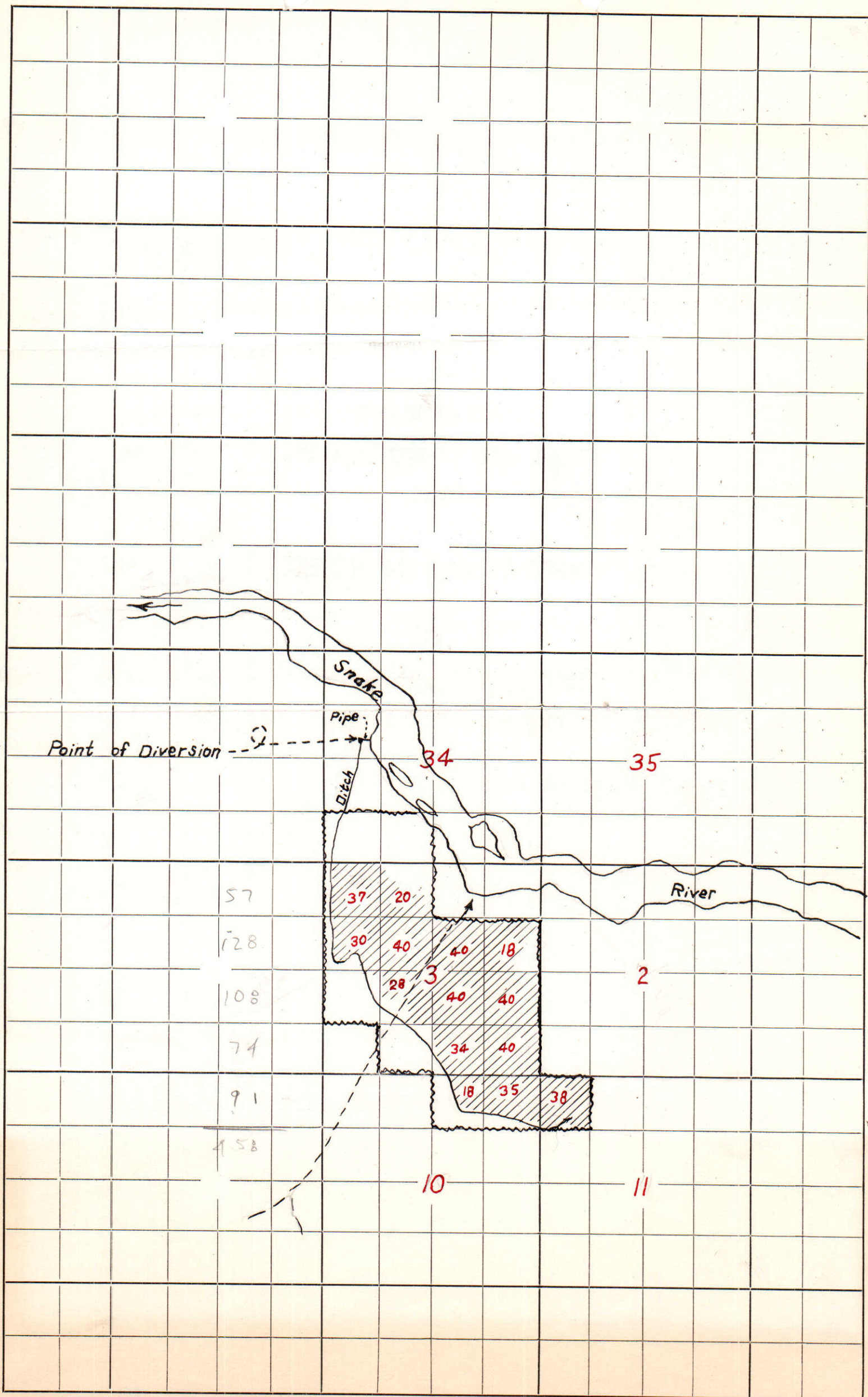




18636

# PROOF OF PUBLICATION

State of Idaho, }  
County of Owyhee, } ss.

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

That the annexed notice was published in said newspaper once each and every week for 4 consecutive weeks, the first publication being on the 17 day of June, 1943, and the last publication being on the 8 day of July, 1943;

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.

Rodney A. Hawes  
PUBLISHER.

Subscribed and sworn to before me this 9th day of July, 1943.

Leona S. Hawes  
Notary Public.

My commission expires 9-10-44

(SEAL)

## NOTICE FOR PUBLICATION

Notice is hereby given that at 3:00 P M on the 18th day of July 1943 at Glenss Ferry, County of Elmore, State of Idaho, before Fred Robertson, Notary Public proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is West Indian Cove Water Company Inc.

2. The postoffice address of such person or principal place of business of such corporation is Hammett County of Elmore, State of Idaho.

3. The number of such permit is 18636 and the date set for the completion of such work is July 18, 1943

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 10 cubic feet per second.

6. The amount of lands for which said water is available is 462.73 acres, particularly described as follows: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 34 Township 5 South, Range 7 East B M; S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  and SE  $\frac{1}{4}$  Section 3 N  $\frac{1}{2}$  NE  $\frac{1}{4}$  Section 10, and NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 11, Township 6 South Range 7 East, B M. 18636

JAMES SPOFFORD,  
State Reclamation Engineer  
(June 17—July 8)

18636

# PROOF OF PUBLICATION

State of Idaho, }  
County of Owyhee, } ss.

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

That the annexed notice was published in said newspaper once each and every week for four consecutive weeks, the first publication being on the 9th day of June 1949, and the last publication being on the 30 day of June 1949;

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.

Rodney A. Hawes  
PUBLISHER

Subscribed and sworn to before me this 30 day of June, 19 49

Leona J. Hawes  
Notary Public

My commission expires 9-10-52

(SEAL)

## NOTICE FOR PUBLICATION

### NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11 A. M. on the 12th day of July, 1949 at Glenss Ferry, County of Elmore, State of Idaho, before Fred Robertson, Notary Public, proof will be submitted of the application to beneficial use of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 18636 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are West Indian Cove Water Co., Inc., Hammett, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 10 cu. ft. per second.

The place where said water is used 488.33 acres of land situated in the S $\frac{1}{2}$  SW $\frac{1}{4}$  Section 34 Township 5 South, Range 7 East B. M.; and the 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 $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 3; N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 10; and NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, Township 6 South, Range 7E B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Pump, Canal and Pipe.

The right to take water from such works is based upon Permit No. 18636.

The source of supply from which such water is diverted is Snake River.

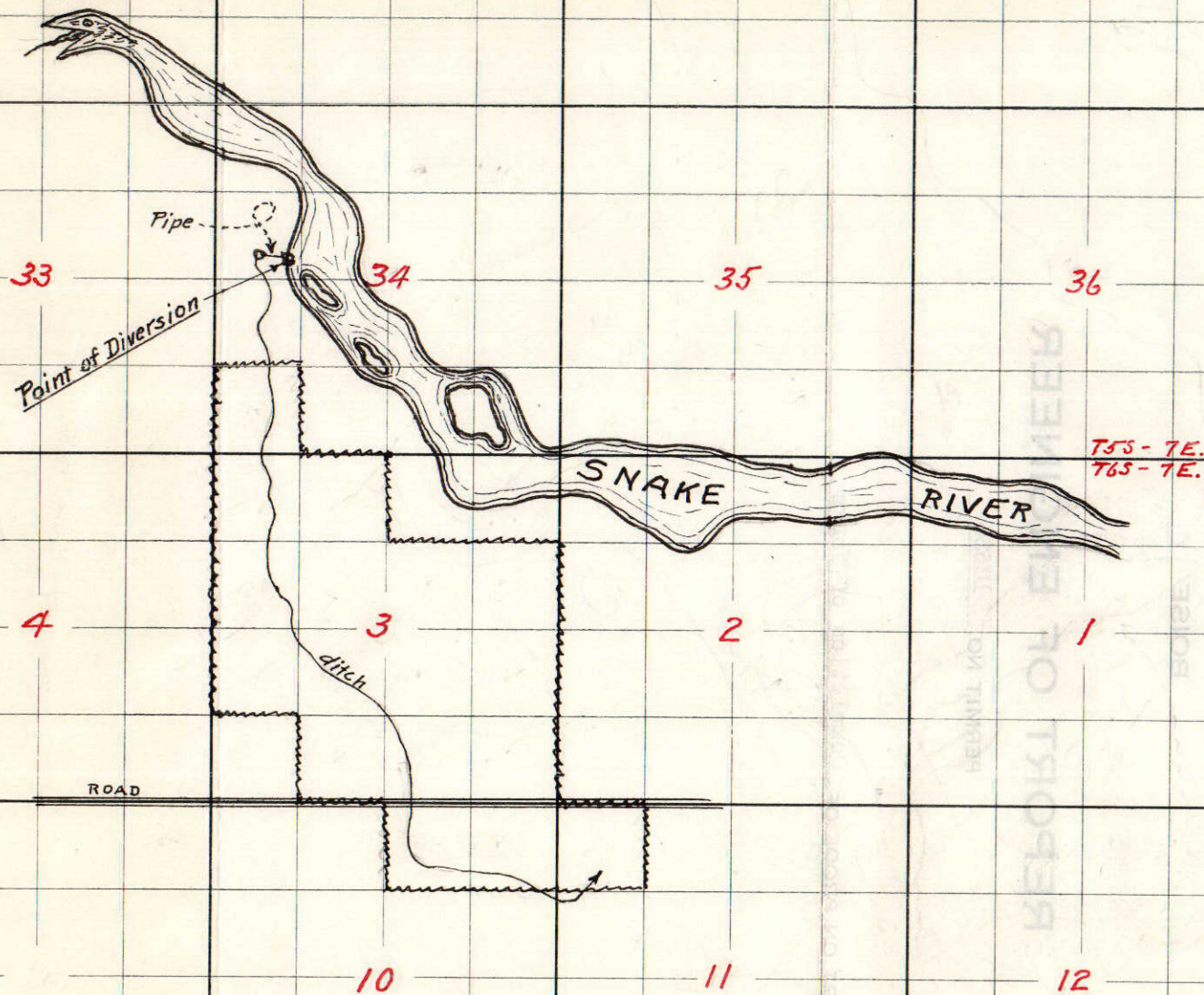
The date of priority which said user is prepared to establish is June 22, 1938.

MARK R. KULP  
State Reclamation Engineer  
June 9 to June 30

18636

18636

SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.



18636

# PROOF OF PUBLICATION

State of Idaho, }  
County of Owyhee, } ss.

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

That the annexed notice was published in said newspaper once each and every week for 4 consecutive weeks, the first publication being on the 17 day of June, 1943, and the last publication being on the 8 day of July, 1943;

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.

Rodney A. Hawes

PUBLISHER.

Subscribed and sworn to before me this 9<sup>th</sup> day of July, 1943.

Leona S. Hawes

Notary Public.

My commission expires 9-10-44

(SEAL)

## NOTICE FOR PUBLICATION

Notice is hereby given that at 3:00 P M on the 18th day of July 1943 at Glenss Ferry, County of Elmore, State of Idaho, before Fred Robertson, Notary Public proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is West Indian Cove Water Company Inc.

2. The postoffice address of such person or principal place of business of such corporation is Hammett County of Elmore, State of Idaho.

3. The number of such permit is 18636 and the date set for the completion of such work is July 18, 1943

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 10 cubic feet per second.

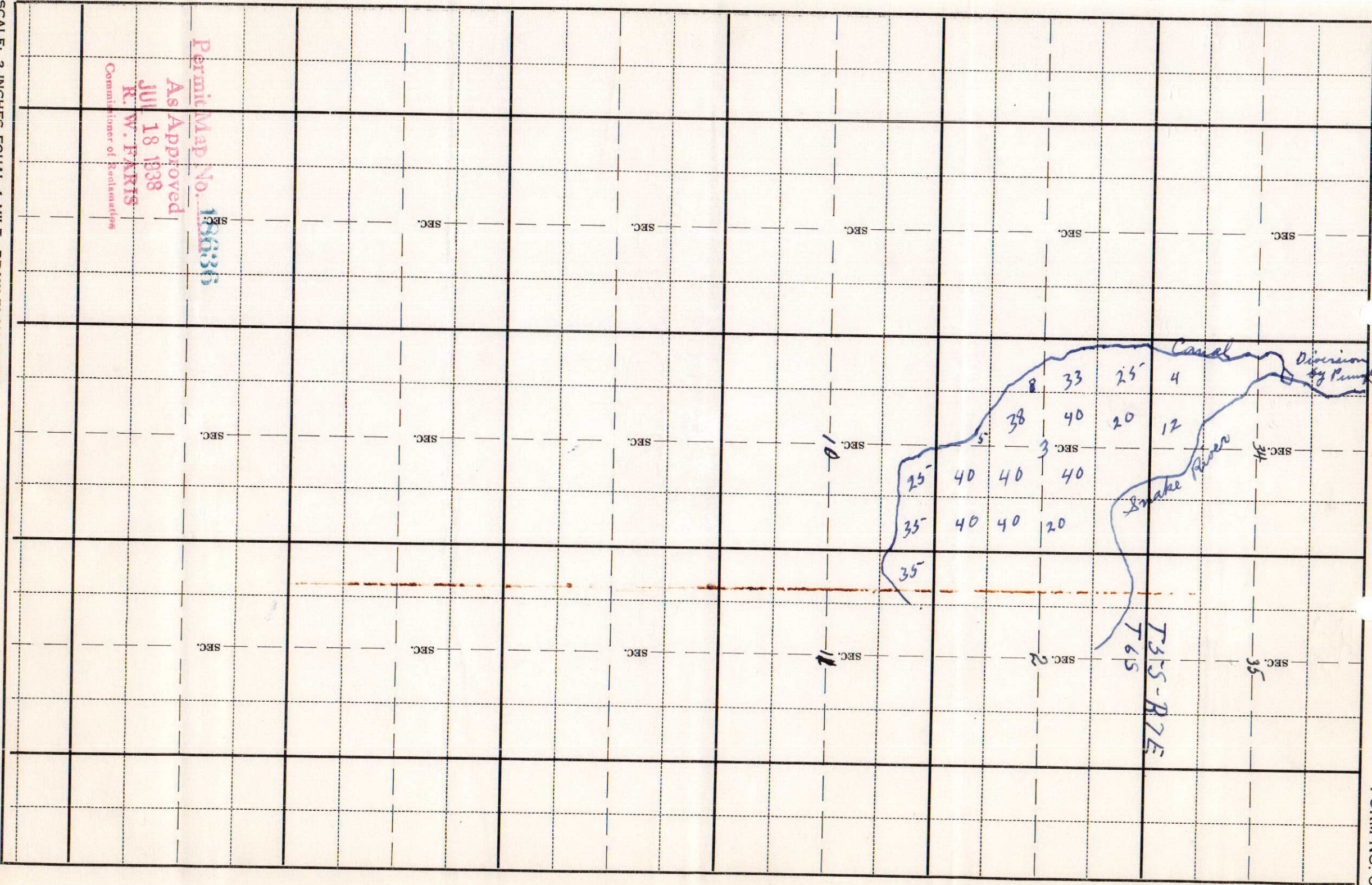
6. The amount of lands for which said water is available is 462.73 acres, particularly described as follows: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 34 Township 5 South, Range 7 East B M; S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  and SE  $\frac{1}{4}$  Section 3 N  $\frac{1}{2}$  NE  $\frac{1}{4}$  Section 10, and NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 11, Township 6 South Range 7 East, B M. 18636

JAMES SPOFFORD,

State Reclamation Engineer

(June 17—July 8)

18636



Permit Map No. 18636

As Approved

JUL 18 1938

R. W. PARRIS

Commissioner of Reclamation

65-7E

|    |    |    |    |    |    |
|----|----|----|----|----|----|
| 6  | 5  | 4  | 3  | 2  | 1  |
| 7  | 8  | 9  | 10 | 11 | 12 |
| 18 | 17 | 16 | 15 | 14 | 13 |
| 19 | 20 | 21 | 22 | 23 | 24 |
| 30 | 29 | 28 | 27 | 26 | 25 |
| 31 | 32 | 33 | 34 | 35 | 36 |

55-78

18636

**State of Idaho**  
**License and Certificate of Water Right**

Water License No. 18636

Amount 10 second feet

Water District No. \_\_\_\_\_

Priority June 22, 1938

THIS IS TO CERTIFY that **P. J. HOOLEY**  
of **Hammett, Idaho**, made application for a permit to appropriate the  
public waters of the State of Idaho, dated **June 22**, 1938; that Permit No. **18636**  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
**10** second feet, was issued thereunder on **December 29**, 1943, showing that said works  
were completed on the **17th** day of **July**, 1943; and that on the **18th**  
day of **July**, 1949,

**WEST INDIAN COVE WATER COMPANY, Assignee,**

of **Hammett**, State of **Idaho**, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of **S Snake River**  
, a tributary of **Columbia River**, for the purpose of **irrigation and domestic**  
use, under Use Permit No. **18636** of the **Department of Reclamation**  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
**8** of Licenses at page **4599**, on the **17th** day of **May**, 1950;  
The right hereby confirmed dates from **June 22**, 1938;

The Point of Diversion is located  
in the **SW 1/4 NW 1/4 Sec. 34**, Tp. **5 S.**, R. **7 E.**, B. M. **Elmore County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes  
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall  
not exceed **Ten (10)** cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|------------------|----------------------------------|---------------------------------|
| 5 S. | 7 E.  | 34   | SW 1/4 SW 1/4    | 4                                | --                              |
|      |       |      | SE 1/4 SW 1/4    | 12                               | --                              |
| 6 S. | 7 E.  | 3    | SW 1/4 NE 1/4    | 40                               | 40                              |
|      |       |      | SE 1/4 NE 1/4    | 20                               | 18                              |
|      |       |      | NE 1/4 NE 1/4    | 20                               | 20                              |
|      |       |      | NW 1/4 NW 1/4    | 25                               | 37                              |
|      |       |      | SW 1/4 NW 1/4    | 33                               | 30                              |
|      |       |      | SE 1/4 NW 1/4    | 40                               | 40                              |
|      |       |      | NE 1/4 SW 1/4    | 38                               | 28                              |
|      |       |      | NW 1/4 SW 1/4    | 8                                | --                              |
|      |       |      | SE 1/4 SW 1/4    | 5                                | --                              |
|      |       |      | NE 1/4 SE 1/4    | 40                               | 40                              |
|      |       |      | NW 1/4 SE 1/4    | 40                               | 40                              |
|      |       |      | SW 1/4 SE 1/4    | 40                               | 34                              |
|      |       |      | SE 1/4 SE 1/4    | 40                               | 40                              |
|      |       | 10   | NE 1/4 NE 1/4    | 35                               | 35                              |
|      |       |      | NW 1/4 NE 1/4    | 35                               | 18                              |
|      |       | 11   | NW 1/4 NW 1/4    | 35                               | 38                              |

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place  
of use herein described, as provided by the laws of Idaho. Number of Acres Actually Irrigated - **458**

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

**17th** day of **May**, 1950

**MARK R. KULP**

State Reclamation Engineer

(SEAL)

# APPLICATION FOR PERMIT

## TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO 02-2055

Application No. 25984  
Permit No. 18636  
District No.

1. Name of Applicant: P. J. HOOLEY

Postoffice address Hammett

County: Elmore

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

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: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$  NW $\frac{1}{4}$

of Section 34 , T. 5 S. , R. 7 E. , B. M., County of Owyhee

5. Water is to be used for: Irrigation & domestic

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: \$ 7,000.00

8. Kind of works: Pump, pipe and ditch

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 8 feet; width at water line 10 feet; depth of water 3

feet; dimensions of flume:

Diameter of pipe 24 inches; length of conduit 220 feet 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. (a) Is reservoir to be used? ☐ No ☐ Yes 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 waters of the State of Idaho as herein set forth.

P. J. HOOLEY

*Applicant.*

By

*Agent.*

Date of first receipt at Department of Reclamation: 3:00 P. M., June 22, 1938

Returned to applicant for correction:

Corrected application received:

## APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **18636**

Recorded in Book 68 Page 18636 Approved July 18, 1938

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 **September 16, 1938** 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 **January 18, 1941**

The whole of said work to be completed on or before **July 18, 1943**

Beneficial use of water appropriated in accordance herewith, to be made on or before **July 18, 1949**

Witness my hand this      18th      day of      July, 1938

R. W. FARIS  
Commissioner of Reclamation.

Remarks:

14.

| Twp.                                                                                                                                                                                                                                                                                                                                  | Range | Sec. | NE¼ |     |     |     | NW¼   |       |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------|-----|-----|-----|-----|-------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|                                                                                                                                                                                                                                                                                                                                       |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼   | NW¼   | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 5 S                                                                                                                                                                                                                                                                                                                                   | 7 E   | 34   |     |     |     |     | Lot 3 | Lot 4 |     |     |     | 4   | 12  |     |     |     |     | 16  |        |
| 6 S                                                                                                                                                                                                                                                                                                                                   | 7 E   | 3    |     |     | 40  | 20  | 20    | 25    | 33  | 40  | 38  | 8   |     | 5   | 40  | 40  | 40  | 389 |        |
|                                                                                                                                                                                                                                                                                                                                       |       | 10   | 35  | 25  |     |     |       |       |     |     |     |     |     |     |     |     |     | 60  |        |
|                                                                                                                                                                                                                                                                                                                                       |       | 11   |     |     |     |     |       | 35    |     |     |     |     |     |     |     |     |     | 35  |        |
| Total Number of Acres to be Irrigated . . . .                                                                                                                                                                                                                                                                                         |       |      |     |     |     |     |       |       |     |     |     |     |     |     |     |     |     | 500 |        |
| In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 18th day of July, 1938. |       |      |     |     |     |     |       |       |     |     |     |     |     |     |     |     |     |     |        |
| Countersigned:                                                                                                                                                                                                                                                                                                                        |       |      |     |     |     |     |       |       |     |     |     |     |     |     |     |     |     |     |        |
| By IRA H. MASTERS<br>Secretary of State                                                                                                                                                                                                                                                                                               |       |      |     |     |     |     |       |       |     |     |     |     |     |     |     |     |     |     |        |
| STATE OF IDAHO                                                                                                                                                                                                                                                                                                                        |       |      |     |     |     |     |       |       |     |     |     |     |     |     |     |     |     |     |        |
| By BARZILLA W. CLARK<br>Governor                                                                                                                                                                                                                                                                                                      |       |      |     |     |     |     |       |       |     |     |     |     |     |     |     |     |     |     |        |
| (SEAL)                                                                                                                                                                                                                                                                                                                                |       |      |     |     |     |     |       |       |     |     |     |     |     |     |     |     |     |     |        |

STATE OF IDAHO )  
 : ss.  
 COUNTY OF ELMORE )

ALTA MAY HOOLEY, being first duly sworn, deposes and says:

That she is the surviving widow of Paul J. Hooley, to whom Permit to appropriate the Public Waters of the State of Idaho, No. 18636, was issued by the Commissioner of Reclamation; said permit being for Ten (10) cubic feet per second of the waters of Snake River, for irrigation and domestic use.

That by decree of the Probate Court of Owyhee County, Idaho, dated May 9, 1940, certain described lands in Sections 3 & 10, Township 6 South, Range 7 East, B.M., to which this water is appurtenant, was decreed to her, together with all the residue of said estate.

ALTA MAY HOOLEY

Subscribed and sworn to before me this 15th day of August, 1940.

Geo. F. Robertson  
 Notary Public for Idaho  
 Residing at Glenns Ferry, Idaho  
 My commission expires Feb. 14, 1944.

(SEAL)

Received and filed for record in the Department  
 of Reclamation, at Boise, Idaho, at 9:00 A.M.  
 August 16, 1940.

JAMES SPOFFORD  
 Commissioner of Reclamation.

### A S S I G N M E N T

For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 18636, to West Indian Cove Water Company, of Hammett, Idaho.

ALTA MAY HOOLEY  
 Assignor.

STATE OF IDAHO )  
 : ss  
 COUNTY OF ELMORE )

On this 15th day of August, 1940, before me, a Notary Public for the State of Idaho, residing at Glenns Ferry, personally appeared Alta May Hooley, known to me to be the person whose name is subscribed to the within instrument; and duly acknowledged to me that she executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my Notarial seal the day and year in this certificate above written.

Geo. F. Robertson  
 Notary Public

(SEAL)

My commission expires Feb. 14, 1944.

Received and filed for record in the Department  
 of Reclamation, at Boise, Idaho, at  
 9:00 A.M., August 16, 1940  
 JAMES SPOFFORD  
 Commissioner of Reclamation

PERMIT NO. 18636

### Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that WEST INDIAN COVE WATER COMPANY, of Hammett, County of Elmore, and State of Idaho, the holder of Permit No. 18636, issued upon Application No. 25984, bearing date of priority of June 22, 1938, authorizing the diversion of Ten (10) second feet of the waters of Snake River, a tributary of Columbia River, County of Elmore, State of Idaho, for irrigation and domestic 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 Ten (10) second feet of the waters of Snake River; that the point of diversion of said waters is located in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 34, Township 5 South, Range 7 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, Township 5 South, Range 7 East, 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 $\frac{1}{4}$  and SE $\frac{1}{4}$  Section 3; N $\frac{1}{2}$  NE $\frac{1}{4}$  Section 10; NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 11; Township 6 South, Range 7 East, B. M.

Witness my hand this 29th day of December, A. D. 1943.

JAMES SPOFFORD  
 State Reclamation Engineer

Proof of completion of works made July 17, 1943  
 Certificate of Completion of Works issued December 29, 1943

LICENSE ISSUED FOR 10 SEC. 77

p-4599

### NOTICE FOR PUBLICATION

#### NOTICE OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11 A. M. on the 12th day of July, 1949 at Glens Ferry, County of Elmore, State of Idaho, before Fred Robertson, Notary Public, proof will be submitted of the application to beneficial use of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 18636 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are West Indian Cove Water Co., Inc., Hammett, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 10 cu. ft. per second.

The place where said water is used 488.33 acres of land situated in the S $\frac{1}{2}$  SW $\frac{1}{4}$  Section 34 Township 5 South, Range 7 East B. M.; and the 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 $\frac{1}{4}$  and SE $\frac{1}{4}$

of Section 3; N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 10; and NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, Township 6 South, Range 7E B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Pump, Canal and Pipe.

The right to take water from such works is based upon Permit No. 18636.

The source of supply from which such water is diverted is Snake River.

The date of priority which said user is prepared to establish is June 22, 1938.

18636  
MARK R. KULP  
State Reclamation Engineer  
June 9 to June 30

### NOTICE FOR PUBLICATION

Notice is hereby given that at 3:00 P M on the 18th day of July 1943 at Glenna Ferry, County of Elmore, State of Idaho, before Fred Robertson, Notary Public proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is West Indian Cove Water Company Inc.

2. The postoffice address of such person or principal place of business of such corporation is Hammett County of Elmore, State of Idaho.

3. The number of such ~~permit~~ is 18636 and the date set for the completion of such work is July 18, 1943

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 10 cubic feet per second.

6. The amount of lands for which said water is available is 462.73 acres, particularly described as follows: SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34 Township 5 South, Range 7 East B M; S $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  Section 3 N $\frac{1}{2}$  NE $\frac{1}{4}$  Section 10, and NW $\frac{1}{4}$  Section 11, Township 6 South Range 7 East, B M. 18636

JAMES SPOFFORD,  
State Reclamation Engineer  
(June 17—July 8)

✓  
May 18, 1950

Re: Permit No. 18636 and 19467

Mr. Wesley Hooley, Secretary  
West Indian Cove Water Company  
Hemmett, Idaho

Dear Mr. Hooley:

We enclose License and Certificate of Water Right issued under Permit No. 18636, confirming the right of the West Indian Cove Water Company to the use of 10 second feet of water from Snake River, with priority of June 22, 1938.

We also enclose License and Certificate of Water Right issued under Permit No. 19467, confirming the right of the West Indian Cove Water Company to the use of 3.74 second feet of water from Snake River, with priority of February 7, 1944.

The point of diversion in each License is located in the SW 1/4 NW 1/4 Section 34, Township 5 South, Range 7 East, B.M. and the water is to be used on 458 acres as described in Section 34, Township 5 South, Range 7 East, B.M. and Sections 3, 10, and 11, Township 6 South, Range 7 East, B.M.

We also enclose Departmental Receipt No. 22345 for the \$28.00 fee paid in connection with final proofs on these two permits.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bn  
Enc.

18636

~~18636~~

✓  
April 17, 1950

Re: Permits Nos. 18636 and 19487

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

Dear Mr. Hooley:

Licenses are issued on the basis of land actually irrigated as shown by the report of the Field Engineer which in this case was 458 acres which was allowed one and one-half inch per acre at the point of diversion, or 13.74 cubic feet per second.

The full 10 cubic feet per second was allowed on Permit No. 18636 which had the earlier priority and the balance on the other Permit.

Additional proof may be offered on the land covered by the permits and not found irrigated at the time of the examination and an additional amount licensed for the additional land. If the proof is made before the expiration of the time set (February 12, 1955), the priority date could be the same as the original and if later than 1955, the priority would be later by the elapsed time after proof was due.

The Department of Reclamation is satisfied that one and one half inches per acre is necessary for the irrigation of this land measured at the point of diversion, and the present License can be issued on this basis: I.E. 3.74 cubic feet per second under Permit No. 19487 as stated in our letter of March 27, 1950.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

MRK:bh

~~19487~~

18636

Hammett, Idaho  
April 12, 1950

Department of Reclamation  
Boise, Idaho

Dear Sir,

This is in regards to our permits Nos. 18626 and 19467. Our Board has met and discussed your letter of Mar. 27. We are not satisfied with the 13.74 cubic feet per second you want to allow us. I had understood your Field Engineer that we would undoubtedly get the full amount. Our F.H.A. Engineer estimates that our pumps deliver 15 cubic ft. per sec. Water is delivered through the head-gates at the rate of one and one-third inch per acre on 468.33 acre or 624 inches plus a few inches on several small plots which makes 630 inches or 12.6 second feet. The other 2.4 second feet is lost by evaporation and seepage in the canal. It is true that 20 acres of our total of 488.33 acres was not irrigated yet, but all the water is used on the rest of the project to full beneficial use, anyway. The pumps may not always pump the full 15 cubic ft. when the river is low but we dare not limit our pumps to 13.74 second feet when they had just as well be pumping 15 and our crops need it. Most of us feel that with our sandy soil, we do not have any too much water as it is. If your rejection of the part of the last application of 5 cubic feet is based on the fact that 20 acres is not yet using water, would it be possible to drop the Beneficial Use proof on that permit (No. 19467) and then make it again on or before Feb. 12, 1955 when it is due? The reason I made it last July was that it was due on permit no. 18626 and I thought they might as well be done at the same time since we were using the water beneficially. If that is not possible, please reconsider this as we feel it would jeopardize us very much to have our water so limited.

Yours Respectfully,  
West Indian Cove Water Co.

*Wesley Hosley - Sec.*

RECEIVED  
APR 15 1950  
Department of Reclamation

18636

March 27, 1950

Re: Permits No. 18636 and 19467

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

Dear Mr. Hooley:

We now have on file the reports of our Field Engineer on Examination for Beneficial Use under Permits No. 18636 and 19467.

These reports show that 458 acres have been irrigated in fourteen 40 acre subdivisions, in Sections 3, 10, and 11, Township 6 South, Range 7 East, B.M.

Therefore, upon receipt of the statutory fee of \$28.00, a License will be issued for 10 cubic feet per second of water from Snake River under Permit No. 18636 and for 3.74 cubic feet per second under Permit No. 19467. This is a total of 687 inches, or an inch and one-half per acre for the 458 acres irrigated.

Very truly yours,

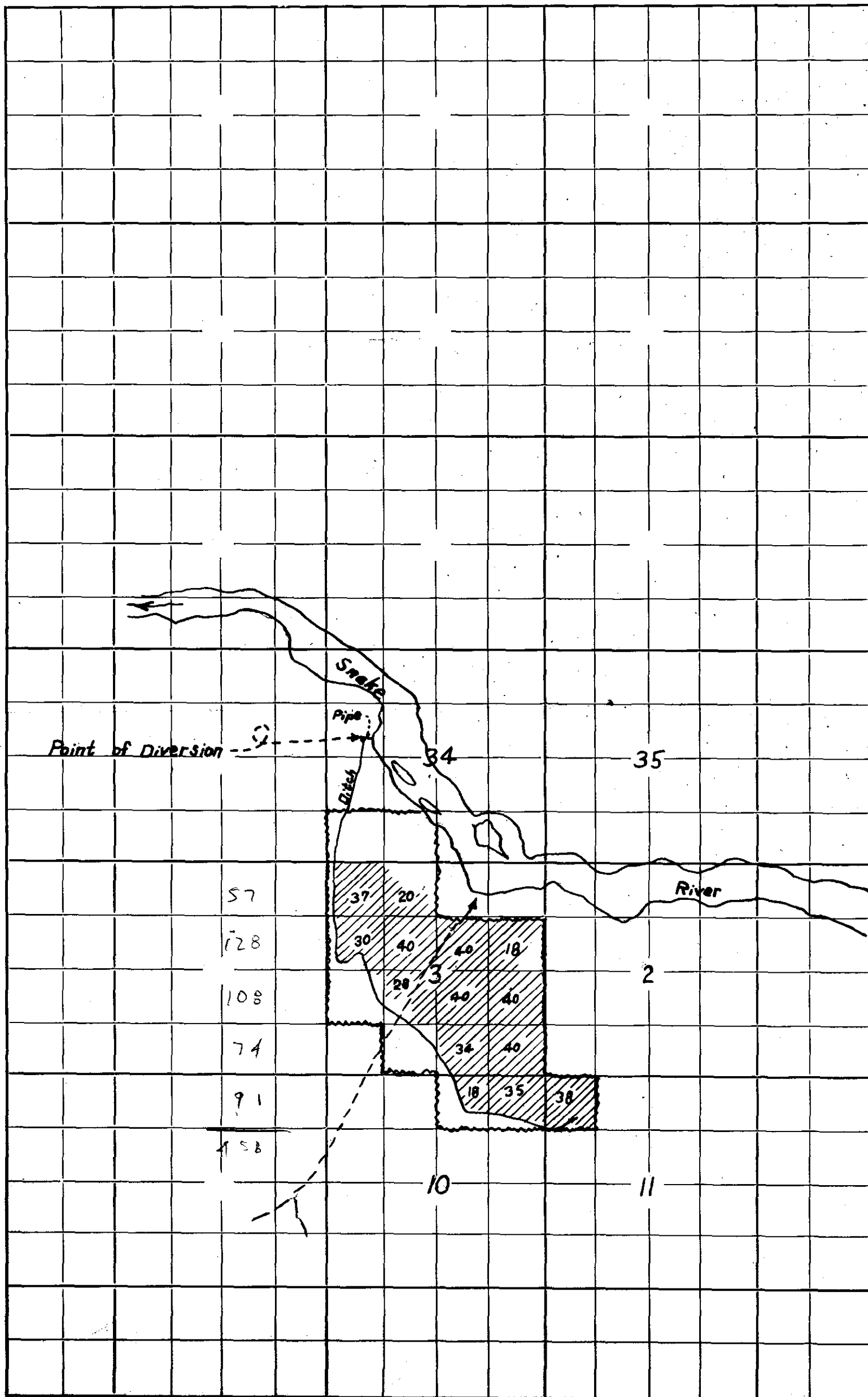
MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bh

18636

~~19467~~



Scale: 2 inches equals 1 mile. Draw Map in Ink.

18636

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 18636

REPORT ON PROOF OF Beneficial use

10 cfs.  
MRK

app. 10 cfs.

458 acres  
14-40's

P-18636 } 458 @ 15"/acre = 1374 cfs  
P-19467 }

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

Permit No. 18636This proof is for Beneficial use

In Water District No. \_\_\_\_\_

1. Name of applicant West Indian Cove Water Co., Wesley Hoolay, Sec'y., Hammett, Idaho.
2. Source of water supply: Snake River
3. Location of point of diversion: Is in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 34  
T. 5 S. R. 7 E. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same:  
Pump house 11' x 13'. Pomona pump, Westinghouse motor, 100 H.P., 3 phase,  
60 cycles, 220/440 volts, 1780 R.P.M., 50 cycles, 1470 R.P.M., Style 1078671,  
Serial 1369W593. 15" pump intake and outlet, 60' lift to concrete heading  
at the end of the 24" steel pipe. Concrete transition section 10' long and  
spreads from 2' width to 10' width. Ditch 8' wide and 1 $\frac{1}{2}$ ' deep at head, and  
an average of 3' wide and 2' deep through the project,
5. Water is used for: Irrigation and domestic purposes
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 $\frac{1}{2}$  SW $\frac{1}{4}$  Section 34, Township 5 South, Range 7 East, 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 $\frac{1}{4}$  and SE $\frac{1}{4}$  Section 3, Twp. 6 South, Range 7 East, B.M.N $\frac{1}{2}$  NE $\frac{1}{4}$  Section 10; NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 11; " " " " "

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

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

Remarks: 488.33 acres of stock sold. Project soil is of sandy character--  
low duty of water.

This examination was made on the 18 th day of November, 19 49.

(Signed)

F. A. Tolman

Examiner.

18636

West Indian Cove Water Co. 124

Wesley Hooley, Sec'y. Hammett

Idaho

Permit No. 18636

Examination for Beneficial use

County Owyhee

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### INSTRUCTIONS TO EXAMINERS

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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.
- 

RECEIVED  
MAR 10 1950  
Department of Reclamation

July 27, 1949

Re: Permits Nos. 18636 and 19467

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

Dear Mr. Hooley:

We have placed on file the depositions of yourself and two witnesses; also Affidavits of Publication in the Owyhee Nugget, all in proof of beneficial use under the above numbered Permits.

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

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

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

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bh

18636

# Robertson Furniture & Coal Co.

INSURANCE AND BONDS

GLENN'S FERRY, IDAHO

July 18th, 1949



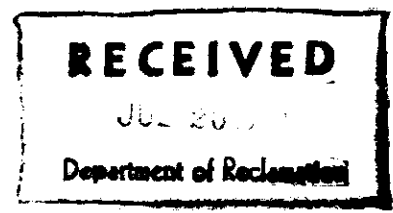
HOME OF THE BIG STURGEON

State Reclamation Engineer  
Dep't of Reclamation  
Boise, Idaho.

I hereby make affidavit that  
my office was open on July 12, 1949 and that  
no protests were filed in regards to Permits  
Nos. 18636 and 19467.

Notary Public at  
Glenns Ferry, Idaho

*Robertson*



18636

# PROOF OF PUBLICATION

State of Idaho, }  
County of Owyhee, }

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 and every week for 4 consecutive weeks, the first publication being on the 17 day of June, 1943, and the last publication being on the 8 day of July, 1943;

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.

Rodney A. Hawes  
PUBLISHER.

Subscribed and sworn to before me this 9th day of July, 1943.  
Leona D. Hawes  
Notary Public.

My commission expires 9-0-44

(SEAL)

## NOTICE FOR PUBLICATION

Notice is hereby given that at 3:00 P M on the 18th day of July 1943 at Glenss Ferry, County of Elmore, State of Idaho, before Fred Robertson, Notary Public proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is West Indian Cove Water Company Inc.

2. The postoffice address of such person or principal place of business of such corporation is Hammett County of Elmore, State of Idaho.

3. The number of such permit is 18636 and the date set for the completion of such work is July 18, 1943

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 10 cubic feet per second.

6. The amount of lands for which said water is available is 462.73 acres, particularly described as follows: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 34 Township 5 South, Range 7 East B M; S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  and SE  $\frac{1}{4}$  Section 3 N  $\frac{1}{2}$  NE  $\frac{1}{4}$  Section 10, and NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 11, Township 6 South Range 7 East, B M. 18636

JAMES SPOFFORD,

State Reclamation Engineer

(June 17—July 8)

18636

# PROOF OF PUBLICATION

State of Idaho, }  
County of Owyhee, } ss.

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

That the annexed notice was published in said newspaper once each and every week for four consecutive weeks, the first publication being on the 9th day of June 1949, and the last publication being on the 30 day of June 1949;

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.

Rodney A. Hawes  
PUBLISHER

Subscribed and sworn to before me this 30 day of June, 19 49

Leona J. Hawes  
Notary Public  
9-10-52

My commission expires .....

(SEAL)

## NOTICE FOR PUBLICATION

### NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11 A. M. on the 12th day of July, 1949 at Glens Ferry, County of Elmore, State of Idaho, before Fred Robertson, Notary Public, proof will be submitted of the application to beneficial use of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of Permit No. 18636 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are West Indian Cove Water Co., Inc., Hammett, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 10 cu. ft. per second.

The place where said water is used 488.33 acres of land situated in the S $\frac{1}{2}$  SW $\frac{1}{4}$  Section 34 Township 5 South, Range 7 East B. M.; and the 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 $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 3; N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 10; and NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 11, Township 6 South, Range 7E B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Pump, Canal and Pipe.

The right to take water from such works is based upon Permit No. 18636.

The source of supply from which such water is diverted is Snake River.

The date of priority which said

State Reclamation Engineer  
June 9 to June 30  
18636

18636

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. 18636

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. Herby Lecky, Hammett, Idaho; reside in Indian Cove  
valley, Blaine Co.; occupation - farmer.

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

Ans. West Indian Cove Water Co., Inc., Hammett, Ida.; Indian Cove Valley;  
I am Sec.-Treas. of Holder

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

Ans. No. 18636, July 18, 1938; Date of Priority - July 18, 1949

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

Ans. Snake River at in the SW<sup>1</sup>/<sub>4</sub> NW<sup>4</sup>/<sub>4</sub> of Sec. 34, T 5S, R 7E,  
B.M., County of Blaine

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

Ans. Pumps, pipeline and canal, Capable of conveying 15 cu. ft. sec.  
(for permit No. 19467 also). Canal has no name. Two pumps, one with  
100 H.P. and one 50 H.P. motor, vertical Centrifugal Penna pumps.  
Pipeline 400 ft. long.

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

Ans. Water to be used for Irrigation and Domestic. 488.33 acres situated  
in the S<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub> Sec. 34, Twp 5S, Range 7E, B.M.; S<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>,  
SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> and SE<sup>1</sup>/<sub>4</sub> of Sec. 3; N<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> Sec. 10, and NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> Sec. 11, Twp.  
6 S, Range 7E, B.M. Land is all cultivated and improved into eleven  
individual farms as a direct result of this water. (Including Permit No. 19467)  
18636

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

Ans. The only other purpose for which water is used is for watering  
of livestock.

18636

If question 8 refers to question 6 - The minimum amount of water required is 15 cu. ft. per sec.

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

Ans. The amount used for livestock is negligible and minimum would be none.

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

Ans. Permit was assigned to Kest Indian Cove Water Co. Aug. 16, 1940.

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

Ans. The water was diverted, beginning May, 1941 to the land herein described. The 10 cu. ft. per sec. was applied to full beneficial use by the stockholders of the Corporation for irrigation and domestic purposes.

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

Ans. Application for Permit No. 19467 for 5 additional cu. ft. per sec. was made in 1944 and approved Feb. 12, 1944. An additional pump (with 50 H.P. motor) was installed to pump this water through same pipe and canal as the original 100 H.P. pump.

(Sign) Wesley Hobley - 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 <sup>affirmed</sup> ~~sworn~~ to before me, at my office in Glenns Ferry, County of Blaine, State of Idaho on this 18 day of July, A. D. 1949.

My commission expires

Feb. 14, 1952

Geo. H. Robinson  
Notary Public

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 18636

## Proof of Application of Water to Beneficial Use

### Deposition of Witness

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

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

Ans. J. D. Shenk 50 yr. Indian Cove, Farmer.  
Hammett, Idaho.

Ques. 2. Are you acquainted with West Indian Cove Water Co., the holder of Permit No. 18636? How long have you known him and where does he reside?

Ans. Yes, since they began operation, in  
Indian Cove, G. Hammett Idaho.

Ques. 3. Have you read or heard read said Permit No. 18636, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Snake River, In the SW<sup>4</sup> NW<sup>4</sup> of Sec. 34  
T. 5 S., R. 7 E., B. M. County of Owyhee. 100 H.P. Electric  
motor & Pomona Vertical Centrifugal Pump. Fine large  
reservoir, 24" pipe 400' long. ditch average 8' wide. 1 1/2' deep at water line.

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

Ans. 15 Cubic ft per sec. It is being used to Capacity.

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

Ans. Irrigation & Domestic. 5 1/2, SW 1/4 Sec. 34, Twp 5 S.  
R. 7 E. B. M.; 3 1/2 NE 1/4, NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4 and  
SE 1/4 of Sec. 3; N 1/2 NE 1/4 Sec 10. and NW 1/4 NW 1/4  
Sec. 11, Twp 6 S., R. 7 E B. M. 488.33 acre total.  
Cultivated. progressive improvements and  
Very productive farms.

18636

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

Ans. No other use. except watering some stock.

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

Ans. Normal sandy loam. 15 cu. ft. Per. Sec. but this formation could use a little more water.

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

Ans. No.

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

Ans. I live in the cone, and was there when the work started, finished, and watched its development, as a neighbor in their midst, only I have my own <sup>parting</sup> land.

(Signed) J. D. Shenk.

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 Glenns Ferry,

County of Elmore, State of Idaho, on this 18 day of July,

A. D. 1949.

Geo. F. Robertson  
Notary Public.

My commission expires Feb. 14, 1952.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 18636

## Proof of Application of Water to Beneficial Use

### Deposition of Witness

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

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

Ans. M. S. Snyder, age 47, Indian Cove, Hammett, Idaho-  
farmer

Ques. 2. Are you acquainted with West Indian Cove Water Company, the holder of Permit No. 18636? How long have you known him and where does he reside?

Ans. Yes. Since Company was formed, about 1940.

Members of company all reside in Indian Cove Community  
except one who resides at present in Indiana.

Ques. 3. Have you read or heard read said Permit No. 18636, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Source: Snake River. Diversion point: SW<sup>4</sup> NW<sup>4</sup>, Sec 34,  
T5S, R7E, B.M., Arapahoe County. Water conveyed by two pumps (1-100HP,  
1-50HP), 24-inch pipe to head of canal, and canals to individual  
farms. Canal is average of 8 ft. width at water line. Pipe to canal is 400 ft. long.

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

Ans. 15 Cu. ft. per second with safe margin

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

Ans. Used for irrigation and water for livestock. Irrigation water  
used altogether on cultivated land. Description: 488.33 acres of land  
situated in the S<sup>1</sup>/<sub>2</sub>, SW<sup>1</sup>/<sub>4</sub> Sec. 34, T5S, R7E, B.M.; S<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, and S<sup>1</sup>/<sub>2</sub> of Sec. 3; N<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> of Sec. 10;  
and NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Sec. 11, T6S, R7E, B.M. This description includes  
permit no. 19467

Improvements are adequate for farming operation and  
for family life in pioneering stage of development

18636

Works include  
Permit No. 19467

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

Ans. None except water for livestock.

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

Ans. Ordinary Snake River Valley sandy loam, with good slope for surface irrigation, 1 1/4 inches per acre profitable. 1 1/2 inches would be better.

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

Ans. No.

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

Ans. Residence in community, witnessed construction of works by occasional observation, also occasional visits and observation of irrigation and exchange of farm labor with farmers on land under this project.

(Signed)

M. S. Snyder

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 Glenns Ferry

County of Elmore, State of Idaho, on this 18 day of July

A. D. 1949

Geo. H. Robertson

Notary Public.

My commission expires Feb 14. 1952

July 14, 1949

Re: Permits Nos. 18636 and 19467

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

Dear Mr. Hooley:

We are in receipt of your letter of July 12, advising that your Notary Public, Mr. Fred Robertson was not on hand to take your depositions for Beneficial Use Proof under the above numbered Permits on July 12, 1949, as scheduled.

We regret <sup>76</sup> ~~this~~, and as Mr. Robertson was notified on July 1, 1949 about this hearing and was sent the proper forms of deposition.

However, your water right will not be affected by this postponement, but in addition to the regular proofs, Mr. Robertson should furnish an Affidavit, stating that the office was open at the time set on July 12 and that no protests were filed and that the hearing was continued until July 18, 1949.

Very truly yours,

EARL R. KULP  
State Reclamation Engineer  
By

Chief Clerk

l:bbh

CC: Mr. Fred Robertson.

18636

Hammett, Idaho  
July 12, 1949

Department of Reclamation  
Boise, Idaho

Dear Sirs,

This is in regards to our water permits nos. 18636 and 19467. Today, as scheduled, I with two witnesses appeared at the office of Mr. Fred Robertson, Notary Public at Glenns Ferry, Idaho to sign the depositions for application of Beneficial Use Proof, but Mr. Robertson was not there and will not be back for about three days. On the advice of an attorney we advised ~~these~~ Mr. Robertson's son at the office that we would postpone signing the depositions until the 18th, I hope this will be O.K. with you. You will notice that July 18, 1949 was the deadline for Beneficial Use Proof on our permit No. 18636, and I understand that if we delay any longer than that, that our priority would be set back the same number of days.

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

*Wesley Hooley*



18636

# State of Idaho

## DEPARTMENT OF RECLAMATION

BOISE

### INSTRUCTIONS

#### PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, July 1, 1949

Re: Permits Nos. 18636 and 19467  
West Indian Cove Water Co.

Mr. Fred Robertson  
Notary Public  
Glenns Ferry, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permits No. 18636 and 19467.....

DEPOSITION OF PERMIT HOLDER,  
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On July 12, 1949....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at.....  
Glenns Ferry, Idaho..... before Fred Robertson, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice. Separate depositions for each permit.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

MARK R. KUIP

~~Commissioner of Reclamation~~

State Reclamation Engineer

18636

June 2, 1949

Re: Permits Nos. 18636 and 19467

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

Dear Mr. Hooley:

We have sent to the Owyhee Nugget, at Marsing Idaho, Notices of Beneficial Use Proofs to be made under Permits Nos. 18636 and 19467 on July 12, 1947, with instructions to publish them once a week for four consecutive weeks, prior to that date and to send you the Affidavit of Publication, together with Statement of costs.

We shall send Mr. Fred Robertson, Notary Public at Glenns Ferry, Idaho, the necessary forms of deposition, consisting of one for the Permit Holder and one for each of two witnesses for each Permit, so that he may have them in ample time for the proofs.

At the time set, a representative of the West Indian Cove Water Company should appear before Mr. Robertson, together with two disinterested witnesses who are familiar with the terms of the Permits, and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bn

18636

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date:

June 2, 1949

Re: Permits Nos. 18636 and 1 9467

~~Civilian~~  
~~Engineer~~

Enclosed you will find notice for publication once  
a week for four consecutive weeks prior to  
the date set for proof, the <sup>two</sup> ~~expense~~ of the publication to be  
paid by the applicant,

July 18, 1949

, to whom you should furnish proof of publication on  
Co., c/o Wesley Hooley, Secretary  
or prior to the date ~~Settling~~ ~~Indian~~ ~~Cove~~ ~~Water~~/ Hammett

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

Very truly yours,

State Reclamation Engineer  
MARK R. KUTP

By

Chief Clerk

18636

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

*May 27, 1949*

(P. O.)

*Hammett, Idaho*

STATE RECLAMATION ENGINEER

TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

*Owyhee Nugget*

of

*Moscow, Ida.*

, published in

the county in which the works are situated.

*West Indian Cove Water Co., Inc.*  
*by Wesley Dooley - 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.

*18636*

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

Notice is hereby given that at 11 A. M. on the 12<sup>th</sup> day of July, 1949,  
at Glenns Ferry, County of Elmore, State of Idaho, before  
Fred Robertson, Notary Public, proof will be submitted of the  
application to beneficial use of 10 cubic feet per second of the waters of Snake River  
in accordance with the terms and conditions of Permit No. 18636  
heretofore issued by the Dept. of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

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

The use to which said water has been applied is Irrigation and Domestic

The amount applied to beneficial use is 10 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the  
lands irrigated) 488.33 acres of land situated in the S $\frac{1}{2}$  SW $\frac{1}{4}$  Section 34  
Township 3 South, Range 7 East B.M.; and the 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 $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 3; N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 10; and NW $\frac{1}{4}$  -  
NW $\frac{1}{4}$  of Section 11 Township 6 South, Range 7 East B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of  
use is Pump, Canal and Pipe

The right to take water from such works is based upon Permit No. 18636

The source of supply from which such water is diverted is Snake River

The date of priority which said user is prepared to establish is June 22, 1938  
July 12, 1949

Mark R. Kneip  
State Reclamation Engineer.

18636

S T A T E   O F   I D A H O

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

Boise, Idaho

May 2, 1949

West Indian Cove Water Co.  
C/o Wesley Hooley, Sec'y.-Treas.  
Hammett, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18636. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than July 18, 1949, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK B. KULP

State Reclamation Engineer

18636

✓  
December 29, 1943

Re: Permit No. 18636

Mr. Wesley Hoolley, Secretary-Treasurer,  
West Indian Cove Water Company, Inc.  
Hammett, Idaho

Dear Mr. Hoolley:

We are enclosing herewith Certificate of Completion of Works issued under the above numbered permit to appropriate ten (10) second feet of water from Snake River, in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 34, Township 5 South, Range 7 East, B. M., Blaine County, for irrigation and domestic purposes.

The Department's Receipt No. 18420 for the \$5.00 fee in connection with completion of works proof is also enclosed.

Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer  
By

A  
Encls.

Chief Clerk

18636

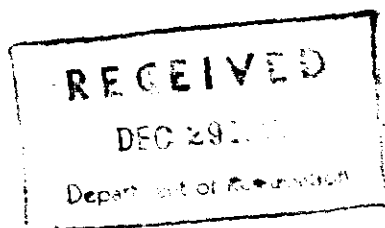
Wassett, Ada.  
Dec 28, 1943

Dept. of Reclamation

Dear Sir,

Enclosed is check for  
certificate of completion of  
works.

Wesley Hasley - Sec.  
West Indian Cove Water  
Co. Inc.



18636

✓  
December 14, 1943

Re: Permit No. 18636

Mr. Wesley Hoolley, Secretary-Treasurer,  
West Indian Cove Water Company, Inc.  
Hammett, Idaho

Dear Mr. Hoolley:

We have received the report of our Field Engineer  
on examination for completion of works on the above  
numbered permit.

Our engineer found that the works would be capable  
of conducting to the place of use ~~from~~ (10) cubic  
feet per second of water from Snake River.

Therefore upon receipt of the statutory fee of  
\$5.00, a certificate of completion of works will be  
issued.

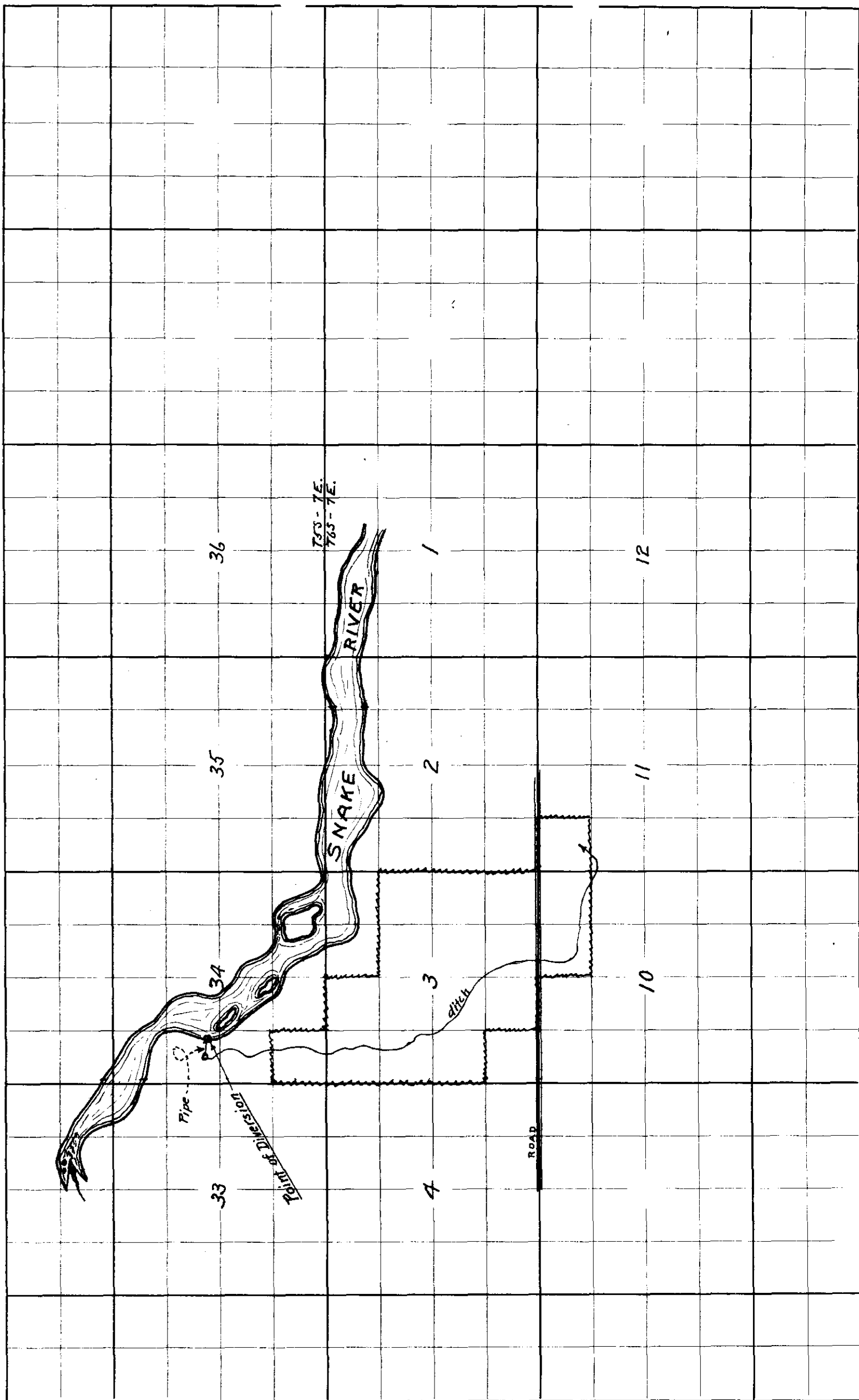
Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer  
By

Chief Clerk

A

186-36



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

18636

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 18636

REPORT ON PROOF OF Completion of Works

10-1-1917  
J. H. [unclear]

G. H.  
1917

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 18636

This proof is for Completion of works In Water District No. \_\_\_\_\_

1. Name of applicant West Indian Cove Water Co., Inc. - Wesley Hooley, Sec'y. - Treas. - Hammett, Idaho
2. Source of water supply: Snake River
3. Location of point of diversion: Is in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 34  
T. 5 S. R. 7 E. County of Owyhee
4. Describe works as they exist, giving dimensions and capacities of same: A Pump House 10ft X 12ft, Intake Trash-rack of concrete and steel 8 ft. wide; A Pomona Pump driven by a 100 H.P. Electric Motor discharges through approximately 400 feet of electric welded pipe of 24" diameter, to a ditch of an average width of 3ft. X 2ft. depth  
Capacity of works, 10 Sec. Ft.
5. Water is used for: Irrigation and domestic purposes
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 for other than irrigation):  
SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, Twp. 5 S., Range 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 $\frac{1}{4}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  Section 3;  
N $\frac{1}{2}$  NE $\frac{1}{4}$  Section 10; NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 11; Twp. 6 S., Range 7 E., B.M.

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

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

Remarks \_\_\_\_\_

This examination was made on the 6th. day of November, 19 43.

(Signed)

*Fred H. Dolman*  
18636  
Examiner.

25  
West Indian Cove Water Co., Inc.  
Wesley Hooley, Secy.-Treas- Hammett, Idaho  
Permit No. 18636

Examination for Completion of works

County Owyhee

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### INSTRUCTIONS TO EXAMINERS

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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 a 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.
-

July 19, 1943

Re: Permit No. 18636

Mr. Wesley Hooley, Sec'y.-Treas.  
West Indian Cove Water Company, Inc.  
Hammett, Idaho

Dear Mr. Hooley:

This will acknowledge receipt of deposition of yourself and two witnesses, also affidavit of publication from the Owyhee Nugget, all in connection with completion of works proof under the above numbered permit.

However, before final action can be taken in the matter, the law requires that a field examination be made by an engineer from this Department.

We cannot say just when this examination will be made, since this Department has but one field engineer, who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for the Department, will try and contact you at the time set for examination, so that you may arrange to show him over the grounds.

Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer  
By

A

Chief Clerk

18636

# PROOF OF PUBLICATION

State of Idaho, }  
County of Owyhee, }

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 and every week for 4 consecutive weeks, the first publication being on the 17 day of June, 1943, and the last publication being on the 8 day of July, 1943;

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.

Rodney A. Hawes  
PUBLISHER.

Subscribed and sworn to before me this 9<sup>th</sup> day of July, 1943.

Leona S. Hawes  
Notary Public.

My commission expires 9-10-44

(SEAL)

## NOTICE FOR PUBLICATION

Notice is hereby given that at 3:00 P M on the 18th day of July 1943 at Glenna Ferry, County of Elmore, State of Idaho, before Fred Robertson, Notary Public proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is West Indian Cove Water Company Inc.

2. The postoffice address of such person or principal place of business of such corporation is Hammett County of Elmore, State of Idaho.

3. The number of such permit is 18636 and the date set for the completion of such work is July 18, 1943

4. Said water is to be used for irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 10 cubic feet per second.

6. The amount of lands for which said water is available is 462.75 acres, particularly described as follows: SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  Section 34 Township 5 South, Range 7 East B M; S  $\frac{1}{2}$  NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , N  $\frac{1}{2}$  SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  and SE  $\frac{1}{4}$  Section 3 N  $\frac{1}{2}$  NE  $\frac{1}{4}$  Section 10, and NW  $\frac{1}{4}$  Section 11, Township 6 South Range 7 East, B M. 18636

JAMES ROBERTSON  
State Reclamation Engineer  
(June 17-July 8)

18636

PERMIT NO. 18636

RECEIVED

JUL 19 1941

Department of Reclamation

# Proof of Completion of Works

## DEPOSITION OF HOLDER

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

Ans. Wesley Hosley, Hammett, Idaho. Farming

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. West Indian Cove Water Co. Inc. Place of business is in Indian Cove Valley near Hammett. I am Secretary-Treas of the Co. and am authorized to sign all papers

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Permit No. 18636 dated July 18, 1938 for 10 sec. ft. from Snake. SW<sup>4</sup> NW<sup>4</sup> Sec. 34, T5S, R7E, B.M. County of Eagle

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation and Domestic. 463 acres described as follows SW<sup>4</sup> SW<sup>4</sup> Sec. 34 T5S, R7E B.M.; S<sup>1</sup>/<sub>2</sub> NE<sup>4</sup> NW<sup>4</sup>, N<sup>1</sup>/<sub>2</sub> SW<sup>4</sup>, SE<sup>4</sup> SW<sup>4</sup> and SE<sup>4</sup> SEC. 3; N<sup>1</sup>/<sub>2</sub> NE<sup>4</sup> Sec. 16, and NW<sup>4</sup> NW<sup>4</sup> SEC. 11, T6S R7E, B.M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. The pump was started May 1, 1941 and run almost continually until Sept. 15, 1941, five months in 1942 and from Apr. 15, 1943 until now.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. The works of diversion are completed and comply except in minor cases

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. In No. 11 of Permit, the ditch is approx. 5' ft. at bottom, 7' ft. at top and 1 1/2' ft. deep instead of as stated in Permit. The length of conduit is 400 ft. instead of 220.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. The water is pumped 55 ft. high from River through a 24" steel pipe 400 ft. long by a vertical centrifugal Pomona Pump driven by a 100 hp. Electric motor. Cap. 10 sec. ft. Pumping unit \$2900, Pipe line \$1279, Power line \$529 Canal system, buildings etc. \$400

(Sign here.) Wesley Hosley - Sec.

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 Gleno Harry

County of Elmore, State of Idaho, on this 17th day of July A. D. 1943

Geo. H. Robertson

Notary Public.

My Commission expires Feb. 14, 1944

18636

Permit No. 18,636**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. W. Ervin Hooley, Indian Cove, Farming, Hammett, IdahoQues. 2. Are you acquainted with West Indian Cove water, the holder of Permit No. 18,636, authorizing the diversion of 10 second-feet of the waters of Snake River, at Indian Cove valley, Hammett for irrigation purposes? How long have you known him, and where does he reside?Ans. I have known the Exploration Permit beginning in Indian CoveQues. 3. Have you read or heard read said Permit No. 18,636, and are you familiar with its terms and conditions?Ans. I have read the permit and am familiar with its terms

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with this land. It varies from blow sand to clay. Most of it is a sandy loam. The land requires about 1 in per A. 26 feet and last Mo. + 1 1/2 in per A. 30 feet Mo.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. We have a Pomona pump with a 100 H.P. motor, a 400 ft. pipe line 24" diam. lifts the water to a 60 ft head. The pump pumps about 10 sec. ft. the canal is in good shape and could carry more water.

(Sign here.)

W. Ervin Hooley

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 <sup>affirmed</sup> sworn to before me, at my office in Plummer County County of Elmore, State of Idaho, on this 17th day of July, A. D. 1943.

Geo. H. Robinson  
Notary Public  
18630

Permit No. ....

**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Wan W. Good, Farming  
Hammett IdahoQues. 2. Are you acquainted with West Indian Cone Water CO., the holder of Permit No. 18636, authorizing the diversion of 10 second-feet of the waters of Snake River, at Hammett for irrigation purposes? How long have you known him, and where does he reside?Ans. Ever since it was incorporated.Ques. 3. Have you read or heard read said Permit No. 18636, and are you familiar with its terms and conditions?Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with this land. It <sup>varies</sup> ~~is~~ from blow sand to clay. most of it is sandy loam. The land requires about 1 in per sq. ft. + last month + 1 1/2 in per sq. ft. that is no.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. They have a Panama pump with a 100 H.P. motor, a 400 ft pipe line 24" diam lifts the water to a 60 ft. head. The pump pumps about 10 sec. ft. The canal is in good shape and could carry more water.(Sign here.) Wan W. Good

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, at my office in Glenn Ferry County of Elmore, State of Idaho, on this 17th day of July, A. D. 1943.

Geo. F. Robertson  
Notary Public  
18636

State of Idaho  
DEPARTMENT OF RECLAMATION  
BOISE

INSTRUCTIONS

PROOF OF ~~BENEFICIAL USE OF WATER~~  
Completion of Works

Re: Permit No. 18636  
West Indian Cove Water Co., Inc.  
Wesley Hooley, Secretary

BOISE, IDAHO, July 8, 1943

Mr. Fred Robertson  
Notary Public  
Glenns Ferry, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18636

DEPOSITION OF PERMIT HOLDER,  
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On July 18, 1943, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Glenns Ferry, Idaho before Fred Robertson, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

JAM S SPOFFORD

~~Commissioner of Reclamation~~  
State Reclamation Engineer

18636

June 24, 1943

Re: Permit No. 18636

The Owyhee Nugget  
Marsing, Idaho

Gentlemen:

On June 10th we sent you Notice for publication in connection with completion of works proof to be made by the West Indian Cove Water Company, on July 18th.

To date we have received no acknowledgment of this notice, nor have we received a copy of the paper containing same, as requested.

Please advise if this notice was received, and if it is being published please send us a copy of the paper containing same, or a clipping of the notice.

Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer  
By

A

Chief Clerk

18636

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Re: Permit No. 18636

Date: June 10, 1943

The Owyhee Nugget  
Warsing, Idaho

Gentlemen:-

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 18, 1943 the date set for proof, the expense of the publication to be paid by the applicant, West Indian Cove Water Co., Inc., By Wesley Mooley, Secretary, Hammett, Idaho to whom you should furnish proof of publication on or prior to date for proof.

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

Very truly yours,

JAM S SPOFFORD  
Commissioner of Reclamation  
-----  
State Reclamation Engineer

18636

## Notice for Publication

Notice is hereby given that at 3:00 P.M., on the 18th day of July, 1943, at Glenns Ferry, County of Lmore, State of Idaho, before Fred Robertson, Notary Public proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of Snake River in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is West Indian Cove Water Company, Inc.
2. The postoffice address of such person or principal place of business of such corporation is Bennett, County of Lmore, State of Idaho.
3. The number of such permit is 18636, and the date set for the completion of such work is July 18, 1943
4. Said water is to be used for irrigation and domestic purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 10 cubic feet per second.
6. The amount of lands for which said water is available is 462.73 acres, particularly described as follows:  
SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, Twp. 5 South, Range 7 East, B.M.; S $\frac{1}{2}$  NE $\frac{1}{4}$ , N $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  Section 3, N $\frac{1}{2}$  NE $\frac{1}{4}$  Section 10, and NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 11, Twp. 6 South, Range 7 East, B.M.

JAMES SPOFFORD

Commissioner of Reclamation

State Reclamation Engineer

18636

✓  
May 22, 1943

Re: Permit No. 18636

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

Dear Mr. Hooley:

We are in receipt of your letter of May 20th, and note that Fred Robertson is the name of the Notary Public before whom you wish to make proof of completion of works under the above numbered permit.

We have inserted his name in the notice, and have also combined the land description, in accordance with our letter to you of May 15th.

The Owyhee Nugget is published in Marsing, as you mention, so the notice can be legally published there; and we shall send the notice to that newspaper, with instructions to publish it once a week for four consecutive weeks prior to July 18th, the date set for proof.

About ten days prior to that date depositions, consisting of one for the holder, and one for each of two witnesses, will be sent to Mr. Robertson, the Notary Public, at Glenns Ferry, Idaho, so that he may have them in ample time for the proof.

On the date designated you should appear at Mr. Robertson's office, with two disinterested witnesses, who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer

By

Chief Clerk.

A

18636



Hammett, Ida.

May 20, 1943

Department of Reclamation  
James Spofford, Engineer

Since sending you the copies  
of notice in connection with com-  
pletion of works per permit No.  
18636 I found out the "Owyhee Nugget"  
is printed in Marsing, Ida.

Although, if you see best to publish  
it in some other more official paper  
in Owyhee County it will be alright.

The proof will be made before  
Fred Robertson, Notary Public,  
Glenns Ferry.

Yours Truly

Wesley Holley - Sec  
West Indian Cove Water  
Co. Inc.

18636

over

P. S.

It will be O.K. to shorten  
the description of the lands  
as you have recommended.

—H. N.

May 15, 1943

Re: Permit No. 18636

West Indian Cove Water Co. Inc.  
Hammett, Idaho

Mr. Wesley Hooley, Sec'y.

Gentlemen:

We acknowledge receipt of duplicate copies of notice in connection with completion of works proof under the above numbered permit, setting time and place for making such proof, as 3:00 P.M. July 18, 1943, at Glenns Ferry, Idaho.

However, you have failed to name the Notary Public before whom this proof is to be made, and we will ask you to advise us about this, so that the notice may be sent to the Owyhee Nugget, for publication.

We can also shorten the description of the lands for which the water is available by simply stating that it is available for 462.73 acres of land situated in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34, Township 5 South, Range 7 East, B.M., and the S $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  Section 3, N $\frac{1}{2}$  NE $\frac{1}{4}$  Section 10, and NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 11, Township 6 South, Range 7 East, B. M. This will make some difference in the length of the notice, and a proportionate reduction to you in the cost of publication.

Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer  
By

Chief Clerk

A

18636

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

May 12, 1943

(P. O.)

Hammett, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Owyhee Nugget

of

Maysung, Idaho

, published in

the county in which the works are situated.

I am not sure whether it is published in Brunenau or Grandview.  
don't know

West Indian Cove Water Co. Inc.

by Wesley Hooley - 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.

18636

## Notice for Publication

Notice is hereby given that at 3 P. M., on the 18 day of July, 1943, at Glenns Ferry, County of Clatsop, State of Idaho, before a notary public proof will be submitted of the completion of works for the diversion of 10 cubic feet per second of the waters of Snake River

in accordance with the terms and conditions of a certain permit heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is West Indian Cove Water Co.

Inc.

2. The postoffice address of such person or principal place of business of such corporation is Hammett

, County of Clatsop, State of Idaho.

3. The number of such permit is 18636, and the date set for the completion of such work is

July 18, 1943

4. Said water is to be used for Irrigation and domestic purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 10 cubic feet per second.

6. The amount of lands for which said water is available is 462.73 acres, particularly described as follows:

10A in NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 34 Twp. 5S Range 7E B.M.; SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 12.4A in SE $\frac{1}{4}$  NE $\frac{1}{4}$  and S. 20A in Lot 3 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) and 35.41A in Lot 4 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) and 26.6A in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and SE $\frac{1}{4}$  NW $\frac{1}{4}$  and 30A in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 3A in NW $\frac{1}{4}$  SW $\frac{1}{4}$  and 1A in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and NE $\frac{1}{4}$  SE $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 33.1A in SW $\frac{1}{4}$  SE $\frac{1}{4}$  and SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec 3 Twp 6S Range 7E B.M.; 24A in NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 29.22A in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec 10 Twp 6S Range 7E B.M.; 38A in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec 11 Twp 6S Range 7E B.M.

Commissioner of Reclamation.

18636

**State of Idaho**  
DEPARTMENT OF RECLAMATION  
BOISE

INSTRUCTIONS  
PROOF OF COMPLETION OF WORKS

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

Boise, Idaho,    **May 10, 1943**

Dear Sir:—

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 18634.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before July 18, 1943. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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,

**JAMES SPOFFORD**

Commissioner of Reclamation.  
State Reclamation Engineer

1 8634

Re: Water Permit No. 18656

June 18th, 1941

MR. P. ERVIN HOOLEY, Secretary  
West Indian Cove Water Company,  
Hammett, Idaho

Dear Mr. Hooley:

We wish to acknowledge receipt of your letter of June 16th in which you state that you would like to have an inspection of your water system made under the terms of Water Permit No. 18656.

Referring to the terms of Permit No. 18656, Completion of Works Proof is due July 18, 1943 and Beneficial Use Proof is due July 18, 1949.

According to our policy on a permit of this kind, inspection would not be made by this Department until after beneficial use proof was made. If work is completed and beneficial use proof is ready to be made, fulfilling the terms of the permit, both proofs can be made at this time.

If you desire to make proof now, and prior to the terms of the permit, please write us to that effect and we shall mail you the necessary forms and instructions for making said proofs.

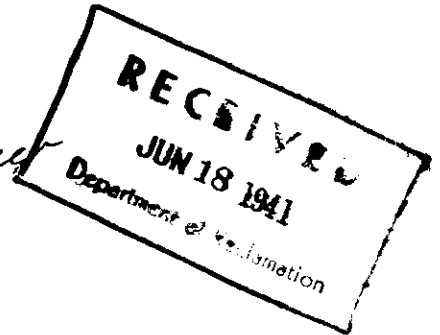
Very truly yours,  
E. V. BERG  
Commissioner of Reclamation

By: Roy W. Thompson  
Deputy Commissioner

RWT:s

West Indian Cane Water Co.  
Hammett, Idaho  
June 16, 1941

Mr. Bry  
State Reclamation Engineer  
Boise, Idaho



Dear Sir

The West Indian Cane Water Co. has a permit (No. 18636) to take water from the Snake River with pump pipe and canal system. We would like to have an inspection of this system, since it is completed, so that you can certify completion and beneficial use.

Respectfully yours,  
O. Ervin Hooley  
Secretary

C.M. 7-18-43  
B. 7-18-49

18636

August 16, 1940

Re: Permit No. 18636

West Indian Cove Lumber Company,  
Hammett, Idaho.

Gentlemen:-

We are enclosing herewith the assignment of the above numbered permit from Alta May Hooley to yourselves, same having been duly recorded in this department.

We are also enclosing a certified copy of this permit, together with the assignment- as per your request.

Receipt No. 17530 is also enclosed for \$2.00, covering cost of recording the assignment, and making the certified copy.

Very truly yours,

FRANK SPOFFORD

Commissioner of Reclamation

By

JLA

Chief Clerk

Incls.

CC to Alta May Hooley

STATE OF IDAHO     )  
                              : ss.  
COUNTY OF ELMORE )

ALTA MAY HOOLEY, being first duly sworn, deposes and says:

That she is the surviving widow of Paul J. Hooley, to whom Permit to appropriate the Public Waters of the State of Idaho, No. 18636, was issued by the Commissioner of Reclamation; said permit being for Ten (10) cubic feet per second of the waters of Snake River, for irrigation and domestic use.

That by decree of the Probate Court of Owyhee County, Idaho, dated May 9, 1940, certain described lands in Sections 3 and 10, Township 6 South, Range 7 East, B. M., to which this water is appurtenant, was decreed to her, together with all the residue of said estate.

Alta May Hooley

Subscribed and sworn to before me this 15<sup>th</sup> day of August  
1940.

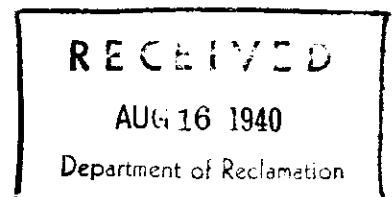
Geo. F. Robertson

Notary Public for Idaho  
Residing at Gleno Ferry, Idaho

My commission expires: Feb 14 - 1944

Filed for record in the District Court  
of the State of Idaho  
9:00 A. M. Aug 16 1940  
JAMES SPOFFORD  
Commissioner of Reclamation

18636



Permit 18636

May 22, 1940

Mr. GILBERT SUSSMAN, Regional Attorney,  
Office of the Solicitor, U.S.D.A.,  
233 Terminal Sales Building,  
Portland, Oregon.

Dear Mr. Sussman:

We have in hand your letter of May 18 in which you make reference to my letter of April 22, which outlines the procedure for assigning Permit No. 18636. You bring up the question as to whether a permit is assignable or transferable.

To my knowledge, the question has never before been raised as to whether a permit may be assigned, and in outlining the procedure I was merely following the precedent of this office. Upon examining the statutes I can not find any section that specifically grants the authority to assign a permit. However, the courts have held in various cases that by application for permit the permittee secures an inchoate right, which will ripen into legal and complete appropriation by compliance with statutory steps. The question involved, then, is whether this inchoate right is transferable.

We notice that in the case of Gard vs. Thompson, 21 Idaho 435, the permits in question were to be transferred. Although no conveyances were made, and no question as to the parties' rights to transfer were raised, still, in this case, the court had seemed to imply that such a transfer was possible in that they stated that a water right is real estate and must be conveyed as real estate, and where one has a valid water permit issued to him by the state engineer, he can not convey the water right secured thereby by simply handing the permit to a would-be purchaser. It seems then to me that there was an indirect recognition of the ability to transfer, and that the court set out the method by which it should be done.

In the case of Bassinger vs. Taylor, 30 Idaho 289, considerable space had been devoted to discussion of Taylor's title to any water under Permit No. 2929. There again the courts showed that the facts did not show any conveyance of title to Taylor, but they did not raise the question as to the authority to convey a permit.

18636

Gilbert Sussman

5/22/40

I would like to refer you further to the case of the Blaine County Investment Company vs. Mays, 49 Idaho 766, in which the court concluded that where permits have been transferred from one party to another, each successive holder has the original time in which to complete the work. This seems to confirm the contention that permits are assignable. In the case of Syster vs. Hazard, there was a conveyance of a water permit issued by the state engineer.

We have been groping around in trying to find a background for the authority to convey the water permits, which has been done numerous times in this office, and if you think that the citations given herein are not conclusive, we would be glad to submit the question to the Attorney General for his consideration.

Very truly yours,

JAMES SPOFFORD,  
Commissioner of Reclamation

By HARRY DEWEY,  
Deputy Commissioner.

HD/jf

15036

In reply refer to: SOL 11 GS  
UNITED STATES DEPARTMENT OF AGRICULTURE  
OFFICE OF THE SOLICITOR

232 Terminal Sales Building  
Portland, Oregon

MAY 18 1940

Mr. James Spoffard, Commissioner of Reclamation,  
Department of Reclamation,  
Boise, Idaho.

Dear Mr. Spoffard:

In examining the docket for the Water Facilities loan application of the West Indian Cove Water Company, Inc. I found a letter dated April 22, 1940 from Mr. Harry Dewey, Deputy Commissioner, to Mr. Allen Gilmore, WF Engineer of the Soil Conservation Service at Boise, Idaho with respect to Permit No. 18636. Mr. Dewey's letter indicates that the permit was issued in the name of P.J. Hooley of Emmett, Idaho, who is now deceased. Apparently, Mrs. Hooley, who is administratrix of her husband's estate, proposes to assign or transfer the permit to the West Indian Cove Water Company, Inc. Mr. Dewey indicates the manner in which the transfer may be made so that the records of your department may show such transfer.

It would be appreciated if you would advise me concerning the basis for the view that permits are assignable or transferable. I find nothing in Chapter 2 of Title 41 of the Idaho Code relative to the appropriation of water, the issuance of permits, etc. That specifically indicates that a permit may be transferred. I recognize full well that it is possible to convey a water right, but does it necessarily follow from that that a permit may likewise be conveyed.

It would be appreciated very much if you would inform me as to the basis for the view held by you.

Very truly yours,

*Gilbert Sussman*

Gilbert Sussman, Regional Attorney,  
Office of the Solicitor, U.S.D.A.

54-508

P 225

21-22a 485

18636

April 22, 1940

Re: Permit No. 18436

Mr. Allen Gilmore,  
Water Facilities Engineer,  
Soil Conservation Service,  
Sonne Building,  
Boise, Idaho.

Dear Mr. Gilmore:

In reply to your telephone inquiry of this morning, have to advise that the above numbered permit, in the name of P. H. Hooley, of Hammett, Idaho, is for ten (10) second feet of water from Snake River, for the irrigation of 500 acres in Section 34, Township 5 South, Range 7 East, B.M., and Sections 3, 10 and 11, Township 6 South, Range 7 East, B.M. Our records show the permit to be in good standing.

Under the terms of this permit work was to begin on or before September 16, 1938; one-fifth of the work to be done on or before January 18, 1941; the works to be completed on or before July 18, 1943; and proof of beneficial use to be made on or before July 18, 1949.

We understand from your conversation that Mr. Hooley is now deceased, and that his widow is the administratrix of the estate, and you inquire as to the transfer of this permit to another party.

An assignment of the permit may be made, and should be recorded in this department; but before this is done there must also be placed on file and of record here, either the decree of the Probate Court awarding this permit to the widow of the holder, or, in the event the estate has not yet been settled, a certified copy of her appointment as administratrix of the estate, and an order of the Probate Court authorizing the assignment, as such administratrix.

The necessary proofs can then be made of the assignee of the permit.

Very truly yours,

JAMES SPOFFORD, Commissioner of Reclamation  
By

Deputy Commissioner

D:A

**State of Idaho**  
**DEPARTMENT OF RECLAMATION**  
**BOISE**

Permit No. 18636

Boise, Idaho, **July 18, 1938**

Dear Sir:

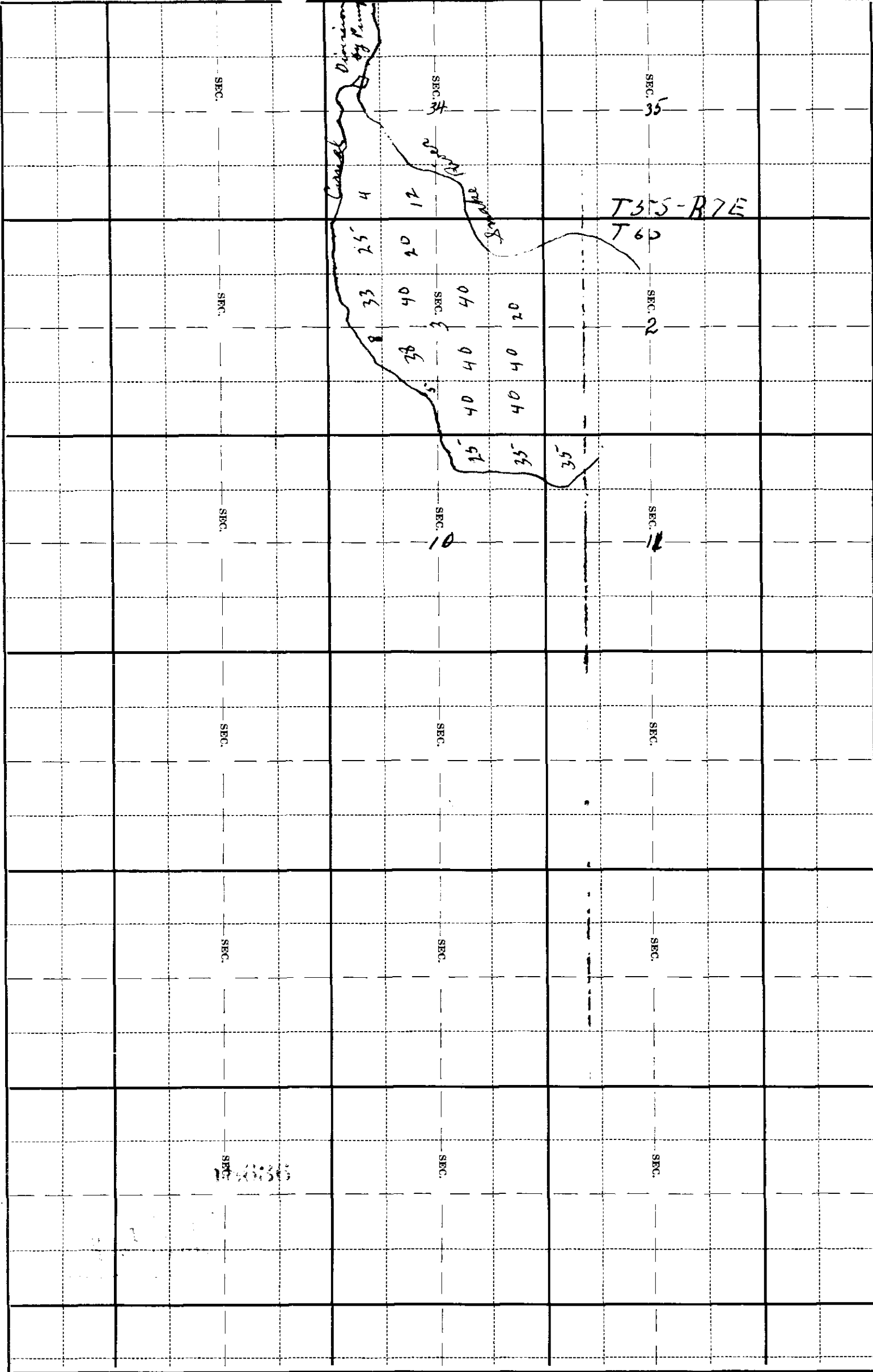
I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

**P. J. HOOLEY**  
**Hammett, Idaho**

**R. W. FARIS**  
Commissioner of Reclamation.

**Enc.--Office Receipt No. 16645 for \$7.25**

18636



65-72

[illegible]

KEUFFEL & ESSER CO., N. Y. NO. 350-44  
Township: Scale 1" = 1 mi.  
MADE IN U. S. A.

36-5

18636