

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Re: Permit No. R-326

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.

R-326

Whitney, Idaho
April, 22, 1925

State Commissioner of Reclamation

Boise, Idaho

Dear Sir,-

Will you be kind enough to tell us what
your charges would be to come as state commissioner
and view the present condition of our dam, reservoir
permit no. *15883 & R 326*
Water Reservoir

The situation is such that we would be very
to probably make some changes, and seek your approval
previous to doing anything of the kind. Your personal
inspection would please us most.

Yours very truly,

Preston and Whitney Reservoir Co.

B. M. Leonard
.....
Sec.

*Worm Creek -
234 AF. b. 4. 34' dam*

R-326

RECEIVED
JUN 24 1962
DEPARTMENT OF AGRICULTURE

R-326

April 27, 1923.

56

Mr. B. M. Winward,
Secretary, Preston & Whitney Reservoir Co.,
Whitney, Idaho.

Dear Sir:

I have your communication of the 22d,
asking an inspection of your reservoir dam with a view
of advising you regarding possibility of some changes.
therein.

My time is completely taken until about
the 3d or 5th of May, after which I will endeavor as
quickly as possible, to visit this reservoir site and
give you such advice as seems appropriate.

I will advise you by telegram the date
of my arrival at Preston, providing you will send me a
return letter indicating how I can reach you by wire.
Upon receipt of such telegram, I will expect your com-
pany to furnish such transportation as may be necessary
to get me from Preston to the dam.

Very truly yours,

Commissioner of Reclamation

WGS:E

R-326

Whitney Idg 4-30-25

Commissioner of Reclamation
Boise Idg

Dear Sir:

Your letter of April 27. to hand and as a
community of directors for our reservoir Co. We will
appreciate the visit you expect to make our Co.

Make it just as soon as you can.

Write me if convenient a day or so before you
leave Boise, so we will know when to expect you.

And when you get to Preston Telephone me
at 224 73. We are 3½ miles out of Preston.

Yours truly

D. M. Woodward
Idg

RECEIVED
MAY 2 - 1925
DEPARTMENT OF AGRICULTURE



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
W. G. SWENDSEN, COMMISSIONER
BOISE

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

Pocatello, Idaho, May 8th, 1925.

Mr. Geo. N. Carter,
Director of Water Resources,
Department of Reclamation,
Boise, Idaho.

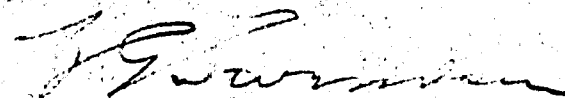
Dear George:

In re: Whitney Reservoir Company.

I expected to find time to visit Preston and look over the small reservoir mentioned in the enclosed communication, but found it impossible to do so before leaving for the East.

These boys get little attention from the Department, and while this may not be exactly an official matter, I think it a matter we should take care of. They appear to be in a hurry. Please give the matter consideration, and if you are unable to make the trip personally, I suggest that you have Mr. Tolman or Mr. Sloan make it, advising the party in advance as per the enclosed. Whoever goes make appropriate apologies for my not going personally and advise them that later upon my return, if necessary, I will visit the site.

Yours very truly,


Commissioner of Reclamation.

WGS:BMA

E n c

R-326

Pocatello, Idaho, May 8th, 1925.

Mr. Geo. H. Carter,
Director of Water Resources,
Department of Reclamation,
Boise, Idaho.

Dear George:

In re: Whitney Reservoir Company.

I expected to find time to visit Preston and look over the small reservoir mentioned in the enclosed communication, but found it impossible to do so before leaving for the East.

These boys get little attention from the Department, and while this may not be exactly an official matter, I think it a matter we should take care of. They appear to be in a hurry. Please give the matter consideration, and if you are unable to make the trip personally, I suggest that you have Mr. Tolman or Mr. Sloan make it, advising the party in advance as to the ~~proper~~ ~~appropriate~~ ~~apologies~~ ~~for my not going personally~~ and advise them that later upon my return, if necessary, I will visit the site.

Yours very truly,

Commissioner of Reclamation.

WGS:BMA

E M O

P-326

Pocatello, Idaho, May 8th, 1925.

Mr. Geo. H. Carter,
Director of Water Resources,
Department of Reclamation,
Boise, Idaho.

Dear George:

In re: Whitney Reservoir Company.

I expected to find time to visit Preston and look over the small reservoir mentioned in the enclosed communication, but found it impossible to do so before leaving for the East.

These boys get little attention from the Department, and while this may not be exactly an official matter, I think it a matter we should take care of. They appear to be in a hurry. Please give the matter consideration, and if you are unable to make the trip personally, I suggest that you have Mr. Tolman or Mr. Sloan make it, advising the party in advance as per the enclosed. Whoever goes make appropriate apologies for my not going personally and advise them that later upon my return, if necessary, I will visit the site.

Yours very truly,

Commissioner of Reclamation.

WGS:BMA

E n c

R-326

May 11, 1925.

R-326

Re: Preston-Whitney Reservoir

Mr. B. W. Winnard
Secretary, Whitney Reservoir Company
Whitney, Idaho.

Dear Sir:

Mr. Swendsen has just written me enroute on a trip East, which will take possibly two weeks, stating that he was unable while in Pocatello on account of lack of time, to make the examination of your dam, which he advised you April 27th he would be glad to make.

In order to expedite the matter, he asks that I make the examination, which I will do just as soon as possible. Unless my plans are changed I will leave here Sunday night, May 17th and will come down from Pocatello on the afternoon train to Salt Lake. Will you kindly advise me where I should get off the train, and arrange to meet me. If possible I would like to complete this examination on the afternoon of my arrival, thus being able to go back on the northbound train, which I believe goes through that vicinity about 2 o'clock in the morning.

Unless I hear from you to the contrary, I will get off at Weston.

Very truly yours,

Assistant Commissioner of
Reclamation

GNC:E

R-326

CLASS OF SERVICE DESIRED	
Telegram	☒
Day Letter	☐
Night Message	☐
Night Letter	☐
Patrons should mark an X opposite the class of service desired; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM	

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

Receiver's No.
Check
Time Filed

Send the following message, subject to the terms
on back hereof, which are hereby agreed to

May 15, 1925, Boise, Idaho 19__

To B. W. Winnard
 Street and No. (or Telephone Number) Telephone 224 F 3
 Place Preston, Idaho

WIRE ME WHAT STATION ON POCATELLO SALT LAKE LINE YOU WILL MEET ME STOP

PLAN TO BE ON NUMBER FORTY-TWO MONDAY AFTERNOON

GEO. N. CARTER
 Assistant Commissioner of
 Reclamation

Charge Dept. of Reclamation
 Statehouse

SENDER'S ADDRESS
 FOR ANSWER

SENDER'S TELE-
 PHONE NUMBER

R-326

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

To guard against mistakes or delays, the sender of a message should order it repeated, that is, telegraphed back to the originating office for comparison. For this, one-half the unrepeatd message rate is charged in addition. Unless otherwise indicated on its face, this is an unrepeatd message and paid for as such, in consideration whereof it is agreed between the sender of the message and this company as follows:

1. The company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the unrepeatd-message rate beyond the sum of five hundred dollars; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the repeated-message rate beyond the sum of five thousand dollars, unless specially valued; nor in any case for delays arising from unavoidable interruption in the working of its lines; nor for errors in cipher or obscure messages.
2. In any event the company shall not be liable for damages for mistakes or delays in the transmission or delivery, or for the non-delivery, of any message, whether caused by the negligence of its servants or otherwise, beyond the sum of five thousand dollars, at which amount each message is deemed to be valued, unless a greater value is stated in writing by the sender thereof at the time the message is tendered for transmission, and unless the repeated-message rate is paid or agreed to be paid, and an additional charge equal to one-tenth of one per cent of the amount by which such valuation shall exceed five thousand dollars.
3. The company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other company when necessary to reach its destination.
4. Messages will be delivered from within one-half mile of the company's office in towns of 5,000 population or less, and within one mile of such office in other cities or towns. Beyond these limits the company does not undertake to make delivery, but will, without liability, at the sender's request, as his agent and at his expense, endeavor to contract for him for such delivery at a reasonable price.
5. No responsibility attaches to this company concerning messages until the same are accepted at one of its transmitting offices; and if a message is sent to such office by one of the company's messengers, he acts for that purpose as the agent of the sender.
6. The company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.
7. It is agreed that in any action by the Company to recover the tolls for any message or messages the prompt and correct transmission and delivery thereof shall be presumed, subject to rebuttal by competent evidence.
8. Special terms governing the transmission of messages under the classes of messages enumerated below shall apply to messages in each of such respective classes in addition to all the foregoing terms.
9. No employee of the company is authorized to vary the foregoing.

THE WESTERN UNION TELEGRAPH COMPANY

INCORPORATED

NEWCOMB CARLTON, PRESIDENT

CLASSES OF SERVICE

TELEGRAMS

A full-rate expedited service.

NIGHT MESSAGES

Accepted up to 2.00 A.M. at reduced rates to be sent during the night and delivered not earlier than the morning of the ensuing business day.

Night Messages may at the option of the Telegraph Company be mailed at destination to the addressees, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such Night Messages at destination, postage prepaid.

DAY LETTERS

A deferred day service at rates lower than the standard telegram rates as follows: One and one-half times the standard Night Letter rate for the transmission of 50 words or less and one-fifth of the initial rates for each additional 10 words or less.

SPECIAL TERMS APPLYING TO DAY LETTERS:

In further consideration of the reduced rate for this special Day Letter service, the following special terms in addition to those enumerated above are hereby agreed to:

a. Day Letters may be forwarded by the Telegraph Company as a deferred service and the transmission and delivery of such Day Letters is, in all respects, subordinate to the priority of transmission and delivery of regular telegrams.

b. Day Letters shall be written in plain English. Code language is not permissible.

c. This Day Letter is received subject to the express understanding and agreement that the Company does not undertake that a Day

Letter shall be delivered on the day of its date absolutely and at all events; but that the Company's obligation in this respect is subject to the condition that there shall remain sufficient time for the transmission and delivery of such Day Letter on the day of its date during regular office hours, subject to the priority of the transmission of regular telegrams under the conditions named above.

No employee of the Company is authorized to vary the foregoing.

NIGHT LETTERS

Accepted up to 2.00 A.M. for delivery on the morning of the ensuing business day, at rates still lower than standard night message rates, as follows: The standard telegram rate for 10 words shall be charged for the transmission of 50 words or less, and one-fifth of such standard telegram rate for 10 words shall be charged for each additional 10 words or less.

SPECIAL TERMS APPLYING TO NIGHT LETTERS:

In further consideration of the reduced rate for this special Night Letter service, the following special terms in addition to those enumerated above are hereby agreed to:

a. Night Letters may at the option of the Telegraph Company be mailed at destination to the addressees, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such Night Letters at destination, postage prepaid.

b. Night Letters shall be written in plain English. Code language is not permissible.

No employee of the Company is authorized to vary the foregoing.

R-326

Whitney Ida. May 14-25

Mr Geo. M. Carter
Boise Ida
Dear Sir.

Your letter of May 11th to hand.
Don't get off at Preston Ida.
Stop off at Dayton Idaho & take car to
Preston.

The best hotel is The Willford.

You can call me by telephone # 22473.
I believe this is all that is necessary
until we talk the matter over personally.
Very truly yours.

B. M. Vincent Secy.

P.S. If you are not successful in getting my residence
you better call Chas. M. Vincent at his
residence. # 22571. B.M.V.

Made this trip
May 18+19th. Work
being carried on OK and advised them
to continue and store 1.0' foot more
water in reservoir. Geo. M. Carter

R-326

RECEIVED

MAY 15 1925

DEPARTMENT OF RECLAMATION

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO.

R-226

REPORT ON PROOF OF _____

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

Permit No. R-326This proof is for COMP. WORKS.In Water District No. 5-R1. Name of applicant: Preston-Whitney Reservoir Company2. Source of water supply: Worm Creek3. Location of point of diversion: Is in the NW 1/4 of Section 20T. 15. S. R. 39. E. County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: Work has consisted of raising an old dam from original point of something less than 30 feet to 38 feet and otherwise increasing and strengthening the section. The dam is 500 feet long on crest and has slopes of 2 1/2 to 1 on water side and 2 to 1 on the land side. The water face has been well riprapped with rock. Work is now completed in satisfactory shape. All work called for on plans has been completed with the exception of spillway. An entirely satisfactory location for same does not exist at the dam, however, the natural ground at a point about 3/4 of a mile above the dam, on the south end of the reservoir, is at an elevation of 2 feet below the crest of the dam and will serve as a natural spillway and prevent overtopping of the dam. In case water flows out at this point to any considerable extent, it will likely be necessary to do some channel protection work from point of overflow to junction with the creek some distance below.

5. Water is used for: Storage for irrigation

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

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

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

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

Remarks: The reservoir is located in a natural depression and does not have a tributary watershed to exceed possibly 300 acres in extent, of low-lying hills. This area does not contribute any material amount of water to the reservoir. For over 20 years no cloudbursts or heavy precipitation have occurred which have raised the water surface in the reservoir an appreciable amount. The reservoir is filled by a feeder canal diverting from Worm Creek, which has control gates. In view of the foregoing facts and conditions, I have advised the applicant herein that a spillway is not necessary and have relieved them of this requirement in the plans approved for construction of the dam and reservoir.

This examination was made on the 10th day of July, 19 27.(Signed) W. H. Carter

REPORT OF EXAMINER
TO THE BOARD OF LANDS
AND MINES

Preston - 1/11/1906

Permit No. 1111

Examination for COMP. WORKS

County FRANKLIN

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 a plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

July 13, 1927

Re: Permits 2-424 and 15835

MR. D. V. WINNARD
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 25, 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 4199, 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 15835. 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. 15835 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 4199.

Very truly yours,

Commissioner of Reclamation

CHD:B
Enclosures

P-296

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

Aug 18, 1927

(P. O.)

Preston Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Franklin County, City of Preston, published in
the county in which the works are situated.

by Preston Whitney Reservoir
Billman Lucy to

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

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

Engineer.

RECEIVED

SEP 12 1927

DEPT. OF AGRICULTURE

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. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

R-326

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
November
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 8326 Reclamation
of Permit No. 15885, 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.....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 $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19. ~~SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$, Sec. 32; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 31, all in T. 15 S., R. 40 E., B.M.;
S $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ 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.~~

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Preston-Thitney Reservoir Co.
By B. V. Winward, Secretary
Preston, Idaho.

BOISE, IDAHO,

Oct. 6 1927

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. **R-526**

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 the permit holder's rights:

1. On **October 19, 1927**

closed deposition forms (one for permit holder and one each for two 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,

W. H. CARTER,

Commissioner of Reclamation.

R.326

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Preston-Thitney Reservoir Co.

By B. W. Winward, Secretary
Preston, Idaho.

Boise, Idaho, Oct. 6 1927

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. **R-326**

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 the permit holder's rights:

1. On **October 19, 1927**, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two 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,
WEO. H. CARTER,

Commissioner of Reclamation.
State Engineer.

R-326

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 10, 1927, the date set for proof, the expense of the publication to be paid by the applicant, Preston-Whitney Res. Co., by Arthur W. 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 15, as we have been advised by Mr. Hart that the first notice sent had failed to reach you.

State of Idaho

ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Preston-Whitney Reservoir Co.,

c/o Arthur W. Hart, Attorney,

Preston, Idaho.

BOISE, IDAHO, November 10, 1927

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. B-326-----

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 the permit holder's rights:

1. On Nov 18, 1927-----, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two 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. V. CARTER,
Commissioner of Reclamation.
~~RECEIVED~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. R-326

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, age 47, residence Preston, Idaho, Address: Preston,
Idaho; farmer and Manager of Anderson's Lumber Company

Ques. 2. Are you acquainted with Freston-Whitney Reservoir Co, the
holder of Permit No. R-326? How long have you known him and where does he reside?

Ans. It is a corporation; and known by me since its incorporation
Its principal place of business is Whitney, Idaho

Ques. 3. Have you read or heard read said Permit No. R-326, and are you familiar with
its provisions and conditions?

Ans. Yes; and I have read the said permit and know its contents

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. The water comes from Warmcraek; the reservoir enlargement is
constructed of earth; two canals convey the water from the
reservoir to the point of intended use; the canals conveying the

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

Ans. (It is 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 arid in their nature and without irrigation profitable crops could not be raised; it requires water equal to an inch (Miner's inch) to the acre

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 or

Ans. the water

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

Ans. I have seen the lands above described during the irrigation season of 1926 and 1927, from the waters from the reservoir aforesaid

(Signed)

L. C. 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 November, A. D. 1927.

Arthur M. Gert

Notary Public

My commission expires March 1st, 1928

RECEIVED
NOV 21 1927
DEPARTMENT OF REGISTRATION

Ans. The canal will not
have seen that much therein

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. It is used to mature agricultural crops; said crops have been used on each of the subdivisions of land as here

Ans. to attached, and I have seen each of said sub divisions irrigated as in ~~the~~ set forth and crops grown thereon during the years

1926 and 1927

R326

NUMBER OF ACRES IRRIGATED:

16 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$; 20 acres NE SW $\frac{1}{4}$; 39 SW $\frac{1}{4}$ SW $\frac{1}{4}$; 67 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$; 7 NE $\frac{1}{4}$ SE $\frac{1}{4}$; 34 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$; 18 a. SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in section twenty, Township 18 South, Range 40 E.B.M.
40 acres SW $\frac{1}{4}$ of SE $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, same Township & R.
40 acres NE $\frac{1}{4}$ of SE $\frac{1}{4}$; 40 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres on NE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 30, Township and Range aforesaid.
40 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$; 10 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$; 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$; 29 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 22, Township and Range aforesaid.
40 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$; 20 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$; 30 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$; 30 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, Township and Range aforesaid;
20 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$; 38 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$; 3 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ All in Section 32, Township and Range aforesaid.
38 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$; 20 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$; 12 NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, Township 18 South, Range 40 E.B.M.
38 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1, Township Sixteen, Range 39 E.B.M (3.8 acres)
36 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, Twp. 18 South, Range 39 E.B.M

Total 1328.80 acres

(It is for irrigation purposes)

Ans.

what extent.

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. R-326

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. H. Winward; age 74; residence Preston and Whitney,
occupation Constable Preston, Idaho; address Preston, Idaho

Ques. 2. Are you acquainted with Preston-Whitney Reservoir Company, the holder of Permit No. R-326? How long have you known him and where does he reside?

Ans. It is a corporation; and known by me since its organization;
Its principal place of business is Whitney, Idaho

Ques. 3. Have you read or heard read said Permit No. R-326, and are you familiar with its provisions and conditions?

Ans. Yes; I have read said permit and know its contents

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. The water comes from Warm-creek, a tributary of Cub River;
The works of diversion are constructed of earth, and the water is
conveyed from the reservoir to the lands to be irrigated by means
of two canals, known as the East and West branch canals

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? It will conduct over

twenty second feet; and I have seen that much carried by said
Ans. East and West branch 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 the crops raised thereon.

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 arid in their nature and without irrigation profitable crops could not be raised; it would require water equivalent to 60 acres to each second foot

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

Ans. I have no interest in said lands or water

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. I was on the lands where the

Ans. water has been applied during the years 1926 and 1927 and know that the said lands were irrigated from said reservoir as herein set forth and as set forth in said permit

R-528

(Signed)

J. W. Anderson

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.

Arthur M. Marshall
Notary Public:

My commission expires March 1st, 1928

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NOV 28 1927
DEPARTMENT OF RECLAMATION

Ans. ~~East and West branch 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.

R-326

NUMBER OF ACRES IRRIGATED:-

16 a. SW $\frac{1}{4}$ NE $\frac{1}{4}$; 4 a. SE $\frac{1}{4}$ NE $\frac{1}{4}$; 20 a. NE $\frac{1}{4}$ SW $\frac{1}{4}$; 39 SW $\frac{1}{4}$ SW $\frac{1}{4}$; 37 SE $\frac{1}{4}$ SW $\frac{1}{4}$; 7 NE $\frac{1}{4}$ SE $\frac{1}{4}$; 34 a. NW $\frac{1}{4}$ SE $\frac{1}{4}$; 18 a. SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Sec. 20, Twp. 15, R. 40
40 a. SW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp and Range aforesaid
40 a. NE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 a. NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ SW $\frac{1}{4}$; 40 a. NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 SSE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, Twp. & R. aforesaid.
40 a. NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SW $\frac{1}{4}$ NW $\frac{1}{4}$ 10 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 19 a. NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 a. SW $\frac{1}{4}$ SW $\frac{1}{4}$; 29 a. SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in sec. 29, Twp. and Range aforesaid.
25 a. NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. NW $\frac{1}{4}$ NW $\frac{1}{4}$; 38 SW. NW $\frac{1}{4}$; 3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$; all in Sec. 32 Township and Range aforesaid.
40 a. NE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 a. NW $\frac{1}{4}$ NE $\frac{1}{4}$; 20 a. SW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 30 a. NE $\frac{1}{4}$ SW $\frac{1}{4}$; 30 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 a. SW $\frac{1}{4}$ DW $\frac{1}{4}$; 40 SE $\frac{1}{4}$ SW $\frac{1}{4}$, ~~xxx~~ all in Sec. 31, Township and Range aforesaid.
38 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 20 a. NE $\frac{1}{4}$ SW $\frac{1}{4}$; 12 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, Twp 16 ~~27~~ South, Range 40 E.B.M.
3.8 acres Sec. 1, Township 16 S. Range 39 E.B.M
36 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp 15 S. Range 39 E.B.M

Total acres 1328.80

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)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. R-326

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 40, Residence Whitney, Idaho, occupation
Farmer, Address: 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. Preston-Whitney Reservoir Co., director, by it authorized to sign

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

Ans. R-326 Oct. 23rd, 1923; date of priority to be Oct. 23rd, 1923

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

Ans. Worm-creek, a tributary of Cub River; point of diversion is:
S. 60* 39' E. 4227 feet distant from the N.W. Corner Sec. 10,
Twp. 15 S., R. 40 E. B. 1. Franklin County, Idaho

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. The reservoir was enlarged as per the terms of said permit R-326; it is filled from Worm-creek as the

Ans. Feeder; width of canal 4 ft at bottom, 8 ft at top, two feet deep; aver
age grade per mile 20 feet; capacity 40 cubic feet per second; area
of high water line of reservoir is 50 acres, available capacity of
the reservoir is 730 acre feet; height of dam 34 feet; length of dam
at top 426 feet; length of dam at bottom 300 feet; materials used
is earth; the water is conducted to place of use through the East
and west branch canals described in permit #4198

R-326

NUMBER OF ACRES IRRIGATED:-

16 a. SW 1/4; 4 a. SW 1/4; 20 a. NE 1/4; 39 a. SW 1/4; 37 a. SW 1/4;
7 a. SW 1/4; 34 a. SW 1/4; 13 a. SW 1/4, all in Sec. 20, Twp. 15, R. 40
40 a. SW 1/4; 40 a. SW 1/4, Sec. 19, Twp and Range aforesaid
40 a. SW 1/4; 40 a. SW 1/4, Sec. 19, Twp and Range aforesaid

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

Ans. an amount in acre feet, that would be equivalent to one miner's
inch per each and every acre of the 1329 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. (Ownership has never changed hands)

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

Ans. _____

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. The other waters that have been used on the above described
lands are fully described in the proof this day made on the application
to beneficial use of waters under Permit No 15883

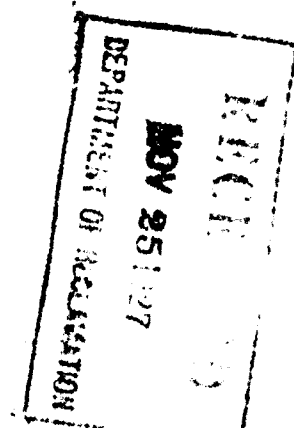
(Sign) *John W. Winward*

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. 19 27

Arthur M. Carl
Notary Public

My commission expires March 1st, 1928

Preston, Idaho



veying 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. The reservoir was enlarged as per the

terms of said permit R-326; it is filled from Worm-creek as the

Ans.

Feeder; width of canal 4 ft at bottom, 8 ft at top, two feet deep; average grade per mile 20 feet; capacity 40 cubic feet per second; area of high water line of reservoir is 50 acres, available capacity of the reservoir is 730 acre feet; height of dam 34 feet; length of dam at top 426 feet; length of dam at bottom 500 feet; materials used is earth; the water is conducted to place of use through the East and West branch canals described in permit #4198

R-326

NUMBER OF ACRES IRRIGATED:-

16 a. SW $\frac{1}{4}$ NE $\frac{1}{4}$; 4 a. SE $\frac{1}{4}$ NE $\frac{1}{4}$; 20a. NE $\frac{1}{4}$ SW $\frac{1}{4}$; 39 SW $\frac{1}{4}$ SW $\frac{1}{4}$; 37 SE $\frac{1}{4}$ SW $\frac{1}{4}$; 7 NW $\frac{1}{4}$ SW $\frac{1}{4}$; 34 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$; 18 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$, all in Sec. 20, Twp. 15, R. 40
40 a. SW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp and Range aforesaid
40 a. NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 a. NE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 a. NW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, Twp. & R. aforesaid.
40 a. NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. NW $\frac{1}{4}$ NW $\frac{1}{4}$; 10 a. SW $\frac{1}{4}$ NW $\frac{1}{4}$; 10 a. NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 a. SW $\frac{1}{4}$ SW $\frac{1}{4}$; 29 a. SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in sec. 29, Twp. and Range aforesaid.
25 a. NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. NW $\frac{1}{4}$ NW $\frac{1}{4}$; 38 SW $\frac{1}{4}$ NW $\frac{1}{4}$; 3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$; all in Sec. 30 Township and Range aforesaid.
40 a. NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 a. NW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 30 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$; 30 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ NE $\frac{1}{4}$; 40 SE $\frac{1}{4}$ SW $\frac{1}{4}$, ~~xxxx~~ all in Sec. 31, Township and Range aforesaid.
38 a. SW $\frac{1}{4}$ NW $\frac{1}{4}$; 40 a. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 20 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$; 12 a. NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, Twp 16 ~~21~~ South, Range 40 E.B.M.
3.8 acres Sec. 1, Township 16 S. Range 39 E.B.M
36 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, Twp 15 S. Range 39 E.B.M

Total acres 1328.80

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. R-328

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 40, Residence Whitney, Idaho, occupation
Farmer, Address: Whitney, Idaho

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 water stored is used for the irrigation of agricultural
crops; the land that is irrigated by these stored waters are 1329
acres; they are all cultivated lands; the direct results of the
application of the water to said lands is in the crops--raising
irrigated crops instead of dry-farm crops--a greater yield per acre.
The number of acres in each subdivision that has actu-
ally been irrigated is hereto attached as part of this answer:-

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

Ans. (For irrigation purposes only)

PERMIT NO. R-326

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. (Preston-Whitney Reservoir Company, a corporation,
Whitney, Idaho.) Abraham Winward; age 40, farmer, address Whitney, Ida

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 its Board of directors authorized him to sign

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

Ans. R-326

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. It is for the irrigation of agricultural lands and to
irrigate 1320 acres

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

Ans. The full amount of water, to-wit, 730 acre feet, during the years
1926 and 1927, and conveyed after such storage to the lands
described and irrigated said lands

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. Yes, and they comply in all respects to the terms of the
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. Wormcreek is the feeder; canal is four feet in the bottom; 8 ft
at the top, two feet deep; grade 30 feet to the mile, area high water
line 50 acres, capacity 730 acre feet; dums 400 feet long, at top;
500 feet long and built of earth material

Cost \$5000.00

(Sign here.)

Abraham 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. A. D. 1927

My commission exp.

Arthur M. [Signature]
Notary Public.

My Commission expires March 1st, 1928

OFFICE OF THE SECRETARY OF THE ARMY

WASHINGTON, D. C.

RECEIVED
NOV 25 1927
DEPARTMENT OF RECLAMATION

TO THE SECRETARY OF THE ARMY
FROM THE SECRETARY OF THE ARMY

RE: [Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

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[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

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

Permit No. R-328

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. L. E. HANSEN, 47, Preston, Idaho, Farmer and Lumber Manager

Ques. 2. Are you acquainted with Preston-Whitney Irrigation Co., the holder of Permit No. R-328, authorizing the diversion of 730 acre ft second-feet of the waters of Hornecreek at T 15 R 32 E, A 11 for irrigation purposes? How long have you known him, and where does he reside?

Ans. It is a corporation; and known by me since its organization with its place of business at Whitney, Idaho

Ques. 3. Have you read or heard read said Permit No. R-328, and are you familiar with its terms and conditions?

Ans. I have read said permit; I know its 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 agricultural; they will require a miner's inch to the acre (a second foot for each 50 acres)

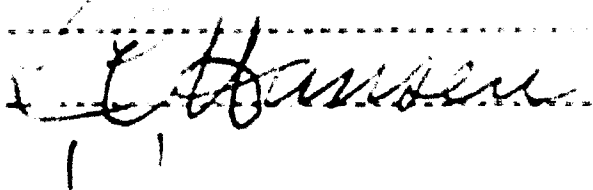
Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

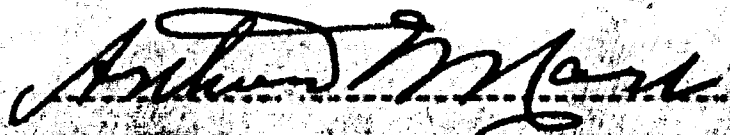
Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. It is constructed of earth, capacity is 730 acre feet; the reservoir is 34 feet high, 408 feet long at top and 300 feet long at the bottom

(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, at my office in Preston, County of Franklin, State of Idaho, on this 18th day of November, A. D. 1917



Notary Public

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

Permit No. A-328

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. J. H. Winward, 72, residence - Preston, Idaho, occupation -
farmer and Constable of Preston Precinct

Ques. 2. Are you acquainted with Preston-Chitney Reservoir Company, the holder of Permit No A-328, authorizing the diversion of 730 acre feet of the waters of Worm Creek at Sec. 20, T. 15, R. 39 for irrigation purposes? How long have you known him, and where does he reside?

Ans. It is a corporation; place of business, Chitney, Ida. It is known by me ever since its incorporation

Ques. 3. Have you read or heard read said Permit No. A-328, and are you familiar with its terms and conditions? Yes; and I know its contents

Ans. and its terms and conditions and I have read it.

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 agricultural; they require an inch to the acre (Miner (inch))

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

Ans. Yes

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

Ans. The canals are made of earth; the reservoir is also constructed of earth; the capacity is 730 acre feet 34 feet high, 400 feet long at top and 300 feet at bottom

(Sign here.)

J. H. 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, Franklin County of Franklin State of Idaho, on this 18th day of November A. D. 1912

Arthur M. Hart

ARTHUR W. HART
ATTORNEY-AT-LAW

PRESTON, IDAHO

Nov. 21st, 1937

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

R-326

NOV 25 1947
DEPARTMENT OF ILLUMINATION

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. H. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

R. 326

Whitney Ida Dec 8 - 1927

State of Idaho
Mr George F. Carter
Boise, Ida.

Dear Sir:

Your letter of Dec 6th to Attorney
A. W. Hart was handed to me to day.

Enclosed find our Co. check of 5.00
as per letter.

And I suppose ~~you~~ your receipt of this
there will be papers for us. if so mail
to me. and further instructions if you
have any for us.

Are there any more charges?

Yours truly

Ida Whitney
Ida C. W. Reservoir Co.

RECEIVED

DEC 10 1947

DEPARTMENT OF RECLAMATION

December 14, 1927.

Re: Permit No. R-326

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

Dear Sir: .

We are mailing herewith Certificate of
Completion of Reservoir and Right to Store Water,
which has been issued under the above numbered
permit; also receipt for fee paid.

Very truly yours,

GEO. H. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

Enc.

R-326

THURSDAY
AUG. 1954

19

Johnson Rec

R-326

R-326

Specifications for the Preston & Whitney Reservoir Company

DAM.

Dimensions of Dam.

The dam must be eight (8) wide on top, twenty-seven (27) feet in maximum height, with a slope of one and one half ($1\frac{1}{2}$) feet horizontal to one foot vertical (~~maximum one~~) (slope $1\frac{1}{2}$ to 1) on the water face, and one foot vertical to one horizontal (slope one to one) on the front face, making the maximum width (75,5) seventy-five and one half feet on bottom. All measurements to be full when dam has settled one year.

Materials.

The major part of the dam is to be constructed of earth from the adjoining hills, the north or heavier part of the dam and where bed-rock is within fifteen feet of the surface, is to be made impervious by a concrete core wall the remainder of the dam where the height is not over fifteen (15) and bed-rock is not over less than fifteen (15) feet the dam is to be made impervious by a puddle core wall.

OUTLET PIPE.

The outlet is to be through a concrete pipe laid in the bottom of the trench in rock, (trench or cut is shown in elevation of accompanying drawings) The outlet pipe is not to be less than fourteen (14) inches inside diameter in any place, the walls of the pipe to be not less than six (6) inches in minimum thickness. The outlet pipe must be finished on the inside by plastering smooth with a mortar of one part portland cement to one and one half ($1\frac{1}{2}$) parts of clean coarse dry sand measured by weight.

CORE WALL:

The dimension of the concrete core wall shall be as shown in drawings. The puddle core wall shall be three (3) feet thick at the top with a batter of one foot in ten, varying the bottom with the height of the dam.

CONCRETE:

All concrete used in the construction of this dam shall be made of one part portland cement, two (2) parts clean, coarse sand, and five (5) parts of clean screened gravel or broken stone by measure. The stone or gravel shall be free from clay, dirt or other objectionable material; no stone shall be larger than two & one half (2 & 1/2) inches and but very few less than one-fourth (1/4) inch in the greatest dimensions.

The mixing shall be done in boxes, or on suitable platform, in a manner satisfactory to the engineer; and after the materials are wet the work must proceed rapidly until the concrete is in place and so thoroughly rammed that water flashes to the surface and all intersections between the stones are filled with mortar. No layer of concrete shall be put in place to exceed eight (8) inches before ramming as above specified.

Finished surfaces, or any unfinished surfaces that are to be left more than twelve (12) hours during the night, or three (3) hours during daytime must be protected by sprinkling sand over them and sprinkled with water to keep them from becoming dry until thoroughly set. The concrete must be protected and kept from freezing during cold weather until thoroughly set.

All cement shall be of some well and favorably known brand and delivered on the ground in barrels or equally tight packages, and after delivery must be protected from the weather by storing in tight building or other suitable covering. The packages shall not be laid on the ground but on boards raised a few inches from it.

The cement shall be subject to the following tests: 90% shall pass through a sieve having 25 meshes per square inch.

Specimen briquettes made of neat cement will be required to resist without fracture a tensile strain of at least 175 lbs. per square inch, without fracture after being allowed to set seven (7) hours in air and three days under water, and at or the expiration of seven days must stand a minimum tensile strain of 350 lbs. per square inch.

Any packages of cement found not able to fill these requirements will be condemned and rejected, any work having been done with condemned or rejected cement will be torn out and replaced by fresh work.

It shall be the duty of the engineer to inspect all works, and he shall have power to reject any part or the whole of the work that in his judgment has been done according to specifications.

P. S. Morgan, County Surveyor,

Franklin, Oneida Co., Idaho.

Abundant
D. 100
C. 100
D

INDEX NO. 14100

MEMORANDUM

R- 326

April 3, 1968

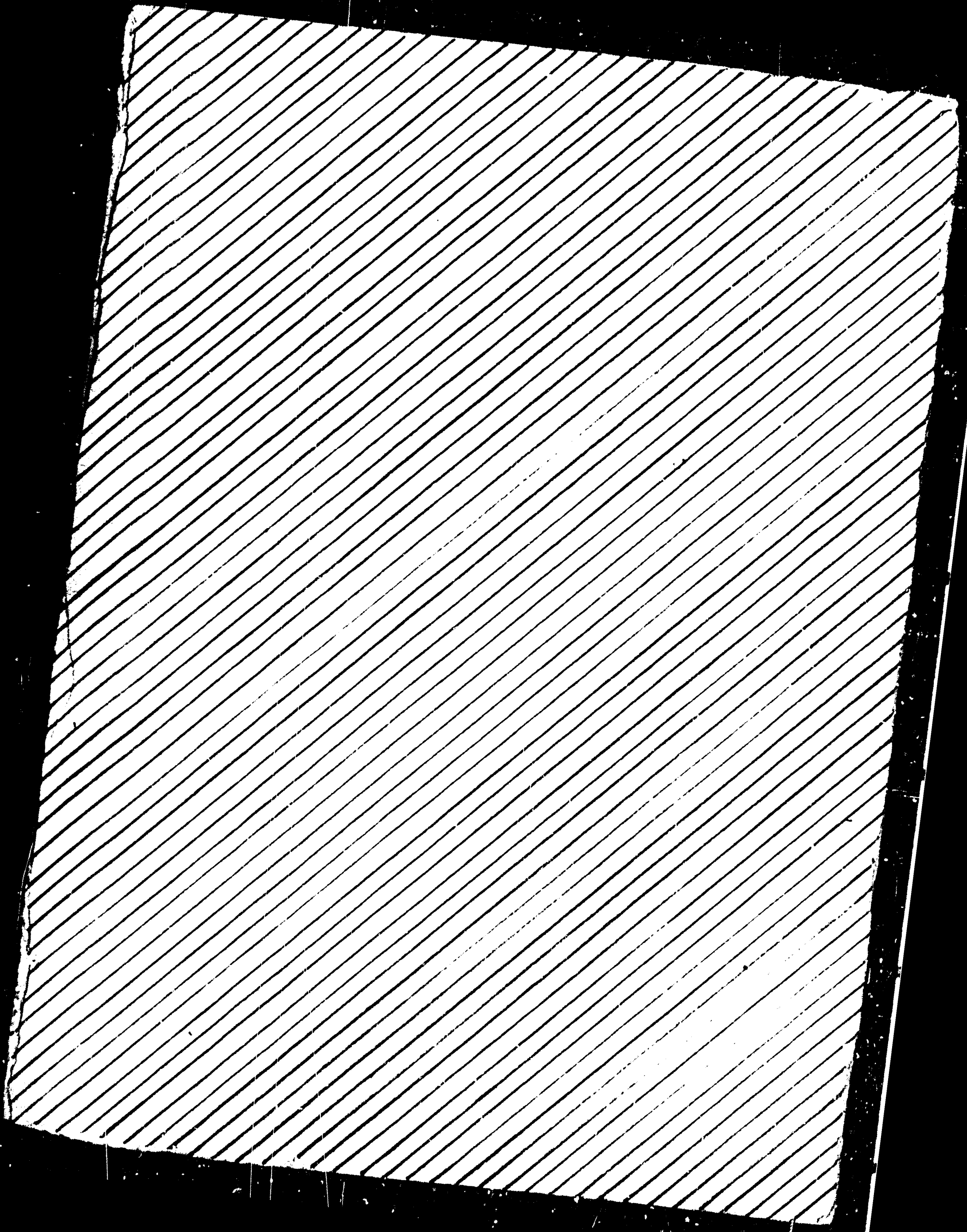
(date)

Examination of this permit shows that proof of completion of works and beneficial use of water for this project was submitted under Permit No. 4198. Therefore action on this storage filing may be considered completed, the same as if proofs had been submitted and certificate and license issued.

per RKH

February 12, 1968

R326



Application for a Permit to Construct the PRESTON-WHITNEY Reservoir

And to Store the Unappropriated Waters of the State of Idaho

Application No. R 22572
Permit No. R 326
District No. 5-H

1. Name of Applicant: The 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 19th, 1904, Oneida County, Idaho.
- (b) Amount of capital stock: \$ 10,000
- (c) Amount paid in: \$ 7,000
- (d) Names and addresses of directors: E. P. Moser, Sidney Beckstead, Leonard Johnson, James R. Bodily, B. R. Winward, all of Whitney, Idaho.

II. The financial resources of the applicant are: (a) Cash on hand: \$ 25.00
(b) Treasury stock: \$ 5,000.00 (c) Bonds to be issued: \$
(d) Other resources:

- 2. Quantity of water to be stored seven hundred thirty acre feet per annum.
- 3. Source of water supply Worm Creek, which is a tributary of Cub River.
- 4. Water is to be used for: Irrigation purposes.
- 5. The outlet of the proposed reservoir is located S. 55°30' West two thousand two hundred feet distant from the northeast corner of Section 20, T. 15 S., R. 39 E., B. M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T. 15 S., R. 39 E., County of Franklin.

6. Fill out either (a) or (b).

(a) The reservoir is located in the channel of

(b) The reservoir is to be filled through the Worm Creek Feeder Canal, which has a width at bottom of four ft., width at top of eight ft., depth of two ft., average grade per mile 20 ft., capacity 40 cubic feet per second.

- 7. (a) The area of the high water line of the reservoir is fifty acres.
- (b) The available capacity of the reservoir is 730 acre feet.
- 8. Height of dam: 34 feet; length of dam at top 496 feet; length of dam at bottom 500 feet.

Material used in dam: earth

9. The estimated cost of proposed reservoir is \$ 5,610.00

10. Amount of land to be irrigated 1329 acres; said land being described in Use Permit mentioned in

Paragraph 13 herein, which Use Permit is hereby referred to and made a part hereof.

11. The time required for the completion of such work is five years.

13. The water stored in accordance with this permit will be conducted to the place of use through the East & West Branch canal constructed under the terms of Permit No. 4198, filed by Preston & Whitney Reservoir Co. on November 6th, 1908.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and to store the unappropriated waters of the State of Idaho as herein set forth.

By E. P. Moser, Agent.
Preston-Whitney Res. Co., Applicant.

COMMISSIONER OF RECLAMATION.
Date of first receipt at office of State Engineer 9 A. M. September 18, 1923.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION
Approval of State Engineer

The number of this Permit is R 326

Recorded in book R 2 Page 326 Approved October 23, 1923.

This is to certify that I have examined the within application for a permit to construct a reservoir and to store the unappropriated 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 the 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 stored in accordance herewith, to be made on or before

as set out in Permit No. 15883 for the appropriation of the public waters of the State of Idaho, which is hereby referred to and made a part hereof.

B.2

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

W. G. SWENDSEN,
Commissioner of Reclamation.
State Engineer.

Remarks:

PERMIT NO. R-326.
CERTIFICATE OF COMPLETION OF RESERVOIR AND
RIGHT TO STORE WATER

Amount 730 Acre feet

Priority 9-18-1923.

This is to certify that The Preston-Whitney Reservoir Company of Preston, County of Franklin, and State of Idaho, the holder of Permit No. R-326, issued upon Application No. R22572, bearing date of priority of September 18, 1923, authorizing the construction of a reservoir and the right to store the waters of Worm Creek, a tributary of Cub River, County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works as set out and described in said Permit; that said works are adequate for the storage of 730 acre feet of water annually; that the location of the outlet of said reservoir is in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20, Township 15 S., Range 39 E., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume R-2, of Permits, at page 326, records of the Department of Reclamation on the 14th day of December, 1927; that the right hereby confirmed dates from September 18, 1923; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 730 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 14th day of December, A. D. 1927.

(SEAL) GEO. H. CARTER,
Commissioner of Reclamation

Proof of completion of works made November 18, 1927.
Certificate issued December 14, 1927.

Application for a Permit to Construct the PRESTON-WHITNEY Reservoir

And to Store the Unappropriated Waters of the State of Idaho

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District No. 5-H

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3. Source of water supply Worm Creek, which is a tributary of Cub River.

4. Water is to be used for: Irrigation purposes.

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8. Height of dam: 54 feet; length of dam at top 496 feet; length of dam at bottom 500 feet.

Material used in dam: earth

9. The estimated cost of proposed reservoir is \$ 5,610.00

10. Amount of land to be irrigated 1329 acres; said land being described in Use Permit mentioned in

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Preston-Whitney Res. Co., Applicant.
By E. P. Moser., Agent.

COMMISSIONER OF RECLAMATION.
Date of first receipt at office of State Engineer 9 A. M. September 18, 1923.

Returned to applicant for correction

Corrected application received

COMMISSIONER OF RECLAMATION
Approval of State Engineer

The number of this Permit is R 326

Recorded in book R 2 Page 326 Approved October 23, 1923.

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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 the 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 stored in accordance herewith, to be made on or before

as set out in Permit No. 15883 for the appropriation of the public waters of the State of Idaho, which is hereby referred to and made a part hereof.

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

W. G. SWENDSEN,
Commissioner of Reclamation,
State Engineer.

Remarks:

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Amount 730 Acre feet

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(SEAL) GEO. N. CARTER,
Commissioner of Reclamation

Proof of completion of works made November 18, 1927.
Certificate issued December 14, 1927.

PROPOSED FINDING OF WATER RIGHTS - MORRIS CREEK DRAINAGE

13-2287

SOURCE: Morm Creek

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE		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
				From	To					
13-0063	LARSEN, Lynn J. Rt. #1 Preston, Idaho	6-09-1923	Irrigation	4-1	11-1	105.0	0.97	NW1/4, S.13 T16S, R39E	Sec. 14 NW1/4 SE1/4 SW1/4 SE1/4 T16S, R39E	Decree 20.0 10.0 30.0
-13-2102 & -13-2257	PRESTON-MITNEY RESERVOIR COMPANY Preston, Idaho <i>amended by final decree</i>	9-18-1923 9-18-1923 9-18-1923	Irrigation Diversion to storage Storage for irrigation	4-1 11-1 1-1	11-1 6-15 12-31	4265.0 --- 730.0 4265.0	10.0 --- --- 10.0	NW1/4, S.10 T15S, R40E	Same as listed under 13-2022	License Johnson Reservoir outlet located in NW1/4, Sec. 20, T15S, R40E
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 MITNEY IRRIGATION COMPANY	3-14-1924	Irrigation	4-1	11-1	10,662.0	25.0	SE1/4, S.8 T15S, R40E	Same as listed under 13-0271	License
-13-2108 & -13-2288	PRESTON MITNEY IRRIGATION COMPANY Preston, Idaho	12-15-1924 12-15-1924 12-15-1924	Irrigation Diversion to storage Storage for irrigation	4-1 11-1 1-1	11-1 6-15 12-31	6000.0 --- --- 6000.0 6000.0	--- --- ---	SE1/4, S.8 T15S, R40E	Same as listed under 13-0271	License Glendale Reservoir

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