, 19__.
 Countersigned:
 (SEAL) By _____ JAS. H. YOUNG _____
 Secretary of State.

STATE OF IDAHO
 By _____ ROBERT E. SMYLLIE _____
 Governor.

REMARKS: We are planning to furnish water above the present canal for additional land, making a total of about 761 acres, and need about 1190 inches, including canal losses. The soil is sandy and requires more water than the average ground. Filing subject to the determination of the Department of Reclamation as to the requirement of additional water in excess of one inch per acre.

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5 S	7 E.	34										8	12					20	
6 S	7 E.	3			40	20	20	39	40	40	40	36	17	38	40	40	40	490	
6 S	7 E.	4	25			30												55	
6 S	7 E.	10	35	35			18											88	
6 S	7 E.	11						38	35	35								108	
Total Number of Acres to be Irrigated																		761	
RELINQUISHMENT ✓																			
TO WHOM IT MAY CONCERN:																			
I hereby relinquish to the State of Idaho, 5.0 cubic feet per second of water of my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No.26267.																			
Signed at Hammett, Idaho, this 18th day of March, 1961.																			
West Indian Cove Water Company																			
James E. Hamilton Permit Holder, By President																			
ATTEST: Wesley Hooley, Secretary																			

Permit No. 26267
 CERTIFICATE OF COMPLETION OF WORKS

✓
 TO ALL WHOM IT MAY CONCERN:

This is to certify that WEST INDIAN COVE WATER CO., Inc. of Hammett, County of Elmore, and State of Idaho, the holder of Permit No. 26267, issued upon Application No. 34161, bearing date of priority of March 23, 1956, authorizing the diversion of 5 second feet of waters of Snake River, County of Owyhee, 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 of intended use 5.0 second feet of the waters of Snake River, tributary of Columbia River, that the point of diversion of said waters is Lot 2, (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 34, T. 5 S., R. 7 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

761 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$, Section 3; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 11, T. 6 S., R. 7 E., B. M.; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 5 S., R. 7 E., B. M.

Witness my hand this 23rd day of March, A. D. 1961.

s/ GEO. N. CARTER
 State Reclamation Engineer

Proof of Completion of Works Made: March 18, 1961

LICENSE ISSUED FOR 6.96 SEC. FT.
LICENSE PAGE NO.

December 19, 1975

West Indian Cove Water Co., Inc.
Wesley Hooley, Sec.
Star Route
Hammett, Idaho 83627

Gentlemen:

Enclosed herewith is a copy of the Amended License issued under License No. 26267/02-2128 along with a copy of the Order.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enclosures

cc: Mr. William F. Ringert

bc: Western Regional Office

January 10, 1975

Re: License No. 02-2128

William F. Ringert
Box 2773, Idaho Bldg.
Boise, ID 83701

Dear Mr. Ringert:

The amount of water pumped by West Indian Cove Water Co. has been estimated from the power use records.

The calculations, using an estimate of the plant efficiency, indicates that the maximum annual use occurred in 1966 when 8.90 acre feet per acre was diverted. Therefore, we feel that water right License No. 02-2128 should be amended to show a duty of water of 8.9 acre feet per acre and 4361 acre feet per year.

If you have any objections to this amendment of the license, please let us know within 20 days, or we will issue an amended license as proposed above.

Sincerely,

BOBBYDD. FLEENOR
Chief, Water Rights

BDF:jg

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

IDAHO BUILDING
BOISE, IDAHO 83701

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON

December 16, 1974

RECEIVED
AREA CODE 208
TELEPHONE 345-4591
POST OFFICE BOX 2773

DEC 26 1974
Department of Water Resources

Mr. Bobby D. Fleenor
Assistant Director
Department of Water Resources
Statehouse - Annex 3
Boise, Idaho 83720

Re: License No. 26267/02-2128
West Indian Cove Water Co., Inc.

Dear Mr. Fleenor:

Please advise as to whether we can expect a decision on this matter within the near future.

If any further information is required from West Indian Cove Water Company, please let me know.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By



William F. Ringert

WFR:am

cc: West Indian Cove Water Co.

W.E. - INDIAN COVE WATER Co.

Re- Permit 26267 - 02-2128

$$1971-73 - KW - 1,541,500 \div 24 \text{ hrs} = 64229 - 1 \text{ da} \div 246 = 86098 \text{ H.P. - 1 da.}$$

$$H.P. = \frac{\text{In} \times \text{hd}}{440 \times \text{eff}} \text{ or } H.P. = \frac{\text{In} \times 64'}{440 \times 66.6\%} \text{ or } H.P. = \text{In} \times 0.21843$$

$$\text{or} - \text{In} = H.P. \div 0.21843$$

$$86098 \text{ H.P.} \div 0.21843 = 394167 \text{ In. - 1 da} \times 88\% \text{ (12\% canal loss)}$$

$$\approx 346867 \div 25' = 13875 \text{ A.Ft.} \div 3 \text{ yrs} = 4625 \div 626A = 7.39 \text{ A.Ft.}$$

$$1,541,500 \text{ KW} \div 13875 \text{ A.Ft.} = 111.1 \text{ KW per A.Ft.}$$

$$1966-67 - 894350 \text{ KW} \div 111.1 = 8050 \div 2 \text{ yrs} = 4025$$

$$\div 490A = 8.21 \text{ A.Ft.}$$

NOT RECORDED

Snake River



Hydro Power

IDAHO POWER COMPANY

Box 70 • Boise, Idaho 83721

June 3, 1974

RECEIVED

JUN 5 1974

Department of Water Administration

Mr Bobby D Fleenor
Assistant Director
Department of Water Administration
State House Annex 2, 614 State Street
Boise, Idaho 83720

Dear Mr Fleenor:

The electric power use records you requested for West Indian Cove are listed below. The records are for 1966 and 1967 as authorized by Mr William Ringert.

1966

4/13 - 5/12	86,400 KWH
5/12 - 6/13	89,600 KWH
6/13 - 7/13	85,950 KWH
7/13 - 8/12	97,050 KWH
8/12 - 9/13	97,350 KWH
9/13 - 10/12	33,550 KWH
10/12 - 10/14	3,250 KWH

1967

4/17 - 5/11	53,500 KWH
5/11 - 6/12	86,950 KWH
6/12 - 7/12	63,250 KWH
7/12 - 8/11	90,000 KWH
8/11 - 9/12	74,600 KWH
9/12 - 10/11	28,250 KWH

I hope this is the information you wanted.

Sincerely,

Bill E Berry
Agricultural Engineer

BEB:cs

cc: R J O'Connor
J P O'Connor

52-2128

West Indian Cove License no 02-2128 - Annual Use

Determine the number of acre feet pumped in 1966 and 1967

Given: the KWH of energy consumed in 1966 and 1967

Pumps of 40 HP, 50 HP and 100 HP; Head = 64 feet

Assume:

$$\left. \begin{array}{l} \text{Efficiency} = 40 \text{ HP} = 53\% \\ \quad \quad \quad 50 \text{ HP} = 56\% \\ \quad \quad \quad 100 \text{ HP} = 61\% \end{array} \right\} \text{From West Coast Basin Reference Pump Performance Studies}$$

$$\text{Average} = 40(53) + 50(56) + 100(61) \div 190 = 58\%$$

Solution

$$AF = \frac{\text{KWH} \times 0.976 \times \text{Eff.}}{\text{Head}}$$

For 1966

$$AF = \frac{493,150 \cdot 0.976 \cdot 0.58}{64}$$

$$AF = 4361.91$$

For 1961

$$AF = \frac{396,550 \cdot 0.976 \cdot 0.58}{64}$$

$$AF = 3507.48$$

$$\text{Duty of Water} = \frac{AF}{\text{Acres}}$$

For 1966

$$\text{Duty} = \frac{4361.91}{490} = 8.90 \text{ Acre ft per acre}$$

For 1965

$$\text{Duty} = \frac{3507.48}{490} = 7.16 \text{ Acre ft per acre}$$

MICROFILMED

May 6, 1974

Mr. Bill Berry
Idaho Power Company
P. O. Box 30
Boise, Idaho

Dear Mr. Berry:

Last January we discussed the possibility of obtaining the power consumption records of West Indian Cove Water Co., Inc. You requested that we have your customer initiate the request for the power records.

The enclosed letter from Mr. Ringert, their attorney, authorizes you to furnish the power records for the 1966 and 1967 irrigation seasons.

The address we have for West Indian Cove is Hammett, and the Secretary of the Company is Wesley Hooley, of Glenns Ferry, who may be contacted if you need further information concerning the account.

We appreciate the assistance you give us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jg
Enclosure

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ROBERT L. ALDRIDGE

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

May 2, 1974

RECEIVED

MAY 17 1974

Mr. Bobby D. Fleenor
Assistant Director
Department of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83720

Department of Water Administration

Re: License No. 26267/02-2128
West Indian Cove Water Co., Inc.

Dear Mr. Fleenor:

Information furnished to me by West Indian Cove Water Company indicates that their power consumption during 1966-67 irrigation season was 894,350 kilowatts.

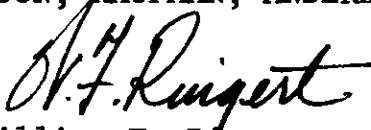
West Indian Cove Water Company has authorized me to state that Idaho Power Company is authorized to furnish the Department of Water Administration the power records for West Indian Cove Water Company for the 1966 and 1967 irrigation seasons. Those are the two years that are mentioned in Mr. Hooley's affidavit and are relied upon to establish the amount of water applied to beneficial use.

Please advise if you require anything further.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By


William F. Ringert

WFR:am

cc: West Indian Cove Water Co.

01-2128

January 31, ^{/4}

License No. 26267/02-2128 - West Indian Cove Water Co., Inc.

Anderson, Kaufman, Anderson & Ringert
Attn: William F. Ringert
Idaho Building, Box 2773
Boise, Idaho 83701

Dear Mr. Ringert:

We received the affidavit you submitted concerning the amount of water used by West Indian Cove Water Company.

To further substantiate this use for our records, we would ask that you supply us with the amount of electrical power used by the river pumps, or at least authorize Idaho Power Company to release that information to us. Data on the calibration of the pumps, which shows the amount of water pumped per kilowatt hour, would also be helpful, if that information is available. The records for the last five years would certainly be sufficient.

We appreciate your cooperation in determining the amount of water used by West Indian Cove Water Company.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jc

02-2128

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83720
(208) 384-2190

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

January 23, 1974

Mr. R. L. Salladay
Commercial Marketing Director
IDAHO POWER COMPANY
P. O. Box 30
Boise, Idaho 83702

Dear Mr. Salladay:

We would appreciate information concerning the amount of power used during the last five years by West Indian Cove Water Co., Inc.

West Indian Cove Water Co. pumps water from the Snake River from a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) of Sec. 34, Twp. 5 S, Rge. 7 E, B.M., Owyhee County. Any help you can give us in this matter would be greatly appreciated.

Sincerely,

Bobby D. Fleenor
BOBBY D. FLEENOR
Assistant Director

BDF:DR

Returned with a request from Bill Berry that we have customer initiate request for power records.

Bob F 1/29/74

02-2128

02-2128

January 23, 1974

Mr. R.L. Salladay
Commercial Marketing Director
IDAHO POWER COMPANY
P. O. Box 30
Boise, Idaho 83702

Dear Mr. Salladay:

We would appreciate information concerning the amount of power used during the last five years by West Indian Cove Water Co., Inc.

West Indian Cove Water Co. pumps water from the Snake River from a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) of Sec. 34, Twp. 5 S, Rge. 7 E, B.M., Owyhee County. Any help you can give us in this matter would be greatly appreciated.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

2 213

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ROBERT L. ALDRIDGE

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

January 2, 1974

Mr. A. Kenneth Dunn
Deputy Director
Department of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83720

Re: West Indian Cove Water Company
License No. 26267/02-2128

Dear Mr. Dunn:

Herewith is Affidavit of Wesley Hooley, supplementing the Proof of Application to Beneficial Use with respect to the above numbered water license.

As stated in the affidavit, it is based upon records of actual deliveries and upon Mr. Hooley's observation of irrigation practices and water requirements.

The affidavit shows that in 1966 9.09 acre feet per acre was delivered to, and used for the irrigation of, the 490 acres of irrigated lands to which the licensed water right is appurtenant.

Your letter of October 22, 1973, indicates that the Department of Water Administration agrees that a water right may be licensed for the amount actually applied to beneficial use. Therefore, I request, on behalf of West Indian Cove Water Company, that the above numbered water license be amended either by deleting the limitation on the number of acre feet per year that may be diverted under the water right or by recomputing a limitation equivalent to 9.09 acre feet per acre for the 490 acres involved in this matter.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

W. F. Ringert
William F. Ringert

WFR:am
cc: Wesley Hooley

2 2128

LJ-200
1-63

measured at cement lined part of the
canal about 1/4 mile from pumps.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Date 7/6, 1971 DISCHARGE MEASUREMENT NOTES

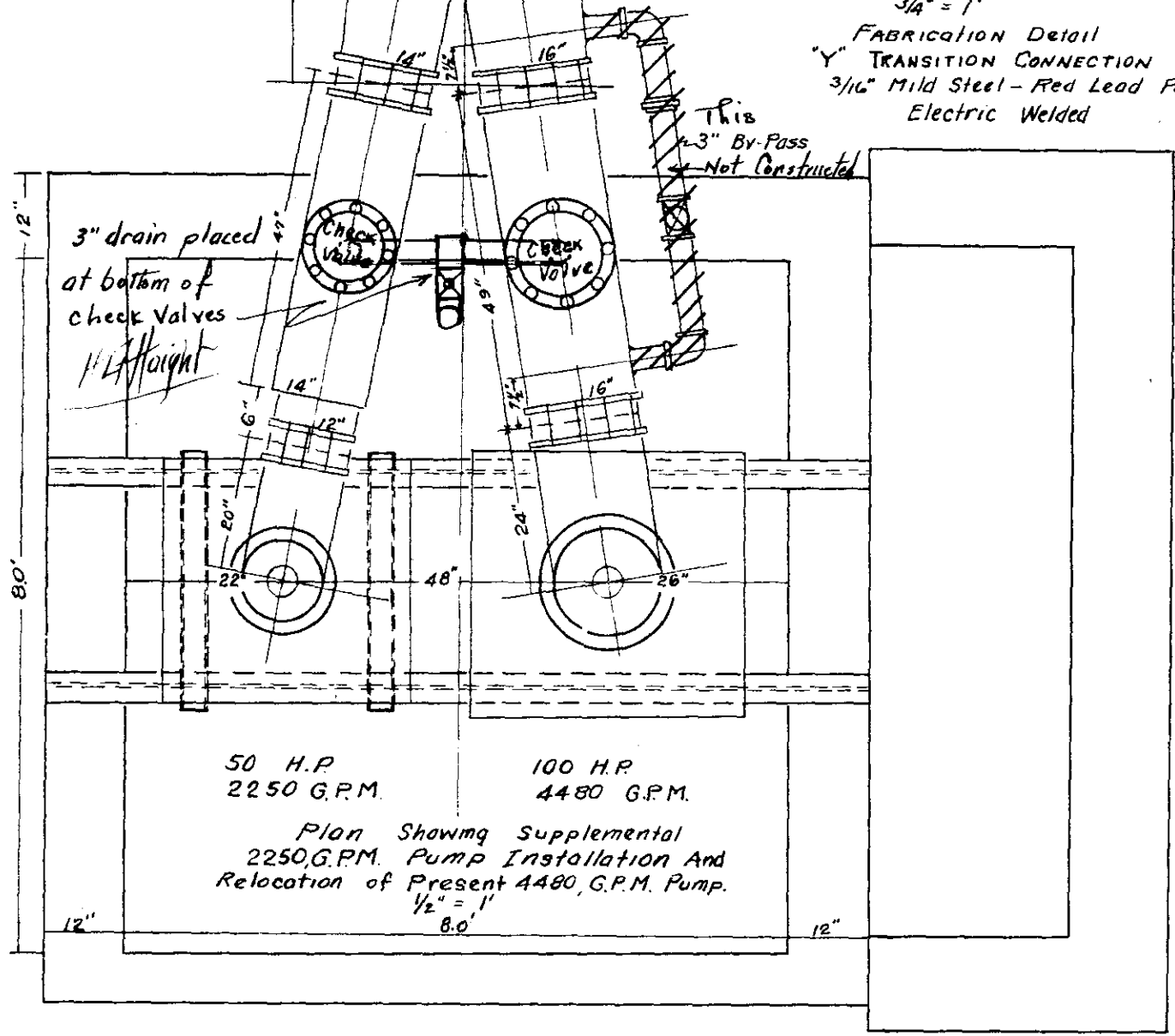
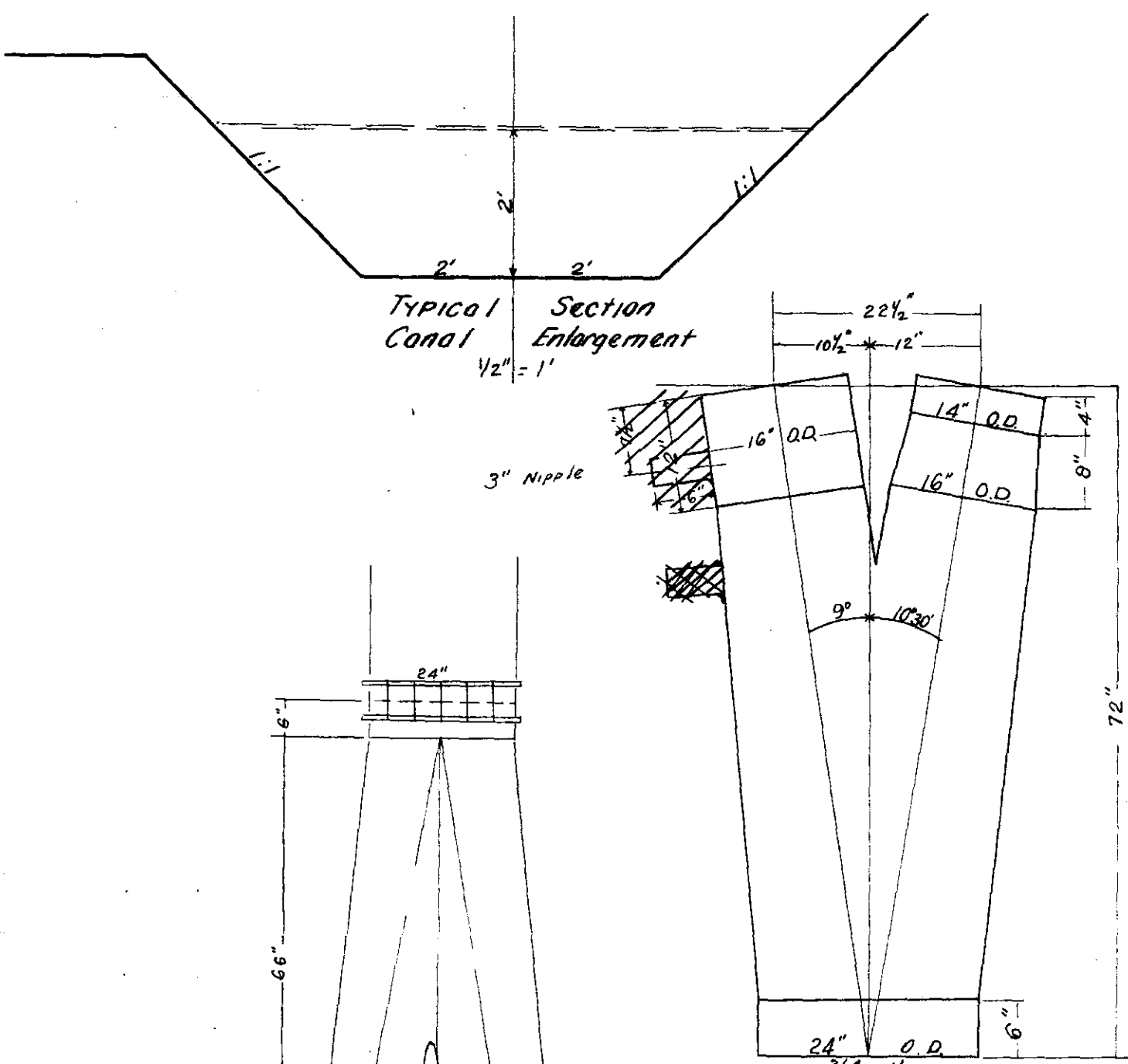
Sage River River at West Jordan Cove Canal

Angle cor- rected	Dist. from initial point	Width	Depth	Obser- vation depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or	Area	Discharge
							At point	Mean in ver- tical			
W	2.6	.3	.0								
	3.0	.45	.3		50	41	1.21	1.21		.135	.16
	3.5	.50	.9		100	61	1.61	1.61		.45	.72
	4.0	.50	1.3		80	52	1.52	1.65		.65	1.07
					100	55	1.78				
	4.5	.50	1.8		100	50	1.96	2.11		.90	1.90
					150	65	2.25				
	5.0	.5	1.8		100	51	1.92	2.20		.90	1.98
					150	59	2.48				
	5.5	.5	1.8		100	47	2.02	2.30		.9	2.12
					150	55	2.65				
	6.0	.5	1.8		100	51	2.02	2.34		.9	2.02
					150	57	2.56				
	6.5	.5	1.9		100	52	1.88	2.28		.95	2.13
					150	56	2.61				
	7.0	.5	1.8		100	48	2.04	2.32		.9	2.09
					150	56	2.61				
	7.5	.5	1.7		100	50	1.96	2.19		.85	1.86
					150	63	2.32				
	8.0	.5	1.2		100	49	2.00	2.00		.6	1.20
	8.5	.5	.8		100	51	1.92	1.90		.4	.77
	9.0	.4	.4		50	45	1.11			.16	.18
	9.3	.15	0								

18.20

to _____ of _____ Sheets. Comp. by 2 2128 Chk. by myl

$n = 0.025$ $r = 1.24$
 $S = 0.0005$ $A = 12.00$
 $d = 2.0$ $V = 1.45$
 $Q = 17.4$



EL 2

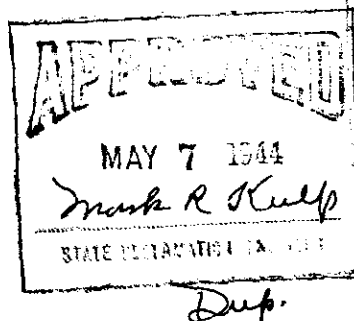
AKB

L.W.

E

WEST INDIAN COVE
WATER COMPANY INC.
HAMMETT IDAHO

SUPPLEMENTAL PUMP INSTALLATION
CANAL ENLARGEMENT
1944



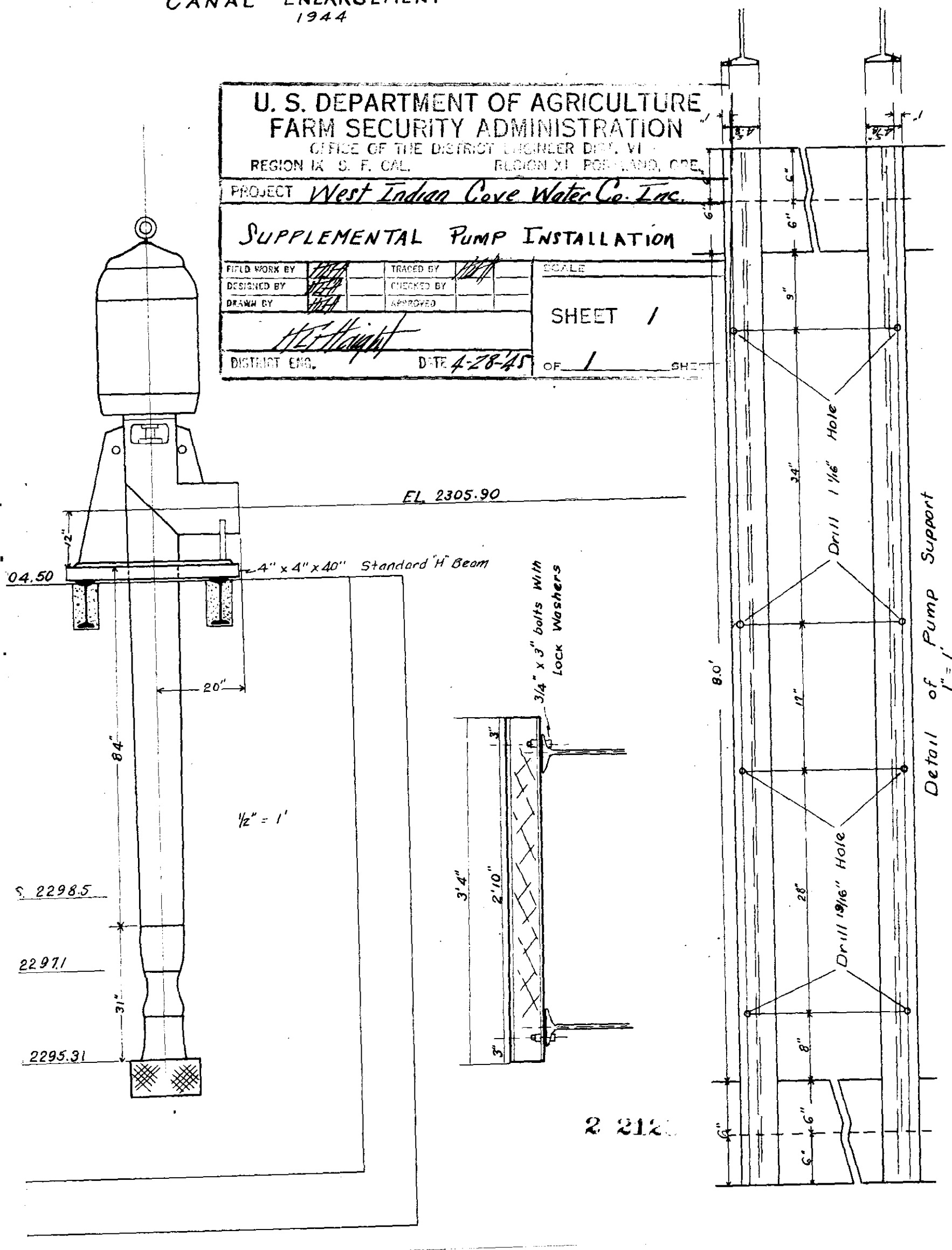
U. S. DEPARTMENT OF AGRICULTURE
FARM SECURITY ADMINISTRATION
OFFICE OF THE DISTRICT ENGINEER DIST. VI
REGION IX S. F. CAL. REGION XI PORTLAND, ORE.

PROJECT *West Indian Cove Water Co. Inc.*

SUPPLEMENTAL PUMP INSTALLATION

FIELD WORK BY	<i>[Signature]</i>	TRACED BY	<i>[Signature]</i>	SCALE
DESIGNED BY	<i>[Signature]</i>	CHECKED BY	<i>[Signature]</i>	
DRAWN BY	<i>[Signature]</i>	APPROVED		

DISTRICT ENG. *[Signature]* DATE *4-28-45* OF *1* SHEET



STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

*

*

IN THE MATTER OF PERMIT TO	)	
APPROPRIATE THE PUBLIC WATERS	)	AFFIDAVIT SUPPLEMENTING
OF THE STATE OF IDAHO, NO.	)	PROOF OF APPLICATION TO
26267/02-2128, ISSUED TO WEST	)	BENEFICIAL USE
INDIAN COVE WATER CO., INC.	)	

*

*

STATE OF IDAHO)
) ss.
COUNTY OF ELMORE)

Wesley Hooley, being first duly affirmed, on such affirmation deposes and says:

That he is the duly elected, qualified and acting secretary of West Indian Cove Water Co., Inc., the holder of Permit No. 26267/02-2128.

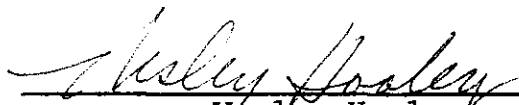
That he is the official custodian of the water delivery records of West Indian Cove Water Co., Inc., and has been ditch-rider since 1967, and that the statements contained in this affidavit with regard to water delivery by West Indian Cove Water Co., Inc., are based upon his examination of the records of said company and upon his personal knowledge obtained by actual day-to-day observation of the irrigation system of said company during the

period from sometime before the beginning of the 1960 irrigation season up until the time proof of application to beneficial use was made under said permit.

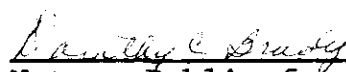
That the soil on the farms to which irrigation water is delivered through the West Indian Cove Water Co., Inc., irrigation system is a very sandy loam soil and requires far more than the 4.5 acre feet per acre quantity of water limited by the Department of Water Administration, in order to properly irrigate those lands; that with proper irrigation and adequate amounts of water, the lands served by the irrigation system are highly productive and are capable of raising concentrated row crops such as sugar beets, potatoes, corn and beans, as well as hay, seed and various grain crops. That during the 1966 and 1967 irrigation seasons the average quantity of water delivered per acre for the irrigated crop land under said irrigation system was approximately 8.21 acre feet per acre, for the 490 acres of land identified in the License of Water Right issued to West Indian Cove Water Co., Inc., by the State of Idaho, Department of Water Administration, on August 20, 1973, No. 26267/02-2128, and the water usage hereinbefore stated was made upon said 490 acres of land. The approximate average of 8.21 acre feet previously stated is a weighted average; the water delivery records for the two years show that the maximum average would be 8.4 acre feet per acre per year and that the minimum average would be 8.01 acre feet per acre per year.

~~That the irrigation under the West Indian Cove Water Co.,~~
~~Ine., irrigation system produces little or no waste water~~ ^{U.S.N.} and any
waste water that results from the irrigation operations flows
directly into Snake River, the source of water under the above numbered
permit.

That due to the nature and characteristics of the soil on
the farms under said irrigation system, 4.5 acre feet per acre per
year is considerably less than the amount required for proper irri-
gation of said lands during dry years such as 1973, when the area
received very little spring or summer rain, and the farmers under
this irrigation system simply cannot achieve anywhere close to
maximum production with the 4.5 acre feet per acre per year that
the Department of Water Administration has imposed as a limitation
on the use of water for irrigation of these lands. For example,
the water requirements in 1966 were such that 9.09 acre feet per
acre was delivered to, and used for the irrigation of, the 490
acres of irrigated lands hereinbefore referred to.


Wesley Hooley

SUBSCRIBED AND AFFIRMED before me this 17 day of December, 1973.


Notary Public for the State of Idaho
Residing at Men Home, Idaho

October 22, 1973

Mr. William F. Ringert
Anderson, Kaufman, Anderson and Ringert
Lawyers

Idaho Building
Boise, Idaho 83701

Re: West Indian Cove Water Company
License No. 26267/02-2128

Dear Mr. Ringert:

In response to your October 17, 1973 letter regarding licensing of Permit No. 02-2128, the department's action to limit the quantity of water to that put to beneficial use is, in our judgment, fair and accurate. The Idaho statutes, Section 42-219, requires that the department issue a license after determining, among other items, the quantity of water which may be used and that the quantity licensed shall not be in excess of the amount beneficially applied.

Determination of the quantity of water put to beneficial use requires that a definite amount of water be determined, which is the volume measurement of water. The diversion rate, which is an instantaneous measurement of flow, provides a measurement of the ability of the system to divert water from a source. This rate may, and often times is, in excess of the continuous flow requirement necessary to provide a sufficient quantity of water to satisfy crop needs during the irrigation season.

The volume amount allowed on License No. 02-2128 is not an arbitrary figure, but, rather, was determined as all licenses now issued, from a study conducted by the University of Idaho. This study determined water needs of crops in Idaho considering all factors, including weather, growing season and crop type. From this study and our determination that the land had a history of being irrigated, we calculated a quantity of water that was beneficially needed to produce a crop. In determining this quantity, we have, in all cases, given the benefit of doubt to the applicant.

A recent decision by the First Judicial District Court, Avondale Irrigation District vs. North Idaho Properties, Inc., would tend to uphold our action. The court's

Mr. William F. Ringert

Page 2

October 22, 1973

decree of water rights included, among other items, that the rights are limited by both maximum rate of diversion (cfs) and quantity (acre-feet).

If proper showing is made of beneficial use in excess of the quantity licensed, then License No. 02-2128 could be amended.

Very truly yours,

A. KENNETH DUNN

Deputy Director

AJD:mjr

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
LAWYERS

NWA

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK

IDAHO BUILDING
BOISE, IDAHO 83701

007 10 1010

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

October 17, 1973

Re: West Indian Cove Water Company

Mr. Bobby D. Fleenor
Assistant Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83720

Re: West Indian Cove Water Company
License of Water Right No. 26267/02-2128

Dear Mr. Fleenor:

This is in response to your letter of September 25, 1973, in which you responded to certain questions I raised in my letter of September 6, 1973, regarding the imposition of an acre-feet limitation with respect to the quantity of water that could be diverted under License No. 02-2128.

I have examined again, in light of the contents of your letter, the provisions of Title 42 of the Idaho Code and, frankly, I am unable to detect even a whisper of legislative intent to impose, under the circumstances of this situation, a limitation in acre feet where the application was made and the permit was granted for a quantity of water expressed in cubic feet per second. I think the Department of Water Administration is attempting to force West Indian Cove Water Company to accept less than it is entitled to under the Idaho statutes, and I think it is unfair for the Department to impose additional expense upon this water company in order to resolve a situation that should have never come up in the first place.

You mention in your letter of September 25 that the Department has determined that the number of acre feet volume included in License No. 02-2128 is the amount of water that has been used.

Mr. Bobby D. Fleenor

October 17, 1973

Page 2

My clients are totally unaware that the Department engaged in a systematic measurement of daily flows during the irrigation season in which the Department's examination was made. They are under the impression that the Department's examination took only one or two days. If this be the case, how can the Department possibly determine how many acre feet of water were applied to beneficial use under the permit?

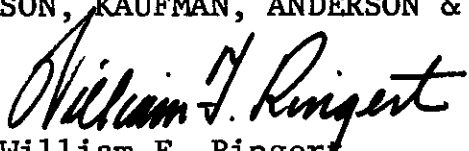
It appears to me that water rights have been licensed in Idaho for more than sixty years on the basis of a quantity expressed in miners inches or cubic feet per second without limitation as to the number of acre feet involved. It has been unanimously understood, so far as I can determine, that a permit measured in miners inches or cubic feet per second allows the permittee to divert a flow equal to the quantity stated in the application and permit twenty-four hours per day throughout the entire irrigation season, without regard to the number of acre feet that such diversion throughout the entire irrigation season produces. If that were not the case, why hasn't the Department of Water Administration required water permittees to produce records of daily flows in order to establish, during the licensing process, the amount of water actually diverted and beneficially used? This very fact emphasizes the novelty of the Department's present interpretation of the Water Code.

It appears to me that hundreds, and perhaps thousands, of water licenses have been issued by the State of Idaho based on a rate of flow, without limitation as to the number of acre feet involved. I respectfully urge that the Department of Water Administration, in the interest of fairness and sound administrative procedure, issue one more such license to West Indian Cove Water Company.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By


William F. Ringert

WFR:sb

cc: West Indian Cove Water Company

2 2128

September 25, 1973

Re: License No. 02-2128

Anderson, Kaufman, Anderson & Ringert
Attn: William F. Ringert
Idaho Building
Boise, Idaho 83701

Dear Mr. Ringert:

Your September 16, letter concerning License No. 02-2128, issued to West Indian Cove Water Company, has been received.

The number of acre feet required is dependent, primarily upon geographic area, and is not greatly affected by the method of application.

Section 42-219, Idaho Code, does speak of issuing a license for the quantity of water used. Quantity has components of rate of flow and volume, both of which are considered in determining the quantity of water put to beneficial use. The number of acre feet volume included in License No. 02-2128 is the amount of water we determined has been used. If you feel more water has been used, then upon a proper showing, License No. 02-2128 could be amended to reflect the amount of water used.

We will leave License No. 02-2128, as it is issued, unless we hear further from you.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:AKD/jc

02-2128

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

IDAHO BUILDING
BOISE, IDAHO 83701

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ROBERT L. ALDRIDGE

September 6, 1973

SEP 7 1973

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

3DF

Mr. Bobby D. Fleenor
Assistant Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83720

Re: West Indian Cove Water Company
License of Water Right No. 26267/02-2128

Dear Mr. Fleenor:

I have in hand the copy of License No. 26267/02-2128 that you sent to me.

I note that the license contains a limitation of 2,205 acre feet per year or 4.5 acre feet per acre, subject to the condition that the maximum volume per season shall not exceed 2,205 acre feet when combined with Licenses No. 02-2044 and 02-2055.

The permit to appropriate water did not include a limitation as to the number of acre feet of water which could be used annually. I am unable to find any statutory authority for imposing the limitation on the number of acre feet that can be used annually. The water diverted under this water license is not stored water, it is regular stream flow of the Snake River.

On behalf of West Indian Cover Water Co., Inc., a request is hereby made that the Department of Water Administration issue an amended License of Water Right No. 26267/02-2128 deleting the limitation as to the amount of acre feet of water that can be used annually or that can be used per acre under the license.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

W.F. Ringert
William F. Ringert

2 2128

WFR:am

cc: West Indian Cove Water Company

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

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

August 20, 1973

Re: Permit No. 26267/02-2128

West Indian Cove Water Co., Inc.
Hammet, Idaho 83627

Gentlemen:

Enclosed please find a copy of the Water License issued on the
above referenced permit.

We are also enclosing Receipt #11531 for \$36.00 covering the
licensing fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

cc: William F. Ringert

2 2128

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
LAWYERS
IDAHO BUILDING
BOISE, IDAHO 83701

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK

August 15, 1973

RECEIVED
AUG 16 1973
Department of Water Administration
AREA CODE 208
TELEPHONE 2-4591
POST OFFICE BOX 73

Mr. Bobby D. Fleenor
Assistant Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83720

Re: West Indian Cove Water Company
Permit No. 26267/02-2128

Dear Mr. Fleenor:

Herewith is check in the amount of \$36.00 issued by West Indian Cove Water Company, in payment of the license fees for the above numbered permit, as stated in your letter of July 18, 1973.

Please issue the license and send it to me so that I can make a copy of it for my records before sending the original to West Indian Cove Water Company.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

W. F. Ringert
William F. Ringert

WFR:am
Enclosure
cc: West Indian Cove Water Company

Rec'd #11531

2 2128

July 18, 1973

Re: Permit No. 26267/02-2128 - West Indian Cove Water Co., Inc.

Mr. William F. Ringert
Anderson, Kaufman, Anderson & Ringert
P.O. Box 2773
Boise, Idaho 83701

Dear Mr. Ringert:

We have received the application for amendment submitted in connection with the above referenced permit. Please be advised, however, that the amendment you propose does not change the land list as issued under the permit and, therefore, an amendment will not be necessary before issuance of the water license.

Upon receipt of a \$36.00 licensing fee (based upon \$2.00 per subdivision) the Department will issue the water license as set forth in the proposed amendment.

We are herewith returning the amendment and check No. 92-166 in the amount of \$50.00. We hope you concur in this matter and that the licensing of this permit can be finalized in the near future.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures

2128

ANDERSON, KAUFMAN, ANDERSON AND RINGERT

LAWYERS

IDAHO BUILDING

BOISE, IDAHO 83701

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

July 16, 1973

Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83720

Attention: Mr. Bobby D. Fleenor
Assistant Director

Re: West Indian Cove Water Company
Permit No. 02-2128

Gentlemen:

Herewith is Application for Amendment which has been revised to show the irrigation of 490 acres, that being the acreage under irrigation at the time proof of beneficial use was made.

Please refer to Mr. Fleenor's letter of February 1, 1973.

Please note, also, that the amount of water claimed under this application is 0.96 cfs.

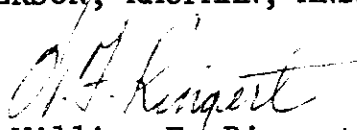
Herewith, also, is the company's check in the amount of \$50.00 in payment of the required fee.

Please advise if anything further is required in order to obtain a license under the above numbered permit.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By


William F. Ringert

WFR:am

Enc.

cc: West Indian Cove Water Co.

2 2128

FROM RECORDS of WEST INDIAN COVE WATER CO., INC.

Amount of water pumped from Snake River since spring of 1968 approx. 1100 inches or 22 sec. ft.

Amount of land under our project since April, ~~1968~~ ¹⁹⁷¹ is 653 assessed acres. The water is put to beneficial use on ~~647~~ ⁶²⁷ acres since April, 1971

1100 inches divided by 653 assessed acres = 1.68 in. per acre.

1950- Received licenses for 10sec. ft. and 3.74 sec.ft.

1956- permit for 10 sec.ft.

1961- Certificate of Completion of Works for 5 sec. ft.

1967 -Proof of Beneficial Use. Field examination was delayed and final action has not been taken.

Merley Hooley - Sec.

June 2⁶, 1973

Re: Permit No. 26267/02-2128

Mr. William F. Ringert
Anderson, Kaufman, Anderson & Ringert
P. O. Box 2773
Boise, Idaho 83701

Dear Mr. Ringert:

As indicated in our telephone conversation yesterday, we are returning the amendment application along with the Check No. 92-166 for \$50.00.

Our March 8, 1972 letter, a copy of which is enclosed, indicated that our examiner found the water being used on 548 acres. This is 90 additional acres not previously licensed. Allowing $1\frac{1}{2}$ miners inches of 0.03 cfs of water for each acre would make the rate of diversion, for the additional land, 2.70 cfs. If this license is issued in this manner, the entire 548 acres would be licensed for a rate of diversion of $1\frac{1}{2}$ miners inches for each acre.

We have enclosed a partially completed amendment form, for your consideration, indicating the irrigated land found by the examiner. Please complete the amendment form and return it with the required \$10.00 filing fee.

There is also a \$20.00 licensing fee due on the land not previously licensed, therefore the total fee of \$50.00 plus the completed amendment application should be returned as soon as possible.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jc
Enc: Amendment form w/Check No. 92-166
New Amendment form

2 21 28

February 1, 1973

Mr. William F. Ringert
Anderson, Kaufman, Anderson & Ringert
P. O. Box 2773
Boise, Idaho 83701

Dear Mr. Ringert:

We have received, along with your January 30th letter, a license fee and an amendment application for Permit 02-2128 in behalf of West Indian Cove Water Co., Inc.

The amendment application appears to propose an increase from 548 acres, the land actually developed during the permit period, to 627 acres. The period of development for this permit ended the day the permit holders filed their proof of beneficial use affidavit, May 3, 1967. Therefore, any additional development must be made under a new permit.

We are returning the amendment application so the land list can be reduced to show the irrigation of 548 acres. If there are no major changes in the location of the land irrigated, a new field examination will be unnecessary before licensing.

Also enclosed is check #92-166 in the amount of \$50.00. If you have any questions concerning this matter, please let us know.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:dr
Enclosures

cc: West Indian Cove Water Co., Inc.

02-2128

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
LAWYERS

IDAHO BUILDING
BOISE, IDAHO 83701

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

January 30, 1973

Department of Water Administration
State of Idaho
Statehouse - Annex 2
Boise, Idaho 83701

Department of Water Administration

Re: West Indian Cove Water Co., Inc.
Permit No. 26267/02-2128

Gentlemen:

In accordance with the procedure established in correspondence between Eugene H. Anderson and your office regarding the above numbered permit, West Indian Cove Water Co., Inc. has completed an Application for Amendment of the above numbered permit.

I enclose the Application for Amendment herewith, together with the check in the amount of \$50.00 to cover the \$10.00 filing fee and the \$40.00 license fee.

Please file and process the Application for Amendment.

Since the amended permit will cover lands not included in your previous field examination, I assume that another field examination will be necessary before the license can be issued. If that assumption is incorrect, please advise me.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

William F. Ringert
William F. Ringert

WFR:am

Enclosures

cc: West Indian Cove Water Co., Inc.

2 2128

02-2128

January 29, 1973

Mr. William F. Ringert
Attorney at Law
P. O. Box 2773
Boise, Idaho 83701

Dear Bill:

Per our telephone conversation of today, returned herewith is the application for amendment, number 02-2128, in the name of West Indian Cove Water Company. Also returned is check number 92-166 in the amount of \$50.00.

Very truly yours,

ELEANOR J. WOODS
Records Supervisor

EJW:e

2 2128

ANDERSON, KAUFMAN, ANDERSON AND RINGERT

LAWYERS

IDAHO BUILDING

BOISE, IDAHO 83701

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

January 26, 1973

Department of Water Administration
State of Idaho
Statehouse Annex No. 2
Boise, Idaho 83701

Gentlemen:

Re: West Indian Cove Water Co., Inc.
Permit No. 26267/02-2128

In accordance with the procedure established in correspondence between Eugene H. Anderson and your office regarding the above numbered permit, West Indian Cove Water Co., Inc. has completed an Application for Amendment of the above numbered permit.

I enclose the Application for Amendment herewith, together with the check in the amount of \$50.00 to cover the \$10.00 filing fee and the \$40.00 license fee.

Please file and process the Application for Amendment.

Since the amended permit will cover lands not included in your previous field examination, I assume that another field examination will be necessary before the license can be issued. If that assumption is incorrect, please advise me.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

William F. Ringert
William F. Ringert

WFR:bjm

Enclosures

cc: Mr. Wesley Hooley

2 2128

August 23, 1972

Re: Permit No. 26267/02-2128
West Indian Cove Water Co., Inc.

Mr. Eugene H. Anderson
Anderson, Kaufman, Anderson & Ringert
P.O. Box 2773
Boise, Idaho 83701

Dear Mr. Anderson:

On March 15, 1972, we received a letter from you in connection with the licensing of the above referenced permit.

As the Department would like to proceed with the licensing of this permit, may we please hear from you regarding this matter as soon as possible.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

2128

August 3, 1972

Mr. Eugene H. Anderson
Anderson, Kaufman, Anderson & Ringert
P.O. Box 2773
Boise, Idaho 83701

Re: Permit No. 26267/02-2128

Dear Mr. Anderson:

Pursuant to your letter of August 2, 1972, please find enclosed 12 application for amendment forms.

If we may be of further assistance, please advise.

Sincerely,

Darlene Reich, Secretary to
BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures (12)

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
LAWYERS

IDAHO BUILDING
BOISE, IDAHO 83701

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

August 2, 1972

Department of Water Administration
Statehouse-Annex 2
Boise, Idaho 83707

Attn: Mr. Bobby D. Fleenor, Asst. Director

Re: West Indian Cove Water Co., Inc. Permit No. 26267/02-2128

Gentlemen:

I write for West Indian Cove Water Co., Inc.

It is necessary, as suggested by your letter of March 8, 1972, that the application be amended.

I now have the description of the lands being irrigated.

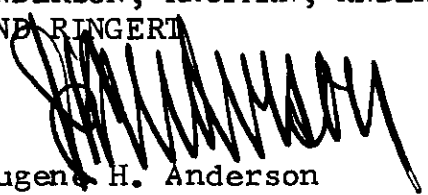
Will you please send me a dozen forms of Application for Amendment so that I shall have some on hand after using forms for the above captioned matter.

This is the matter on which I conferred with you quite some time ago.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON
AND RINGERT

By


Eugene H. Anderson

EHA:pho

2 2128

CONVERSATION MEMORANDUM

FILE 02-2128

NAME OF PARTY Gene Anderson

EMPLOYEE Bob Fleener

6/19/72

RE: Licensing -

Disagrees with land list - Will send in what they propose
they are irrigating -

6-27-1972 Mr Anderson Called & wanted the
date of the exam - Don.

2 2128

April 21, 1972

Re: Permit No. 26267/02-2128 - West Indian Cove Water Co., Inc.

Mr. Eugene H. Anderson
Anderson, Kaufman, Anderson & Ringert
P.O. Box 2773
Boise, Idaho 83701

Dear Mr. Anderson:

Pursuant to your letter of April 20, 1972, the Department will withhold action regarding the above referenced permit until June 1, 1972.

If we may be of any further assistance, please let us know.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

ANDERSON, KAUFMAN, ANDERSON AND RINGERT

LAWYERS

IDAHO BUILDING

BOISE, IDAHO 83701

April 20, 1972

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

Department of Water Administration
Statehouse-Annex 2
Boise, Idaho 83707

Re: West Indian Cove Water Co., Inc.
Permit No. 26267/02-2128

Attn: Mr. Robert D. Fleenor, Asst. Director

Gentlemen:

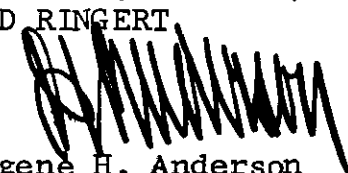
I write in behalf of West Indian Cove Water Co., Inc.
and with reference to amendment and further showing under
the above numbered Permit.

I request further postponement of any action on this
Permit until I have acquired the additional information which
I believe will be necessary in a conference with you.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON
AND RINGERT

By


Eugene H. Anderson

EHA :pho

2 2128

March 21, 1972

Re: Permit No. 02-2128

Mr. Eugene H. Anderson
Post Office Box #2773
Boise, Idaho 83701

Dear Mr. Anderson:

Subsequent to our telephone conversation of March 21, 1972, we are returning to you, check #92-166 for \$50.00, written by the West Indian Cove Water Company.

The check was written to cover a \$40.00 licensing fee for the above referenced permit, as well as a \$10.00 fee for an amendment to the same permit. We did not receive the amendment form with the check and are therefore, unable to accept the fee at this time.

If you should have any further questions concerning this matter, please do not hesitate to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enc: check #92-166 (\$50.00)

2 2128

Hammett, Ida 83627
March 20, 1972

~~Department of Water Administration~~
State of Idaho

Dept of State Adm.

Boise, Ida.

Re-Permit No 26267/
02-2128

Dear Sirs,

Enclosed is check for \$50.00 for filing
fee - \$10.00 and Licensing fee - \$40.00, payment
advised now by our attorney Eugene Anderson.

You will be hearing from him further regarding
this permit.

Yours Respectfully
West Indian Concrete Co., Inc.
By Macky Hooley - Sec. Treas.

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
LAWYERS

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

March 14, 1972

Department of Water Administration
Statehouse-Annex 2
Boise, Idaho 83707

Re: West Indian Cove Water Co., Inc. Permit No.26267/02-2128

Gentlemen:

I write for West Indian Cove Water Co., Inc. and have before me your letter of March 8, 1972.

I was consulted today in this matter and am obtaining information which I believe may lead toward an amendment or amendments of the above numbered application or additional water filings; or possibly litigation to establish appropriation rights.

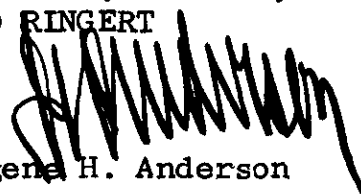
As soon as I have the information I'll ask for conference with your Department and will try to arrange it before the date of April 7.

This letter is written now because in your letter of March 8th you request the Water Company to contact you by return mail if it does not concur with your findings.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON
AND RINGERT

By


Eugene H. Anderson

EHA : pho

2 2128

March 8, 1972

West Indian Cove Water Co., Inc.
Attn: Wesley Hooley, Sec.
Star Route
Hammett, Idaho 83627

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 26267/02-2128 and has found the following:

Quantity of water diverted: 18.20 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.70 cfs

The maximum quantity of water diverted shall not exceed 1,312.09 acre feet per year.

Beneficial use: Irrigation of 548 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$ (42), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (12), Sec. 34, Twp. 5S, Rge. 7E, B.M. and NW $\frac{1}{4}$ NE $\frac{1}{4}$ (29), S $\frac{1}{2}$ NE $\frac{1}{4}$ (58), NW $\frac{1}{4}$ (127), N $\frac{1}{2}$ SW $\frac{1}{4}$ (32), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (1), SE $\frac{1}{4}$ (158), Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$ (57), Sec. 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (32), Sec. 11; Twp. 6S, Rge. 7E, B.M.

Point of diversion: (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Lot #2, Sec. 34, Twp. 5S, Rge. 7E, B.M.

The priority date established is: April 30, 1966 (late proof)

As our field examination indicates that the lands being irrigated differ from those lands listed on your permit, it will be necessary for you to amend the permit before a license can be issued. We are enclosing a partially completed application for amendment for your use. Please complete the amendment form and return it to this office with the required \$10.00 filing fee.

There is also a \$40.00 licensing fee due, therefore a total fee of \$50.00 plus the amendment application must be received within 30 days of the date of this letter in order that we can issue your Water License as set forth above. If you do not concur with these findings, please contact us by return mail.

Sincerely,

BOBEY D. FLEENOR
Assistant Director

BDF:DR
Enc: Amendment app.

2 15 1972

8

C-145



7.0

C-209

(390)

2.9

3.0

H

3.8

14.6

C-214

C-155 3.2

5.7

3.5

7.3

6.0

5.3

9.9

(24)

C-153

6.3

11.8

C-244

11.4

19.1

C-210

13.1

C-265

8.8

9.2

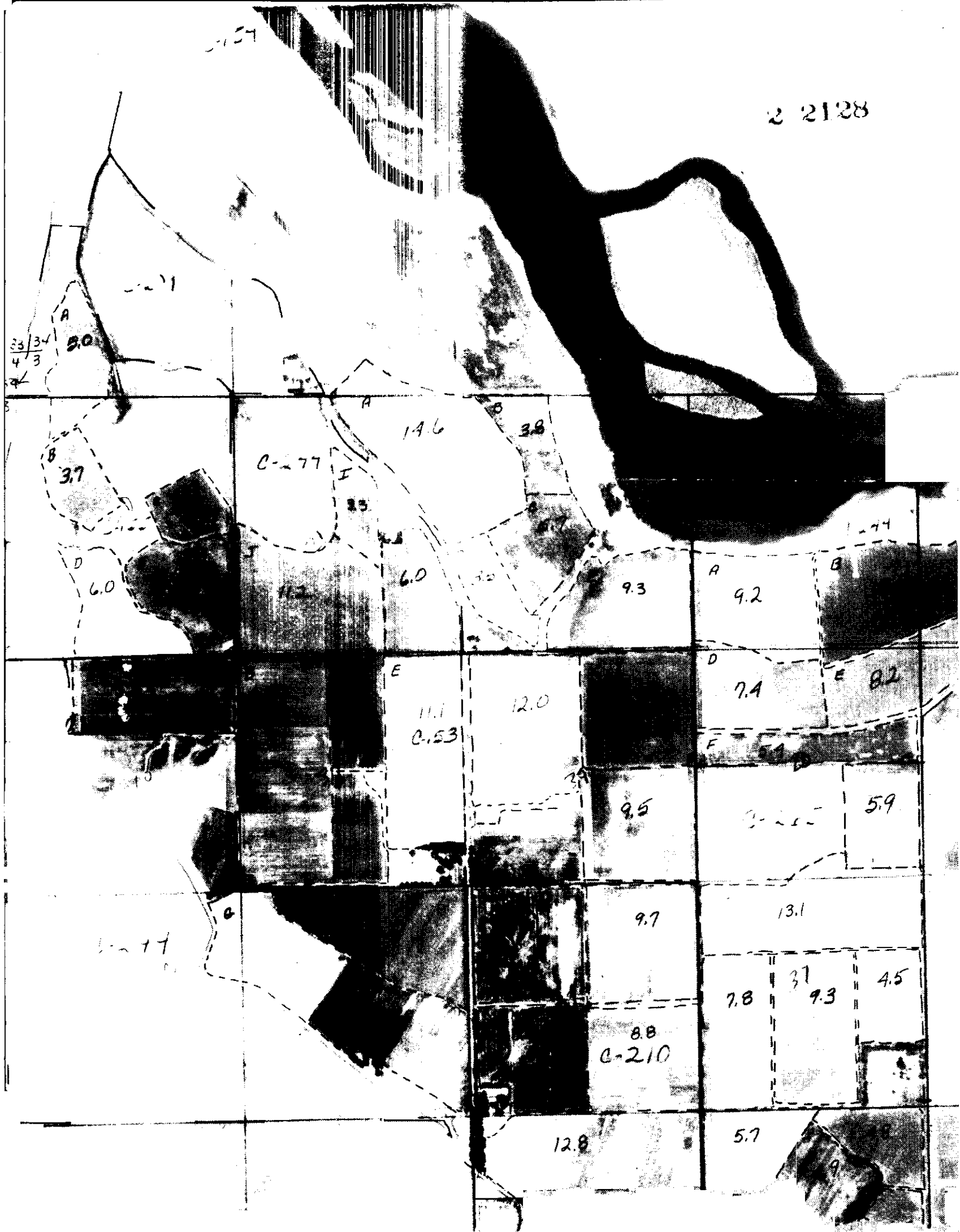
4.5

Total = 499 acres
+ 32

(531)

(539)

2 2128



11.1
C-153

9.5

C-205

5.9

9.7

13.1

7.8

3.1

9.3

4.5

8.8
C-210

12.8

5.7

C-213

4.2

3.4

C-145

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

38
160

Permit No. 26267/02-2128

This proof is for Beneficial Use

In Water District No.

1. Name of applicant West Indian Cove Water Co.
2. Source of water supply: Snake River
3. Location of point of diversion: Is in the Lot 2 (SW 1/4) of Section 34
T. 5 S. R. 7 E. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same:

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):

S 1/2 SW 1/4, Sec. 34, T. 5 S., R. 7 E., B.M.; S 1/2 NE 1/4, NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, SE 1/4, Sec. 3; N 1/2 NE 1/4, Sec. 10; NW 1/4 NW 1/4, Sec. 11, T. 6 S., R. 7 E., B.M.

49
147
49
147

490 Acres (depositions)
761 " (permit sheet)

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

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

Remarks: I measured 18.20 cfs flowing in the canal. Measured with the piping anemometer. There is 507 acres being irrigated at time of examination. 458 acres of this land has been licensed all ready under lic. 19467 & 18636 at 1 1/2" per acre or 13.74 cfs. The additional 49 acres at 1 1/2" equals 1.47 cfs which can be licensed under this permit.

This examination was made on the 7 day of July, 1971

(Signed)

Fred E. Smith

Examiner.

2 2128

458 acres of this
Land has been Lic
Under 02-2044 + 02-2055
at 1 1/2" per acre.
(13.74 c.f.s.)

(2.28 new water)
Obtain new photos of
this land and any new
developed land over
458 acres can be
Licensed at 1 1/2" per acre
provided that the same
does not exceed water
right.

20-2055 350

5-11-67

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.

2 2128

West Indian Cove Water Co, Inc.
Hammett, Idaho

Wesley Hooley, Sec.-Treas.
Hammett, Idaho

Permit No. 26267/02-2128 pumps, pipe, canal
Q-18 c.f.s.

Examination for Beneficial Use

County Owyhee

Sec. 34 T. 5 S. R. 7 E

Quantity: 5.0 c.f.s.

Source: Snake River 51-

P.D.: Lot 2 (SW 1/4), Sec. 34, T. 5 S, R. 7 E, B.M.

Use: Irrigation

Extension:

Protest:

Completion of Works: March 18, 1961

Other Rights: 13.74 c.f.s. of water rights

L.C. 18636
19467

10 c.f.s.
3.74

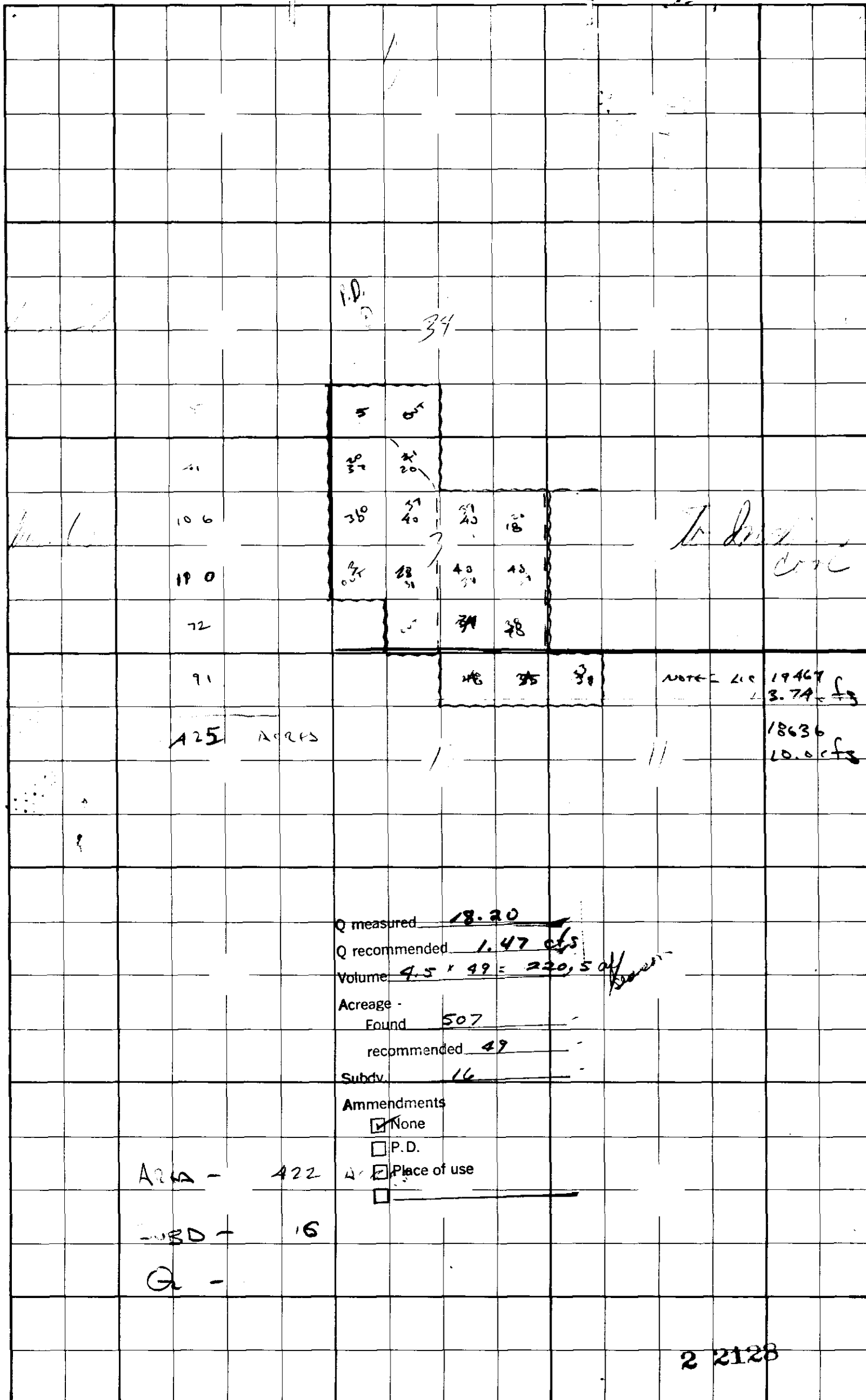
ENCLOSURE (100) 100
100 c.f.s.

Filed: March 23, 1956

Due: March 26, 1967

Made: May 3, 1967

Priority: April 30, 1956



Q measured 18.20
Q recommended 1.47 cfs
Volume 4.5 x 49 = 220.5 off
Acreage -
Found 507
recommended 49
Subdy. 16
Ammendments
☒ None
☐ P.D.
☐ Place of use

Area - 422

Subd - 16

G -

2 2128

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 26267/02-2128

REPORT ON PROOF OF Beneficial Use

May 3, 1967

Re: Permit No. 26267

Wesley Hooley, Sec.-Treas.
West Indian Cove Water Co.
Hammett, Idaho 83627

Dear Mr. Hooley:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Quynha Nugget all submitted in proof of completion of works and beneficial use on Permit No. 26267.

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 to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

26267

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. 26267

RECEIVED
MAY 5 1967

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

~~and Completion of Works~~

DEPOSITION OF HOLDER

Wesley Hooley

Ques. 1. State your name, residence occupation and postoffice address: J. D. Shanks

Indian Cove Farmer, Hammett Ida. Spr Route.

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

West Indian Cove Water Co., Inc. Indian Cove, Hammett, Ida. Sec. Treas.

Ques. 3. State number, approval date of permit, and date of priority: No. 26267

March 21, 1956, March 21, 1956

Ques. 4. State source of water supply: Snake River

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

Lot 2 (SW 1/4 NW 1/4), Sec 34, T. 5S, R. 7E B.M.

Ques. 5. Describe your works of diversion: Pumps, pipe, Canal

_____; state amount of water they are capable of conveying from point of diversion to place of use: approx 18 cu ft; Give name of canal or ditch

or other works by which water is conducted to such place of use: West Indian Cove

Water Co. Canal; if a well, state depth of well _____; depth and size of

casing _____; depth to water _____; if pump is used,

state discharge of pump approx 18 cu ft; tell how it was measured or determined _____

parallel flume, hydrometer; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Irrigation & Domestic

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

18 Acres in S 1/2 SW 1/4, Sec 34, T. 5S, R. 7E; 6.6 Acres in S 1/2 NE 1/4, 128 Acres NW 1/4, 33 Acres in N 1/2 SW 1/4, 1 A. in SE 1/4 SW 1/4, 16.6 Acres in SE 1/4, Sec. 3; 52 Acres in N 1/2 NE 1/4, Sec 10; 33 Acres NW 1/4 NW 1/4, Sec 11, T. 6S, R. 7E, B.M.

26267

D

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

Increase size of frame & more ample supply of water

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

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

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1957. 4.26 sec. ft. - Time used since first use:

Every year since

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

<u>Licence No. 18636</u>	<u>10 sec. ft.</u>	<u>Priority June 22, 1938</u>
<u>Licence No. 19467</u>	<u>3.74 sec. ft.</u>	<u>Priority Feb 7, 1944</u>

West Indian Cove Water Co., Inc.
(sign) Mesley Hooley - Sec. Treas.

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~~ ^{affirmed} to before me, at my office in

Mt. Home, County of E. Lema

State of Idaho, on this 3rd day of May, A. D. 1967.

My commission expires: March 3 1969
M. H. Sanders
Notary Public

26267

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 26267

RECEIVED
MAY 5 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

~~and Completion of Works~~

DEPOSITION OF WITNESS

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

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

J. D. Shenk, 68, Indian Cove, Hammett Lake, Har. Port
General Farmer.

Ques. 2 Are you acquainted with West Indian Cove Water Co., the holder of
Permit No. 26267 How long have you known him and where does he reside?

from before they began in 1941.

Ques. 3. Have you read or heard said Permit No. 26267 read, and are you familiar
with its provisions and conditions: Yes yes No. _____

Ques. 4. State source of water supply: Snake River

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

Lot 2 (SW 1/4 NW 1/4) Sec. 34, T. 5 S., R. 7 E., B. M.

Describe works for conveying water to place of use: 3 pumps - 400 ft 24 in

pipe to bulk head, then approximately 2 mile ditch 24 in x 24 in.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 18 sec. feet. How much water have you seen being so
conveyed? 18 sec. feet. or close to it.

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

18 Acres in S 1/2 SW 1/4, Sec. 34, T. 5 S., R. 7 E.; 60 A. in S 1/2 NE 1/4, 128 A. in
NW 1/4, 33 A. in N 1/2 SW 1/4, 1 A. in SE 1/4 SW 1/4, 160 A. in SE 1/4, Sec. 35;
57 A. in N 1/2 NE 1/4, Sec. 10; 3.3 A. in NW 1/4 NW 1/4, Sec. 11, T. 6 S., R. 7 E., B. M.

26267

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

Medium. with a little light soil and sandy
is care for all types of farming 1 1/4 in per acre, or more

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? In 1957

Other times you have seen such use: all the time it runs as the
Main ditch goes thru my place.

(Signed):

J. D. Shanks

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 Mountain Home

_____, County of Elmore, State of Idaho, on

this 3rd day of May, A. D. 1967

N. W. Sander

Notary Public for the State of Idaho

Residing Mtn Home Idaho

My commission expires March 3, 1969

26267

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 26267

RECEIVED
MAY 5 1967

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:

Lieut E Johnson 45 Hammett Adams Ste Route
Farmer

Ques. 2 Are you acquainted with Weston & Co the holder of
Permit No. 26267? How long have you known him and where does he reside?

Since 1941

Ques. 3. Have you read or heard said Permit No. 26267 read, and are you familiar
with its provisions and conditions: Yes Yes No. No

Ques. 4. State source of water supply: Snake River

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

Lot 2 (SW 1/4 NW 1/4) Sec. 34, T. 5S, R. 7E, B.M.

Describe works for conveying water to place of use: by pumps &

Canal

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: approx 18 sec ft How much water have you seen being so
conveyed? about same

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

18 A. in S 1/2 SW 1/4, Sec 34, T. 5S, R. 7E; 60 A. in S 1/2 NE 1/4, 128 A. in
NW 1/4, 33 A. in N 1/2 SW 1/4, 1A. in SE 1/4 SW 1/4, 100 A. in SE 1/4, Sec. 3;
57 A. in N 1/2 NE 1/4, Sec. 10; 33 A. in NW 1/4 NW 1/4, Sec. 11, T. 6S, R. 7E, B.M

26267

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

1 1/2 in per acre for sandy soil.

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

Ques. 10. When did you first see this water used? 1957

Other times you have seen such use: every year since

(Signed):

✓ Sigurd E. Johnson

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 Mtn Home

 , County of Elmore, State of Idaho, on this 3rd day of May, A. D. 1967

W. H. Sanders

Notary Public for the State of Idaho

Residing Mtn Home Idaho

My commission expires

March 3, 1969

26267

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

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 4 consecutive weeks, the first publication being on the 23 day of March, 1967, and the last publication being on the 13 day of April, 1967;

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 20 day of April, 1967.....


NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

RECEIVED
MAY 5 1967

Department of Reclamation

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

Notice is hereby given that on the 3rd day of May, 1967, at Mountain Home, County of Elmore, State of Idaho, before W. W. Sanders, 465 S 2 E, Mountain Home, Idaho, proof will be submitted of the application to beneficial use of 5.0 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 26267 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit West Indian Cove Water Company, Inc., Hammett, Idaho.

The use to which said water has been applied is irrigation purposes.

The amount applied to beneficial use is 5.0 c.f.s.

The point of diversion of said water is Lot 2 (SW 1/4 NW 1/4), Sec. 34, T. 5 S., R. 7 E., B. M.

The place where said water is used (LEGAL DESCRIPTION) S 1/2 SW 1/4, Sec. 34, T. 5 S., R. 7 E.; S 1/2 NE 1/4, NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, SE 1/4, Sec. 3; N 1/2 NE 1/4, Sec. 10; NW 1/4 NW 1/4, Sec. 11, T. 6 S., R. 7 E., B. M.

The date of priority which said user is prepared to establish is March 23, 1956.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published March 23 and 30,
April 6 and 13, 1967
The Owyhee County, Idaho

26267

March 21, 1967

Re: Permit No. 26267

West Indian Cove Water Company, Inc.
Hammett, Idaho

Gentlemen:

This acknowledges the Notice of Proof of ~~Completion of Works and~~
~~Application of Water to~~ Beneficial Use under Permit No. 26267.
The proofs are to be made ~~at~~ at 2:00 p.m., on the 3rd
day of May, 19 67, before W. W. Sanders
Mountain Home, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Owyhee Nugget
, with instructions to publish it once a week for four
consecutive weeks prior to the date set for final proof then mail the
Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you
and two disinterested witnesses who are familiar with the terms of the permit
and the work done thereunder, at the place, on the date, and at the time and
before the Notary, as advertised. 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, the 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,

MRB:nw

M. Russell Bosch
Office Manager

Encl.

cc: Notary

26267

March 21, 1967

Re: Permit No. 26267

Owyhee Nugget
Marsing, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 3, 1967. The expense of the publication is to be paid by Wesley Hooley, Secretary of West Indian Cove Water Company, Inc., Hammett, Idaho, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

26267

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

Notice is hereby given that ~~xx~~ ~~xxx~~ on the 3rd day of May, 1967,
at Mountain Home, County of Elmore, State of Idaho, before
W. W. Sanders, 465 S 2 E, Mountain Home, Idaho, proof will be submitted of the
application to beneficial use of 5.0 cubic feet per second of the waters of Snake River
in accordance with the terms and conditions of
Permit No. 26267 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit West Indian Cove Water Company, Inc., Hammett, Idaho.

The use to which said water has been applied is irrigation purposes.

The amount applied to beneficial use is 5.0 c. f. s.

The point of diversion of said water is Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 34, T. 5 S, R. 7 E, B.M.

The place where said water is used (LEGAL DESCRIPTION) S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 5 S, R. 7 E;
S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 6 S,
R. 7 E, B.M.

The date of priority which said user is prepared to establish is March 23, 1956.

R. KEITH HIGGINSON
State Reclamation Engineer

26267

RECEIVED
MAR 20 1967

H. W. H. H. H.

Mar 15, 1967

Dept. of Reclamation Department of Reclamation

Baie, Ida.

Dear Sirs,

Re Permit 26267

Enclosed are the notices for publication.

I assume from your letter of Mar. 10 that we can list only the subdivisions of land descriptions that we have applied water on, not the complete list of subdivisions shown in the original application, without first making an amendment to our application. In other words there are some subdivisions shown in the application (Permit No 26267) that are not in the enclosed notices. If we should make an amendment first, please send us the forms for this purpose.

If anything is not correct let us know and we will make them out over again if necessary.

Yours Respectfully,
West Indian Cove Water Co., Inc.
Ray Healy Hooley - Sec.

26267

RECEIVED
MAR 20 1967
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 17, 1967
(P. O.) Hammett 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 Owyhee Nuggett of
Thorsing, Idaho Published in
the county in which the works are situated.

West Indian Cove Water Co., Inc.
by Meloy Doolay, Sec.

(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

26267

RECEIVED

MAR 20 1967

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

Department of Reclamation

Notice is hereby given that at 11 A.M. on the 3rd day of May, 1967,
at Mountain Home, County of Elmore, State of Idaho, before
W. W. Sanders, Notary Public, proof will be submitted of the
application to beneficial use of 1 cubic feet per second of the waters of Snake River
in accordance with the terms and conditions of
Permit No. 26267 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit is
West Indian Concrete Co., Inc. Hammett, Ida

The use to which said water has been applied is domestic and irrigation

The amount applied to beneficial use is 1 cubic foot per second

The point of diversion of said water is N 18° 57' 2" E 3183.6 feet
distant from the SW corner of Section 34 Twp. 5S, R 7E, B.M.
and is in the SW 1/4 NW 1/4 (lot 2) of Sec. 34, Twp. 5S, R 7E, B.M.,
County of Owyhee

The place where said water is used (LEGAL DESCRIPTION) is in S 1/2 SW 1/4 of Section 34
Township 5S, Range 7E, B.M.; S 1/2 NE 1/4, NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4 and
SE 1/4 Section 3; N 1/2 NE 1/4 of Section 10; and the NW 1/4 NW 1/4 of Section 11
Township 6S, Range 7E, B.M.

The date of priority which said user is prepared to establish is March 26, 1956

26267

State Reclamation Engineer

RECEIVED
MAR 20 1967

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

Department of Reclamation

Notice is hereby given that at ~~the~~ on the 3rd day of May, 1967,
at Mountain Home, County of Elmore, State of Idaho, before
W. W. Sanders, Notary Public, proof will be submitted of the
application to beneficial use of 465 8 2 E Mountain Home Idaho 75 cubic feet per second of the waters of
Snake River in accordance with the terms and conditions of
Permit No. 26267 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit is
West Indian Cove Water Co., Inc., Hammett, Ida

The use to which said water has been applied is domestic and irrigation

The amount applied to beneficial use is 5 + cubic foot per second

The point of diversion of said water is N 18° 57½ feet, E 31836 feet
distant from the SW corner of Sec. 34, Twp. 5S, R. 7E, B.M.,
and is in the (SW¼, NW¼) (lot 2) of Sec. 34, Twp. 5S, R. 7E, B.M.,
County of Blaine.

The place where said water is used (LEGAL DESCRIPTION) in S½ SW¼ of Section 34
Township 5S Range 7E, B.M.; S½ NE¼, NW¼, N½ SW¼, SE¼ SW¼ and
SE¼ of Section 3; N½ NE¼ of Section 10; and the NW¼ NW¼ of Section 11
Township 6S, Range 7E, B.M.

The date of priority which said user is prepared to establish is March 23, 1956

26267

State Reclamation Engineer

March 10, 1967

RE: Permit 26267

West Indian Cove Water Company
Hammett, Idaho

Gentlemen:

There is no way we can grant an extension and advance the priority, however, we do not feel that an extension is justified in this case. You can make proofs of beneficial use on the part of the project you presently have finished and have the priority date of March 23, 1956. You can then file a new application for the new lands that will be put to use in the next two years and it will then have a later priority. We feel that this is the best way to handle this permit.

We hope to hear from you in this matter in the very near future.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

26267

Franklin, Idaho

Mar 8, 1967

RECEIVED

MAR 10 1967

Dept. of Reclamation

Department of Reclamation

Baie, Ida.

Dear Sirs,

Re: Permit No 26267

Enclosed is application for extension of time. It wasn't clear to me if we should use this form as we don't feel we have just come for delay without advancing the priority date. Several of our members do plan to enlarge their acreage within two years however, and we would like to prove up on it then. Several other members have enlarged already. At present our water rights, besides the permit No 26267, total 13.74 sec. feet, and we are pumping approx 17 sec. ft. and are irrigating a total of approx 492 acres. This explains the figures I put on the form enclosed. If I did not fill it out correctly let me know.

Yours Respectfully,

Shelley Hooley - Treas + Sec.
West Indian Cove Water Co. Inc.

26267

STATE OF IDAHO
Department of Reclamation

RECEIVED
MAR 10 1967

Department of Reclamation

Application for Extension of Time for Beneficial Use Proof

State of Idaho

County of Elmore

ss.

Permit No. 26267

State of Idaho, being first duly ^{affirmed} sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 26267

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by March 27, 1967

That he has heretofore put to beneficial use approx. 17 second feet of water and has irrigated 492 acres.

That, for the following reasons, he is unable to put to beneficial use within the required time the remainder of the water appropriated under his permit, to-wit: The water is used to good advantage on existing land to the extent that we are pumping; Economic conditions and time. On one visit the Bureau of Land Management holding up applications made it uncertain for a while.

Denied - 3-10-67

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the making of proof of beneficial use under said permit to March 27, 1967

Subscribed and ^{affirmed} sworn to before me this9th

day of

March, 1967My commission expires March 3, 1969

W. W. Sanders
NOTARY PUBLIC Notary Public.
MTN. HOME, ELMORE COUNTY, IDAHO
MY COMMISSION EXPIRES 6/3/69

Date of receipt at office of Department of Reclamation

APPROVAL OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to appropriate the Public Waters of the State of Idaho, No. _____ to _____, 19____.

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

Denied
State Reclamation Engineer.

APPROVAL OF STATE RECLAMATION ENGINEER

I, _____, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to appropriate the Public Waters of the State of Idaho, No. _____ to _____, 19____.

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

Attach this approval to permit.

State Reclamation Engineer.

26267

February 20, 1967

Re: Permit No. 26267

West Indian Cove Water Co., Inc.
Wesley Hooley, Secretary
Hammett, Idaho

Dear Mr. Hooley:

Enclosed find an application for extension of time for making your proofs of beneficial use of water under permit No. 26267. If just cause is shown, an extension of time can be given without advancing the priority of your water right.

Very truly yours,

Donald J. Watts
Engineer

DJW:nw

Enclosure: App. for extension

26267

RECEIVED
FEB 16 1967

Department of Reclamation

Feb 13, 1967
Hammett, Idaho.

Dept of Reclamation
Boise, Idaho.

Dear Sir,

Re. Permit No. 26267

We would like to postpone until a later date, our making proof of beneficial use of water, under permit no. 26267, possibly two years. We understand our priority will be advanced the same length of time. We'll hold the forms you sent us to fill out, until we are able to make proof. If this is not satisfactory, let us know.

Enc 3/26/67

Yours Respectfully,
West Indian Cone Water Co, Inc
By Wesley Hooley - Sec.

26267

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 26267

Date: Jan 4, 1967

West Indian Cove Water Co., Inc.
Hammett, Idaho

Dear Sir:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 26267 is due not later than **March 27, 1967**. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof 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.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated -- by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

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, and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,


R. KEITH HIGGINSON
State Reclamation Engineer

Enc. 10 - 11

R. KEITH HIGGINSON
State Reclamation Engineer

26267

March 23, 1961

Re: Permit No. 26267

Wesley Hoolley, Secretary
West Indian Cove Water Co., Inc.
Pommett, Idaho

Dear Mr. Hoolley:

We enclose Certificate of Completion of
Works issued on Permit No. 26267.

We also enclose departmental receipt No.
30497 in the amount of \$5.00 covering fee.

Very truly yours,

GEO. H. CANFER
State Reclamation Engineer

By:

(Mrs.) Edna P. Galle
Chief Clerk

EPR:ew

Enc. certificate
receipt

26267

RECEIVED

MAR 21 1961

Department of Reclamation

RELINQUISHMENT ✓

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho,
5.0 cubic feet per second of water of
~~###~~/my right, title and interest in and to Permit to appropriate
the Public Waters of the State of Idaho, No. 26267.

Signed at Hammond, Idaho
this 18 day of March, 1961.

West Indian Cove Water Company

James E. Hamrick
Permit Holder by, President

ATTEST:

Wesley Hooley
Secretary

Recorded: March 23, 1961

26267

Permit No. 26267STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

Department of Reclamation

STATE OF IDAHO

County of Cuyahoga

SS.

Wesley Hooley, decy.
Wabedon Coal Water Co. Inc., being first duly sworn, ^{affirmed} 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. 26267, and that his postoffice address is Hammett
State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Snake River, tributary of Columbia RiverThird: That the point of diversion of said water is N 18° 57' 2" E 3183.6 feetdistance from the SW corner of Sec. 34, T. 55, R. 7E, B. 1N, to the SW corner of Sec. 34, T. 55, R. 7E, B. 1N.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 26, 1961.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: Pump, pipes, ditches
(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 5 feet, width at water line 9

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 2 feet; diameter of pipe 24 inches, average grade per mile is 2.6 feet. Length of conduit is 2.5 miles.

Seventh: That said works are capable of conducting to the place of intended use

five second feet of water.Eighth: That water appropriated under said permit is available for 761 acres of land described as follows: Fractions of S 1/2 SW 1/4, Sec. 34, T. 55, R. 7E;S 1/2 NE 1/4, NW 1/4, S 1/2, Sec. 3; E 1/2 NE 1/4, Sec. 4; NW 1/4 NE 1/4, Sec. 10;
NW 1/4 NW 1/4, S 1/2 NW 1/4, Sec. 11, T. 65, R. 7E.

Ninth: Remarks:—That _____

Wabedon Coal Water Co. Inc.by Wesley Hooley, decy.

(SIGN HERE)

Subscribed and sworn to before me this 18 day of March, 1961U.S. Notary Public

My commission expires _____

26267

March 16, 1961

Re: Permit No. 26267

Wesley Hooley, Sec.
West Indian Cove Water Co.
Hammett, Idaho

Dear Mr. Hooley:

Enclosed are Form 6, Proof of Completion of Works, affidavit of holder and relinquishment form.

The State Statutes require publication of the notice of intention to make proof of completion of works in cases where the permit claims over 6.4 cubic feet per second. Your permit claims 10.0 cubic feet per second.

Completion of the relinquishment form will reduce the amount and the proof of completion of works can be made on the Form 6 without advertizing. The proof of completion of works should be made by the President or Secretary for the company and signed before a Notary Public. The relinquishment form does not require the notary public.

Under "Eighth" of the proof of completion of works you can show the land as in the permit; fractions of S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 5 S., R. 7 E.; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 3; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 4; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 11, T. 6 S., R. 7 E. The land list should not be as you showed on the Notice of Publication; 26 acres Section 34 etc., but show the subdivisions.

Upon completion, return both forms with the \$5.00 fee for the Certificate of Completion of Works.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. relinquishment
Form 6

26267

Hammett, Idaho
March 13, 1961

RECEIVED
MAR 20 1961
Department of Reclamation

Dept. of Reclamation
Boise, Idaho

Re. Permit No. 26267

Dear Sirs,

We received your letter of Mar. 10. In regard to the enclosed notices for publication, you will note that the amount of water the works are capable of conducting is 4.26 cubic feet per second, whereas our permit is for 10. To explain this difference, after applying for permit in 1956 our plans were modified to a smaller additional pump and less additional acres. The additional water is for the additional acres and more water for the previous acres. The total acreage is 528 and the total inches pumped is approximately 900 or 18 cubic feet per second. Our previous water rights total 13.74 cubic feet per second which I subtracted from 18 to get the 4.26 cubic feet per second.

The amount delivered to the land is approximately 1.5 inches per acre, which is none too much for this sandy ground, and, of course, the water is not lost that goes down and enters the river through springs, for someone to use again downriver.

I set the date for submitting proof on May 19 so as to be at least sixty days from now, as specified.

If it isn't filled out properly, let me know.

Yours Respectfully,
West Indian Cove Water Co.

By Wesley Hooley- Sec.

26267

March 10, 1961

Re: Permit No. 26267

West Indian Cove Water Co.
Hammett, Idaho

Gentlemen:

Upon checking our files we find that the forms mailed to you for making completion of works on the above numbered permit were wrong. Such proof must be preceded by publication of a legal notice for four weekly issues of a paper printed in the County wherein the works are situated.

The two copies of the notice should be mailed so it would be in this office at least one week prior to the first publication, also complete the Form 11 and enclose with the notice. Under the terms of your permit you are required to complete your diversion works on or before March 26, 1961.

We are enclosing an instruction sheet with the Forms which should be made up and returned to this office as soon as possible.

Very truly yours,

EDD. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 8 - 11 - instructions

26267

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

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

Jan 3, 1961

Permit
Re: 26267

West Indian Cove Water Co.
Hammett, Idaho

Dear Sir:

Under the terms of your permit No. 26267 you are required to complete your diversion works on or before March 26, 1961. I enclose 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 of Works 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.

Very truly yours,

GEO. N. CARTER

STATE RECLAMATION ENGINEER

Enc. Form 6

26267

April 2, 1956

RE: Permit No. 26267

West Indian Cove Water Co.
Hammett
Idaho

Gentlemen:

We enclose Permit No. 26267 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 27878 for the \$7.25 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

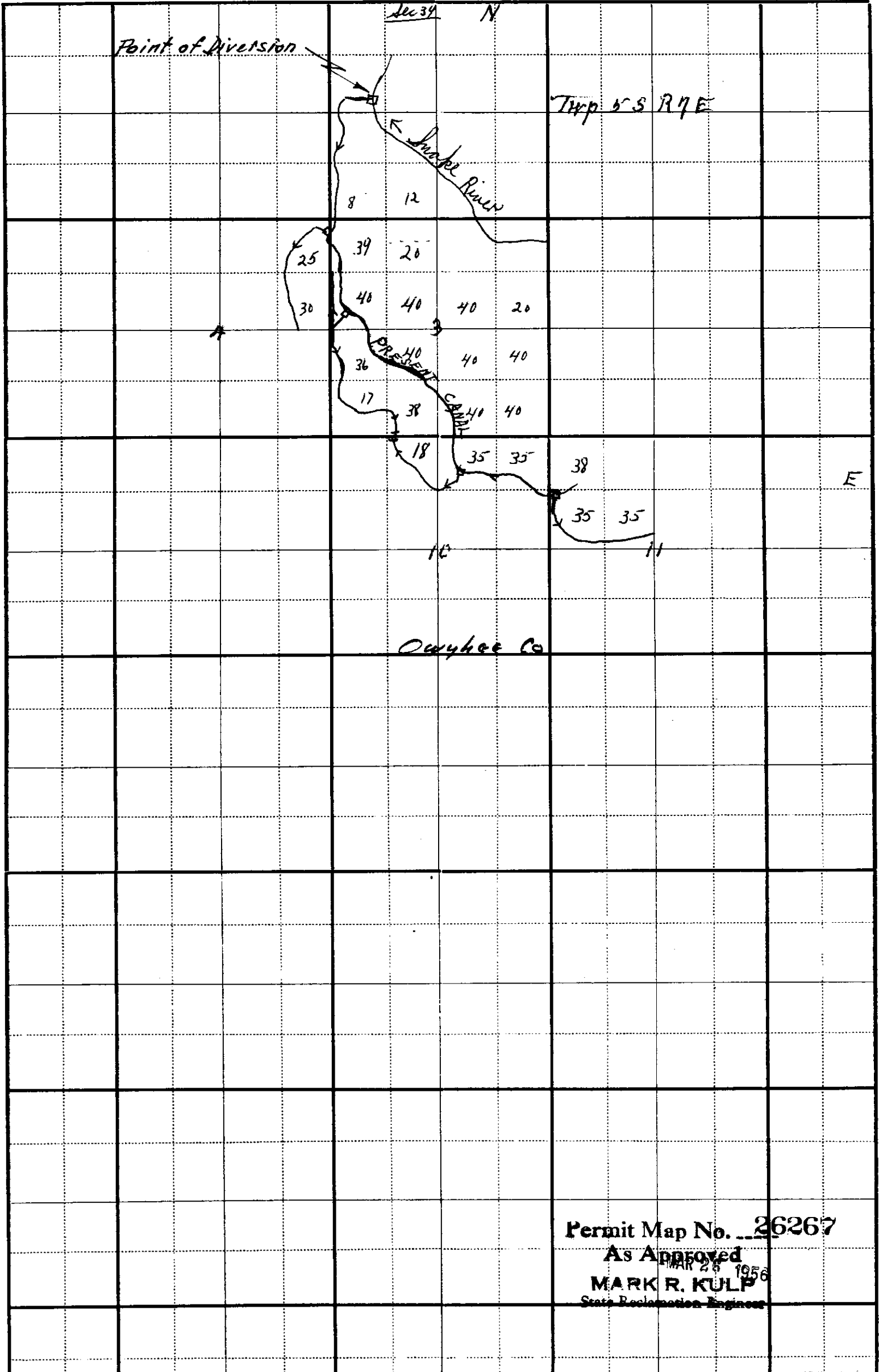
R:hl1
Enc.

26267

NAME OF APPLICANT

West Indian Cove Water Co.

Form No. 0



Permit Map No. 26267

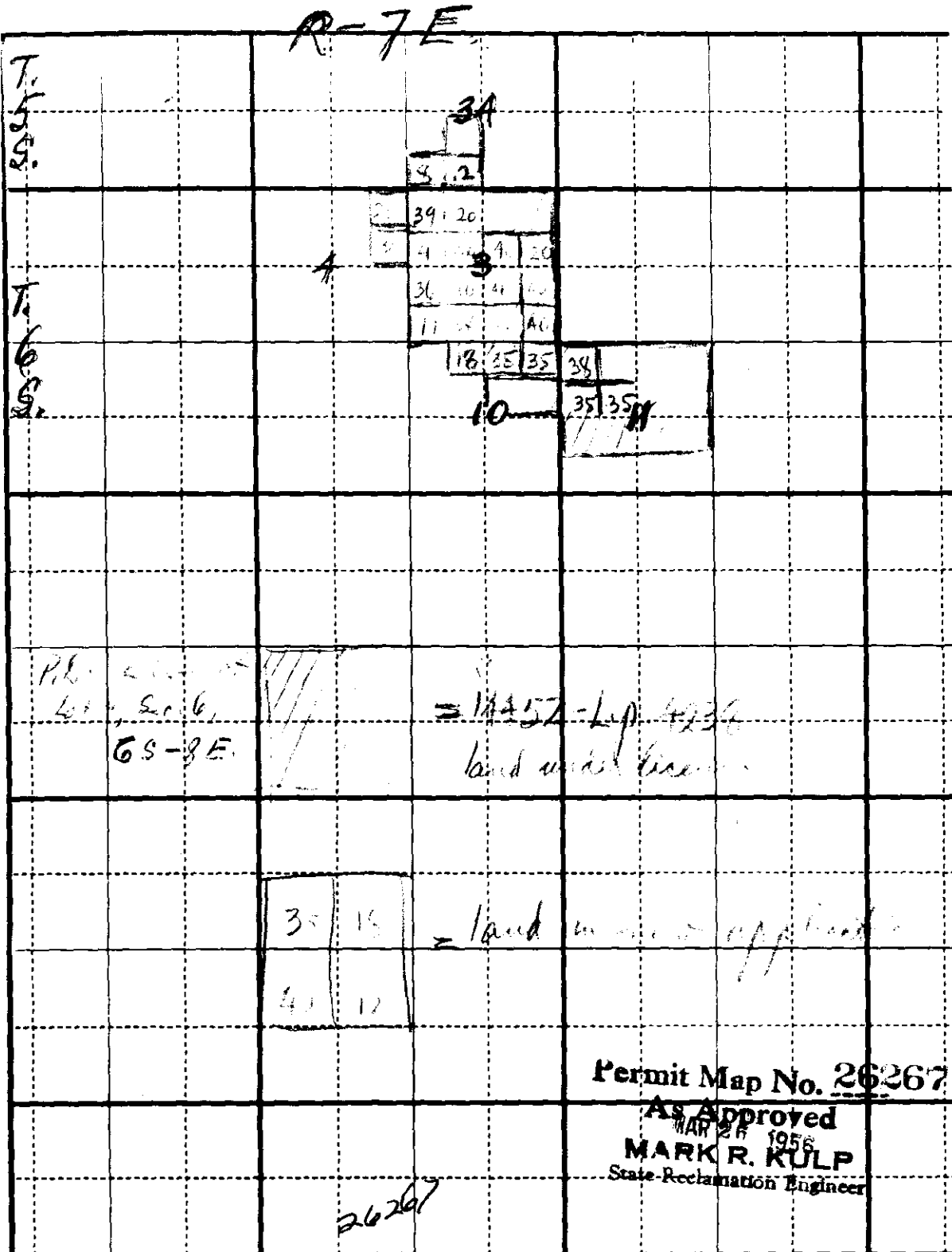
As Approved

MARK R. KULP
State Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

26267

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



3000000125
Hammett, Ida.
Mar. 20, 1956

State of Idaho
Dept. of Reclamation

Dear Sir,

Enclosed is check for \$7.25 for the filing fee on our recent application for water right. Am sorry I overlooked sending it with the application.

Yours Respectfully,
Wesley Hosley - Sec.
West Indian Cove Water Co.

RECEIVED
MAR 23 1956

Department of Reclamation

26267

March 19, 1956

West Indian Cove Water Co, Inc.
Hammett
Idaho

Gentlemen:

We acknowledge receipt of your application for Permit to Appropriate the Public Waters of the State of Idaho which seems to be made out in proper form.

However, the filing fee of \$7.25 should accompany your application. This fee is at the rate of \$5.00 for the first second foot and twenty five cents for each additional second foot or fraction thereof.

Upon receipt of this fee your application will be processed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll

26267

March 5, 1956

West Indian Cove Water Co., Inc.
Mr. Wesley Hooley, Secretary
Hammett, Idaho

Dear Mr. Hooley:

In reply to your letter of February 29, 1956, we enclose a form of application for permit to appropriate the Public waters of the State of Idaho together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of Completion of Works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such Beneficial Use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:cu
Enc.

26267

Hammett, Idaho
Feb. 29, 1936

State Of Idaho
Department of Reclamation
Boise, Idaho

RECEIVED
FEB 29 1936
DEPT. OF RECLAMATION

Dear Sir,

We would like to have the necessary forms to make application for a water right for water to irrigate additional land. We are at present irrigating about 480 acres and propose to furnish water for about 260 acres more.

Yours Respectfully,
West Indian Cove Water Co., Inc.
Wesley Hooley - Sec.

Wesley Hooley

Letter from Hammett, ID

26267

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

Notice is hereby given that on the 3rd day of May, 1967, at Mountain Home, County of Elmore, State of Idaho, before W. W. Sanders, 465 S 2 E, Mountain Home, Idaho, proof will be submitted of the application to beneficial use of 5.0 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 26267 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit West Indian Cove Water Company, Inc., Hammett, Idaho.

The use to which said water has been applied is irrigation purposes.

The amount applied to beneficial use is 5.0 c.f.s.

The point of diversion of said water is Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 34, T. 5 S., R. 7 E., B. M.

The place where said water is used (LEGAL DESCRIPTION)
S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, T. 5 S., R. 7 E.;
S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 10; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, T. 6 S., R. 7 E., B. M.

The date of priority which said user is prepared to establish is March 23, 1956.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published March 23 and 30,
April 6 and 13, 1967
The Owyhee Nugget
Marsing, Owyhee County, Idaho