

March 15, 1930

Mr. Chas. J. Daufau
Porthill, Idaho

Dear Sir:-

Enclosed you will find corrected water license.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

1 enc.

13649

This 40 should be
named in filing

26

25

30

Point of Diversion

20

5

8

35

15

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36

31



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date June 4, 1929

BONNERS FERRY HERALD

Bonnors Ferry, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 10, 1929, the date set for proof, the expense of the publication to be paid by the applicant, Chas. J. Daufau, of Porthill, Idaho, 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. N. CARTER

Commissioner of Reclamation.

13649

May 15, 1929.

Re: Permit No. 13649.

Mr. Chas. J. Daufen,
Porthill, Idaho.

Dear Sir:-

In checking your application for amendment, and plats accompanying same, we find that the only additional lands irrigated are about 20 acres in the NE¹/₄ of Sec. 25. We have, therefore, filled out a fresh application blank showing the correct list of lands to be irrigated and to be included in your proof and enclose such application herewith for your signature. The maps are also returned for your use in comparing with the new application enclosed. These, however, should be returned to us with the said application.

The notice for publication will go out in regular order for the required four weeks publication prior to July 10, the date set for proof, and deposition blanks will be furnished the notary public at Bonners Ferry before whom proof is to be made, one for holder and one each for two witnesses.

Very truly yours,
GEO. H. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

Encl.

13649

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 10th day of July, 1929,
at Bonnara Ferry, County of Boundary, State of Idaho,
before Chas. O'Callaghan, notary public, proof will be submitted
of the application to beneficial use of five (5) cubic feet per second of the
waters of Eneas Creek, in accordance with the terms and conditions of
Permit No. 13649 heretofore issued by the State Engineer
of the State of Idaho.

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

Chas. J. Daufau, Porthill, Idaho.

The use to which said water has been applied is irrigation and domestic use.

The amount applied to beneficial use is five (5) cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 65 N., R. 1 W., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is

The right to take water from such works is based upon Permit No. 13649

The source of supply from which such water is diverted is Eneas Creek

The date of the priority which said user is prepared to establish is July 5, 1918.

Geo. N. Carter,
Commissioner of Reclamation.

13649

NAME OF APPLICANT

Chas. J. Van Pelt

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

T. 65 N. 1 W. R.M.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

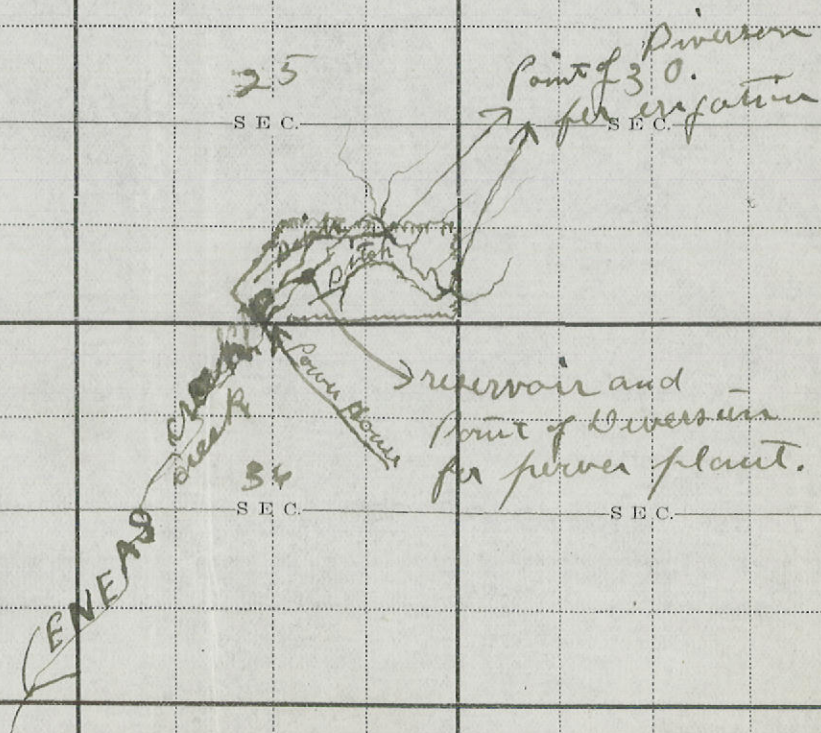
SEC.

SEC.

SEC.

SEC.

SEC.



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

13649

13649

S. E. $\frac{1}{4}$ Sec 25 T. 65 R. W. B. M.

State of Idaho
License and Certificate of Water Right

Water License No. 13649

Amount 5.0 sec. ft.

Water District No.

Priority 7-5-1918

THIS IS TO CERTIFY that Chas. J. Daufau,
of Porthill, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 5, 1918; that Permit No. 13649
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.0 second feet, was issued thereunder on July 10, 1923, showing that said works
were completed on the 25th day of June, 1923; and that on the 10th
day of July, 1929,

Chas. J. Daufau,
of Porthill, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Sneas Creek,
tributary of Kootenai river, for the purpose of irrigation and domestic use and
power purposes, under Use Permit No. 13649 of the State Engineer,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3612, on the 10th day of March, 1930;

The right hereby confirmed dates from July 5, 1923;

The Point of Diversion are located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Tp. 65 N., R. 1 W., B.M. Boundary County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.0
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
65 N	1 W	25	NE $\frac{1}{4}$ SE $\frac{1}{4}$	-----	5
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	-----	20
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	-----	15
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	-----	35
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	-----	8
					Total 83 acres

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 10th day of March, 1930

GEO. N. CARTER

Commissioner of Reclamation

(SEAL)

98 2019

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

Application No. **19411**
Permit No. **13649**
District No. **106**

98-2019

1. Name of Applicant: **CHARLES J. DAUFAU**

Postoffice address: **Port Hill**

County: **Boundary**

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: **6.2** cubic feet per second.

3. Source of water supply: **Eneas Cr.** which is a tributary of **Kootenai River**

4. Location of point of diversion: _____ feet distant from the
corner of Section _____, T. _____, R. _____, B. M., and is in the **See Remarks**
of Section _____, T. _____, R. _____, B. M., County of **Boundary**

5. Water is to be used for **Irrigation, Domestic & Power**

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 **SW $\frac{1}{4}$ SE $\frac{1}{4}$** of Section **25**, T. **65 N.**, R. **1 W.**, B. M.

(b) Amount of power generated: **6** H. P., under **16** feet head.

(c) Water is to be returned to **Eneas Cr.** at a point _____ feet
distant from the _____ corner of Section _____, T. _____, R. _____, B. M., in the
SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section **25**, T. **65 N.**, R. **1 W.**, B. M.

7. Estimated cost of works: \$ **800.00**

8. Kind of works: **Dam & Ditches, Flume**

9. Height of dam **10** feet; length of dam at top **50** feet; length of dam at bottom **15**
feet; material used in dam **Earth & Logs**

10. Size of headgate: Width _____ feet; height _____ feet.

11. Ditch: ^{each} Width/at bottom **1 $\frac{1}{2}$** feet; width at water line **2 $\frac{1}{2}$** feet; depth of water **1 $\frac{1}{2}$**
feet; dimensions of flume **6" x 8"--700' long**

Diameter of pipe _____ inches; length of conduit **1** miles.

Average grade per mile **3** feet.

12. The time required for the completion of such work is **5** years.

13. The time required for the complete application of the water to the proposed use is **6** additional years.

14. The land to be irrigated is described in the following tabulation: **See Remarks.**

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

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

CHAS. J. DAUFAU

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 10:30 A. M. July 5, 1918

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is **13649**

Recorded in Book 48 Page 13649 Approved July 10, 1918

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **September 8, 1918** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **January 10, 1921**

The whole of said work to be completed on or before **July 10, 1923**

Beneficial use of water appropriated in accordance herewith, to be made on or before July 10, 1929

Witness my hand this 10th day of July, 1918.

FRED A. WILKIE

State Engineer.

Remarks :

14 Twp	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
65 N	1 W	25															30	30	60
			NE$\frac{1}{4}$SE$\frac{1}{4}$ Sec. 25-65 N-1 W--15" Irrigation SE$\frac{1}{4}$SE$\frac{1}{4}$ " " " " 45" " Total for Irrigation 60" SW$\frac{1}{4}$SE$\frac{1}{4}$ Sec. 25-65 N-1 W--5 sec. ft. for power purposes Ditch $\frac{3}{8}$ miles long ----- Application for Amendment To Permit to appropriate the Public Waters of the State of Idaho, No. 13649 ----- Comes now Charles J. Daufau, and represents to the Commissioner of Reclamation of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 13649, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: S$\frac{1}{2}$ of SE$\frac{1}{4}$ and 5 acres in SE$\frac{1}{4}$ of SW$\frac{1}{4}$ Sec. 25, Twp. 65 N., R. 1 W., B. M., making a total of sixty acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change. Signed at 7 o'clock P. M., this fourth day of July, 1923. Chas. J. Daufau. Date of receipt at Office of Department of Reclamation July 9, 1923.																

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 13649. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part and said application is approved only insofar as the rights of others will not be adversely affected thereby.

W. G. SWENDSEN,
Commissioner of Reclamation.

Proof of Completion of Works made June 25, 1923.
Certificate of Completion of Works issued July 10, 1923.

Permit No. 13649

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Charles J. Daufau of Port Hill, County of Boundary, and State of Idaho, the holder of Permit No. 13649, issued upon Application No. 19411, bearing date of priority of July 5, 1918, authorizing the diversion of 6.2 second feet of the waters of Eneas Creek, County of Boundary, State of Idaho, for irrigation, domestic and power 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 five second feet of the waters of Eneas Creek; that the points of diversion of said waters are: (1) NE $\frac{1}{4}$ SE $\frac{1}{4}$, (2) SE $\frac{1}{4}$ SE $\frac{1}{4}$ and (3) SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, Twp. 65 North, Range 1 West, Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ of SE $\frac{1}{4}$ and 5 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 25, Twp. 65 N., R. 1 W., B. M.

Witness my hand this 10th day of July, A. D. 1923.

W. G. SWENDSEN,
Commissioner of Reclamation

By: Geo. N. Carter,
Assistant.

APPLICATION FOR AMENDMENT

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS

OF THE STATE OF IDAHO, No. 13649

Comes now Chas. J. Daufau, and represents to the Commissioner of Reclamation of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 13649, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 25, Twp. 65 N., R. 1 W., B. M., making a total of about 80 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Porthill, Idaho, this 11th day of May, 1929.

Chas. J. Daufau

Dated of receipt at Office of Department of Reclamation May 22, 1929

APPROVAL OF COMMISSIONER OF RECLAMATION

I, GEO. N. CARTER, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 13649. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

GEO. N. CARTER
Commissioner of Reclamation

LICENSE ISSUED FOR 166 SEC. FT.

Page 3612
3-10-20

Permit 13649

July 28, 1936

D. H. CHISHOLM
Copeland, Idaho

Dear Sir:

We have your letter dated July 25th, 1936 and note what you say with reference to use of the waters of Eneas Creek.

Upon examination of our records, we find that Charles J. Daufau has a licensed right to five second feet of the waters of Eneas Creek, with a priority date of July 5, 1918.

Mr. Daufau would therefore have the right to the use of all the waters of the creek up to the amount of five second feet.

Very truly yours

Commissioner of Reclamation

RWF/cj

13649

Copeland, Ida.,
July 25, 1936

R.W. Harris,
Com. of Riv.
Base, Ida.

(ENEAS)
Dear Mr Harris: I live on Eneas creek
near Copeland. This creek always has
furnished me with sufficient water
for domestic purposes also for my
stock, Mr C.J. Wanfair who lives
above me shuts the water off in-
tensely uses it for irrigation, most
of the fish have died, seems he
has a water right. Word that
entitle him to use all the water
in the creek. I might add that I
have been a large tax payer here
for over forty years. Any information
will be thankfully received
Thanking you in advance

Very Truly Yours D. H. Chisholm
13649

March 15, 1930

Mr. Chas. J. Daufau
Porthill, Idaho

Dear Sir:-

Enclosed you will find corrected water license.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

1 enc.

13649

Chas. J. Daufau

Two Creek Ranch

Port Hill, Idaho, 3/12

1930

Mr. Geo H. Carter
Boise Ida

Dear Sir

Yours of the 10th inst, at hand
also the License of Water Right, which I am returning
herewith for correction, as my permit calls
for irrigation, domestic and Power. you
have omitted the word power, which is
very essential and is more important to me
than the irrigation

Thanks for past favors

Yours Truly

Chas. J. Daufau

Enc as

13649

March 10, 1930

RE: Permit No. 13649

Mr. Chas. J. Daufau
Porthill, Idaho

Dear Sir:

We are mailing you herewith License and Certificate of Water Right issued to you under the above numbered permit, together with receipt for fee and and your approved application for amendment.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By _____
Chief Clerk

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Incl. 3

13649

State of Idaho
H. C. BALDRIDGE, GOVERNOR
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, COMMISSIONER
BOISE

February 25, 1930.

RE: Permit No. 13649

Mr. Chas. J. Daufau
Porthill, Idaho

Dear Sir:

The report of our examining engineer
on proof of beneficial use of water under your
above numbered permit is now on file here.

Upon receipt of fees in the sum of
\$10.00 license will be issued you.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By *G. N. Carter*
Chief Clerk

CB:G

Porthill Idaho

3/6/30

Attn. Geo. N. Carter Boise Idaho

Dear Sir

of 10.00 *for the above license* *Inclosed please find check*

Yours truly

Chas. J. Daufau

13649

February 25, 1930.

RE: Permit No. 13649

Mr. Chas. J. Daufau
Porthill, Idaho

Dear Sir:

The report of our examining engineer
on proof of beneficial use of water under your
above numbered permit is now on file here.

Upon receipt of fees in the sum of
\$10.00 license will be issued you.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By _____
Chief Clerk

CB:G

13649

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

Permit No. 13649

This proof is for Beneficial Use

In Water District No. 106

1. Name of applicant: Chas. H. Daufau
2. Source of water supply: Eneas Creek
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25
T. 65 N. R. 1 W., B.M. County of Boundary
4. Describe works as they exist, giving dimensions and capacities of same: Several small diversions of flumes and some 12" x 12" board flumes
Ditcher 15' wide x 1' deep
5. Water is used for: Irrigation + Power
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25, T. 65 N., R. 1 W., B.M.

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

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

Remarks: Land is very rolling and water is taken from several small feeders.

Water is also used in a small power station on premises where a 13 foot overshoot water wheel develops power for farm use and lighting.

This examination was made on the 1st day of August 1929

(Signed)

Fred S. Tolman

Examiner.

13649

92
Chas. J. Daufau
Perthill

Permit No. 13649

Examination for BEN. USE

County BOUNDARY

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.
-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

This 40 should be
named as filing

26

25

Point of Diversion

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July 16, 1929

Re: Permit No. 13649

MR. CHAS. J. DAUPAU
Porthill, Idaho

Dear Sir:

This office is in receipt of affidavit of publication and depositions of yourself and two witnesses in the matter of proof of beneficial use of water under the above numbered permit. As soon as the report of our examining engineer is received, you will be advised as to fees due before issuing license.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

13649

July 15, 1929

MR. A. T. ARONSON
Attorney at Law
Bonners Ferry, Idaho

Dear Sir:

Reference is had to your letter of July 11th regarding the water right which Mr. Chas. J. Daufau may establish by reason of proof of application of water to beneficial use recently offered on Permit No. 13649.

You state that Mr. Dan H. Chisholm is also a landowner and user of water from Eneas Creek for stock water and domestic purposes. You are concerned as to whether, if Mr. Daufau's right requires the entire stream to supply it, Mr. Chisholm will be able to secure any water for his needs.

Such matters are regulated in Idaho upon the theory of the doctrine of relation or priority of right; in other words, the first in time is the first in right. You did not say whether Mr. Chisholm's use of the water antedates the priority which will become attached to Mr. Daufau's license, which will be July 5, 1918. If Mr. Chisholm's use is prior to that date he could secure a priority for domestic purposes through an adjudication in a court of competent jurisdiction. Possibly there will be no conflict in use, or Mr. Daufau's right may not absorb the entire stream; however, if this is the case and Mr. Daufau insists upon taking the entire stream flow for his need and Mr. Chisholm's use is thought to be prior, I have no doubt but what an adjudication would bring to him the amount of water he requires.

So far as I am aware, the matter cannot be handled otherwise, that is, the State, acting through its administrative officers, does not have authority to determine these matters, which are of a judicial nature. Neither would it be possible for the State to reduce the amount of Mr. Daufau's right for the reason that prior rights alleged through appropriation and use antedate this right. The practice of this Department, and from which there can be no deviation, is that each right be given the full amount of water claimed, provided full compliance has been had with the statute and such water actually put to beneficial use. The fact that

13649

MR. A. T. ARONSON, #2,

July 15, 1929.

the stream source of supply may not contain enough water to fill all rights has no bearing upon the question; in case of insufficiency of water, the matter of priority governs and regulates the use, but such matters must be determined through an adjudication before the State can exercise jurisdiction in the manner of regulating or distributing the stream source of supply to those to whom it belongs in accordance with their priorities.

Yours very truly,

Commissioner of Reclamation.

GNC/eq

13649

A. T. ARONSON

ATTORNEY-AT-LAW
BONNERS FERRY, IDAHO

July 11, 1929.

Hon. Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

Re: Permit No. 13649.

Yesterday Mr. Chas. J. Daufau put in his proof of application to beneficial use of water from Eneas Creek, under said permit.

Mr. Dan H. Chisholm, who owns land below Mr. Daufau on said Creek was present at the hearing. He depends upon water from said stream for the watering of stock and for domestic purposes on land still lower down.

During the dry season, it is probable that less than the amount applied for flows in said stream. Nevertheless, there has been no measurement made, and no one knows how much water is carried in the stream, or how much Mr. Daufau has used or will use.

Mr. Chisholm is concerned about having all water not required for the appropriator to come down the channel, and when irrigation occurs in the fall, that no more than 5 cu. feet are diverted and used. Is it the intention of your department to ascertain the amount of water available, and to place any limit upon the amount which may be used by the appropriator, providing there is any excess over the amount applied to his purposes?

Yours very truly,

A. T. Aronson

13649

AFFIDAVIT OF PUBLICATION

Register.

NOTICE FOR PUBLICATION

Notice of Proof Application of Water To Beneficial Use.

Notice is hereby given that at 10 a. m. on the 10th day of July, 1929, at Bonners Ferry, County of Boundary, State of Idaho, before Chas. O'Callaghan, notary public, proof will be submitted of the application to beneficial use of five (5) cubic feet per second of the waters of Eneas Creek, in accordance with the terms and conditions of Permit No. 13649 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Chas. J. Dautau, Porthill, Idaho.

The use to which said water has been applied is irrigation, power and domestic use.

The amount applied to beneficial use is five (5) cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 65 N., R. 1 W., B. M.

The right to take water from such works is based upon Permit No. 13649.

The source of supply from which such water is diverted is Eneas Creek.

The date of the priority which said user is prepared to establish is July 5, 1918.

GEO. N. CARTER,

Commissioner of Reclamation.

13 July 4-41

STATE OF IDAHO
COUNTY OF BOUNDARY } ss.

being first duly sworn upon his oath, deposes and says: That he is the

proprietor of the Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the

hereto attached notice; that the advertisement of

George H. Carter
a Proof Application of Water to Beneficial Use
Notice for Publication, a printed copy of which is attached hereto was

published in said newspaper, and not in a supplement thereof for four

consecutive issues, commencing with the issue dated June 13

1927, and ending with the issue dated July 4, 1929.

Proprietor
Foreman

Subscribed and sworn to before me this 13 day of

July, 1929.

Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho

13649

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 13649

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Name Chas. J. Daufau, Age 51, Occupation farmer, P.O. Address
Porthill, 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. Not acting fro a corporation.

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

Ans. Permit No. 13649, date of permit, July 5, 1918, priority July 1912.

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

Ans. Eneas Creek, 4 points of diversion. 1st. 20 rods north of SE Corner
Section 25. 2nd. 20 rods SE of center of SE $\frac{1}{4}$ of Sec 25. 3rd.
15 rods Northeast of center of SE $\frac{1}{4}$ of sec 25. 4th 10 rods south
of North line of Sec 25, all in Twp. 65N Range 1 West of B.M.

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

Ans. 1st. a little wood & dirt dam. A ditch 12 to 18 inches deep. 3/8
miles long. 2nd, Small dirt & wood dam, a lumber floom 12X12 in.
96 feet long. a ditch 3/4 miles long 12 to 18 inches deep.
3rd. Ditch 12 to 18 inches deep 15 rods long.
4th Ditch $\frac{1}{2}$ mile long 10 inches deep, 4 inch wooden pipe 200 ft
long. All capable of conveying 4 cubic feet water to place of use.

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. For irrigation, power and domestic. place of use S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sect 25, Twp 65 N. Range 1 West of B.M. Irrigated 65
acres in SE $\frac{1}{4}$ of said Sec 25, cultivated land. Increased production,
Electric lights and power installed on this land, and increased
convenience for domestic use.

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

Ans. For power, 13 foot over-shot wheel, a one killowot generator
Six horse power generated by the wheel but not by the generator
A dam 10 ft high, 55 ft long, 20 ft wide at top. 10 inch gate
valve headgate.

13649

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

Ans. ~~During ### flood period, minnimum 5 cubic feet.~~

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. ~~I am the person to whom the said permit was originally issued~~

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

Ans. ~~For irrigation ever since 1912, when needed, for power & Light ever since 1919, for domestic use ever since 1912~~

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. ~~I have not at any time, in any amount or to any extent appropriated waters other than those diverted under this permit~~

(Sign)

Chas. J. Nanfan

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 Bonnors Ferry, County of Boundary

State of Idaho, on this 10th day of July A. D. 1929

Chas O Callaghan
Notary Public.

My commission expires Nov 25, 1932.

13649

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 13649

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. Name Harold C. VanAlstine, Age 30, a farmer, P.O. Porthill,
Idaho.

Ques. 2. Are you acquainted with Chas J. ##### Da ufan, the
holder of Permit No. 13649? How long have you known him and where does he reside?

Ans. Yes, I have known him for 10 years. He resides near Porthill
Idaho

Ques. 3. Have you read or heard read said Permit No. 13649, and are you familiar with
its provisions and conditions?

Ans. I haven't read it, I am familiar with its conditions and
provisions.

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. Eneas Creek, four places of diversion on Eneas Creek. Small
dams, ditches, flumes and 10 inch wood and iron pipes
Ditches about 12X18 inches, aggregating about 1 1/2 miles in length.
Flumes and pipes aggregate about 1000 feet in length.

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

Ans. About four second feet. I have seen about four second feet being
conveyed

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

Ans. For irrigation, power and domestic, used on SE 1/4 of Sec 25, Twp
65N Range 1 West of B.M. Irrigated about 65 acres. Cultivated
land. Imprpved production. Developed power and light, and
improved domestic convenience.

13649

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

Ans. Through dam, 20X 55 ft 10 ft high, 10 inch gate-valve into a 10 inch pipe 350 ft long unto an over-shot water wheel 13 feet in diameter.

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. for irrigating agricultural land about 65 acres irrigated required about 4 cubic feet water for profitable cultivation

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

Ans. No, none

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 first saw it in 1921, and I have seen it frequently every year since

(Signed)

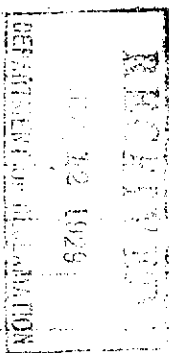
Harold C. Van Alstine

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 Bonners Ferry, County of Boundary, State of Idaho, on this 10th day of July, A. D. 1929.

Chris Callaghan
Notary Public

My commission expires Nov 25, 1932

13649



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 13649

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. Henry F. Neu, age 58, farmer, residence Porthill, Idaho.

Ques. 2. Are you acquainted with Chas J. Daufau, the holder of Permit No. 13649? How long have you known him and where does he reside?

Ans. I am, I have known him about 16 months. He resides near Porthill, Idaho

Ques. 3. Have you read or heard read said Permit No. 13649, and are you familiar with its provisions and conditions?

Ans. No, I have never seen the permit. I am not familiar with its provisions or conditions

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

Ans. Eneas Creek. four places of diversion in Eneas Creek. Water conveyed to place of use by ditches, flumes and pipes. Ditches 12 to 18 inches deep, 12 to 18 inches wide. Foume 12X12 and some 8X8, pipes 10 inches

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

Ans. About four second feet. Have seen about 4 second feet conveyed

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

Ans. For irrigation, domestic use and light and power. for irrigation about 65 acres in SE $\frac{1}{4}$ and SW $\frac{1}{4}$ quarters of Sec 25, Twp 65N R. 1W of B.M. It is cultivated land. It increased crop production, and furnished light, power and domestic uses.

13649

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

Ans. For light and power applied by dam and through 300 feet 10 inch pipe and 14 ~~inch~~ foot over-shot water wheel.

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. For irrigation, reclaimed agricultural land, I don't know how much water required for its profitable ~~use~~ cultivation

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

Ans. No, none.

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

Ans. During summers of 1928 and 1929 I saw the water being used on the premises

(Signed)

Henry J. New

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 Bonnors Ferry, County of Boundary, State of Idaho, on this 10th day of July, A. D. 19 29.

Chas. McCallister
Notary Public

My commission expires Nov. 25, 1932.

13649



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

June 20, 1929

Chas. J. Daufau,
c/o Chas. O'Callaghan
Bonnars Ferry, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 13649.

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

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

1. On July 10, 1929, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Bonnars Ferry before Chas. O'Callaghan, notary public.

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

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

Yours truly,

GEO. H. CARTER

Commissioner of Reclamation.

13649

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	CABLE LETTER
NIGHT LETTER	WEEK END LETTER

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

NO.	CASH OR CHG.
CHECK	
TIME FILED	

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

Boise, Idaho, June 29, 1929

MR. CHAS. J. DAUFAU

Bonnors Ferry, Idaho.

Have wired Herald to correct notice to include power

Geo. N. CARTER
Commissioner of Reclamation

Chgo. Dept. Reclamation
State House

13649

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 unrepeatable domestic message rate or one-quarter the unrepeatable cable message rate is charged in addition. Unless otherwise indicated on its face, this is an unrepeatable 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 unrepeatable 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 percent 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. Domestic messages and incoming cable messages will be delivered free 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 according to their classes, as 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 stand-

ard 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 rates 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.

FULL RATE CABLES

An expedited service throughout. Code language permitted.

DEFERRED HALF-RATE CABLES

Half-rate messages are subject to being deferred in favor of full rate messages for not exceeding 24 hours. Must be in language of country of origin or of destination, or in French. This class of service is in effect with most European countries and with various other countries throughout the world. Full particulars supplied on application at any Western Union Office.

CABLE LETTERS

For plain-language communications. The language of the country of destination may be employed, if the Cable Letter service is in operation to that country. Subject to delivery at the convenience of the Company within 24 hours if telegraphic delivery is selected. Delivery by mail beyond London will be made if a full mailing address is given and the words "Post London" are written after the destination. Rate is approximately one-third of the full rate; minimum 20 words.

WEEK-END LETTERS

Similar to Cable Letters except that they are accepted up to midnight Saturday for delivery Monday morning, if telegraphic delivery is selected. Rate is approximately one-quarter of the full rate; minimum 20 words.

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	FULL RATE
DAY LETTER	DEFERRED
NIGHT MESSAGE	CABLE LETTER
NIGHT LETTER	WEEK END LETTER

Patrons should check class of service desired; otherwise message will be transmitted as a full-rate communication.

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

Form 1206-A

NO.	CASH OR CHG.
CHECK	
TIME FILED	

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

Boise, Idaho, June 19, 1929.

BonnerrFerry Herald

Bonnerr, Ferry, Idaho

Change Laufau notice of proof to read irrigation power and domestic use

GEO. N. CARTER
Commissioner of Reclamation

Chgo. Dept. Reclamation
State House

13649

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 unrepeated domestic message rate or one-quarter the unrepeated cable message rate is charged in addition. Unless otherwise indicated on its face, this is an unrepeated 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 unrepeated 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 percent 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. Domestic messages and incoming cable messages will be delivered free 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 according to their classes, as 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 addressee, 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 stand-

ard 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 rates 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 addressee, 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.

FULL RATE CABLES

An expedited service throughout. Code language permitted.

DEFERRED HALF-RATE CABLES

Half-rate messages are subject to being deferred in favor of full rate messages for not exceeding 24 hours. Must be in language of country of origin or of destination, or in French. This class of service is in effect with most European countries and with various other countries throughout the world. Full particulars supplied on application at any Western Union Office.

CABLE LETTERS

For plain-language communications. The language of the country of destination may be employed, if the Cable Letter service is in operation to that country. Subject to delivery at the convenience of the Company within 24 hours if telegraphic delivery is selected. Delivery by mail beyond London will be made if a full mailing address is given and the words "Post London" are written after the destination. Rate is approximately one-third of the full rate; minimum 20 words.

WEEK-END LETTERS

Similar to Cable Letters except that they are accepted up to midnight Saturday for delivery Monday morning, if telegraphic delivery is selected. Rate is approximately one-quarter of the full rate; minimum 20 words.

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable sign above or preceding the address.

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT

J. C. WILLEVER, FIRST VICE-PRESIDENT

SIGNS

DL = Day Letter

NM = Night Message

NL = Night Letter

LCO = Deferred Cable

CLT = Cable Letter

WLT = Week-End Letter

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages, is STANDARD TIME.

Received at 919 Main Street, Boise, Idaho Always

1929 JUN 18 PM 5 56

PRA182 35 NL=BONNERSFERRY IDA 18

GEO N CARTER=

COMMISSIONER OF RECLAMATION BOISE IDA=

MY NOTICE OF APPLICATION FOR WATER RIGHTS ENEAS CREEK IN
BONNERSFERRY HERALD DOES NOT SPECIFY FOR POWER AM VERY
ANXIOUS TO HAVE POWER FEATURE COVERED PLEASE ADVISE HERALD BY
WIRE IF NOTICE CAN BE CHANGED=

CHAS J DAUFAU.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date June 4, 1929

BONNERS FERRY HERALD

Bonnors Ferry, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to July 10, 1929, the date set for proof, the expense of the publication to be paid by the applicant, Chas. J. Daufau, of Porthill, Idaho, 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,

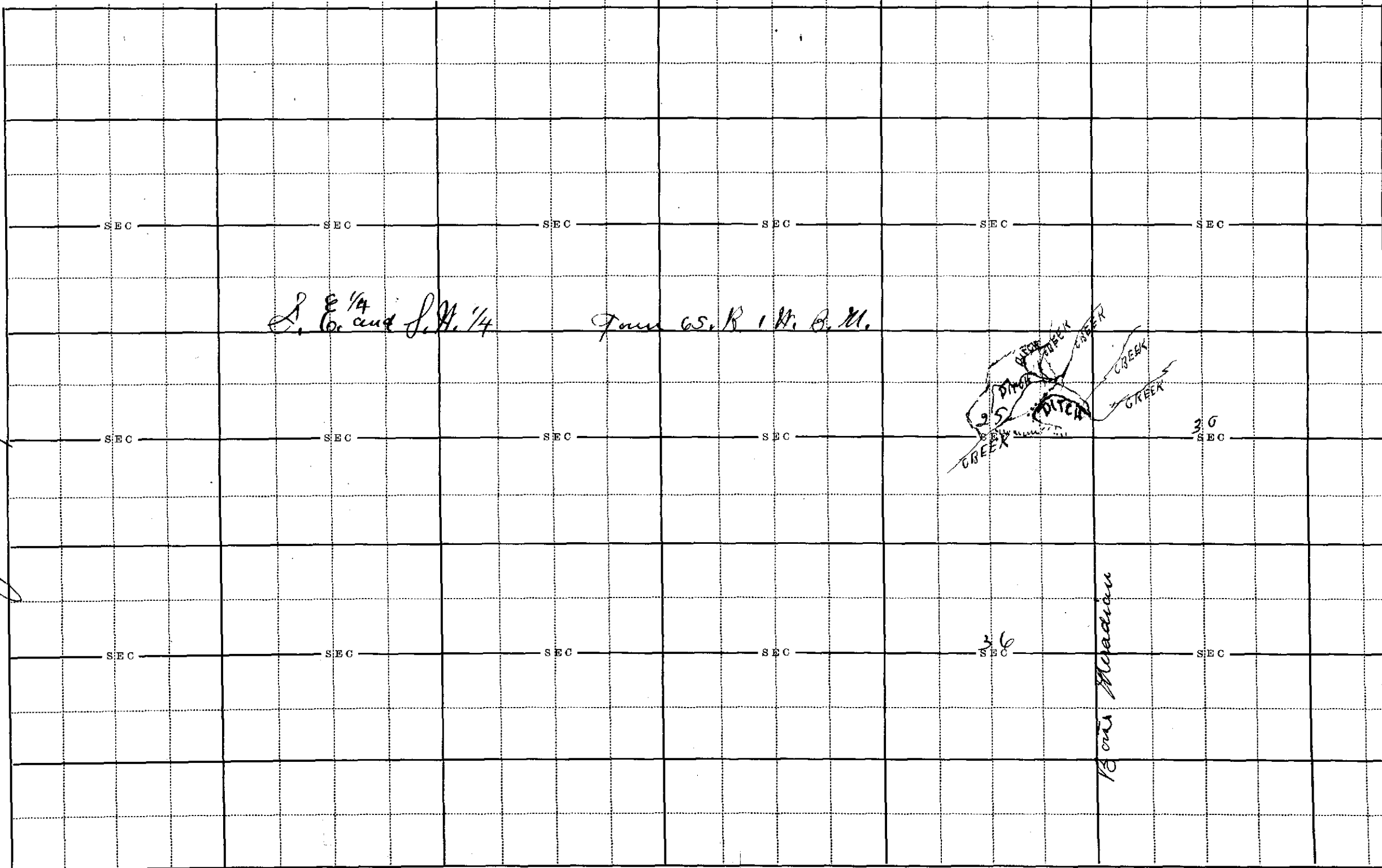
GEO. N. CARTER

Commissioner of Reclamation.

13649

NAME OF APPLICANT *Chas. J. Thompson*

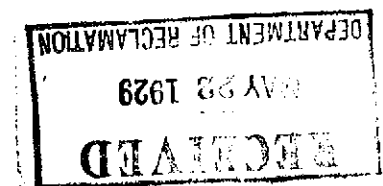
Form No. 0



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

13649

Amended Map
Permit No. 13649



State of Idaho
H. C. BALDRIDGE, GOVERNOR
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, COMMISSIONER

BOISE

May 15, 1929.

Re: Permit No. 13649.

Mr. Chas. J. Daufau,
Porthill, Idaho.

Dear Sir:-

In checking your application for amendment, and plats accompanying same, we find that the only additional lands irrigated are about 20 acres in the ~~NE 1/4~~ of Sec. 25. We have, therefore, filled out a fresh application blank showing the correct list of lands to be irrigated and to be included in your proof and enclose such application herewith for your signature. The maps are also returned for your use in comparing with the new application enclosed. These, however, should be returned to us with the said application.

The notice for publication will go out in regular order for the required four weeks publication prior to July 10, the date set for proof, and deposition blanks will be furnished the notary public at Bonners Ferry before whom proof is to be made, one for holder and one each for two witnesses.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.

By *E. J. Jones*
Chief Clerk.

Encl.

*Mr. Geo N. Carter
Boise Idaho
Dear Sir.*

*The 20 acres add is in
the N. W. 1/4 of S. E. 1/4 so I have corrected
error in Application*

*Yours Truly
13649 Chas. J. Daufau*

May 15, 1929.

Re: Permit No. 13649.

Mr. Chas. J. Dufau,
Porthill, Idaho.

Dear Sir:-

In checking your application for amendment, and plats accompanying same, we find that the only additional lands irrigated are about 20 acres in the NE¹/₄ of Sec. 25. We have, therefore, filled out a fresh application blank showing the correct list of lands to be irrigated and to be included in your proof and enclose such application herewith for your signature. The maps are also returned for your use in comparing with the new application enclosed. These, however, should be returned to us with the said application.

The notice for publication will go out in regular order for the required four weeks publication prior to July 10, the date set for proof, and deposition blanks will be furnished the notary public at Bonners Ferry before whom proof is to be made, one for holder and one each for two witnesses.

Very truly yours,
GEO. H. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

Encl.

13649

Chas. J. Daufau

Two Creek Ranch

Port Hill, Idaho, 5/11 1929

Mr. Geo H. Carter

Commissioner of Reclamation

Boise, Idaho

Dear Sir

Yours of the 1st inst. I have
in reply I note that you stated that I had
included 20 acres in N. E. 1/4 of S. E. 1/4 of Sec 25, with
in me the 20 acres included is in N. W. 1/4 of S. E. 1/4
of Sec 25. I am sending herewith the Application
for Amendment together with the maps. The
maps may not be exact as it is very hard to
draw same without a survey of works and in
so small a space, as I have considerable amount
of flumming and much more ditching that is not
shown in map, and I am planning on making
several changes, such as abandoning some flumes
and earing water for the ground in open ditches
the most important part of this permit is
the water power as we do not need to irrigate
every season as some seasons we have more
rain fall than we really need, but I do
need all the water that the stream flows for
power purpose, and as I have spent a considerable
amount of money & labor on the power equipment
and will I need mostly

13649

Chas. J. Daufan
Two Creek Ranch

Port Hill, Idaho, _____ 19____

So I wish same to be mentioned in
my notice and certificate if one is rendered

Can any one divert the water from one of
these creeks with go to make up my stream
can it into another stream and use same
if not how can I regain same,

Yours Truly
Chas. J. Daufan

13649

May 1, 1929.

Re: Permit No. 13649.

MR. CHAS. J. DAUFAU
Porthill, Idaho.

Dear Sir:-

In checking your notices for proof of beneficial use of water under the above permit I note that you have included 20 acres in the ~~NE 1/4~~ of Sec. 8 which is not shown in the record of the permit here. If it is your intention to use the water on this forty and desire it included in the proof, it will be necessary for you to file another application for amendment showing the entire tract upon which the water is used. Blank for such amendment is enclosed, together with duplicate map plate. 8

Other than this the notices are correct and one copy will be mailed to the Bonners Ferry Herald for the required four weeks publication prior to July 10. The amendment should be filed as soon as possible in order to have the additional subdivision appear in the publication notice.

Very truly yours,
GEO. N. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

Encl.

13649

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE**

Chas. J. Daufsa
Port Hill, Idaho

April 9, 1929

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. **13649**, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is **July 10, 1929**, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

GEO. N. CARTER,
Commissioner of Reclamation.

13649

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 29, 1929

(P. O.) Porthill, 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 Bonnars Ferry Herald of Bonnars Ferry, Idaho, published in the county in which the works are situated.

Charles J. Hanfau

(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.

13649

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 10th day of July, 1922,
at Bonnara Ferry, County of Boundary, State of Idaho,
before Chas. O'Callaghan, notary public, proof will be submitted
of the application to beneficial use of five (5) cubic feet per second of the
waters of Ennas Creek, in accordance with the terms and conditions of
Permit No. 13649 heretofore issued by the State Engineer
of the State of Idaho.

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

Chas. J. Daufen, Porthill, Idaho.

The use to which said water has been applied is irrigation and domestic use.

The amount applied to beneficial use is five (5) cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S¹/₂SE¹/₄ and SE¹/₄SW¹/₄, and NE¹/₄SE¹/₄, Sec. 25, Twp. 35 N., R. 1 W., B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use
is

The right to take water from such works is based upon Permit No. 13649.

The source of supply from which such water is diverted is Ennas Creek.

The date of the priority which said user is prepared to establish is July 5, 1918.

Geo. H. Carter,

Commissioner of Reclamation.

13649

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a. m. on the 10th day of July, 19 29,
at Bonnors Ferry, County of Boundary, State of Idaho,
before Chas O'Callaghan, Notary Public, proof will be submitted
of the application to beneficial use of ~~32~~ ³² cubic feet per second of the
waters of Eneas Creek in accordance with the terms and conditions of
Permit No. 13649 heretofore issued by the State Engineer
of the State of Idaho.

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

Chas J. Daufau, Porthill, Boundary County, Idaho.

The use to which said water has been applied is Irrigation, power and domestic
uses.

The amount applied to beneficial use is ~~62~~ ³² Second feet

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) 50 acres in S $\frac{1}{2}$ of SE $\frac{1}{4}$, 20 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and 8 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$, all in Sec 25, Twp 65N Range 1 West of Boise Meridian Boundary County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is ditch, flume and 10" pipe

The right to take water from such works is based upon Permit No. 13649

The source of supply from which such water is diverted is Mountain Springs and streams, farther down it is called Eneas Creek

The date of the priority which said user is prepared to establish is July 5, 1918

Commissioner of Reclamation.

NE SE
SE SE
SW SE
25-65N-1W
Boundary

July 13, 1923.

Re: Permit No. 13649

Mr. Charles J. Daufau,
Port Hill, Idaho.

Dear Sir:

We are enclosing herewith Certificate of Completion of Works, issued under the above numbered Permit, together with receipt for fees.

We are also inclosing the Application for Amendment with one copy of the map.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

Encls.

By

Chief Clerk.

13649

Permit No. 13649.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Bannock } ss.

Chas. J. Sanford....., 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. 13649, and that his postoffice address is Porthill.....
State of Idaho.....

Second: That the name of the stream from which said water is to be diverted is...
Eneas Creek.....

Third: That the point of diversion of said water is in... S.E. 1/4 Sec. 25, Range 65, R. 1 N. 4 B.M......

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 10....., 1923.

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

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

I. Kind of works: Reservoir, dam, pipe, flume and ditch
Power house with 12' x 2' overshoot wheel installed
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam... 10... feet, length of dam at top... 50... feet, length of dam at bottom... 15... feet. Material used in construction... logs, plank, earth and some concrete
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir... main... acre feet.

(c) Size of headgate: Width 5"... feet, height... 5"... feet.

(d) Conduit... width at bottom 8"... feet, width at water line... 8"... feet, depth of water... 8"... inches, average grade per mile is 4.5... feet. Length of conduit is 4.06... miles from reservoir to Power house

Seventh: That said works are capable of conducting to the place of intended use... Five... second feet of water.

Eighth: That water appropriated under said permit is available for 6.9... acres of land described as follows: part of S.E. 1/4 and part of S.W. 1/4 of S.E. 1/4 Sec. 25, Range 65, R. 1 N. 4 B.M. also have about 6 acres under part of S.E. 1/4 of S.W. 1/4 of Sec. 25, Range 65, R. 1 N. 4 B.M. Part of

Ninth: Remarks: That Power house is completed and a cost of about \$2500. There is 124' of 8" pipe and 282' of 12" flume which conveys water from reservoir to power house

Chas. J. Sanford
(Sign here)

Subscribed and sworn to before me this 25th day of June, 1923

My commission expires Sept. 13th 1926

Herry A. Houch
Notary Public.

Residing at Porthill, Idaho

13649

SEC.

SEC.

SEC.

SEC.

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SEC.

SEC.

SEC.

SEC.

T. 65 N. 1 W. R.M.

25

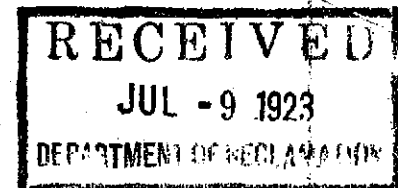
Point of Division
for irrigation

34

reservoir and
Point of diversion
for power plant.

ENEAS

Amended Map
permit no. 13649



June 27, 1923.

Re: Permit #13649.

Mr. Charles J. Daufan,
Poot Hill, Idaho.

Dear Sir:-

Referring to your proof of completion of works under the above permit, just received at this office, would say that, in order to include the extra five acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 25 you should file an application for amendment of the permit, blank form for which is herewith transmitted. Duplicate maps showing the changes made should accompany the application for amendment.

I am also returning the personal check for fees in the sum of \$5.00, as the fees are required to be paid either by money order or currency.

Under paragraph 8 of the blank, the description of the land is not definite. This should read "part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, part of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 5 acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 25, T. 65 N., R. 1 W.B.M.

Very truly yours,
W. C. SWENDSEN,
Commissioner of Reclamation.
By

Encl.

Chief Clerk.

13649

Chas. J. Daufau & Sons
Two Creek Ranch

Post Hills, Ida., 6/14

1933

Mr. W. G. Swendsen

Boise Ida

Dear Sir

Your letter April 6th at hand also the blank affidavit, and as I could find no one who could fill out same for me. I am trying to do so, but as I do not understand same I will try and write here what work has been done, and as I have made some changes I will draw a map on back of this letter and would thank you if you would correct the affidavit according. in all I have about 3000 ft of irrigation ditch. 280 ft of 12" flume 928 ft of 6x8" flume all for irrigation.

8" gate valve 124 ft 8" pipe and 282 ft 12" flume for carrying water to power house, note I have the reservoir much closer to Power plant than I first planned on. I use a very small dam in the creek bed at head gates of flume for irrigation. I also found that I did not need as large a ditch as I had applied for. note the 3 corners tract of vent focus in S.W. 1/4 of Sec 25 also Power house is in same tract. I will try and be at your office before I make final proof and get these changes properly recorded. The map on other side may not be exact but some where near. would thank you for information on the last proof.

Yours Truly

Chas. J. Daufau

13649

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Chas. J. Daufan,
Port Hill, Idaho.

Boise, Idaho,

April 6, 1923.

Dear Sir:—

Under the terms of your permit No. 13649.....you are required to complete your diversion works on or before July 10, 1923. I enclose herewith 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 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.

Yours truly,

W. G. SWENDSEN.

Commissioner of Reclamation.

13649

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Mr. Chas. J. Daufau,
Fort Hill, Idaho.
Dear Sir: #13649

Boise, Idaho, July 10, 1918

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.

~~I. H. SMITH,~~

FRED A. WILKIE State Engineer.

13649

Name of Applicant *Charles T. Daffoe*

T. 65 N. R. 1 W.

*25
SEC.*

*Power Di-
version
Power
House*

*pts. of diversion
for irrigation*

switch

*pts. of
Return*

*Power
Co.*

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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

13649