

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

Application No. 22571
Permit No. 15883
District No. 5-II

1. Name of Applicant: Preston-Whitney Reservoir Company,
Postoffice address: Preston, County: Franklin, State: Idaho.
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation: October 19, 1904, Oneida County, Idaho.
 (b) Amount of capital stock: \$10,000.00
 (c) Amount paid in: \$ 7,000.00
 (d) Names and addresses of directors: E. P. Moser, Sidney Beckstead, Leonard Johnson, James R. Bodily, B. W. Winward, all of Whitney, Idaho.
 II. The financial resources of the applicant are:
 (a) Cash on hand: \$25.00
 (b) Treasury stock: \$3,000.00
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: ten cubic feet per second.
3. Source of water supply: Winter flood and surplus flow of Worm Creek which is a tributary of Cub River.
4. Location of point of diversion: S. 60° 39' E. 4227 feet distant from the northwest corner of Section 10, T. 15 S., R. 40 E., B. M., and is in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, T. 15 S., R. 40 E., B. M., County of Franklin, Idaho.
5. Water is to be used for: Irrigation purposes
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: \$ 1,000.00
8. Kind of works: Canal enlargement
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 4.8 feet; height 2.8 feet (Already constructed under Permit 4198)
11. Ditch: Width at bottom 4.0 feet; width at water line 8.0 feet; depth of water 2.0 feet; dimensions of flume
 Diameter of pipe inches; length of conduit four miles.
 Average grade per mile twenty feet
12. The time required for the completion of such work is five years.
13. The time required for the complete application of the water to the proposed use is five additional years.
14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? **Yes** If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit: **Preston-Whitney Reservoir. No. R-326**
 (c) Date of filing of Application for Storage Permit and Name of Applicant: **September 18, 1923.**
Preston and Whitney Reservoir Company.

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.

Preston-Whitney Reservoir Company Applicant.

By **E. P. Moser.** Agent.

Date of first receipt at Department of Reclamation. **9 A. M. September 18, 1923.**

Returned to applicant for correction.

Corrected application received.

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **15883**
 Recorded in Book **5657** Page **15883** Approved **October 23, 1923.**
 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 **December 22, 1923,** 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 **April 23, 1926.**
 The whole of said work to be completed on or before **October 23, 1928.**
 Beneficial use of water appropriated in accordance herewith, to be made on or before **October 23, 1933.**

Witness my hand this **23d** day of **October, 1923.**

W. G. SWENDSEN.
 Commissioner of Reclamation.

Remarks:

14 Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15 S.	40 E.	20			16	4					20		39	37	7	34	18		175
		19															40	40	80
		30	40	40		40	40		40	40				40	40			40	320
		29					40	40	10	19	40	40	29						218
		32					25	40	38	3									106
		31	40	40					20	40	30	30	40	40					280
16 S.	40 E.	6							38	40	20	12							110
16 S.	39 E.	1				3.8													3.8
15 S.	39 E.	36															36		36
Total Number of Acres to be Irrigated																			1328.80

The Intake and Distributing Canals have all been constructed and accepted under Permit 4198 and the latter will be large enough to accommodate the system even after the present contemplated enlargement is completed.

The Intake Canal will have to be enlarged in some places only.

It is proposed to make it a four-foot ditch in the bottom and 8 feet across, the water line at a two-foot depth. This means a widening in cross-section of one foot for about one-third of the way.

There will be no change in the several routes of the canals necessary.

PERMIT NO. 15883
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Preston-Whitney Reservoir Company, of Preston, County of Franklin, and State of Idaho, the holder of Permit No. 15883, issued upon Application No. 22571, bearing date of priority of September 18, 1923, authorizing the diversion of 10 second feet of the waters of Worm Creek, County of Franklin, 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 10 second feet of the waters of Worm Creek; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 10, Twp. 15 S., R. 40 E., B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; SW $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$, Sec. 29; NW $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$, Sec. 31, in Twp. 15 S., R. 40 E., B.M.; S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6, Twp. 16 S., R. 40 E., B.M.; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 16 S., R. 39 E., B.M.; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp. 15 S., R. 39 E., B.M.

Witness my hand this 16th day of July, A.D. 1928.

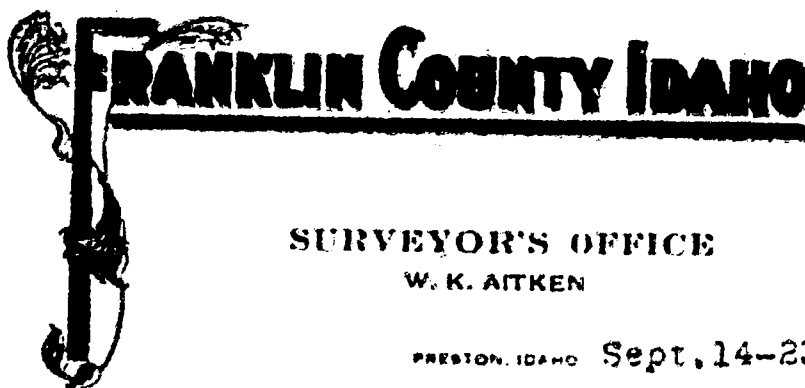
GEO. N. CARTER
 Commissioner of Reclamation

Proof of completion made November 18, 1927.
 Certificate issued July 16, 1928.

LICENSE ISSUED FOR 10 SEC. FT.
page 3521, vol. 6.

WATER MEASURING
DEVICES AND HYDRAULIC
ENGINES
SCIENTIFICALLY
INSTALLED

WATER FILINGS A SPECIALTY



CORRECT DEEDS
LAND DRAINAGE
AND PIPE LINE
SURVEYS
P. O. BOX 212

SURVEYOR'S OFFICE
W. K. AITKEN

PRESTON, IDAHO Sept. 14-23.

State Reclamation Commissioner,
Boise, Idaho.

Dear Sir:-

In a separate enclosure I mail you Application for raising the Dam of The Preston Whitney Reservoir and an increase of 10 sec. ft. of surplus water.

You will find one tracing encompassing three maps to different scale: one for the intake canal, one for the reservoir and one for the land to be irrigated, with blue print of the same.

For the detail of the Dam I enclose blue print only, with specifications attached. For the reason that this print has been accepted, as you will notice, once by the Reclamation Office I feel that you must have on file the required tracing and other Blue Print and copy of Specifications, hence it would be superfluous to re-supply them.

They lack some features required by the Department and where possible I have supplied them in the other map but I have not cared to make any additions to the print or the specifications but there is one sad omission in the latter that should not be overlooked.

This dam has an angle in its face which gives it a North and West face and since it is located in the S.E. cor. of the Reservoir a N.W. wind would be particularly abrasive. Should this dam spring from any cause when the enlargement is completed and full, as it did in 1906 lives as well as other damage will be lost.

I there fore suggest that you add a page to the Specifications, a copy of which you must have on file, covering the item of a riprap face which these specifications do not include.

I enclose money order for \$1.90.

Yours very truly,

W. K. Aitken.

27 19

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34 7

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Section 2 - Error Materials only

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29

September 20, 1923.

Permit No. 15883

Mr. W. K. Aitken,
Preston, Idaho.

Dear Sir:

Receipt is acknowledged of the applications to store and appropriate water for the Preston-Whitney Reservoir Company. These applications for permits were in proper form and were approved yesterday.

With reference to the plans and specifications for raising the dam, we hesitate somewhat to change or add to specifications which have been filed and approved by your Board of Directors, and therefore, suggest that you insert whatever specifications you deem necessary with reference to riprapping the water-face of the dam. I believe this insertion can be made without changing the rest of your specifications. Your Directors should initial whatever pages of inserts may be added.

We are returning plans and specifications for changes as outlined above.

Very truly yours,

W. G. SWENSON,
Commissioner of Reclamation

By

Assistant.

CNC:E

15883

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Re: Permit No. 15883

Preston-Whitney Res. Co.,
Preston, Idaho.

Boise, Idaho, October 25, 1923.

Dear Sir:

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

W. G. SWENDSEN.

Commissioner of Reclamation.

15883

July 13, 1927

Re: Permits B-526 and 15883.

MR. E. W. WINEARD
Preston, Idaho

Dear Sir:

I have just looked up the matter of proofs on the reservoir and use permits which provide for the completion of what is locally known as the Johnson Reservoir, and find that same are not due until October 23, 1928.

However, I believe it would be well to make these proofs now while the matter is still fresh in mind as you suggest. Therefore, the necessary blanks are being enclosed, together with the instructions you should have at this time.

If all of the land which you expect to water from this reservoir is now fully under cultivation, I see no reason why you should not as well make both the completion of works and beneficial use proof at the same time. In case the lands are not all in cultivation, you are allowed six years from date of completion of works in which to get all of the lands irrigated.

The oldest permit, which the Preston-Whitney Reservoir Company owns, same being Permit 4198, now has a license issued upon it for thirty cubic feet of water per second. However, the lands to which the water is made appurtenant by the license, are not the same as the lands described in your Permit 15883. Were the lands the same, it would not be necessary to make proof on this use permit, inasmuch as as much water is now licensed as your total right is from Cub River and Worm Creek. Permit No. 15883 allows the diversion of ten cubic feet per second additional, and I suppose it was filed for the purpose of covering the lands not described in the license issued on Permit 4198.

Very truly yours,

Commissioner of Reclamation

GNC:E
Enclosures

15883

A. W. HART
ATTORNEY-AT-LAW

PRESTON, IDAHO

Sept 10, 1927

Department of Reclamation
Attention Geo. M. Carter, Com.

Boise, Idaho

Dear Sir:- Your kind favor of the 13th of July, 1927 was referred to me for answer. The Preston Whitney Reservoir Co., would like to submit proof on both their permits R-326 and 15883. They have completed the works and have put the water to beneficial use, and would therefore like to make proff of both completion and use at the same time. They wish to make proof before me as Notary Public, Preston, Idaho, and they authorize you to have the publication of the notices in the Franklin County Citizen, Preston, Idaho. I enclose the order and the proof notice.

Yours truly,

ARTHUR W. HART

15883

15883

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date Sept. 13, 1927

Frankling County Citizen,
Preston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to October 19, 1927, the date set for proof, the expense of the publication to be paid by the applicant, by Attorney, Arthur W. Hart, of Preston, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

GEO. H. CARTER,

Commissioner of Reclamation.

15883

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

Notice is hereby given that at 10:30 on the 10th
day of October, 1927, at Preston, County of
Franklin State of Idaho, before Arthur T. Hart, notary public
proof will be submitted of the completion of works for the diversion of 730 acre-feet
for storage and 10
cubic feet per second of the waters of Worm Creek
and of the application to beneficial use of said water in accordance with the terms and conditions
and R326 Reclamation
of Permit No. 15883, heretofore issued by the Commissioner of of the State of Idaho.

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

Preston-Thitney Reservoir Company, Preston, Idaho.

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

3. The use to which said water has been applied is irrigation and domestic
purposes and the amount applied to beneficial use is 10 cubic feet per second.

4. The place where said water is used is described as follows: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,

S $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, ~~T. 15 S., R. 39 E., B.M.~~

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 29;

NW $\frac{1}{4}$, Sec. 32; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 31, all in T. 15 S., R. 40 E., B.M.;

S $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6; T. 16 S., R. 40 E., B.M.; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T. 16 S., R. 39 E., B.M.

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, T. 15 S., R. 39 E., B.M.

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

Notice is hereby given that at 10:30 on the 10th
day of October, 1927, at Preston, County of
Franklin State of Idaho, before Arthur W. Hart, notary public
proof will be submitted of the completion of works for the diversion of 730 acre-feet
for storage and 10
cubic feet per second of the waters of Worm Creek
and of the application to beneficial use of said water in accordance with the terms and conditions
and R326 Reclamation
of Permit No. 18883, heretofore issued by the Commissioner of of the State of Idaho.

1. The name and postoffice address of the person or corporation, holding said permit, are
Preston-Thitney Reservoir Company, Preston, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the
amount of water which said works are capable of conducting to the place of use, in accordance with
the plans accompanying the application for such permit, is cubic feet per second.
3. The use to which said water has been applied is irrigation and domestic
purposes and the amount applied to beneficial use is 10 cubic feet per second.
4. The place where said water is used is described as follows: SW¹/₄NE¹/₄, SE¹/₄NE¹/₄, NE¹/₄SW¹/₄.

Geo. H. Carter,

September 13, 1927.

Re: Permits 15883-R326.

Mr. Arthur W. Hart,
Attorney at law,
Preston, Idaho.

Dear Sir:

Referring to your letter of the 10th instant, would say that combined notice for proof of completion of works and beneficial use of water under the above numbered permits, has today been mailed to the Franklin County Citizen for the required four weeks publication prior to October 19, the date set for proof. Deposition blanks for holder and two witnesses will be mailed to you later.

If the date set for proof is not satisfactory you may have the notice changed before publication is made, and advise us of such change.

Very truly yours,

GEO. H. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

15883

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, October 6 1927

Preston-Whitney Reservoir Co.,

By B. W. Winward, Secretary

Preston, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. 15883

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 October 13, 1927, the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at Preston before Arthur W. Hart, 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,

GEO. H. CARTER, ~~W. G. SWENSON~~.

Commissioner of Reclamation.

15883

8-326
15883

A. W. HART
ATTORNEY-AT-LAW

PRESTON, IDAHO

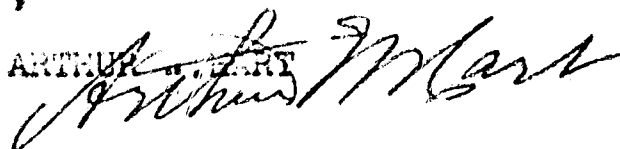
Oct. 5th, 1927

Reclamation Department
Boise, Idaho
Gentlemen:-

I called at the Franklin County Citizen to-day to find out if the notice had ever been received from your office for final proof and use of water for the Whitney Irr. Co's filings and was informed that the notice had not been received; they said, however, that about two weeks ago one of your representatives was down here and said he could not accept the work as it was not completed; it appears that your representative looked at the wrong reservoir—he looked over, I am informed the reservoir now in course of construction by the "Preston-Whitney Irrigation Company" that is an entirely different company. The one from Whitney that I wrote about is completed and they are ready to submit proof as heretofore suggested.

Very truly,

ARTHUR W. HART



15883

October 8, 1927

Re: Permit No. R-326
Permit No. 15883

A. W. HART, Esquire,
Attorney-at-Law,
Preston, Idaho.

Dear Sir:

Reference is had to your letter of October 5th regarding the above numbered permits.

Our records disclose that notices for publication were prepared and mailed to the Franklin County Citizen on September 13, 1927. I am at a loss to understand why same were not received. Copies of said notices are this day being forwarded to the Franklin County Citizen and it will now be necessary to set a later date for proof in order that full publication may be had prior to date proof is taken.

The reference to the examinations which the statute requires this Department to make: I, personally, examined the dam and reservoir constructed under the provisions of Permit No. 326, discussed the matter with the Directors of the Reservoir Company and informed them that the physical works were satisfactorily completed and that certificate could issue.

I can readily understand how the representative of this office happened to examine the wrong dam and reservoir inasmuch as I started to examine the same one before I was set right by Mr. Winward. I shall further instruct the Field Examiner and advise him that the only examination he need make will be that of the lands which are irrigated and described under Permit No. 15883.

Very truly yours,

Commissioner of Reclamation.

GHC/tp

15883

October 8, 1927

Re: Permit No. R-326
Permit No. 15883

Mr. R. L. SUTCLIFFE,
Arco,
Idaho.

Dear Sir:

I am just informed by Arthur W. Hart, attorney for Preston Whitney Reservoir Company at Preston, Idaho, that you recently examined, or attempted to examine, the physical works constructed under Permit No. R-326. It appears that you examined the reservoir now being constructed by Franklin County Company rather than the dam and reservoir which was built by Preston Whitney Reservoir Company. I examined this dam and reservoir at the special request of the Directors of the Preston Whitney Reservoir Company last summer and it is not now necessary to make examination for completion of works on this permit. It will, however, be necessary to make the beneficial use proof examination on Permit No. 15883. I suggest that when this examination is made you first get in communication with Mr. W. Winward, Secretary of the Preston Whitney Reservoir Company. He is entirely familiar with the situation and, no doubt, will be glad to direct or accompany you over the lands which are served by this permit and by the reservoir permit No. R-326.

Very truly yours,

Commissioner of Reclamation.

GNC/tp

15883

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. _____

INSURED PARCEL

No. _____

NEVER TO BE USED FOR PRIVATE USE TO AVOID PENALTY FOR VIOLATION OF LAWS, 1918



COMMISSIONER OF RECLAMATION

Return to _____

(NAME OF ADDRESSEE)

**Street and Number, }
or Post Office Box, }** _____

BOISE,

15883

IDAHO.

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Franklin Co. Citizen
(Signature or name of addressee.)

Otto Chatterton
(Signature or name of agent.)

OCT 12 1921

Date of Delivery, _____

192

Form 3511

15883

U. S. GOVERNMENT PRINTING OFFICE

RECEIPT FOR REGISTERED ARTICLE NO.

4162

..... fee paid class postage paid 198

From (Date)
.....

Addressed to

Franklin D. Roosevelt

PL-100-100

Accepting envelopes will place initials in space below, indicating restricted delivery.

Return receipt fee

Special delivery fee

Delivery restricted to addressee

{ in person
or order

Postmaster, per

15883

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date October 10, 1927.

PUBLISHER,
Franklin County Citizen,
Preston, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 18, 1927, the date set for proof, the expense of the publication to be paid by the applicant, Preston-Whitney Res. Co., by Arthur E. Hart, Attorney. to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

GEO. H. CARTER,

Commissioner of Reclamation.

This notice is sent in lieu of the copy mailed to you September 13, as we have been advised by Mr. Hart that the first notice sent had failed to reach you.

15883

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

Notice is hereby given that at 10:30 on the 18th
day of November, 19 27, at Preston, County of
Franklin State of Idaho, before Arthur W. Hart, notary public
proof will be submitted of the completion of works for the diversion of 730 acre-feet for storage
and 10
cubic feet per second of the waters of Worm Creek
and of the application to beneficial use of said water in accordance with the terms and conditions
& B326, Reclamation
of Permit No. 15883, heretofore issued by the Commissioner of of the State of Idaho.

1. The name and postoffice address of the person or corporation, holding said permit, are
Preston-Whitney Reservoir Company, Preston, Idaho

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

3. The use to which said water has been applied is irrigation and domestic
purposes and the amount applied to beneficial use is 10 cubic feet per second.

4. The place where said water is used is described as follows: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.20; S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec.19; W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.30; W $\frac{1}{2}$ W $\frac{1}{4}$, S $\frac{1}{2}$ W $\frac{1}{4}$, SW $\frac{1}{4}$, Sec.29; W $\frac{1}{2}$, Sec.32; E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ W $\frac{1}{4}$, SW $\frac{1}{4}$, Sec.31,
all in T. 15 S., R. 40 E., B.M. ; S $\frac{1}{2}$ W $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec.6, T. 16 S., R. 40 E., B.M.
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.1, T. 16 S., R. 39 E., B.M.; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 15 S., R. 39 E., B.M.

5. The date of priority which said user is prepared to establish is
Sept. 18, 1923.

Geo. H. Carter,

15883

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, November 10, 1927

Preston-Whitney Reservoir Co.

c/o Arthur W. Hart, Attorney,
Preston, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. 15883

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 November 18, 1927, the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at Preston before Arthur W. Hart, 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,

GEO. F. CARTER, ~~acting~~ ~~Commissioner~~

Commissioner of Reclamation.

15883

ARTHUR W. HART
ATTORNEY-AT-LAW

PRESTON, IDAHO

Nov. 21st, 1927

Hon. Commissioner of Reclamation
Boise, Idaho
Dear Sir:-

Herewith is the proof of construction and reclamation
under permits 15883 and R. 326

Yours truly,

ARTHUR W. HART

15883

PERMIT NO. 15883

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. (Preston-Whitney Reservoir Company) Abraham Linward, age 45, farmer, address, Whitney, Idaho and a director of the corporation a corporation, Whitney, Idaho

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. Preston-Whitney Reservoir Company, Principal place of business Whitney, Idaho; the undersigned is a Director in said Corporation and was authorized by the Board of Directors to sign this deposition

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

Ans. No. 15883; Oct. 23rd, 1923; 10 cubic feet per second; Warmcreek, Tributary Cus River; S. 60° 39' E. 4227 feet from N.W. cor. Sec. 10 T. 15, S. R. 40 E. 30 N. in SW 1/4 SE 1/4 thereof

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. to partly irrigate 1320 acres a description of which is hereto attached as part of this answer

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. During the years 1926 and 1927 the full amount of ten second feet was turned into the said works of diversion and conveyed to and upon said lands, and said crops growing thereon thereby irrigated

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. They are fully completed and in all respects comply with the terms and conditions of said permit

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.

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

Ans. It is the enlargement of the canal as partly completed under permit No 4198; canal at bottom is 4 feet; at the water line 8 feet and two feet deep

(Sign here.)

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 Preston, County of

Franklin, State of Idaho, on this 18th day of November, A. D. 1927

Notary Public.

My Commission expires

March 1st, 1928

15883

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 15883

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. L. E. Hanson, age 47, Preston, Ida. Manager Anderson Sens! CO

Preston, Idaho

Ques. 2. Are you acquainted with Preston-Whitney Irrigation Company, the holder of Permit No. 15883, authorizing the diversion of Ten second-feet of the waters of ~~31 1/2 32 1/2~~ Sec. 10 ~~at Twp. 15 S. R. 40~~ at ~~E.B.M~~ ~~Worm Creek~~

for Irrigation purposes? How long have you known him, and where does he reside?

Ans. I have known the permit holder since its incorporation

Ques. 3. Have you read or heard read said Permit No. 15883, and are you familiar with its terms and conditions?

Ans. I have read said permit and am familiar with its contents

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; it is agricultural lands and requires an inch (Miner's inch to each acre

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. They are

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

Ans. There is one canal leading to the reservoir and two ditches leading from the reservoir; it is an enlargement of previously constructed canals; and are at present 4 feet at the bottom; 8 feet at top and two feet deep and four miles long

(Sign here.)

L. E. Hanson

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 Preston, County

of Franklin, State of Idaho, on this 18th day of Nov.

A. D. 1917

Arthur J. Marshall

15883

Notary Public

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 15883

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. J.W. Winward, 74, Preston, Idaho, Constable and Farmer, P.O.
Preston, Idaho

Ques. 2. Are you acquainted with Preston-Whitney Reservoir Company, the holder of Permit No. 15883, authorizing the diversion of ten second-feet of the waters of ^{31 1/2 Sec 34} at Sec. 10, -15-40 for irrigation purposes? How long have you known him, and where does he reside?

Ans. I have known the corporation ever since its organization.

Ques. 3. Have you read or heard read said Permit No. 15883, and are you familiar with its terms and conditions?

Ans. I have read the same, and know the terms and conditions.

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. The lands are cultivated-agricultural lands, and will require a miner's inch to the acre (50 acres can be watered from a second foot).

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, and are of sufficient capacity to convey the water to the place of use.

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

Ans. The canal is 4 feet in the bottom; 8 feet at the water-line, two feet deep with a grade of twenty feet to the mile; they will carry over twenty second feet of water.

(Sign here.)

J. W. Winward

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 Preston, County of Franklin, State of Idaho, on this 18th day of

Nov

A. D. 1911

Arthur M. Clark

My commission expires March 1st, 1928

15883

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 15883

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Abraham Minnard, age 42, residence Whitney, Idaho, farmer.
P.O. Whitney, Idaho

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

Ans. Reservoir-Whitney-Reservoir-Company, a corporation

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

Ans. 15883

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

Ans. Winter flood, freshet and surplus water flow of Horn Creek, a
tributary of of Cub River

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. This permit was for an enlargement of the reservoir and the
intake as constructed in part under permit No 4138; it is now com-
pleted so that the intake ditch is 4 feet in the bottom, 8 feet
across the water line and two feet deep; the water will be con-
ducted to place of beneficial use and has been so conducted in
the past and next

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation state subdivision in which used, and number of acres in each subdivision that have actually been cultivated or natural meadow land and the nature of all im-

NUMBER OF ACRES IRRIGATED:

16 acres in SW₄ NE₄; 4 acres SW₄ NE₄; 20 acres NW SW₄; 39 SW₄ SW₄; 67 acres SW₄ SW₄; 7 NE₄ SW₄; 34 acres NE₄ SW₄; 18 a. SW₄ SW₄, all in section twenty, township 16 South, range 40 N.B.M.
40 acres SW₄ of SW₄; 40 acres SE₄ SW₄, Section 19, same Township & R.
40 acres NE₄ of NE₄; 40 acres NW NE₄; 40 acres SW NE₄; 40 acres on NE₄ NE₄; 40 acres SW SW₄; 40 acres SW SW₄; 40 NE₄ SW₄; 40 a. SW₄ SE₄ in sec. 30, Township and Range aforesaid.
40 acres NE₄ NE₄; 40 acres SW NE₄; 10 acres NE₄ NE₄; 19 acres in NE₄ SW₄; 40 acres NE₄ SW₄; 40 acres SW SW₄; 29 acres SE₄ SW₄, all in Section 29, Township and Range aforesaid.
40 acres NE₄ NE₄; 40 acres NE₄ NE₄; 20 acres SW NE₄; 40 acres SW NE₄
30 acres NE₄ SW₄; 30 acres NE₄ SW₄; 40 acres SW SW₄; 40 acres SW SW₄ sec. 31, Township and Range aforesaid;
A 40 acres NE₄ NE₄; 40 acres NE₄ NE₄; 38 acres SW NE₄; 5 acres SW NE₄ NE₄, all in Section 32, Township and Range aforesaid.
38 acres SW NE₄; 40 acres SW NE₄; 20 acres NE₄ SW₄; 12 NE₄ SW₄ sec. 3, Township 16 South, Range 40 N.B.M.
38 acres SW NE₄ sec. 1, Township Sixteen, Range 39 N.B.M. (3.8 acres)
36 acres SW SW₄ sec. 36, Twp. 16 South, Range 39 N.B.M.
Total 1328.80 acres

15883

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 15883

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Abraham Winward, age 52, residence Whitney, Idaho, farmer
P.O. Whitney, Idaho

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

Ans. Whitney Reservoir Company, a corporation

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

Ans. 15883

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

Ans. winter flood, freshet and surplus water flow of Warmcreek, a
tributary of the Cub River

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. This permit was for an enlargement of the reservoir and the
intake as constructed in part under permit No 4198; it is now com-
pleted so that the intake ditch is 4 feet in the bottom, 8 feet
across the water line and two feet deep; the water will be con-
ducted to place of beneficial use and has been so conducted in
the past and present

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. The lands irrigated are all cultivated lands; there are no
meadow lands; the improvements on the lands are those only that
are shown in the better condition of the crops; irrigated crops
are naturally better than dry-farm crops; the actual acreage
brought under irrigation with the subdivision of each are attached
hereto as part of this answer.

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

Ans. (Is for irrigation purposes only)

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

Ans. It is for irrigation purposes only, and a second test is required for each fifty acres

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. (The corporation has always owned the permit)

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

Ans. The full amount of the lands herein described as aforesaid have been irrigated during the years 1926 and 1927

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. Waters that were acquired under permit A-328 and water acquired under previous permits have been co-mingled and used together

(Sign) *Abraham Lincoln*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Preston, County of Franklin, State of Idaho, on this 18th day of November A. D. 1927

Arthur J. Marshall
Notary Public

My commission expires March 1st, 1928

15883

RECEIVED
NOV 25 1927
DEPARTMENT OF RECLAMATION

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 15883

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. W. Winward, Preston, Idaho, Constable of Preston and
a farmer, P. O. Preston, Idaho, 70 years of age

Ques. 2. Are you acquainted with Preston-Winnet Reservoir Company, the holder of Permit No. 15883? How long have you known him and where does he reside?

Ans. I have known the corporation for years; I am
acquainted with the corporation; its place of business is
Winnet, Idaho

Ques. 3. Have you read or heard read said Permit No. 15883, and are you familiar with its provisions and conditions?

Ans. I have and know its provisions and conditions

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. Worm Creek; Military Dam River; it is the enlargement of
a previously constructed canal; 4 feet in the bottom; 8 feet at
the water line and two feet deep; 4 miles long; the reservoir
enlargement is of earth and leading from the reservoir to the
place of intended use, are two canals, the east and west branch,
constructed of earth, conveying the water to the lands described

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. It will safely conduct over twenty second feet, and I
have seen at least that much conveyed through said canals

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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. The lands are cultivated; no meadow lands; the lands
which are hereto attached have all been irrigated and I have seen
them under irrigation during the years 1926 and 1927

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

Ans. (It is used for irrigation purposes only)

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. Agricultural lands, adapted for sugar beets, peas or potatoes;
A second foot of water is required for each fifty acres.

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 interest in the water and no
interest in the lands

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

Ans. During each of the irrigation seasons of 1926 and 1927
I saw the lands attached hereto under irrigation and good crops
grown thereon

(Signed)

J. W. Winward

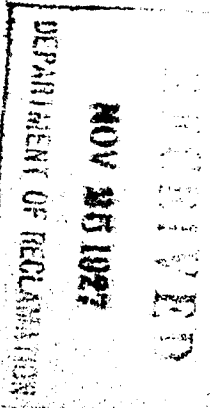
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho, on this 18th day of Nov., 1927, A. D. 1927

Arthur W. Clark

Notary Public.

My commission expires March 1st, 1928

15883



NUMBER OF ACRES IRRIGATED:-

16 a. SW₁ NW₁; 4 a. SW₁ NE₁; 20 a. NW₁ SW₁; 39 SW₁ SW₁; 37 SW₁ SW₁;
7 NW₁ SW₁; 34 a. NW₁ SW₁; 18 a. SW₁ SW₁, all in Sec. 20, Twp. 15, R. 40
40 a. SW₁ SW₁; 40 a. SW₁ SW₁, Sec. 10, Twp and Range aforesaid
40 a. NE₁ NE₁; 40 NW₁ NE₁; 40 a. NW₁ NE₁; 40 a. SE₁ NW₁; 40 a
SW₁ NW₁; 40 a. SW₁ SW₁; 40 a. FE₁ SW₁; 40 SW₁ SW₁ Sec. 30, Twp. & R.
aforesaid.

40 a. NW₁ NE₁; 40 a. SW₁ NE₁ 10 a. SE₁ NE₁; 199 10 a. NW₁ SW₁;
40 a. NW₁ SW₁; 40 a. SW₁ SW₁; 39 a. SW₁ SW₁, all in sec. 20, Twp. and
Range aforesaid.

20 a. NE₁ NE₁; 40 a. NW₁ NW₁; 38 SW₁ NE₁; 3 acres SW₁ NW₁; all in
Sec. 32 Township and Range aforesaid.

40 a. NW₁ NE₁; 40 a. NW₁ NE₁; 40 a. SW₁ NW₁; 40 a. SW₁ SW₁; 30 a.
NW₁ SW₁; 30 a. NW₁ SW₁; 40 a. SW₁ SW₁; 40 SW₁ SW₁, ~~xxxx~~ all in Sec.
31, Township and Range aforesaid.

39 a. SW₁ NW₁; 40 a. SW₁ NW₁; 20 a. NW₁ SW₁; 12 a. NW₁ SW₁ Sec. 16,
Twp 18 N South, Range 40 E.B.M.

3.8 acres Sec. 1, Township 16 S. Range 30 E.B.M

36 acres in SE₁ SW₁ Sec. 36, Twp 15 S. Range 30 E.B.M

Total acres 1328.80

15883

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 15883

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. L.E. Hanson, Preston, Idaho, Manager Anderson Sons' Lumber Co
and a farmer, P.O. Preston, Idaho, age 47

Ques. 2. Are you acquainted with Preston-Hitney Reservoir Company, the holder of Permit No. 15883? How long have you known him and where does he reside?

Ans. Yes; I have known the corporation since its organization
its principal place of business is Hitney, Idaho

Ques. 3. Have you read or heard read said Permit No. 15883, and are you familiar with its provisions and conditions?

Ans. I have and know its contents and am familiar with its
provisions and conditions

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. Warncreek, tributary Cub River; it is the enlargement of a
previously constructed canal; 4 ft in the bottom; 8 feet at water
line and two feet deep, four miles in length; the reservoir enlarge-
ment is of earth and leading from the reservoir to the place of
intended use are two canals, the east and west branch, constructed
of earth; these canals convey the water to and upon the lands
herein described and I have seen the said lands irrigated as aforesaid

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. It will safely conduct twenty second feet and I have seen that
much conveyed

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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. It is cultivated lands; no meadow lands; it is used
to irrigate the lands appended hereto and such lands have been
irrigated and all of them during the years 1926 and 1927

15883

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

Ans. (It is used for irrigation purposes only,

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. The lands reclaimed are what are called ~~irrigated~~ agricultural lands and are suited for raising such crops as sugar beets, peas and potatoes; it requires a second foot to each 50 acres

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

I have no interest either in the lands
Ans. or the waters

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

Ans. During the years 1926 and 1927, I saw the waters from said permit run in and upon the lands described and appended hereto and said waters irrigated said lands and good crops were produced

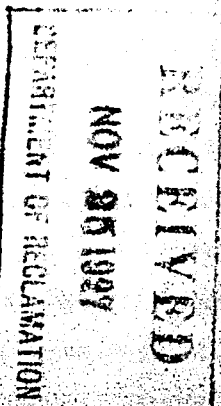
(Signed) L. E. Hansen

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 Preston, County of Franklin, State of Idaho, on this 18th day of Nov, A. D. 1927.

Arthur J. Mark
Notary Public.

My commission expires March 1st, 1928

15883



December 6, 1927.

Re: Permits 15883-R326-Preston Whitney Reservoir Co.

Mr. Arthur W. Hart,
Attorney at law,
Preston, Idaho.

Dear Sir:

Your letters of November 21 were duly received, together with depositions in the matter of proof of completion of works and beneficial use of water under the above numbered permits.

The report of proof of completion under the reservoir permit No. 326 has already been made, hence upon receipt of fees in the sum of \$5.00, the Certificate of Completion will be issued. License does not issue under a reservoir permit.

As to the use permit No. 15883, would say that the examination by our field engineer will be made as early in the spring as possible. We will then further advise you as to fees due for beneficial use of water under this permit. No additional fee for proof of completion of works will be due under the use permit.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

15883

Wilmington, Del. May 17.2.

Mr. Geo H Carter.
Brice Sta
Near Lis.

I am instructed to draw your attention to visit us & view our Reservoir & lands to be watered, so we can get the State's papers for final proof's est. -

When it is convenient please write me. & I can notify the board.

Yours truly
B. H. Howard Secy
Preston & Whitney Reservoir Co.

May 19, 1928

15883

MR. B. W. WINWARD,
Secretary, Preston
& Whitney Reservoir Co.,
Whitney, Idaho

Dear Sir:

In reply to your letter of May 17th, relative to examination of your reservoir permit in connection with proof of beneficial use, I beg to advise that a representative of this department will be in your territory sometime between the 25th and 30th of this month, to make this examination.

Very truly yours,

Assistant Commissioner
of Reclamation

MS/eq

15883

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

Permit No. 15883

This proof is for COMP. WORKS & BEN. USE

In Water District No. 5-H

1. Name of applicant: Preston - Whitney Reservoir Company
 2. Source of water supply: Worm Creek
 3. Location of point of diversion: Is in the SW¹/₄ SE¹/₄ of Section 10
 T. 15S R. 40E County of Franklin

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

*Two Main Canals diverting water from the Outlet of
 Preston Whitney Reservoir Company Reservoir. The outlet from
 Reservoir consists of a 30 inch Round conduit constructed
 by measurement of a 30 inch pipe in concrete
 Capacity more than Adequate. Blue Paint attached*

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irriga-

tion): ¹⁶ SW¹/₄ NE¹/₄, ¹⁶ SE¹/₄ NE¹/₄, ¹⁶ NE¹/₄ SW¹/₄, ^{37 37} S¹/₂ SW¹/₄, ^{40 40} N¹/₂ SE¹/₄, ^{7 7} SW¹/₄ SE¹/₄ Sec. 20; ^{40 40} S¹/₂ SE¹/₄ Sec. 19;
⁴⁰ N¹/₂ NE¹/₄, ⁴⁰ SE¹/₄ NE¹/₄, ⁴⁰ E¹/₂ NW¹/₄, ⁴⁰ SE¹/₄ SW¹/₄, ⁴⁰ E¹/₂ SE¹/₄ Sec. 30; ^{40 40} NW¹/₄ NW¹/₄, ^{40 40} S¹/₂ NW¹/₄, ^{40 40} SW¹/₄ Sec. 29;
^{25 40 34 3} NW¹/₄ Sec. 32; ^{18 25} N¹/₂ NE¹/₄, ^{30 40} S¹/₂ NW¹/₄, ^{30 30 40 40} SW¹/₄ Sec. 31. T. 15 S., R. 40 E., B.M.;
^{40 40} S¹/₂ NW¹/₄, ^{18 25} N¹/₂ SW¹/₄ Sec. 6, T. 16 S., R. 40 E., B.M.; ³⁶ SE¹/₄ NE¹/₄ Sec. 1, T. 16 S., R. 39 E.
³⁶ SE¹/₄ SE¹/₄ Sec. 36, T. 15 S., R. 39 E. Total Acreage 169.2
 12-30 SE

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

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

Remarks: *This permit is for additional water and is
 conveyed through the existing ditches and canals
 under terms of Permit and License No. 118. The said
 water line that crosses under the provisions of
 Permit R. 326*

*The land is all in a high state of cultivation
 and the main canal and distribution system is
 capable of conveying the amount of water appropriated*

This examination was made on the 29th day of May, 1929

(Signed) Myron Burdick

15883

15883

July 11, 1928

Re: Permit 15833

Mr. B. W. Winward, Secy.
Preston & Whitney Reservoir Co.
Whitney, Idaho

Dear Sir:

In checking the report of our engineer on proof of beneficial use of water under the above numbered permit, we find that part of the lands to be included in this license were included in license issued under permit No. 4198 and that fees were paid upon the lands included in that license. The report shows 27 40-acre tracts to be included under license now pending under permit No. 15833, upon which fees have not been paid. These fees will amount to \$27.00 being one dollar (\$1.00) for each 40-acre tract under cultivation.

Upon receipt of fees as above stated, together with the affidavit of publication from the Franklin County Citizen, license will be issued.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

CB/co

15833

Whitney Ida July 13-1928

Ida of Ida

Dept of Reclamation

Boise Ida

Dear Sirs:

Enclosed find Affidavit and
check of \$27.00 as called for in letter
of July 11.

I hope this will be satisfactory &
every thing will be clear for all
our papers.

Yours truly.

Fresno & Whitney Reclamation Co.
by B. Woodward ~~for~~
Secy.

NOTICE

of Proof of Completion of Works and Application of Water to Beneficial Use.

Notice is hereby given that at 10:30 a.m. on the 18th day of November, 1927, at Preston, County of Franklin, State of Idaho, before Arthur W. Hart, Notary Public proof will be submitted of the completion of works for the diversion of 736 acre-feet for storage and 10 cubic feet per second of the waters of Worm Creek and of the application to beneficial use of said water in accordance with the terms and conditions of Permits Nos. 15883 and R326, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation, holding said permit, are Preston-Whitney Reservoir Company, Preston, Idaho.

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

3. The use to which said water has been applied is irrigation and domestic purposes and the amount applied to beneficial use is 10 cubic feet per second.

4. The place where said water is used is described as follows: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 19; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 29; NW $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 31, all in Twp. 15 S. R. 40 E.B.M.; S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6 Twp. 16 S. R. 40 E.B.M., SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1 Twp. 16 S. R. 39 E.B.M.; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36 Twp. 15 S. R. 39 E.B.M.

5. The date of priority which said user is prepared to establish is September 18, 1923.

Geo. N. Carter.

Affidavit of Publication

1. *Conrad B. Hart*

(publisher) (foreman) of the

FRANKLIN COUNTY CITIZEN

published weekly at Preston, Franklin County, Idaho, do solemnly swear that a copy of the notice as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement therof, for 4 consecutive weeks commencing with issue dated

Oct 12 1927 and

ending with the issue dated

Nov 9 1927

By *Conrad B. Hart*

Subscribed and sworn to before me

this 13th day of July 1927

Arthur W. Hart
Notary Public

15883

July 17, 1928

Re: Permit 15883

B. W. Winward, Secy.
Preston-Whitney Reservoir Co.
Whitney, Idaho

Dear Sir:

Enclosed you will find certificate of completion of works and water license issued under the above numbered permit, together with receipt for fees paid.

Very truly yours,

GEO. H. CARTER
Commissioner of Reclamation

By

Chief Clerk

CB/oo
Encl.

15883

J. N. LARSEN
PAUL B. LARSEN

J. N. LARSEN COMPANY
BONDED REAL ESTATE BROKERS AND ABSTRACTERS
FIRE INSURANCE, FARM AND CITY LOANS
PRESTON, IDAHO

Aug. 13, 1941

RECEIVED

AUG 21 1941

Department of Reclamation

Department of Reclamation

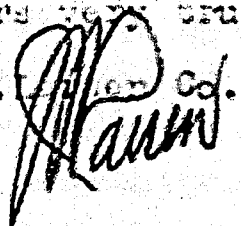
Boise, Idaho.

Gentlemen:

Would you please advise me as to the standing of 4198, Preston-Whitney Reservoir Company, and permit #15883 of the same company, also advise me the amount of water each grants also date of priority, and also if they are in good standing.

Yours very truly

J. N. Larsen Co.,

by 

15883

August 21, 1941

Re: 15883, 4198

Mr. J. H. Larsen
c/o J. H. Larsen Co.
Preston, Idaho

Dear Mr. Larsen:

We wish to acknowledge receipt of your letter of August 19th in which you ask for information relative to water permits numbers 4198 and 15883 in the name of the Preston Whitney Reservoir Company.

We wish to advise that permits 4198 and 15883 are both in good standing--the status of which is as follows:

Permit No. 4198; applicant, Preston Whitney Reservoir Co.; License, #2602; issued, Aug. 27, 1920; amount, 30 sec. ft.; priority, Sept. 17, 1910; source of supply, Worm Creek.

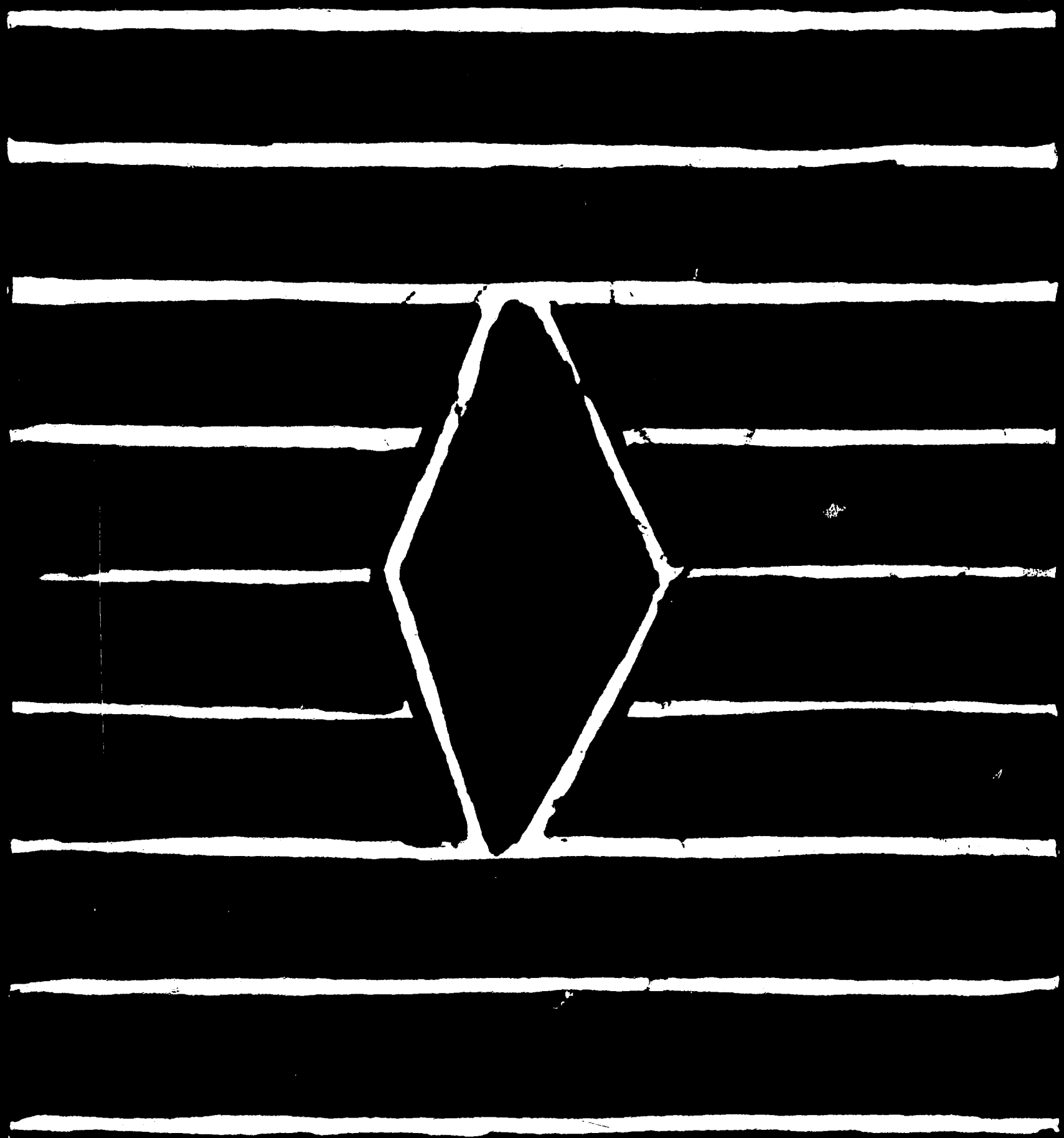
Permit No. 15883; applicant, Preston Whitney Reservoir Co.; license, #3521; issued, July 16, 1923; priority, Sept. 18, 1923; source, Worm Creek.

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

By: ROY W. THOMPSON
Deputy Commissioner.

RWT:ml.

15883



State of Idaho

License and Certificate of Water Right

Water License No. 15883
Water District No. 5-H

Amount 10 sec. ft.
Priority 9-18-1923

THIS IS TO CERTIFY that Preston-Whitney Reservoir Company, of Preston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 18, 1923; that Permit No. 15883 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10 second feet, was issued thereunder on July 16, 1928, showing that said works were completed on the 18th day of November, 1927; and that on the 18th day of November, 1927,

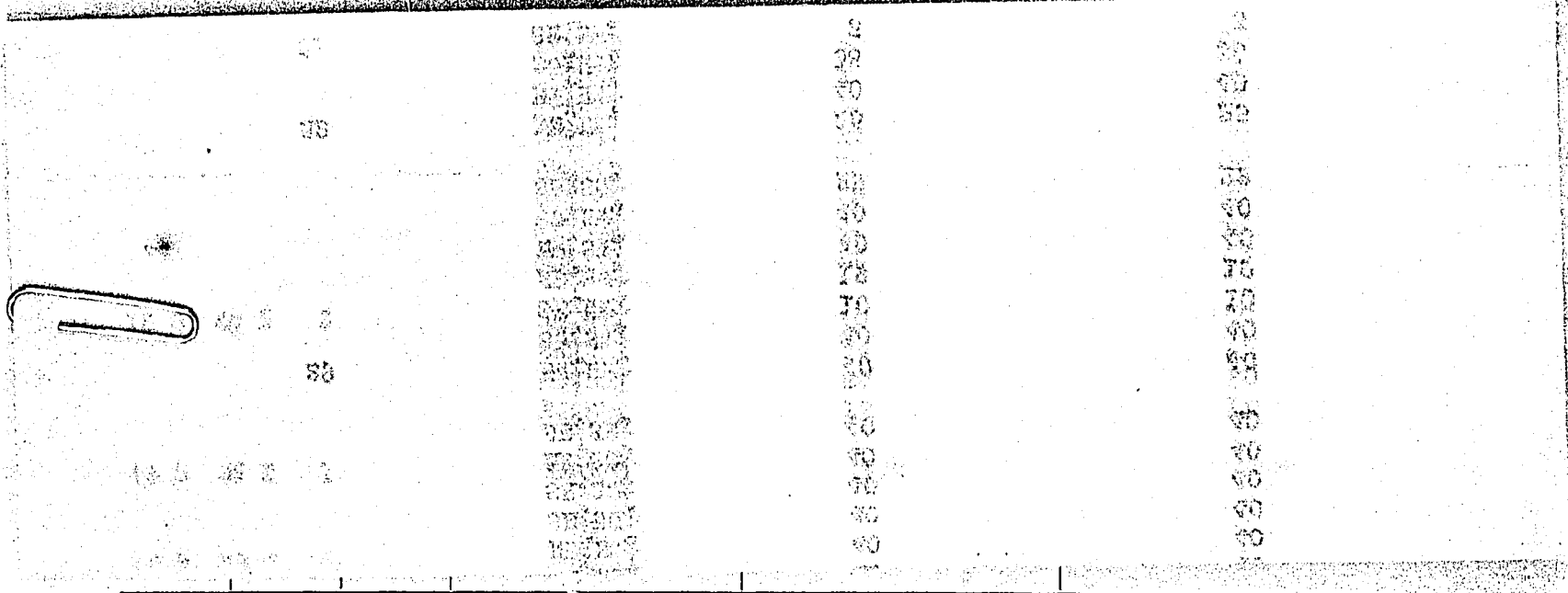
Preston-Whitney Reservoir Company, of Preston, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Worm Creek, a tributary of Bear River, for the purpose of irrigation and domestic use, under Use Permit No. 15883 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3521, on the 16th day of July, 1928;

The right hereby confirmed dates from September 18, 1928;

The Point of Diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Tp. 15 S., R. 40 E., B.M. Franklin 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 10 cubic feet per second.

Description and location of use:



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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 16th day of July, 1928.

GEO. N. CARTER

Commissioner of Reclamation

(SEAL)

13 2102

of Preston, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Worm Creek, a tributary of Bear River, for the purpose of irrigation and domestic use, under Use Permit No. 15883 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3521, on the 16th day of July, 19 28;

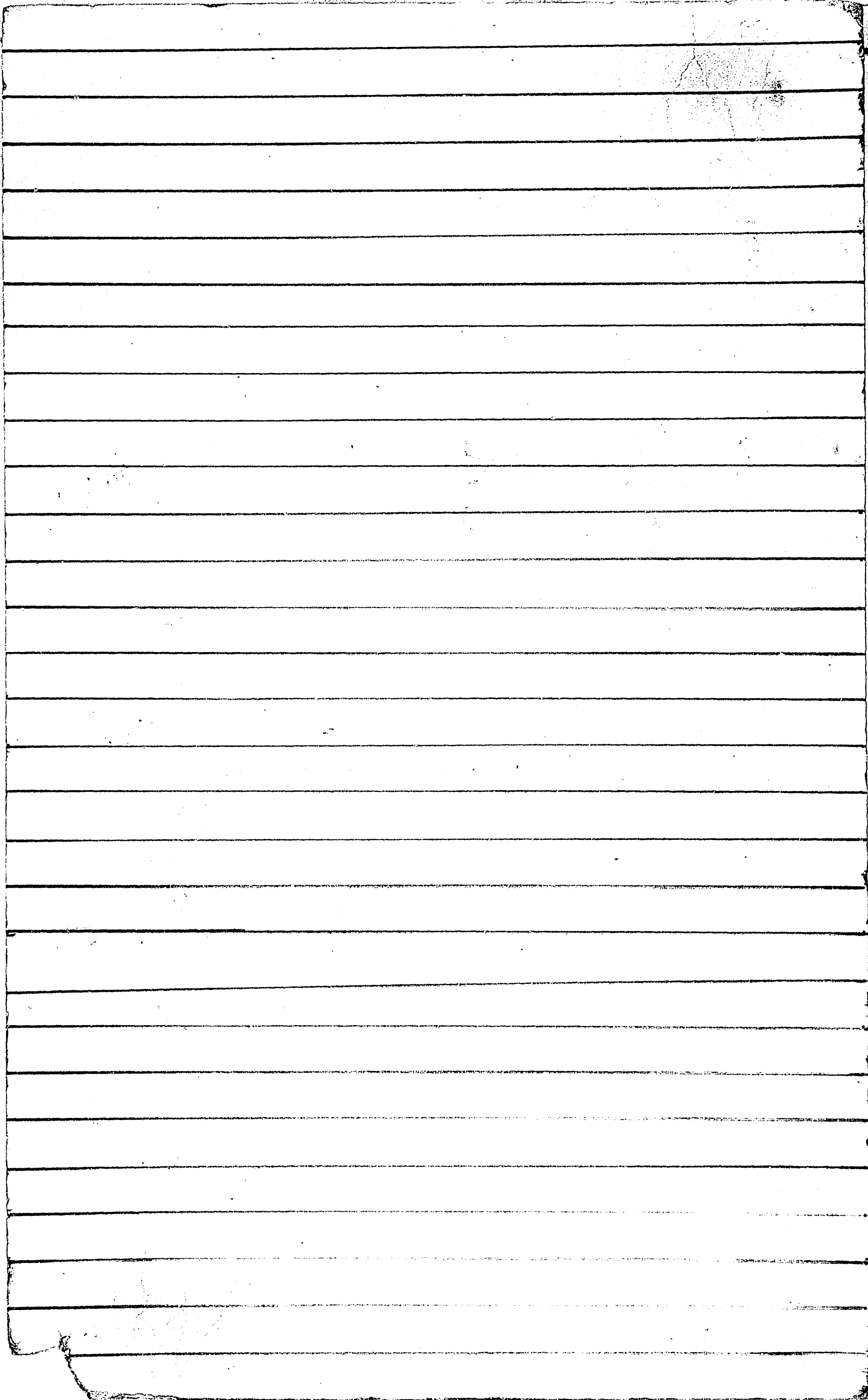
The right hereby confirmed dates from September 18, 19 28;

The Point of Diversion is located in the SW 1/4 SE 1/4, Sec. 10, Tp. 15 S., R. 40 E., B.M. Franklin 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 10 cubic feet per second.

Description and location of use:

Twp. Range Section			Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated.		
Twp.	Range	Sec.	Forty-acre Tract				
15S	40 E	20	SW $\frac{1}{4}$ NE $\frac{1}{4}$	16	16		
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	4	4		
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	20	20		
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	37	37		
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	39	39		
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	7	7		
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	34	34		
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	18	18		
		19	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40		
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40		
		30	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40		
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40		
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40		
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40		
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40		
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40		
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40		
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40		
		29	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40		
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40		
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	10	10		
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	19	19		
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40		
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40		
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	29	29		
		32	NE $\frac{1}{4}$ NW $\frac{1}{4}$	25	25		
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40		
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	38	38		
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	3	3		
		31	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40		
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40		
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	20	20		
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40		
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	30	30		
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	30	30		
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40		
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40		
		16 S	40 E	6	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
					SW $\frac{1}{4}$ NW $\frac{1}{4}$	38	38
					NE $\frac{1}{4}$ SW $\frac{1}{4}$	20	20
NW $\frac{1}{4}$ SW $\frac{1}{4}$	12				12		
16 S	39 E	1	SE $\frac{1}{4}$ NE $\frac{1}{4}$	3.8	3.8		
15 S	39nE	36	SE $\frac{1}{4}$ SE $\frac{1}{4}$	36	36		
Total					1328.8		



PROPOSED FINDING OF WATER RIGHTS - WORM CREEK DRAINAGE

SOURCE: Worm Creek

13-2102

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE From To	AMOUNT ACRE FEET PER ANNUM	MAXIMUM RATE OF DIVERSION c.f.s.	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED	BASIS OF RIGHT and REMARKS
13-0068	LARSEN, Lynn J. Rt. #1 Preston, Idaho	6-09-1923	Irrigation	4-1 11-1	105.0	0.97	NW $\frac{1}{4}$ NW $\frac{1}{4}$, S.13 T16S, R39E	Sec. 14 NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ T16S, R39E	Decree
13-2102 & 13-2287	PRESTON-WHITNEY RESERVOIR COMPANY Preston, Idaho	9-18-1923	Irrigation	4-1 11-1	4265.0	10.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$, S.10 T15S, R40E	Same as listed under 13-2022	License
		9-18-1923	Diversion to storage	11-1 6-15	---	---			Johnson Reservoir outlet located in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T15S, R40E
	<i>amended by final decree</i>	9-18-1923	Storage for irrigation	1-1 12-31	730.0 4265.0	---			
						10.0			
		The amount of water diverted using this right and 13-2022, shall not exceed 40 c.f.s. or 5457.0 af/yr.							
13-2103	PRESTON WHITNEY IRRIGATION COMPANY	3-14-1924	Irrigation	4-1 11-1	10,662.0	25.0	SE $\frac{1}{4}$ SW $\frac{1}{4}$, S.8 T15S, R40E	Same as listed under 13-0271	License
13-2108 & 13-2288	PRESTON WHITNEY IRRIGATION COMPANY Preston, Idaho	12-15-1924	Irrigation	4-1 11-1	6000.0	---	SE $\frac{1}{4}$ SW $\frac{1}{4}$, S.8 T15S, R40E	Same as listed under 13-0271	License Glendale Reservoir
		12-15-1924	Diversion to storage	11-1 6-15	---	---			
		12-15-1924	Storage for irrigation	1-1 12-31	6000.0 6000.0				

Diversion from storage is limited to a total of 215 c.f.s. when combined with the
diversions from Worm Creek and Cub River.