

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 20, 1971

RECEIVED

JAN 26 1972

Department of Water Administration

Wilbur C. Hayden, M.D.

514 No. 3rd Ave. RT 2 Box 186 *

Sandpoint, Idaho 83864

Dear Dr. Hayden:

A representative of this department has made an examination of the works covered by your Permit No. 26481/96-2246 and has found the following:

Quantity of water diverted: 0.08 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.08 c.f.s.

The maximum quantity of water diverted shall not exceed 12 acre feet per season.

Beneficial Use: Irrigation of 4 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, Twp. 57N, Rge. 2W, B.M.

Point of diversion: Same as above.

The priority date established is : April 17, 1957

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

* Note change of Address.

BDF:DR

96 2246

Source of supply Road 'Oreille River
a tributary of Columbia River
Location of P.D.(s) Sw SE Sec 20 57N2W

Water is used for irrigation
Quantity of water found .084 cfs

How was the measurement made? pressure gauge
Measurement calculations _____

35 lbs pressure
6 psi/lb 30 w $\frac{3}{16} \times \frac{3}{32}$

$6.319 \times 6 = .084 \text{ cfs}$
448.8

Diversion works description and diagram

Brooks Motor

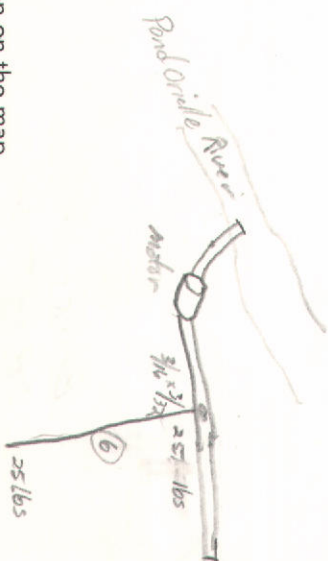
3 H.P Ser: 224652360

Advance Pump

Ser: 570400

3" intake

2" discharge



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 4

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

(irrigates some alfalfa and orchard)
Approx 4 acres

Who represented the permit holder at the examination?

Mrs. Hayden

Recommended allowance for licensing .08 cfs

Description of required amendments. Comments _____

No Amendments Required

Report checked? _____

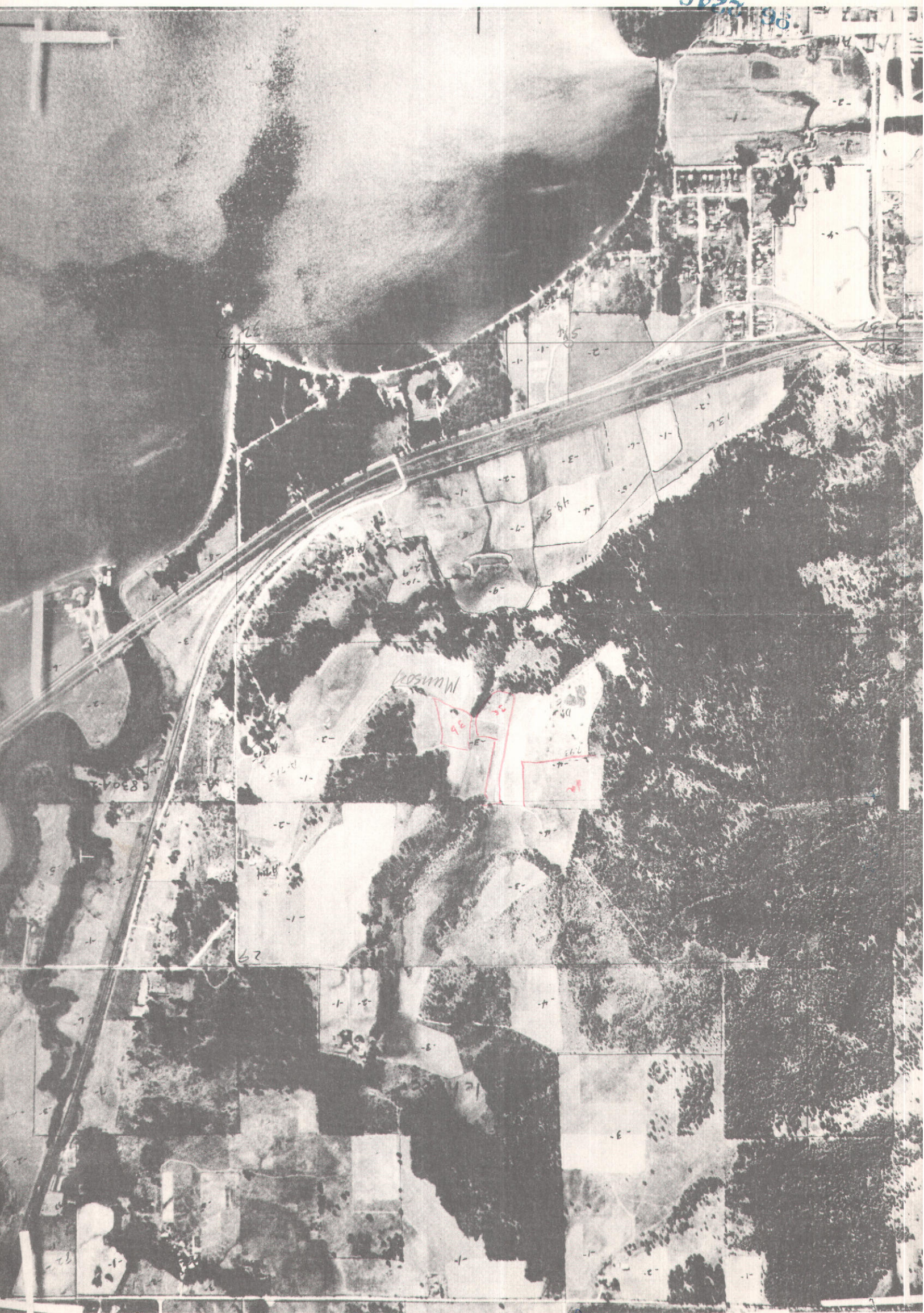
Examination date 1 Sept. 70

Signature [Signature]

96 2246

mf
9.17.70

96 2246



W.C. Hayden
Rev. J. O. Hayden
A-715

(136)
27

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

RECEIVED
FEB 21 1968
Department of Reclamation

Notice is hereby given that at ~~10~~ A.M. on the 25th day of April, 1968,
at Sandpoint, County of Bonner, State of Idaho, before
Margaret Burns, J.P., Sandpoint, Idaho, proof will be submitted of the
application to beneficial use of 0.08 cubic feet per second of the waters of
Pend O'reille River in accordance with the terms and conditions of
Permit No. 26481 ~~83864~~ heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person ~~or corporation~~ holding said permit
Wilbur C. Hayden, 514 N. 3rd Ave., Sandpoint, Idaho 83864

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 0.08 Cubic feet per second

The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T 57 N,
R 2 W. B.M. Bonner County

The place where said water is used (LEGAL DESCRIPTION)

Lots 3 and 4, Block 1, Lots 5 and 6, Block 2, Dover Tracts in SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 29, T 57 N, R 2 W, B.M. Bonner County

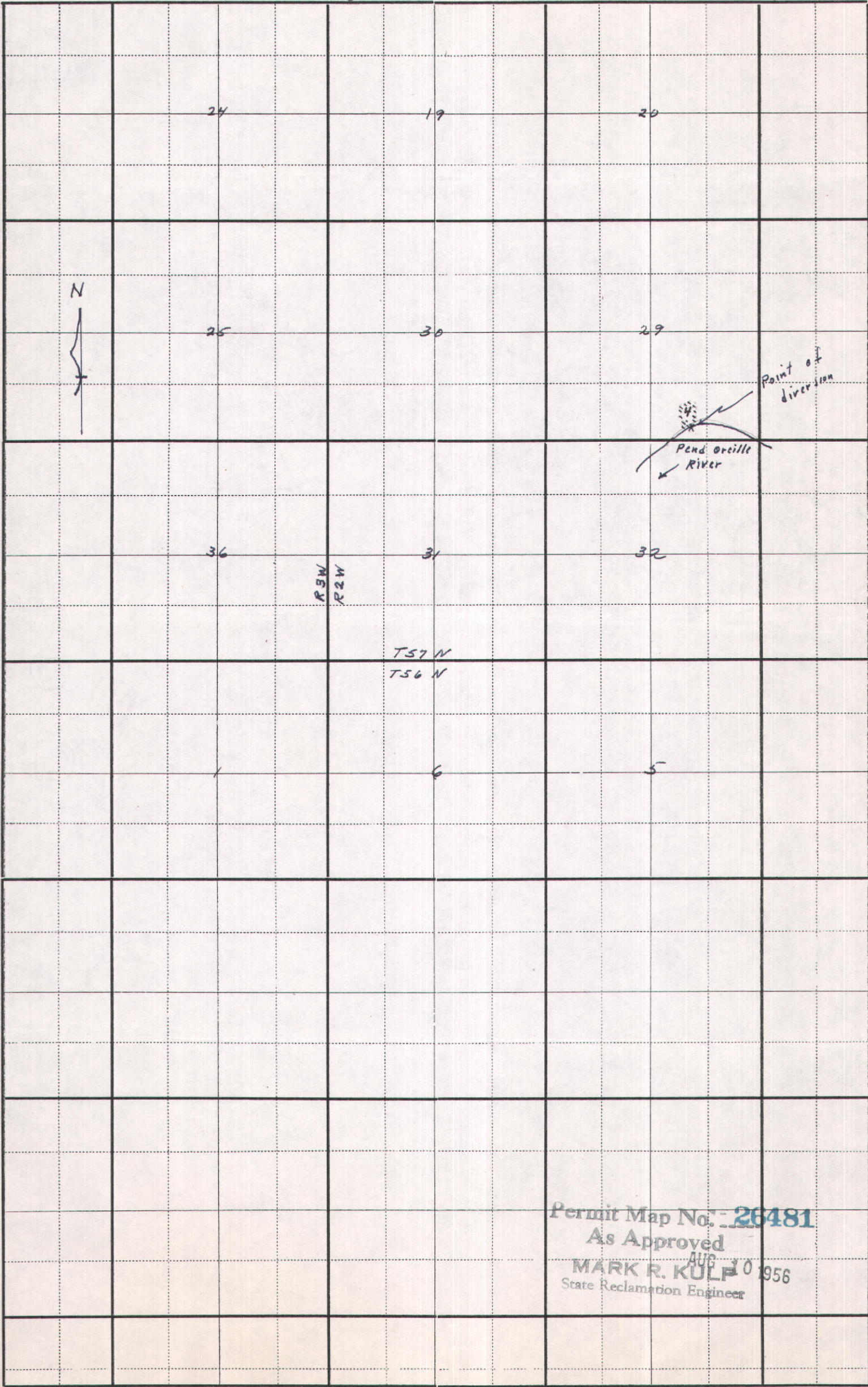
The date of priority which said user is prepared to establish is 25th April, 1968
August 2, 1956 (Subject to late proof).

State Reclamation Engineer

96-2246
24481

NAME OF APPLICANT Wilbur Q. Hayden

Form No. 0



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

26481

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 26481/96-2246 Priority April 17, 1957 Amount 0.08 cfs
(late proof)

THIS IS TO CERTIFY, that Wilbur C. Hayden
of Sandpoint, Idaho, has complied with the terms and conditions of Permit
No. 26481/96-2246 issued pursuant to Application for Permit dated August 2, 1956
and has submitted proof to the Department of Water Administration on April 25, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.08 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Pend Oreille River
tributary of the Columbia River, is hereby confirmed in the following amounts:
Amount 0.08 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.08 cfs of water be diverted at
any one time, said waters to be diverted within the _____
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, Twp. 57 N, Rge. 2 W, B.M.

in the county of Bonner; 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 12 acre feet per year or _____
3.0 acre feet per acre.

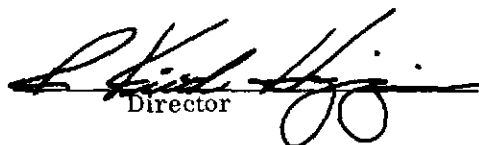
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
57N	2W	29															4		4

Total number of acres irrigated 4

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 1 day of
February, 19 72.


Director

96 2246

96 - 2-46

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34382
 PERMIT No. 26481
 DISTRICT No.

1. Name of Applicant: **WILBUR C. HAYDEN**
 Postoffice address: **Rt. 2, Sandpoint** County: **Bonner** State: **Idaho**
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: **0.08** cubic feet per second.
3. Source of water supply: **Pend Oreille River** which is a tributary of **Columbia River**
4. Location of point of diversion: **feet distant from the**
 corner of Section , T. , R. , B. M., and is in the **SW $\frac{1}{4}$ SE $\frac{1}{4}$**
 of Section **29**, T. **57 N.**, R. **2 W.**, B.M., County of **Bonner**
5. Water is to be used for **Irrigation**
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: **feet distant from** **corner of Section**
T. , R. , B.M., in the **of Section , T. , R. , B.M.**
 (b) Amount of power generated: **H.P., under** **feet head.**
 (c) Water is to be returned to **at a point** **feet**
distant from the **corner of Section , T. , R. , B.M., in the**
of Section , T. , R. , B.M.
7. Estimated cost of works: **\$ 500.00**
8. Kind of works: **Pipe for sprinkler irrigation**
9. Height of dam **feet; length of dam at top** **feet; length of dam at bottom**
feet; material used in dam:
10. Size of headgate: Width **feet; height** **feet.**
11. Ditch: Width at bottom **feet; width at water line** **feet; depth of water** **feet;**
dimensions of flume:
Diameter of pipe **2 inches; length of conduit **0.1** miles.**
Average grade per mile **feet.**
12. The time required for the completion of such work is **5** years.
13. The time required for the complete application of the water to the proposed use is **6** additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

WILBUR C. HAYDEN Applicant.
By Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. August 2, 1956
Returned to applicant for correction:
Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26481
Recorded in Book 93 Page 26481 Approved August 10, 1956
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve he 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 October 10, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before February 10, 1959
The whole of said work to be completed on or before August 10, 1961
Beneficial use of water appropriated in accordance herewith, to be made on or before August 10, 1967

WITNESS My hand this 10th day of August, 1956. MARK R. KULP State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho, and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th day of August, 1956. STATE OF IDAHO
Countersigned: By ROBERT E. SMYLIE Governor.
(SEAL) By JAS. H. YOUNG Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
57 N.	2 W.	29															4		4
Permit No. 26481 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN: This is to certify that WILBUR C. HAYDEN of Sandpoint, County of Bonner, and State of Idaho, the holder of Permit No. 26481, issued upon Application No. 34382 bearing date of priority of August 2, 1956, authorizing the diversion of 0.08 second feet of waters of Pend Oreille River County of Bonner, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.08 second feet of the waters of Pend Oreille River, tributary to the Columbia River that the point of diversion of said waters SW1/4SE1/4, Sec. 29, T. 57 N., R. 2 W., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 5 acres in Lots 3 and 4, Block 1; Lots 5 & 6, Block 2, Dover tracts, in SW1/4SE1/4, Sec. 29, T. 57 N., R. 2 W., B.M. Witness my hand this 17 day of August, A.D. 1961. /s/ RALPH W. THOMAS Deputy State Reclamation Engineer Proof of Completion fo Works Made: August 10, 1961																			

LICENSE ISSUED FOR 0.08 SEC. FT.
LICENSE PAGE NO.

February 3, 1972

Re: Permit No. 26481/96-2246

Wilbur C. Hayden, M.D.
Route 2, Box 186
Sandpoint, Idaho 83864

Dear Dr. Hayden:

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

Also enclosed is departmental receipt No. 8751 in the amount of \$7.00 covering the fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: License
Receipt #8751

96 2246

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 20, 1971

RECEIVED

JAN 23 1972

Department of Water Administration

Wilbur C. Hayden, M.D.

~~514 No. 3rd Ave. RT 2 Box 186~~ *

Sandpoint, Idaho 83864

Dear Dr. Hayden:

A representative of this department has made an examination of the works covered by your Permit No. 26481/96-2246 and has found the following:

Quantity of water diverted: 0.08 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.08 c.f.s.

The maximum quantity of water diverted shall not exceed 12 acre feet per season.

Beneficial Use: Irrigation of 4 acres within the SW 1/4 Sec. 29, Twp. 37N, Rg. 2W, E.M.

Point of diversion: Same as above.

The priority date established is : April 17, 1957

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

* Note change of Address.

BDF:DR

96 2246

December 20, 1971

Wilbur C. Hayden, M.D.
514 No. 3rd Ave.
Sandpoint, Idaho 83864

Dear Dr. Hayden:

A representative of this department has made an examination of the works covered by your Permit No. 26481/96-2246 and has found the following:

Quantity of water diverted: 0.08 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.08 c.f.s.

The maximum quantity of water diverted shall not exceed 12 acre feet per season.

Beneficial Use: Irrigation of 4 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, Twp. 57N, Rge. 2W, B.M.

Point of diversion: Same as above.

The priority date established is : April 17, 1957

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

96 2246

Source of supply Pond O'Reille River
a tributary of Columbia River
Location of P.D.(s) SW SE Sec 30 57N 24W

Water is used for irrigation
Quantity of water found .084 cfs

How was the measurement made? pressure gauge

Measurement calculations 35 lbs pressure
6 psi = 30 w 3/4 x 3/32

6.319 x 6 = .084 cfs
448.8

Division works description and diagram

Greene Motor

3 HP Ser: 224452280

Advance Pump

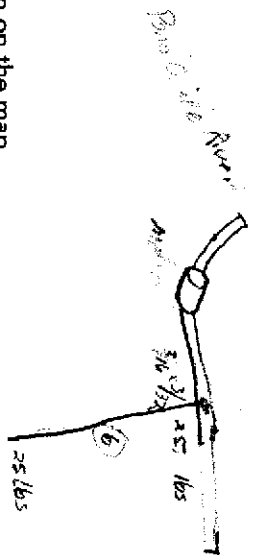
Seri: 570400

3" intake

2" discharge

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 4



If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

(irrigates some alfalfa and orchard)
Approx 4 acres

Who represented the permit holder at the examination?

Mrs. Hayden

Recommended allowance for licensing .08 cfs

Description of required amendments. Comments.

No Amendments Required

Report checked?

Examination date 1 Sept 70

Signature

[Signature]

96 2246

96 2246



(186) 67

W.S. Hayden
~~Rev. J. O. Hayden~~
A-715

Wilbur C. Hayden, M. D.

514 NORTH THIRD AVENUE
SANDPOINT, IDAHO 83864

For Mail

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



FRANKLIN D. ROOSEVELT
U.S. POSTAGE



*96-2246
26481*

May 6, 1968

Re: Permit No. 26481

Wilbur C. Hayden, M. D.
Route 2
Sandpoint, Idaho 83864

Dear Dr. Hayden:

We acknowledge receipt of the depositions and affidavit of publication in the
Sandpoint News-Bulletin submitted as proof of com-
pletion of works and beneficial use on Permit 26481.

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
Appropriation Examiner

DWM:dj

Enc: Advertising statement and receipt

96-2246m
exam
typed
26481

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of

Notice of Proof of Application of

Water to Beneficial Use; Department

of Reclamation of the State of

Idaho

as it was published in the regular and entire issue
of the said paper for a period of four
consecutive weeks, commencing on the 14th
day of March, 1968, and end-
ing on the 4th day of April,
1968, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

18th day of April, 1968.

John G. Galt

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on
April 25, 1968, at Sandpoint, Coun-
ty of Bonner, State of Idaho, be-
fore notary public Margaret Burns,
J.P., Sandpoint, Idaho, proof will
be submitted of the diversion of
0.08 c.f.s. of the waters of the
Pend Oreille River, and the ap-
plication to beneficial use of said
water, in accordance with the
terms and conditions of permit
26481, heretofore issued by the
Department of Reclamation of the
State of Idaho.

1. The name and address of
permit holder is Wilbur C. Hayden,
Route 2, Sandpoint, 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 0.08 cubic feet per
second.

3. The use to which said water
has been applied is irrigation
purposes, and the amount applied
to beneficial use is 0.08 c.f.s.

4. The point of diversion of
said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29,
T. 57 N., R. 2 W., B.M., Bonner
County.

5. The place where said water
is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29,
T. 57 N., R. 2 W., B.M.

6. The date of priority which
said user is prepared to establish
is August 2, 1956 (Subject to late
proof.)

R. KEITH HIGGINSON,
State Reclamation Engineer.
M14-21-28-A4

96-2246

26481

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

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

Wilbur C. Hayden, Physician & Surgeon, 514 N 3rd Ave, Sandpoint, 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: _____

Ques. 3. State number, approval date of permit, and date of priority: _____

Permit 26481 - August 10, 1956 - Aug. 2, 1956

Ques. 4. State source of water supply: Pond O'Reille River, tributary to the
Give location of point of diversion, showing subdivision, section, township and range

Columbia River - SW 1/4 SE 1/4, Sec. 29, T. 57N., R. 2W., Blm.

Ques. 5. Describe your works of diversion: PIPE FOR SPRINKLER

IRRIGATION & PUMP - 3 H.P.; state amount of water they are capable of conveying from point of diversion to place of use: 0.08 cu. ft. sec.; Give name of canal or ditch

or other works by which water is conducted to such place of use: 2" PIPE

_____; if a well, state depth of well _____; depth and size of

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

state discharge of pump: _____; tell how it was measured or determined _____

_____; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

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

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

Lots 3 & 4 of Block 1, and lots 5 & 6 of Block 2,
Dover Tracts, Sec. 29, T. 57N., R. 2W., Bonner
County x

96-2246
26481

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

Bearing orchard - Apples pears cherries plums prunes
Raspberries Strawberries - Nectar berries - Truck garden

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

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

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

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

yearly since installation to date.

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

None

(sign) William Hayden

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

208 N. 4th Avenue, Sandpoint, County of Bonner

State of Idaho, on this 25th day of April, A. D. 19 68.

Margaret D. Burns

My commission expires: July 18, 1969

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. _____

RECEIVED
APR 20 1966
Department of Reclamation

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:

Thelma Hollaway age 60, Housewife
Rt. 1 - Box 185 - Landpoint, Ida. 83864

Ques. 2 Are you acquainted with Wilbur C. Hayden, the holder of
Permit No. 26481? How long have you known him and where does he reside?

Since 1958 RR #2, Landpoint Ida

Ques. 3. Have you read or heard said Permit No. 26481 read, and are you familiar
with its provisions and conditions: Yes XX No. _____

Ques. 4. State source of water supply: Paul O'Reille River

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

SW 1/4, SE 1/4, Sec. 29, T57N., R2W., B.M.

Describe works for conveying water to place of use: 2" pipe - under
ground

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 0.08 cu ft per sec How much water have you seen being so
conveyed? 0.08 cu ft per sec when pumping

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

Lots 344 of Block 1 & Lots 546 of
Block 2, Dove Tracts Sec. 29
T57N - R2W - Bonneville County

96-2246

26481

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

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

Truck farming and orchard.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None

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

June 1957
Other times you have seen such use: yearly since
installation

(Signed):

Thelma Hollaway

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 my office

SANDPOINT, County of BONNER, State of Idaho, on
this 25th day of April, A. D. 1968

Margaret N. Burns

Notary Public for the State of Idaho

Residing Sandpoint, Bonner County

My commission expires July 18, 1968

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Permit No. _____

RECEIVED
APR 20 1966
DEPARTMENT OF RECLAMATION

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:

William A. Hallaway age 67 Retired
R2 Box 185 Sandpoint, Ida. 83864

Ques. 2 Are you acquainted with Wilbur C. Hayden, the holder of
Permit No. 26481? How long have you known him and where does he reside?

Since 1958 RR #2, Sandpoint, Ida.

Ques. 3. Have you read or heard said Permit No. 26481 read, and are you familiar
with its provisions and conditions: Yes XX No. _____

Ques. 4. State source of water supply: Pond O'Reille River

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

SW 1/4, SE 1/4, Sec. 29, T. 57 N., R. 2 W., B. M.

Describe works for conveying water to place of use: 2" pipe - under-
ground

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 0.08 cu. ft. per sec. How much water have you seen being so

conveyed? 0.08 cu ft per sec. when pumping

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

Lots 3 & 4 of Block 1, & lots 5 & 6 of Block 2,
Dover Tract, Sec 29 T57N. R-2W
Bonner County.

96-2246
26481

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

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

Truck farming and orchards.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None.

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

Other times you have seen such use: Yearly Since

installation

(Signed):

William A. Hallaway

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 my office

SANDPOINT, County of BONNER, State of Idaho, on

this 25th day of April, A. D. 19 68

Margaret D. Burns

Notary Public for the State of Idaho

Residing Sandpoint, Bonner County

My commission expires July 18. 1969

April 5, 1968

Re: Permit No. 26481
Wilbur C. Hayden

Margaret N. Burns
Justice of the Peace
Sandpoint, Idaho 83864

Dear Mrs. Burns:

Pursuant to your letter of April 3, 1968, we are forwarding a set of depositions for your use.

Thank you for bringing this oversight to our attention.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: Depositions

96-2246

26481

Bonner County Precinct Justice Court

MARGARET N. BURNS

Justice of the Peace

COngress 3-3240

Sandpoint, Idaho

APRIL 3, 1968

RECEIVED
APR 5 1968

Department of Reclamation

Re: WATER USE PERMIT #26481
WILBUR C. HAYDEN, APPLICANT

Department of Reclamation
Room 107, State House
Boise, Idaho

Donald W. McElDowney
Appropriation Examiner

Dear Mr. McElDowney;

The deposition forms to be submitted to your office
in connection with the above-styled application were
not enclosed in the notice mailed to me.

I have contacted the subject applicant and he advises
that the forms were not sent to him. Will you please
mail the forms to me at your earliest convenience so
that I may have them before the hearing date, 4-25-.968.

Thanking you, I am,

Yours truly,

Margaret N. Burns
Margaret N. Burns

96-2246

26481

Re: Permit No. 26481

February 23, 1968

Wilbur C. Hayden
514 North 3rd Avenue
Sandpoint, Idaho 83864

Dear Mr. Hayden:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No. 26481.

We have mailed the notice to the Sandpoint News-Bulletin to be published once a week for four consecutive weeks prior to April 25, 1968, which is the hearing date when the permit holder _____

Wilbur C. Hayden
and two disinterested witnesses must appear before _____
Margaret Burns, 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 Wilbur C. Hayden. 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
Appropriation Examiner

DWM:dj

Enc: Depositions

cc: Notary

96-2246
26481

February 23, 1968

Re: Permit No. 26481
Wilbur C. Hayden

Sandpoint News-Bulletin
Sandpoint, Idaho 83864

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to April 25, 1968. The expense of the publication is to be paid by Wilbur C. Hayden, 514 North 3rd Avenue, Sandpoint, Idaho 83864.

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
Appropriation Examiner

DWM:dj

Enc: Legal Notice

96-2246
26481

PRACTICE LIMITED TO
OBSTETRICS, GYNECOLOGY
and PEDIATRICS

Wilbur C. Hayden, M.D.

514 N. Third Avenue
SANDPOINT, IDAHO 83864

Phone COngress 3-3181

2/19/68 RECEIVED
FEB 21 1968

Department of Reclamation

Re: Permit No. 26481

Donald J. Watts PE
Engineer, Dept. of Reclamation,
107 State House
Boise, Idaho

Dear Mr. Watts:

In accordance with
instructions, completed forms
#10 & #11 are forwarded
herewith.

In letter dated 2/8/68
mention is also made of
completed form 36 to be
enclosed. Search of my
files fails to reveal such
a form #36. Hence,
it is not possible to
comply with this specific
instruction. Sandpoint
Public Works have been
unable to give me any
data as regards what
this form covers or
consists of.

Sincerely

Wilbur C. Hayden

2 Incls.
Form 10 - (dup)
Form 11

96-2246 26481

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

Notice is hereby given that on April 25, 1968, at Sandpoint,
County of Bonner, State of Idaho, before notary public (name & address) Margaret Burns, J.P., Sandpoint, Idaho, proof will be
submitted of ~~the completion of works~~ for the diversion of 0.08 c.f.s. of the waters
of the Pend Oreille River, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 26481, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Wilbur C. Hayden, Route 2,
Sandpoint, 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
0.08 cubic feet per second.
3. The use to which said water has been applied is _____
irrigation purposes, and the amount applied to beneficial
use is 0.08 c.f.s.
4. The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 57 N,
R. 2 W, B.M., Bonner County.
5. The place where said water is used is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 57 N, R. 2 W, B.M.

6. The date of priority which said user is prepared to establish is _____
August 2, 1956 (Subject to late proof).

R. KEITH HIGGINSON
State Reclamation Engineer

96-2246
26481

ix

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

Notice is hereby given that ~~at xxxxxxxx~~ on the 25th day of April, 19 68,
at Sandpoint, County of Bonner, State of Idaho, before
Margaret Burns, J.P., Sandpoint, Idaho, proof will be submitted of the
application to beneficial use ^{of} ~~1.08~~ 0.08 cubic feet per second of the waters of
Bend of Snake River in accordance with the terms and conditions of
Permit No. ²⁶⁴⁸¹ A 83864 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person ~~or corporation~~ holding said permit is
Wilbur C. Hayden, 514 N. 3rd Ave., Sandpoint, Idaho 83864
The use to which said water has been applied is Irrigation
The amount applied to beneficial use is 0.08 Cubic feet per second
The point of diversion of said water is SW 1/4 SE 1/4, Sec. 29, T. 57 N,
R. 2 W. B.M. Bonner County

The place where said water is used ~~(LEGAL DESCRIPTION)~~
Lots 3 and 4, Block 1, Lots 5 and 6, Block 2, Dover Tracts in SW 1/4, SE 1/4,
Section 29, T 57 N, R 2 W, B.M., Bonner County

The date of priority which said user is prepared to establish is 25th April, 1968
August 2, 1956 (Subject to late proof).
R. KEITH HIGGINSON
State Reclamation Engineer

96-2246
26481

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

Notice is hereby given that at 10 A.M. on the 25th day of April, 19 68,
at Sandpoint, County of Bonner, State of Idaho, before
Margaret Burns, J.P., proof will be submitted of the
application to beneficial use of 0.08 cubic feet per second of the waters of
~~Roubidoux~~ Pend O'reille River in accordance with the terms and conditions of
Permit No. 83864 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit
Wilbur C. Hayden, 514 N. 3rd Ave., Sandpoint, Idaho 83864

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 0.08 Cubic feet per second

The point of diversion of said water is SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T 57 N,

R 2 W. B.M. Bonner County

The place where said water is used (LEGAL DESCRIPTION)

Lots 3 and 4, Block 1, Lots 5 and 6, Block 2, Dover Tracts in $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$,

Section 29, T 57 N, R 2 W, B.M., Bonner County

The date of priority which said user is prepared to establish is 25th April, 1968

State Reclamation Engineer

96-2246
24481

RECEIVED

FEB 22 1968

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Department of Reclamation

2/16/68

(Date)

2/16/68

(P. O.)

Sandpoint, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Sandpoint News-Bulletin

Sandpoint Idaho

Published in

the county in which the works are situated.

William C. Hayden

Wilbur C. Hayden MD
314 N 3rd Ave
Sandpoint, Idaho

(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

96-2246

26481

February 8, 1968

Re: Permit No. 26481

Wilbur C. Hayden, M. D.
Route 2
Sandpoint, Idaho

Dear Dr. Hayden:

In compliance with your request of February 5, 1968, cancellation of your permit no. 26481 will be held until February 23, 1968, so that you will have time to submit the required forms to this office.

Cancellation proceedings will be held in abeyance upon receipt of our completed forms 36 and 11.

Very truly yours,

Donald J. Watts, P. E.
Engineer

DJW:dj

96-2246

26481

PRACTICE LIMITED TO
OBSTETRICS, GYNECOLOGY
and PEDIATRICS

Wilbur C. Hayden, M.D.

514 N. Third Avenue
SANDPOINT, IDAHO 83864

Phone COngress 3-3181

February 5, 1968

R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

RECEIVED
FEB 8 1968
Department of Reclamation

Re: Permit #26481

Dear Mr. Higginson:

Request extension of time to submit proof of application
of water to beneficial use.

My procrastination is based on two factors. First,
ignorance of terminology in wording notice of intention to be
published in local newspaper has caused me to put off such
publicity. Secondly, the daily stress of medical practice is
full of urgent priorities to the exclusion of other paper work.

Since completion of my irrigation system, I have used
it yearly for irrigation of a large orchard, garden, and lawns.
I find Form No. 11, 2M 12-64, in which I can authorize you to have
the attached notice published at my expense in a Bonner County
newspaper.

Should my request for extension of time be approved, then
I will proceed in accordance with the above authorization.

Yours truly,



Wilbur C. Hayden, M.D.

WCH:je

96-2246
26481

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.

REGISTERED NO.

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

CERTIFIED NO.

1

W. C. Hayden

19647

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Claire Lewis

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

12-29-67

655-18-71548-10 GPO

96-2246

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**



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

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

45-16-TIMS-30

Apr. 1967

POD Form 3811

December 26, 1967

Re: Permit No. 26481

Wilbur C. Hayden
Route 2
Sandpoint, Idaho 83864

Dear Mr. Hayden:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit 26481 to appropriate the public waters of the State of Idaho, have not been complied with as to failure to submit proof of application of water to beneficial use due August 10, 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 February 5, 1968, why said permit should not be cancelled.

Permit 26481 claims the use of 0.08 cubic feet per second of water. The point of diversion was to be located SW 1/4 Sec. 29, T. 57 N, R. 2 W, B.M., Bonner County, and the permit was approved August 10, 1956.

State Reclamation Engineer

96-2246
26481

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 26481

Date:

June 1, 1967

Wilbur C. Hayden
Route #2
Sandpoint, Idaho 83864

Dear Mr. Hayden:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 26481 is due not later than **Aug. 10, 1967**. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

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

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

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

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

Very truly yours,



CARL E. TAPPAN
State Reclamation Engineer
R. KEITH HIGGINSON
State Reclamation Engineer

26481

Enc. Form 10 and 11

August 17, 1961

Re: Permit No. 26481

Wilbur C. Hayden, M. D.
514 North Third Avenue
Sandpoint, Idaho

Dear Sir:

We enclose the Certificate of Completion of Works
issued on Permit No. 26481.

Also enclosed is departmental receipt No. 307 09
in the amount of \$5.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

26481

PRACTICE LIMITED TO
OBSTETRICS, GYNECOLOGY
and PEDIATRICS

Wilbur C. Hayden, M.D.

514 NORTH THIRD AVENUE
SANDPOINT, IDAHO

August 5, 1961

RECEIVED
AUG 14 1961

PHONE CO 3-3181

Department of Reclamation

Mr. George N. Carter
State Reclamation Engineer
Department of Reclamation
Room 107, State House
Boise, Idaho

Re: Permit No. 26481

Dear Mr. Carter:

Enclosed is completed affidavit in regard
to completion of works, together with fee of \$5.00 in form of
personal check.

Request information as to further proof
necessary for license for water use.

Sincerely,

Wilbur C. Hayden
Wilbur C. Hayden, M.D.

WCH:kc
Enc.

26481

Permit No. _____

STATE OF IDAHO
Department of Reclamation

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner

SS.

✓ WILBUR C. HAYDEN, M. D.

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

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 26481, and that his postoffice address is Route 2, Sandpoint State of Idaho

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

✓ Pend Oreille River

Third: That the point of diversion of said water is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29,

T-57N R 2W, B. M. County of Bonner

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 10, 19 61

Fifth: That the use for which said water is intended is irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(not)~~ fully completed and consisted of the following:

I. Kind of Works: Underground pipe for sprinkler irrigation.

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. ✓ Dimensions of work: Diameter of pipe 2".

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

✓ (d) Conduit _____ width at bottom _____ feet, width at water line _____

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water _____ feet; diameter of pipe 2 inches, average grade per mile is _____ feet. Length of conduit is 0.1 miles.

Seventh: That said works are capable of conducting to the place of intended use 0.08 cu. ft. per second feet of water.

Eighth: That water appropriated under said permit is available for 5 acres of land described as follows: _____

Lots 3 & 4 of Block 1, and Lots 5 & 6 of Block 2, Dover tracts, Sec. 29,T 57 N, R-2W, Bonner County. in SW $\frac{1}{4}$ SE $\frac{1}{4}$

Ninth: Remarks:—That 3 HP pump at point of diversion.

(SIGN HERE) WILBUR C. HAYDEN, M. D.

Subscribed and sworn to before me this 10th day of August 1961

NOTARY PUBLIC

My commission expires Feb 10th, 1962Notary Public, Department of Reclamation, Idaho
My Commission Expires Feb 10 1962

26481

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

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

B O I S E

I N S T R U C T I O N S
P R O O F O F C O M P L E T I O N O F W O R K S

Boise, Idaho

May 31, 1961

Re: Permit No. 26481

Wilbur C. Hayden
Route #2
Sandpoint, Idaho

Dear Sir:

Under the terms of your permit No. 26481 you are required to complete your diversion works on or before August 10, 1961. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

GEO. N. CARTER

STATE RECLAMATION ENGINEER

Enc. Form 6

26481

August 20, 1956

RE: Permit No. 26481

Mr. Wilbur C. Hayden
Route 2
Sandpoint, Idaho

Dear Mr. Hayden:

We enclose Permit No. 26481 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 28092 for the \$5.00 filing fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

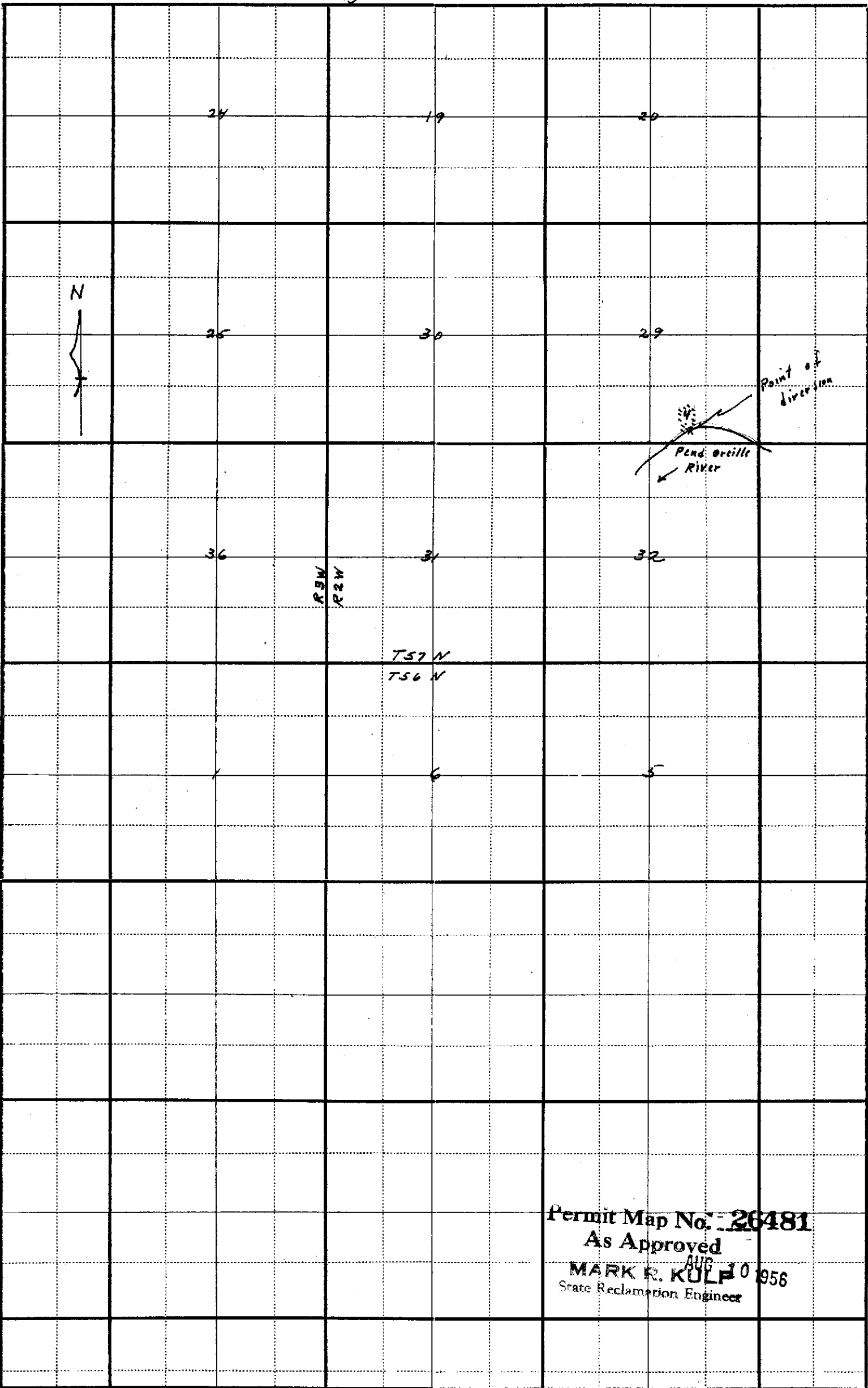
Chief Clerk

R:hl1
Enc.

26481

NAME OF APPLICANT Wilbur R. Hayden

Form No. 0



Permit Map No. 26481
As Approved
MARK R. KULF ^{AUG} 30 1956
State Reclamation Engineer

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

26481