

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

Application No. G- 30551
Permit No. G- 30483
District No.

1. Name of Applicant: Whitney, Washville Water Works
Postoffice address: Whitney, ~~Shoshone~~ County: Franklin State: Idaho
2. Quantity of water claimed: 1 second foot
(a) Rate of withdrawal in cubic feet per second or gallons per minute or Idaho Miners' inches
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW 1/4 of the NW 1/4 of Section 32 Twp. 15 S., Rge. 10 E., B.M., County of Franklin
5. Water is to be used for: Culinary purposes
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the NW 1/4 of the NW 1/4 of Section 32, Twp. 15 S., Rge. 10 E., B.M.
(b) Waste water or sewage effluent is to be returned to at a point in the 1/4 of Section 1, Twp. 15 S., Rge. 10 E., B.M.
7. Kind of works: 2 wells pump
8. Estimated cost of works: \$ 1200.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir: no
10. The time required for the completion of such work and complete application of the water to the proposed use is five years.
11. If applicant is a corporation, give:
1. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
11. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 1 CFS for culinary
(a) 1 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

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.

Applicant.

(b)(6)

April.

11. April 30, 1962

State Reclamation

30183
Page 30183

Approved May 2, 1962

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:

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 2, 1964

November 2, 1964

before May 2, 1967

Witness my hand this
22nd

May, 1968

STATE REGULATION CONCERNING

IN TESTIMONY WHEREOF, We, ... ROBERT R. SMITH, Governor of the State of Idaho,
ARTHUR WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be signed by us, and the seal of the State of Idaho to be hereunto affixed, this 11th day of May, 1907.

and JOSEPH WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 2nd day of May, 1962.

Countersigned:

STATE OF IDAHO

(b)(1)

By s/ ARNOLD WILLIAMS

Secretary of State.

By _____ s/ _____

Green

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
14 S	10 E	32		X			X

EXTENSION OF TIME APPROVAL

I, Jack A. Barnett, Deputy State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. G-30483 to December 1, 1967.

Witness my hand this 5th day of September, 1967.

/s/ JACK A. BARNETT, Deputy
State Reclamation Engineer

NAME OF APPLICANT

WILSON, NASHVILLE WATER WORKS

Form No. 0

Well site

32

30483

Permit Map No. ---

As Approved

MAY 2 1962

GEO. N. CARTER

State Registration Engineer

May 10, 1962

Re: Permit No. G-30483

Dixon
Whitney, Nashville Water Works,
Whitney, Idaho.

Gentlemen:

We enclose Permit No. G-30483 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-5946 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit, together with a .25¢ refund.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EHR:pmk

30483

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

March 1, 1967

Re: Permit No. G - 30483

Whitney, Nashville Water Works
Preston, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 30483 are due not later than **May 2, 1967**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

30483

NAME OF APPLICANT C. B. Wedel, Rupert, Idaho

RECEIVED

Form No. 0

MAY 2 1907

Department of Reclamation

34

Well

NE $\frac{1}{4}$ Sec. 34, Twp. 7 S.,
Rge. 25 E.B.M.

CREASON & CREASON

ATTORNEYS AT LAW
RUPERT, IDAHO 83350

H. V. CREASON
C. H. CREASON

April 28, 1967

BOX 335
436.4131

RECEIVED
MAY 1 1967

Department of Reclamation

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

Att: Mr. M. Russell Bosch

Re: Permit No. G033420
C. B. Wedel, Rupert, Idaho.

Dear Mr. Bosch:

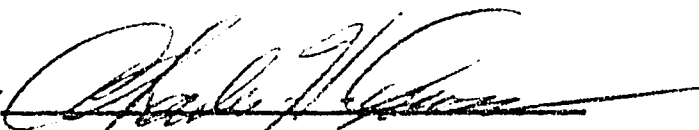
On behalf of Mr. C. B. Wedel, applicant under the above permit, we wish to make a request to change the point of diversion from the center of the Northeast Quarter of Sec. 34, Twp. 7 South, Range 25 East, Boise Meridian, to a point 80 feet West from the East line of said section on a line half way between the East Half of the Northeast Quarter, as shown by the map enclosed herein.

Kindly advise the procedure in making this requested change. Thank you for your consideration.

Very truly yours,

CREASON & CREASON

By



CHC:mma
Enc.

30483

Preston, Idaho
April 28, 1966

RECEIVED
MAY 1 1967
Department of Reclamation

Mr R. Keith Higginson
Dept. of Reclamation
Boise, Idaho

Dear Mr. Higginson:

Regarding Permit No. G- 30483, Whitney-Nashville Water Works Co.

I was recently elected president of this company. Due to error
I did not receive your letter of March 1, 1967 until this week.
Also I am not able to locate our copy of permit No. G- 30483.

We would like an extension of time beyond May 2, 1967 to file proof
of completion of works on this permit. This would require time suff-
icient to advertize intention of proof.

Also if possible we would like to obtain a copy of this permit
from your office.

Very truly yours,
Carl Foster
Pres. Whitney-Nashville Waterworks Co.

May 1, 1967

Re: Permit G-30483

Cecil Foster, President
Whitney-Nashville Waterworks Co.
Preston, Idaho 83263

Dear Mr. Foster:

Pursuant to your letter of April 28, 1967, we are forwarding
the requested extension of time application.

Contact us if we can be of further assistance.

Very truly yours,

Donald W. McEidowney
Water Rights Clerk

DW:edj

Enclosure: Application for time extension

30483

August 11, 1967

Re: Permit No. G-30483

Whitney, Nanhvillo Water Works
Preston, Idaho 83263

Gentlemen:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit G-30483 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit proof of completion of works and beneficial use due May 2, 1967, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before September 20, 1967 why said permit should not be cancelled.

Permit G-30483 claims the use of 1.0 cubic feet per second of water. The point of diversion was to be located NW1/4, Sec. 32, T. 25 S., R. 40 E., B.M., Franklin Co., and the permit was approved May 2, 1952.

State Reclamation Engineer

30483

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and
address where delivered



Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

ARTICLE NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

DATE

1

Morris N. Poole

421

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Shonda N. Poole

REMARKS

SHOW WHERE DELIVERED (only if requested)

4-67

3

655-18-71548-10

620

30483

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE
PAYMENT OF POSTAGE

POSTMASTER
DELIVERED BY



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

NAME OF SENDER

STATE DEPT OF RECLAMATION

STREET AND NO. OR P.O. BOX

ROOM 107 STATEHOUSE

POST OFFICE, STATE, AND ZIP CODE

BOISE, IDAHO 83701

35-16-71618-10

POD Form 3811 Apr. 1967

30483

State of Idaho
Dept of Reclamation
Boise, Idaho

RECEIVED
SEP 1 1967

Department of Reclamation

If possible please send copy of Permit No.
G-30483 to address below

Cecil Foster
Whitney-Nashville Water Works Co.
R.F.D. No. 1
Preston, Idaho 83263

30483

STATE OF IDAHO
Department of ReclamationRECEIVED
SEP 1 1967

Application for Extension of Time for Completion of Works

State of Idaho

ss.

County of Franklin

Permit No G-30483

Whitney-Nashville Water Works, of R.F.D. No. 3 Preston

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. G30483.

That under the terms and conditions of said permit, construction work thereunder was required to be completed by May 2, 1967, 1967.

That he has heretofore performed the following work described under said permit:

Property has been obtained for the location of well. Well has been drilled
Pump installed and in use to furnish water for the system of the Whitney-
Nashville Water Works Co.

Costing \$4100.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Work has been completed but due to neglect proof of completion of works was never filed. Also permit has been misplaced. Necessary information has now been obtained and notice of completion of works will be sent to you immediately.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of works under said permit to December 1, 1967, 19

Subscribed and sworn to before me this

30th day of

August, 1967

Notary Public.

My commission expires

Nov 15 1967

Date of receipt at office of Department of Reclamation

APPROVAL OF STATE RECLAMATION ENGINEER

I, Jack A. Barnett, Deputy, State Reclamation Engineer of the State of Idaho, hereby extend the time for the completion of construction work under Permit to appropriate the Public Waters of the State of Idaho, No. G-30483 to December 1, 1967.

Witness my hand this 5th day of September, 1967.

Jack A. Barnett
Deputy State Reclamation Engineer.

30483

Re: Permit No. G-30483

September 1, 1967

Whitney-Nashville Water Works
R.F.D. # 3
Preston, Idaho 83263

Gentlemen:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than December 1, 1967.

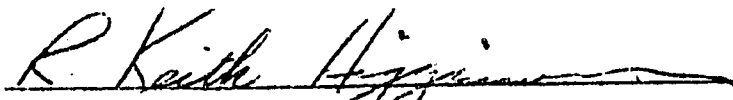
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

September 5, 1967

Re: Permit No. G-30483

Whitney-Nashville Water Works
R.F.D. # 3
Preston, Idaho 83263

Gentlemen:

Enclosed is a copy of the above referenced permit. There is a fee of \$1.00 for this copy.

Please remit promptly.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enc: Copy of permit G-30483

30483

Preston, Idaho
R.F.D. No. 3
September 11, 1967

RECEIVED
SEP 12 1967
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen:

I am inclosing forms 11 and 36. Also a check in the amount of \$1.00 to cover cost of copy of permit

Yours very truly,

Basil Foster

Pres: Whitney- Nashville Water Works

30483

RECEIVED
SEP 12 1967
Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Preston Citizen of Preston, Idaho; published in the county in which the works are situated.

Anthony - Nashville State Works
(signature)

By Cecil Foster, Pres.
P.O. Box 3, Preston, Idaho
(address)

September 11, 1967
(date)

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

SEP 12 1967

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

Notice is hereby given that on October 23, 1967 at Preston, Idaho,
County of Franklin, State of Idaho, before notary public (name & address) _____
Wayne S. Evans, Preston, Idaho, proof will be
submitted of the completion of works for the diversion of 1.0 c.f.s. of the waters
of a well, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-30483, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Whitney-Nashville Water Works,
R.F.D. # 3, Preston, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
1.0 cubic feet per second.
3. The use to which said water has been applied is culinary
_____ purposes, and the amount applied to beneficial
use is 1.0 c.f.s.
4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 15 S, R. 40 E,
B.M., Franklin County.
5. The place where said water is used is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 15 S, R. 40 E, B.M.

6. The date of priority which said user is prepared to establish is _____
April 30, 1962.

R. KEITH HIGGINSON

State Reclamation Engineer

30483

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

September 12, 1967

Re: Permit No. G-30483

Cecil Foster, President
Whitney-Nashville Waterworks
Route 3
Preston, Idaho 83263

Dear Mr. Foster:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit G-30483.

We have mailed the notice to the Preston Citizen to be published once a week for four consecutive weeks prior to October 23, 1967, which is the hearing date when the permit holder Whitney-Nashville Water Works and two disinterested witnesses must appear before Wayne S. Evans, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Whitney-Nashville Water Works. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

30483

September 12, 1967

Re: Permit No. G-30483
Whitney-Nashville Water Works

Preston Citizen
Preston, Idaho 83263

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to October 23, 1967. The expense of the publication is to paid by Cecil Foster, President, Whitney-Nashville Water Works, Route 3, Preston, Idaho,

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

McEldowney
Stamp
30483

THE PRESTON *Citizen*

SEP 15 1967

Phone 852-0155

Published Thursdays

Department of Reclamation

PRESTON, IDAHO

Proving

Gentlemen:

Attached herewith is a copy of the legal notice that is currently running in The Citizen. According to our records the notice is scheduled to run until 4 times. If there are any errors in the copy, would you please notify us immediately by marking this copy and returning it to the office, so that corrections can be made before the notice runs again. For your information the charge for running the notice will be _____. This is not a proof of publication.

Sincerely Yours,

The Preston Citizen

To be

Published - Sept 21, 28,

Oct. 5, + 12, 1967

Legal 1270

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

Notice is hereby given that on October 23, 1967, at Preston, County of Franklin, State of Idaho, before notary public Wayne S. Evans, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 1.0 c.f.s. of the waters of a well, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-30483, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Whitney-Nashville Water Works, R.F. D. No. 3, Preston, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.0 cubic feet per second.

3. The use to which said water has been applied is culinary purposes, and the amount applied to beneficial use is 1.0 c.f.s.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 15 S., R. 40 E., B.M., Franklin County.

5. The place where said water is used is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 15 S., R. 40 E., B.M.

6. The date of priority which said user is prepared to establish is April 30, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer

30483

October 18, 1967

Re: Permit No. G-30483

Whitney-Nashville Water Works
R.F.D. # 3
Freston, Idaho 83263

Gentlemen:

On September 3, 1967, we sent you a copy of the above referenced permit for which there is a fee of \$1.00. As of this date, we have not received your remittance.

Please submit this fee promptly.

Very truly yours,

Donald W. McEldeaney
Water Rights Clerk

DWM:dj

See

30483

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

October 18, 1967

OCT 24 1967

Reclamation

Re: Permit No. G-30483

Whitney-Nashville Water Works
R.F.D. # 3
Preston, Idaho 83263

Gentlemen:

On September 3, 1967, we sent you a copy of the above referenced permit for which there is a fee of \$1.00. As of this date, we have not received your remittance.

Please submit this fee promptly.

Very truly yours,

Donald W. McEldowney
nmw

Donald W. McEldowney
Water Rights Clerk

DWM:dj

October 23, 1967

Dear Mr. McEldowney:

Check was made payable to your office dated Sept. 11. This check was indorsed by your office and cleared the bank.

Sincerely,
Whitney-Nashville Water Works Co.

Eric Foster
Pres.

30483

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30483

OCT 31 1967

Depo. Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

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

Cecil Foster, Farmer, R.F.D. No. 3 Preston, Idaho

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

Whitney-Nashville Water Works Co. Preston, Idaho President of Company

Ques. 3. State number, approval date of permit, and date of priority: No. G-30843

Approved May 2, 1962. Date of priority, April 30, 1962

Ques. 4. State source of water supply: Subterranean

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

NW 1/4 of the NW 1/4 of Section 32, Twp. 15S Rge. 40E B.M. County of Franklin

Ques. 5. Describe your works of diversion: Two wells, two pumps, pipeline to

connect with existing systm.; state amount of water they are capable of con-

veying from point of diversion to place of use: 1 CFS; Give name of canal or ditch

or other works by which water is conducted to such place of use: Pipeline

_____; if a well, state depth of well 152 ft. 160 ft. depth and size of

casing 152 ft. 160 ft. 10 inch casing; depth to water 42 feet after ^{drawdown} drif pump is used,

state discharge of pump: 300 G.P.M.; tell how it was measured or determined Meter

_____; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Culinary

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

30483

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

Supplemental water to create firm supply for existing system.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Gates of Pocatello, Idaho Ronald Dursteller of Preston, Idaho

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

Sections 30 and 31, Tws. 15, Rge. 40. Sections 6 and 5 Tws. 16, Rge. 40.

Section 36, Tws. 15, Rge. 39. For culinary use.

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

Elected president of the company by stockholders of company.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1963 300 G.P.M. - Time used since first use:

Water is used periodically to supplement existing supply. This is generally during the winter months.

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

1 cubic foot per second.

(sign) Donald Foster

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 23rd day of Oct, A. D. 1967.

My commission expires: Nov-15-67 Oct-22-1967 Preston, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. G-30483

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

Wayne W. Honey 41 - Rt 2 - Preston Ida.
Mgr. Franklin Co. Grain Growers.

Ques. 2 Are you acquainted with Whitney Nashville Water Works Co., the holder of
Permit No. G-30483 ^{yes.}? How long have you known him and where does he reside?

30 yrs.

Ques. 3. Have you read or heard said Permit No. G-30483 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NW 1/4 of the NW 1/4 of Section 32. Twp. 15S Rge. 40 E B. M. County of Franklin

Describe works for conveying water to place of use: Pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1 CFS How much water have you seen being so
conveyed? 1CFS

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

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

NW 1/4 of the NW 1/4 of Section 32, Twp. 15S. Rge. 40 E B.M.

Purpose of use is culinary

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.

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

Ques. 10. When did you first see this water used? 1963

Other times you have seen such use: Since then

(Signed):

Wagner W. Doney

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

Princeton, County of Franklin, State of Idaho, on this 23rd day of Oct, A. D. 1967

Wagner W. Doney

Notary Public for the State of Idaho

Residing

Princeton Idaho

My commission expires

Nov 15 - 1967

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30483

* * * * *

RECEIVED
OCT 31 1961

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

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

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

Davis Cecil Frost 30 R.F.D.#1 Preston Idaho.
Farmer.

Ques. 2 Are you acquainted with Whitney-Nashville Water Works Co., the holder of Permit No. G-30483? How long have you known him and where does he reside?

15 years

Ques. 3. Have you read or heard said Permit No. G-30483 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range
NW 1/4 of the NW 1/4 of Section 32, Twp. 15S Rge. 40 E. B. M. County of Franklin

Describe works for conveying water to place of use: Pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 1 CFS How much water have you seen being so conveyed? 1 CFS

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

30483

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

NW 1/4 of the NW 1/4 of Section 32, Twp. 15 S Rge. 40 E. B. M.

Purpose of use is culinary

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.

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

If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? 1964

Other times you have seen such use: _____

(Signed):

Walter Foster

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 _____

Foster, County of Franklin, State of Idaho, on this 23rd day of Oct, A. D. 1967

Walter Foster

Notary Public for the State of Idaho

Residing Foster Idaho

My commission expires Nov 15 1967

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Franklin

ss.

OCT 31 1967

Wayne D. Sell

being duly sworn,

deposes and says:

That he is the *Co-publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *4* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

September 21, 1967, and ending

with the issue of *October 12*, 1967.

Wayne D. Sell

21.50

Subscribed and sworn to before me this *18th* day

October, 1967.

Glen V. Mortensen

Notary Public, Residing at Preston, Idaho

Commission Expires *Dec*, 1967.

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

Notice is hereby given that on October 23, 1967, at Preston, County of Franklin, State of Idaho, before notary public Wayne S. Evans, Preston, Idaho, proof will be submitted of the completion of works for the diversion of 1.0 c.f.s. of the waters of a well, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-30483, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Whitney-Nashville Water Works, R.F. D. No. 3, Preston, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.0 cubic feet per second.

3. The use to which said water has been applied is culinary purposes, and the amount applied to beneficial use is 1.0 c.f.s.

4. The point of diversion of said water is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 15 S, R. 40 E, B.M., Franklin County.

5. The place where said water is used is NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 15 S, R. 40 E, B.M.

6. The date of priority which said user is prepared to establish is April 30, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer

Legal No. 1270-Pub. September 21, September 28, October 5, October 12, 1967.

Margaret

November 2, 1967

Re: Permit No. G-30483

Cecil Foster, President
Whitney-Nashville Water Works Co.
Preston, Idaho

Dear Mr. Foster:

We acknowledge receipt of the depositions and affidavit of publication in the
Preston Citizen submitted as proof of com-
pletion of works and beneficial use on Permit G-30483.

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

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

30483



January 31, 1972

Re: Permit Nos. 13-2132
13-2250

Mr. Cecil Foster, Pres.
Whitney, Nashville Water Works
R. F. D. #3
Preston, Idaho 83263

Dear Mr. Foster:

I have checked the records of this office concerning Permit Nos. 13-2132 and 13-2250. As indicated, Permit No. 13-2132 has been cancelled for failure of the Whitney, Nashville Water Works Company to submit Proof of Beneficial Use of the water. Our files contain a letter dated March 4, 1939, which was the last correspondence prior to our recent action. I am sending a copy for your information. As indicated in that letter, if the company had submitted Proof of Beneficial Use of the water, the priority of the right would have been reduced by the number of years that that proof was late. The only authority we have to reinstate the permit would be upon the finding that we had made an error. The original application was in the company's name and most correspondence was sent in care of E. P. Moser, who was apparently president. Our recent notice was sent to the company but was returned by the post office marked "no such post office in the state."

Permit No. 13-2250 is now being prepared for licensing, and I am enclosing a letter from our Water Rights Division indicating what the examination has found and the limitations of the license that may be issued. If you have any questions concerning this, please let us know within the next 30 days.

If you have any further questions concerning either of these matters, please advise me.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

Enclosures: 2

13 2250

Form 23
2M-4-65

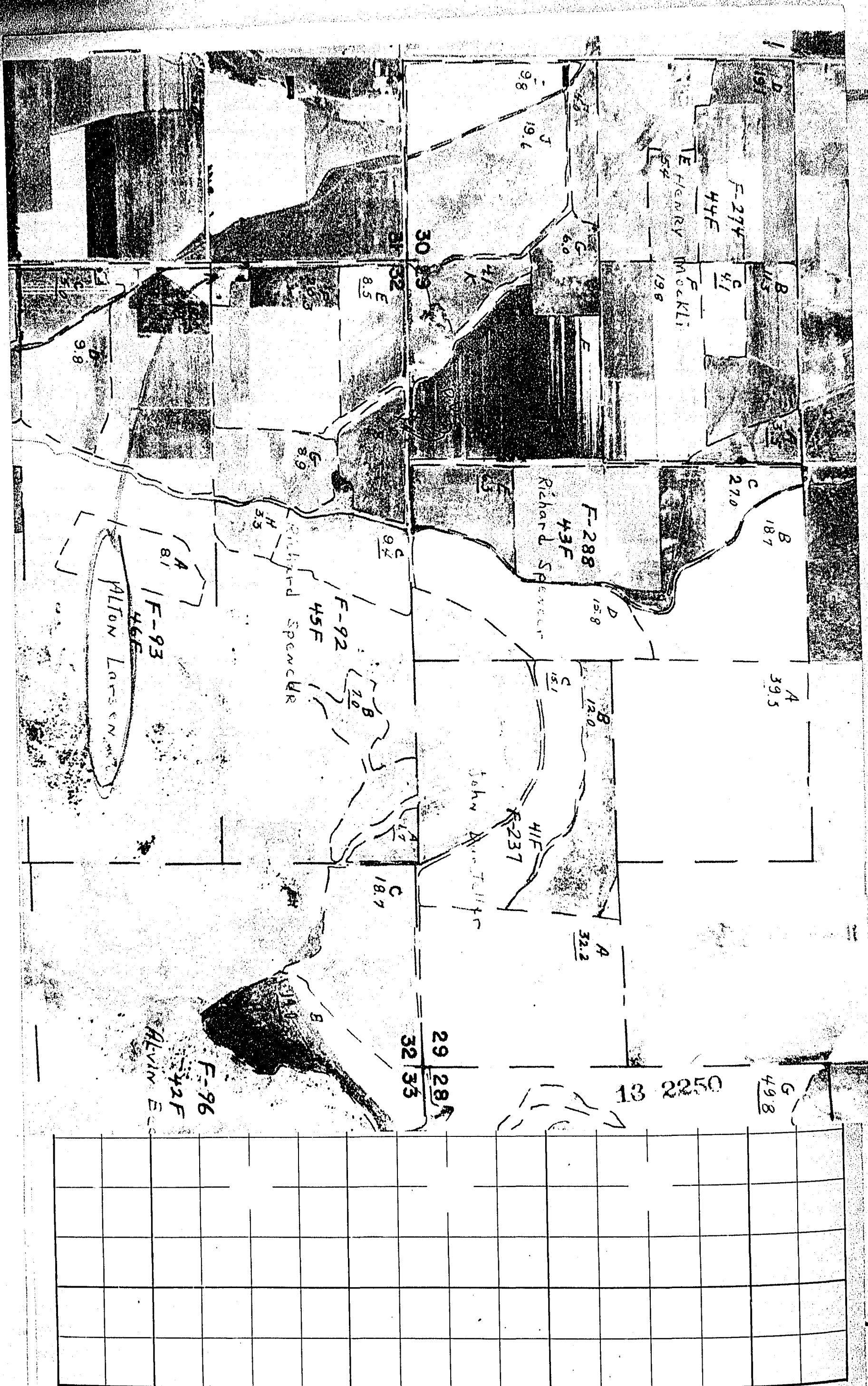
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

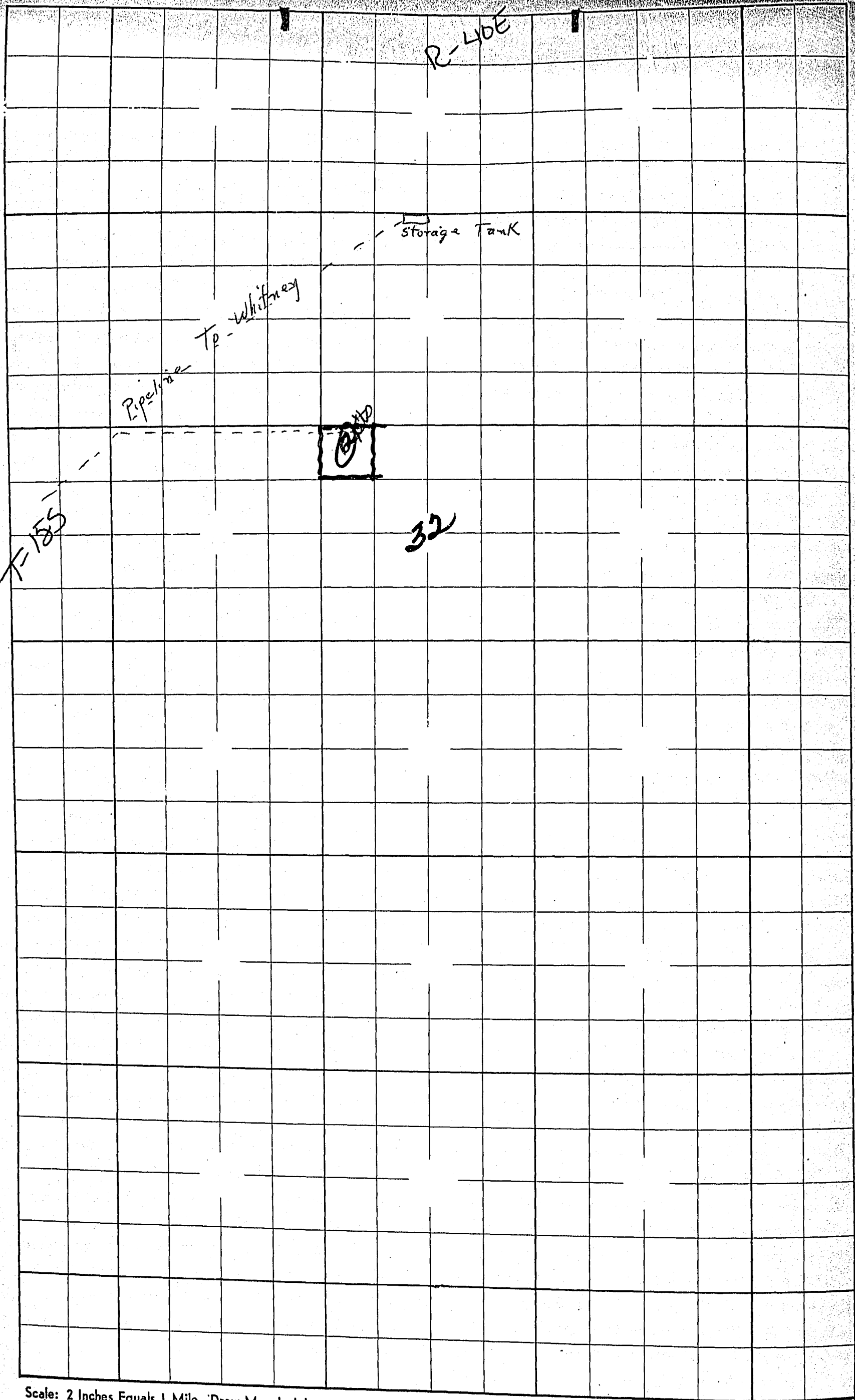
REPORT OF EXAMINER

PERMIT NO. G-30483
13-2-50

REPORT ON PROOF OF Completion of Works and Beneficial Use

13 2250





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

13 2250

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

Permit No. G-30483

This proof is for Completion of Works and Beneficial Use In Water District No.

1. Name of applicant Whitney-Nashville Water Works, R.F.D. No. 3, Preston, Idaho

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NW1/4 of Section 32

T. 15 S. R. 40 E. County of Franklin County

4. Describe works as they exist, giving dimensions and capacities of same: Well in NW1/4 NW4 S. 32, T. 15 S. R. 40 E. is 12" well with 3 h.p. 440V. 2360 R.P.M. Motor & pump No. F407319 pumps into 6" main line between Storage Tank & Places of use. only 1 well in this sub division. An old well is directly across road and may be under another license (SW1/4 S. 29, T. 15 S. R. 40 E. B.M.)

5. Water is used for: culinary 20 families use water

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):

(1 well) NW1/4 Sec. 32, T. 15 S. R. 40 E. B.M.

Location O.K.

1 well in the SW1/4 S. 29, T. 15 S. R. 40 E. B.M. covered by permit 13-2132. Not licensed See permit folder No. 13-2132 for places of use

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

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

Remarks: Mr. Woodrow Windrow present during exam. Storage Tank Located 1 mile north & 1/4 mile East of well. Concrete Tank with following dimensions 8' deep 14' wide 16' Long. A spring helps supply water but pumps are needed to supplement supply especially during summer. System serves Whitney, Franklin & the 5th Ward. Well approx 170' deep. (Tank Capacity 13,440 gal.)

11-24-71 Bob H. into both wells should be under permit.

This examination was made on the 10th day of March, 1970

(Signed) Robert W. Hamilton Examiner.

Whitney-Nashville Water Works
Preston, Idaho

2 wells, 2 pumps, pipeline
to connect with existing
system

Permit No. G-30483

152' x 10" 160' x 10"
H-42'
Q-300g.p.m.

Examination for Completion of Works and Beneficial Use

County Franklin

Sec. 32 T. 15S R. 40E

Quantity:

1.0

Source:

subterranean

P.D.:

NW 1/4 NW 1/4, Sec. 32, T. 15 S, R. 40 E, B.M.

Use:

culinary

Extension:

yes

Protest:

Completion of Works:

Other Rights: none

Filed:

April 30, 1962

Due:

December 1, 1967

Made:

October 23, 1967

Priority:

April 30, 1962

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Could not find
systems.

1878

13-232

13 2250

January 31, 1972

Whitney, Nashville Water Works
Cecil Foster, Pres.
R.F.D. # 3
Preston, Idaho 83263

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 30483/13-2250 and has found the following:

Quantity of water diverted: 1.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.0 c.f.s.

The maximum quantity of water diverted shall not exceed 724 acre feet per year.

Beneficial use: Domestic purposes within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, Twp. 15S, Rge. 40E, B. M.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp. 15S, Rge. 40E, B. M.

The priority date established is: April 30, 1962

As this permit lists the point of diversion as being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32 and our examiner found 1 well within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32 and 1 well within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 29, it will be necessary that the permit be amended before the license can be issued. We are enclosing a partially completed application for amendment for your use. Please be advised that there is a \$10.00 filing fee required when submitting amendment applications.

A licensing fee in the amount of \$5.00 must be received within 30 days of the date of this letter in order that we can issue you a Water License. Therefore, please submit the amendment application and a fee totaling \$15.00 within the 30 day limit. If you have any questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: App. for amendment

13 2250

August 30, 1972

C Whitney, Nashville Water Works
Cecil Foster, Pres.
R.F.D. # 3
Preston, Idaho 83263

Re: Permit No. 30483/13-2250

Gentlemen:

O Enclosed please find a copy of the approved application for amendment in connection with the above referenced permit. Also enclosed is departmental receipt No. 8081 in the amount of \$15.00 covering the amendment and licensing fee.

The Department is prepared to issue a water license as follows:

Quantity of water diverted: 1.0 cfs

P Amount of water that can be recognized as beneficially used under Idaho law: 1.0 cfs

The maximum quantity of water diverted shall not exceed 112 acre feet per year.

Beneficial use: Domestic and stockwater purposes within the (see place of use on enclosed copy of amendment)

Y Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp. 15S, Rge. 40E, B.M.

Priority date established: April 30, 1962

If you do not concur with these findings, please contact us within 10 days of the date of this letter; otherwise, a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of amendment
Receipt #8081

13 2250

September 18, 1972

Re: Permit No. 30483/13-2250

C Whitney, Nasville Water Works
Cecil Foster, Pres.
R.F.D. # 3
Preston, Idaho 83263

Gentlemen:

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

Sincerely,

P BOBBY D. FLEENOR
Assistant Director

Y BDF:DR
Enc: License

bc: Eastern District Office

13 2250

RECEIVED

APR 25 1972
Receipt # 8081
Department of Water Administration

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR AMENDMENT

Permit No. 13-2250

Comes now Whitney, Nashville Water Works of (address)

R.F.D. # 3, Preston, Idaho, 83263, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 30483/13-2250, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Sec. 32, T. 15S, R. 40E, B.M. Other points of diversion SW 1/4 SW 1/4, Sec. 29, Twp. 15S, Rge. 40E, B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

For Domestic purposes from Jan. 1 to Dec. 31 (both dates incl.)

For Stock Watering purposes from Jan. 1 to Dec. 31 (both dates incl.)

For purposes from to (both dates incl.)

For purposes from to (both dates incl.)

3. Place of use or land to be irrigated:

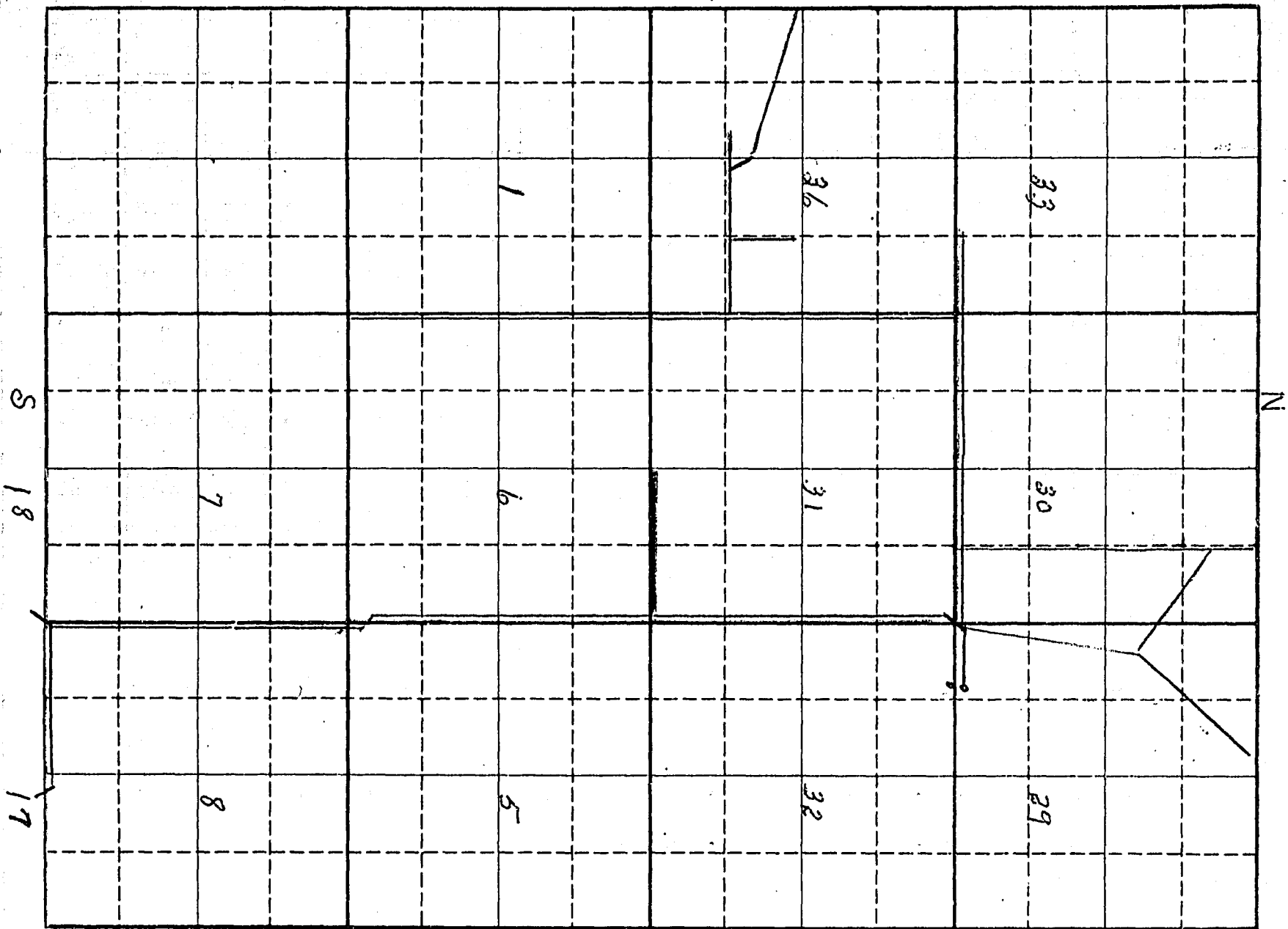
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	40E	29																	
15S	40E	30																	
15S	40E	31																	
15S	40E	32																	
15S	39E	33																	
15S	39E	36																	
16S	40E	1																	
16S	40E	5																	
16S	40E	6																	
16S	40E	8																	
16S	40E	17																	
16S	40E	18																	

Total number of acres to be irrigated

13 2250

13 2250

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Preston, Idaho, this 11 day of February, 19 72
Cecil Foster
 (signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, Director, Dept. of Water Admin., State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. 30483/13-2250.

Witness my hand this 29 day of August, 19 72

R. Keith Higgins
 State Reclamation Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30483/13-2250 Priority April 30, 1962 Amount 1.0 cfs

THIS IS TO CERTIFY, that Whitney, Nashville Water Works
of Preston, Idaho, has complied with the terms and conditions of Permit
No. 30483/13-2250 issued pursuant to Application for Permit dated April 30, 1962,
and has submitted proof to the Department of Water Administration on October 23, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.0 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.0 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 1.0 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.0 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp. 15 S, Rge. 40 E, B.M.

in the county of Franklin; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 42 acre feet per year ~~xxx~~
for domestic use and 70 acre feet per year for stockwater use with the total amount
~~not to exceed 112 acre feet per year.~~ not to exceed 112 acre feet per year.

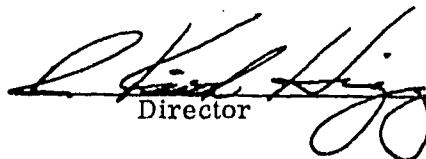
Description and location of place of use: See attachment.

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 $\frac{1}{4}$	

Total number of acres irrigated _____

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18 day of
September, 19 72.


Director

13 2250

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

13 2250

