March 22, 1939

Re: Permit No. 18451
Charles Leo Hobbs.

Mr. George E. Burgi,
Preston, Idaho.

Dear Sir:-

We are enclosing herewith License and Certificate of Water Right issued under the above numbered permit, confirming the right of Charles Leo Hobbs to use 0.3 second feet of the waters of an unnamed spring, which is tributary to Bear River, with a date of priority of May 24, 1937, for irrigation upon the NW¼ NW¼ of Section 28, Township 15 South, Range 39 East, B.M.

The Department's Receipt No. 16924 for the $2.00 fee paid in connection with final proof is also enclosed.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Enc.

18451

March 3, 1939

Re: Permit No. 18451

Mr. Charles Leo Hobbs,
Preston, Idaho.

Dear Sir:-

A short time ago we received our field engineer's report on examination for beneficial use proof under the above numbered permit.

This report shows that you are irrigating ten acres in the NW¼ NW¼ Section 28, Township 15 South, Range 39 East, instead of the SW¼ SW¼ Section 21, same township and range, as shown on your permit.

The report further shows that while the ditch runs along the north side of the section line fence, or in the SW¼SW¼ Section 21, all of the irrigation is south of the fence, or in the NW¼NW¼ Section 28.

We are therefore enclosing an application for amendment to the permit, to show this change in point of use- which it will be necessary for you to execute and return to this office, for approval of the Commissioner of Reclamation.

Upon return of this application for amendment, and the fee of $2.00 for final proof, a license will be issued.

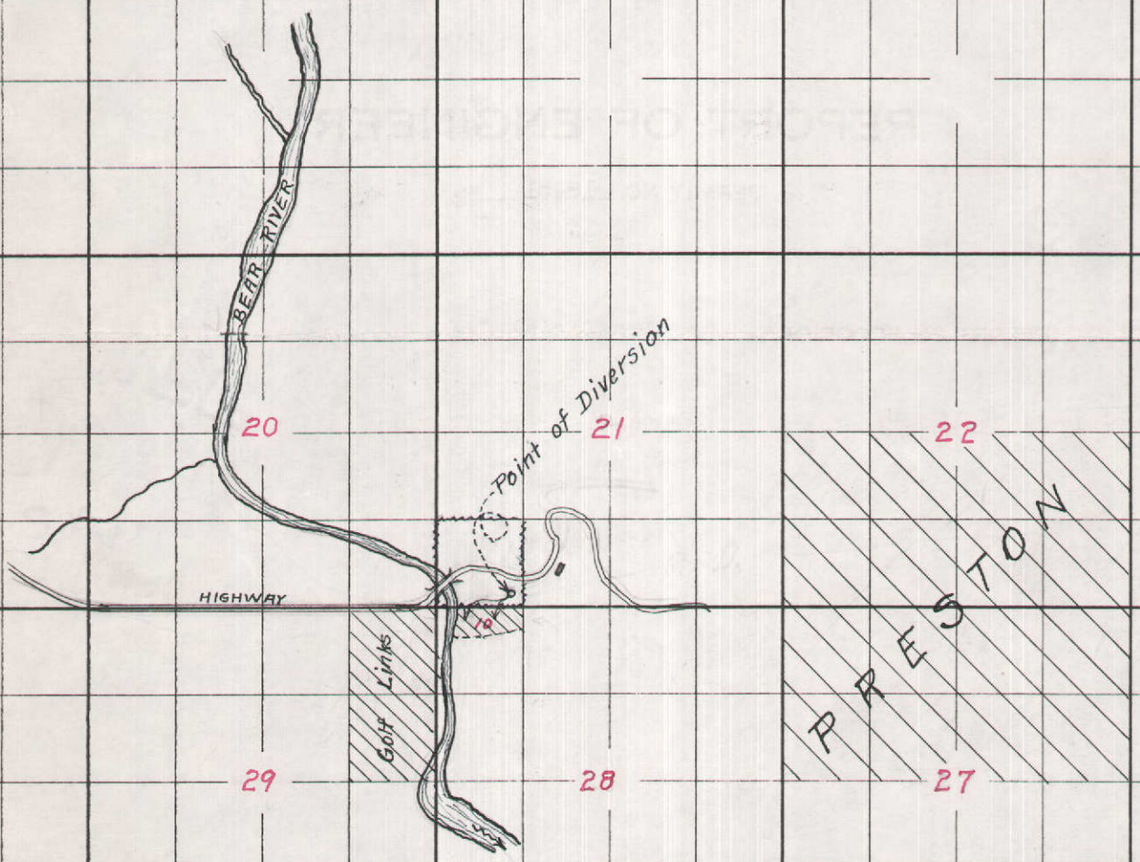
Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Enc.

18451



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

18451

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 1st day of June, 1938, at Preston, County of Franklin, State of Idaho, before George E. Burgi, U. S. Commissioner, proof will be submitted of the application to beneficial use of 3 tenths cubic feet per second of the waters of an unnamed spring in accordance with the terms and conditions of Permit No. 18451 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles Leo Hobbs, Preston, Idaho.

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is three tenths cubic foot.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW¼SW¼, of Section 21, Tp. 15 So., R. 39 East, B.M., in Franklin County.

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

The right to take water from such works is based upon Permit No. 18451

The source of supply from which such water is diverted is an unnamed spring

The date of priority which said user is prepared to establish is ~~June 1 at 1933~~ May 24, 1937.

R. W. FARIS

Commissioner of Reclamation.

18451

State of Idaho

License and Certificate of Water Right

Water License No. 18451 Amount 0.2 second foot

Water District No. Priority May 24, 1937

THIS IS TO CERTIFY that CHARLES LEO HOBBS of Preston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 24, 19 37; that Permit No. 18451 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.3 second feet, was issued thereunder on December 2, 19 37, showing that said works were completed on the 12th day of November, 19 37; and that on the 1st day of June, 19 38,

CHARLES LEO HOBBS

of Preston, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of an unnamed spring, a tributary of Bear River, for the purpose of irrigation, under Use Permit No. 18451 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3942, on the 22nd day of March, 19 39;

The right hereby confirmed dates from May 24, 19 37;

The Point of Diversion is located

in the SW ¼ SW ¼, Sec. 21, Tp. 15 S., R. 39 E., B. M. Franklin County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	39 E.	28	NW¼ NW¼		10

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 22nd day of March, 19 39

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

13 2136

eorge E. Burgi
reston, Idaho

№ 18451

13 2136

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

Application No. 25753
Permit No. 18451
District No.

1. Name of Applicant: Charles Leo Hobbs

Postoffice address: Preston County: Franklin 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: 0.3 cubic feet per second.

3. Source of water supply: unnamed spring which is a tributary of Bear River

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW¼ SW¼

of Section 21 , T. 15 S. , R. 39 E. , B. M., County of Franklin

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: $ 15.00

8. Kind of works: ditch and dam

9. Height of dam 1 foot ~~feet~~; length of dam at top 1½ foot ~~feet~~; length of dam at bottom 1 foot

~~feet~~; material used in dam: earth

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

11. Ditch: Width at bottom 1 feet; width at water line 1½ feet; depth of water ½

feet; dimensions of flume: none

Diameter of pipe inches; length of conduit 1000 ft. ~~miles~~.

Average grade per mile feet.

12. The time required for the completion of such work is 6 months ~~years~~.

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

CHARLES LEO HOBBS *Applicant.*

By GEO. E. BURGI *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M., May 24, 1937

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18451
Recorded in Book 67 Page 18451 Approved June 1, 1937
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 July 31, 1937 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 September 1, 1937
The whole of said work to be completed on or before December 1, 1937
Beneficial use of water appropriated in accordance herewith, to be made on or before June 1, 1938

Witness my hand this 1st day of June, 1937

R. W. FARIS
Commissioner of Reclamation.

Remarks: I have used the water herein applied for for the past five years for irrigation on my lands and no one has raised any objection. The source of the spring is too low and too near the river to be of any value to any other lands; in fact, the water could not be used on any other lands in the vicinity because they are above the source of the spring.
14. The spring is located upon my own land.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15 S.	39 E.	21											15						15
																		Total Number of Acres to be Irrigated----------	15

In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 1st day of June, 1937.

STATE OF IDAHO

By BARZILLA W. CLARK
Governor

(SEAL)

Countersigned:

By IRA H. MASTERS
Secretary of State

Permit No. 18451

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CHARLES LEO HOBBS of Preston, County of Franklin, and State of Idaho, the holder of Permit No. 18451, issued upon Application No. 25753 bearing date of priority of May 24, 1937, authorizing the diversion of 0.3 second feet of the waters of an unnamed spring tributary to Bear River, County of Franklin, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.3 second feet of the waters of said unnamed spring; that the point of diversion of said waters is in the SW¼ SW¼ of Section 21, T. 15 S., R. 39 E., B. M., County of Franklin; and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: SW¼ SW¼ of Section 21, T. 15 S., R. 39 E., B. M.

Witness my hand this 2nd day of December, A. D. 1937.

R. W. FARIS
Commissioner of Reclamation

Proof of completion of works made November 12, 1937.
Certificate issued December 2, 1937.

APPLICATION FOR AMENDMENT

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS

OF THE STATE OF IDAHO, NO18451

Comes now CHARLES LEO HOBBS, 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. 18451, nd requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:
Part of NW¼ NW¼ of Section 28, Township 15 South, Range 39 East, B. M., making a total of ten (10) acres.

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

Signed at Preston, Ida., this 18 day of March, 1939.

(Signed) Charles Leo Hobbs.

te of receipt at Office of Department of Reclamation 8:50 A.M. March 21, 1939

APPROVAL OF COMMISSIONER OF RECLAMATION

I, James Spofford, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing pplication for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 18451. This approval onstitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it comes a part, and said application is approved only insofar as the rights of others will not be adversely affected nereby.

(Signed) JAMES SPOFFORD
Commissioner of Reclamation

ENSE ISSUED FOR 0.2 SEC. FT.
Page 3942

File No. 13-2136

July 19, 1978

Mr. Richard D. Hobbs
Rt. 3
Preston, ID 83263

Dear Mr. Hobbs:

We have one recorded water right on file that is appurtenant to the lands described on the copy of the deed you provided.

License water right 18451/13-2136 has a 5/24/37 priority for 0.2 cfs for irrigation of ten acres in NW¼NW¼, sec. 28, T. 15 S., R. 39 E. in the name of Charles Leo Hobbs. A copy of the license is enclosed.

We do not have any record of any water right filing on waters from Ericksen Hollow or the dump ground area.

You perhaps may want to file a claim on those sources used on your land. A claim form is enclosed.

Sincerely,

Jim Johnson
Water Distribution Supervisor

JJ:rg

Enclosures

RECEIVED
JUL 18 1978
Department of Water Resources

13-2136

Dear Mr Reynolds

I appreciated talking to you about the water on the land I purchased in Franklin Co. The Quit Claim Deed that I received when I purchased the land describes the water from Erickson hollow & I understood from Leo Hobbs that the water was on the Deeds but I have been unable to verify this from the records in Franklin Co. The water has been in use as long as I know. This stream of water also feeds my Culinary well, I found out a few years ago. The Canal Co above me ran their ditch over & washed several hundred yards of sand down the ditch & filled it up. & My Well dried up. But when we got the water back in the old channel I got water back in the well. I also used the water for irrigation. I would appreciate your checking into My Water Rights

Sincerely Yours

RD Hobbs DVM

Rt 3 Preston Idaho 83263

MICROFILMED

13-2136

THIS INDENTURE, made this 1st day of NOvember in the year of our Lord one thousand nine hundred and Seventy-one between Charles Leo Hobbs and Marguerite H. Hobbs husband and wife

of Preston County of Franklin State of Idaho the part ies of the first part, and Richard D. Hobbs and Lois S. Hobbs Husband and wife

of Preston County of Franklin State of Idaho the part ies of the second part,

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of --------- TEN DOLLARS AND OTHER VALUABLE CONSIDERATION----------

lawful money of the United States of America, to them in hand paid by the said part ies of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said part ies of the second part, and their heirs and assigns forever, all the following described real estate, situated in the County of Franklin, State of Idaho, to-wit:

All that portion of the East half of the Northeast quarter of Section 28, Township 15 South, Range 39 East of the Boise Meridian, which is situated and lying north of the Bear River, the same being located in the Northeast corner of the West half of the Northwest quarter of said Section 28.

Commencing at a point 80 rods West and 48 rods North of the Southwest corner of Section 21, Township 15 South, Range 39 East of the Boise Meridian, thence North 32 rods; thence East 80 rods; thence South 258 feet; thence Easterly along the north side of the County Road to a point 353 feet south of the Northeast corner of the Southwest quarter of the Southwest quarter of said Section 21; thence South 967 feet, more or less to the Section line; thence West 70 rods; thence in a Northwesterly direction 102 rods to the place of beginning, and containing 56 acres of land, more or less.

All water rights incluidng a culinary, domestic and for irrigation of farm.
All of the spring ans waters from Ericksen hollow and also water from the dump ground area.
Water license No. 18451 State of Idaho.

½ of all oil gas and mineral rights.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to said property, as well in law as in equity, of the said part ies of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part ies of the second part, and to their heirs and assigns forever. And the said part ies of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said part ies of the second part their heirs and assigns, against the said part ies of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

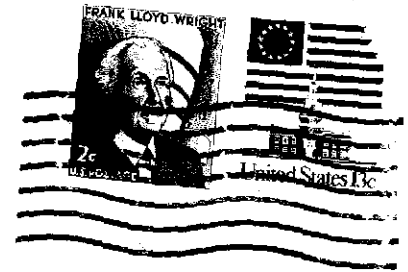
IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their hand s and seal s the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Charles Leo Hobbs (SEAL)
Marguerite H. Hobbs (SEAL)
(SEAL)
(SEAL)
(SEAL)

RD Hobbs
R 3
Preston Idaho
83263

BOISE, ID 837
JUL 12 PM
1978



Mr. Warren Reynolds
Idaho Dept of Water Resources
State House
83720

MICROFILMED

April 7, 1939

Re: Permit No. 18451

Mr. Geo. E. Burgi,
Preston, Idaho.

Dear Sir:-

We are in receipt of your letter of April 6th, enclosing License issued to Charles Leo Hobbs, under the above numbered permit, and calling attention to the fact that while the license sets out that the Certificate of Completion of Works showed that the works had a carrying capacity of 0.3 second feet, the amount to which the holder is entitled is only 0.2 second foot.

The Engineer's examination on proof of beneficial use shows only ten acres being irrigated, and according to the law we are limited in granting you more than one inch per acre, or 0.2 cubic feet per second for 10 acres.

I trust that this explains the matter satisfactorily.

Very truly yours,

JAMES POFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Enc.License # 18451

18451

Payette Ida 4-6-09

Department of Reclamation
Boise Ida

Dear Sirs:

At the request of Chas Lee & Wife. enclosed Certificate of water right Permit #18451 for some corrections.

The amount of water should be 0.3 second feet. The certificate shows 0.3 second feet in 3 places and 0.3 second feet in one other place.

Would you please correct the certificate and return.

Yours very truly
Geo E. Burgi
Payette Ida.

18451

March 22, 1939

Re: Permit No. 18451
Charles Leo Hobbs.

Mr. George E. Burgi,
Preston, Idaho.

Dear Sir:-

We are enclosing herewith License and Certificate of Water Right issued under the above numbered permit, confirming the right of Charles Leo Hobbs to use 0.3 second feet of the waters of an unnamed spring, which is tributary to Bear River, with a date of priority of May 24, 1937, for irrigation upon the NW¼ NW¼ of Section 28, Township 15 South, Range 39 East, B.M.

The Department's Receipt No. 16924 for the $2.00 fee paid in connection with final proof is also enclosed.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Enc.

18451

Form No. 12

Application for Amendment
To Permit to Appropriate the Public Waters
of the State of Idaho, No.....

Comes now Charles Leo Hobbs, 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. 18451, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Part of NW¼ NW¼ of Section 28, Township 15 South, Range 39 East. B.M.

, making a total of 10 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 Preston Ida, this 18 day of March, 1939

x Charles Leo Hobbs

Date of receipt at Office of Department of Reclamation 8:50 AM March 21, 1939

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, JAMES SPOFFORD, 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. 18451. 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.

James Spofford
Commissioner of Reclamation.

RECEIVED
MAR 21 1939

(Over)

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 8:50 A. M. Mar. 21 1939
JAMES SPOFFORD
Commissioner of Reclamation

18451

Effective April 10, 1911

Department of Reclamation

REGULATIONS AS TO AMENDED APPLICATION AND PERMIT.

Section 3255 of the Revised Codes, provides for the amendment of a permit as to lands upon which the water is to be used. The permit holder, to avail himself of the provisions of this section, should fill out and file with the Commissioner of Reclamation the application blank found upon the reverse side of the sheet. If there is not sufficient room in such blank for the legal description of the amended list of lands, this may be submitted as an exhibit, proper reference thereto being made in the application.

Before amended permit will be granted applicant must file with the application two maps, showing the following details:

(a) Name of applicant.

(b) Section, town and range numbers, where public survey has been made.

(c) Source or sources of supply.

(d) Point or points of diversion.

(e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract af the lands to be irrigated.

(f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.

If original permit called for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me..... 19..... and correctly shows position of points indicated thereon.

.....

Engineer.

P. O.....

Date.....19.....

March 3, 1939

Re: Permit No. 18451

Mr. Charles Leo Hobbs,
Preston, Idaho.

Dear Sir:-

A short time ago we received our field engineer's report on examination for beneficial use proof under the above numbered permit.

This report shows that you are irrigating ten acres in the NW¼ NW¼ Section 28, Township 15 South, Range 39 East, instead of the SW¼ SW¼ Section 21, same township and range, as shown on your permit.

The report further shows that while the ditch runs along the north side of the section line fence, or in the SW¼SW¼ Section 21, all of the irrigation is south of the fence, or in the NW¼NW¼ Section 28.

We are therefore enclosing an application for amendment to the permit, to show this change in point of use- which it will be necessary for you to execute and return to this office, for approval of the Commissioner of Reclamation.

Upon return of this application for amendment, and the fee of $2.00 for final proof, a license will be issued.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Enc.

18451

June 23, 1938

Re: Permit No. 18451.

Mr. Charles Leo Hobbs
Preston, Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of proof of publication from the newspaper, all in connection with beneficial use proof under the above-numbered permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office you will be further notified as to fees due before the issuance of your license.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

jl

18451

Form 23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18451

This proof is for Beneficial Use In Water District No.

1. Name of applicant Charles Leo Hobbs

2. Source of water supply: Unnamed spring

3. Location of point of diversion: Is in the SW¼ SW¼ of Section 21

T. 15 S., R. 39 E., B.M., County of Franklin.

4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by means of a ditch 12 inches wide and 10 inches deep. No structures are necessary

5. Water is used for: Irrigation

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW¼ SW¼, Section 21, T. 15 S., R. 39 E., 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? Bear River

Remarks: This ditch runs along the north side of the section line fence and all irrigation lies south of the fence in the NW4 NW4 of Lot 28. and consists of Approx. 10 Acres of cultivated crops and pasture

This examination was made on the 3rd day of November, 1938

(Signed) Fred R. Dolman
Examiner.

18451

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.

Charles Leo Hobbs
Preston, Idaho

62

Permit No. 18451

Examination for Beneficial Use

County Franklin

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

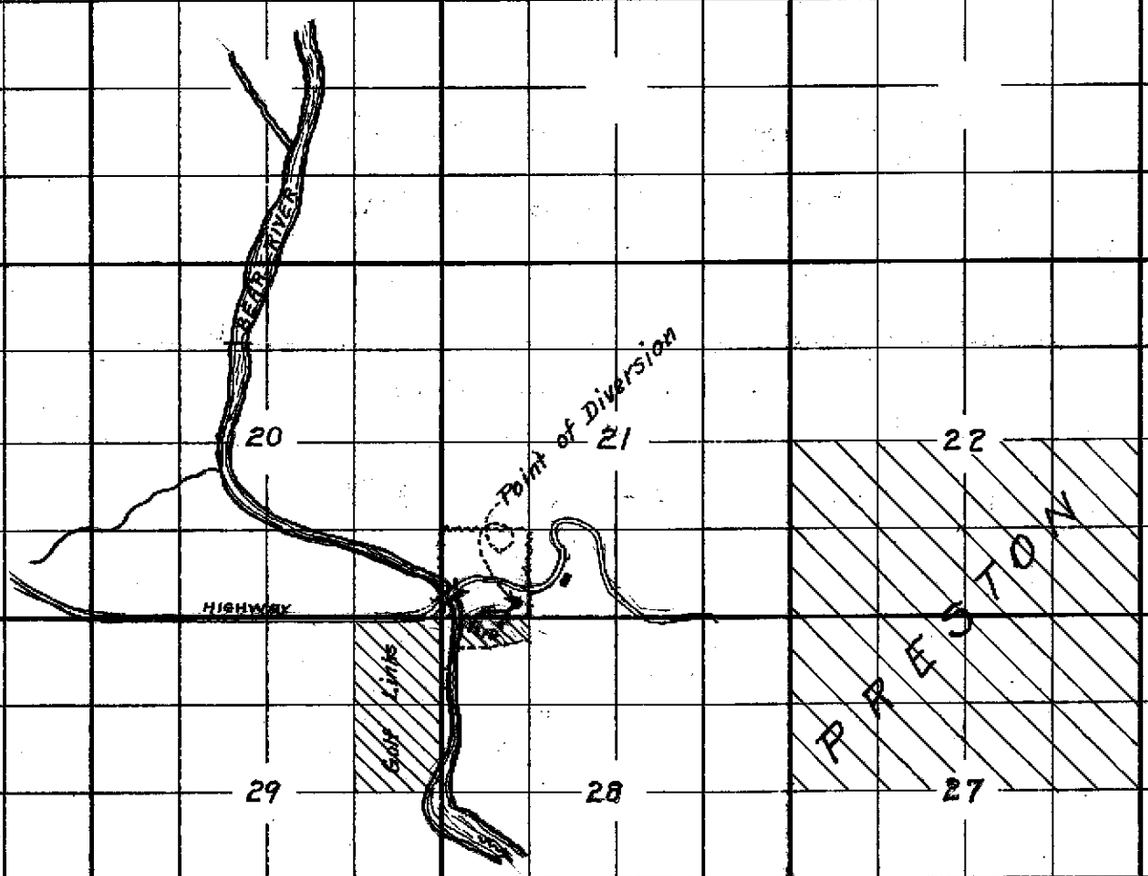
PERMIT NO. 18451

REPORT ON PROOF OF Beneficial Use

Do not issue license until affidavit of change place of use is submitted

0.2 Sec Ft for 10 acres
BU Fee 2.00

HD



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

18451

18451

Form 16.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

RECEIVED
JUN 4 1938
Department of Reclamation

PERMIT NO. 18451

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Charles Leo Hobbs age 37 Farmer, Preston, 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. my self.

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

Ans. 18451 June 1, 1937 May 24, 1937.

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

Ans. an unnamed spring. ~~June 1, 1937~~ SW¼SW¼ Section 21 Tp 15 So R.39 East 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. Earthen dam an ditch 3/10 of a cubic foot and more, private ditch

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. Irrigation of sugar beets and pasture The SW¼SW¼ Section 21 Tp. 15 So R. 39 East B.M. about 10 acres. This si sandy loam and is cultivated lands and pasture a private ditch used.

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

Ans.

18451

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

Ans. 3/10 cubic foot.

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. myself.

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

Ans. I used the water from 1933 to 1938 for irrigating beets. 3/10 cubic foot, I used the water from April 20 toSept. 30 of each year.

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. there are no other waters available.

(Sign) Charles Les Robb

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Preston, County of Franklin State of Idaho, on this 1 day of June A. D. 19 38

Geo E Burgi

U. S. Commissioner

My commission expires

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18451.

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. Garland Hurd Age23 Meat cutter, Preston, Idaho

Ques. 2. Are you acquainted with Charles Leo Hobbs, the holder of Permit No. 18451? How long have you known him and where does he reside?

Ans. 15 years He resids in Preston, Idaho

Ques. 3. Have you read or heard read said Permit No. 18451, and are you familiar with its provisions and conditions?

Ans. yes.

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

Ans. un named spring SW¼SW¼ Section 21 Tp. 15 So.R.39 E.B.M.

earthen ditch.

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. 3/10 of a cubic foot or more.

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 improvement which have been made as a direct result of said use.

Ans. irrigation of beets and pasture. SW¼SW¼ Sotion 21 Tp 15 So R. 39 East Boise Mer. 10 acres are irrigated. Cultivated lands and pasture. irrigation of ten acres of land.

18451

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

Ans. irrigation of lands.

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. sandy Loam. 3/ 10 cubic foot of water or more.

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

Ans. 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. He has used the water since June 1, 1933 to the present time and he is still using the water 3/10 of a cubic foot. I have seen the water used to irrigate the beets and pasture since June 1, 1933 to the present time and he is still using the water.

(Signed) Garland Williams Lund

I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho, on this day of June, 1, 1938, A. D. 19.

Geo. E. Burgi

U.S. Commissioner. Notary Public.

My commission expires

Form 17

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18451

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. John S. Hobbs age 54 Preston, Idaho

Ques. 2. Are you acquainted with Charles Leo Hobbs, the holder of Permit No. 18451? How long have you known him and where does he reside?

Ans. I have known him for 30years Preston, Idaho

Ques. 3. Have you read or heard read said Permit No. 18451, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. un named Spring. SW¼SW¼ Section 21 Tp. 15 So R. 39 E.BM.

an earthen ditch.

an earthem ditch

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. three tenths Cubic foot all the water from spri
about 3/10 cubic foot.

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 improvement which have been made as a direct result of said use.

Ans. irrigation beets and pasture. cultivated lands and irrigated pasture SW¼SW¼ Section 21, Tp.15 So R.39 Easyt Boise Mer

earthen ditch and 10 acres cultivated.

this land reclaimed is cultivated and pasture.

18451

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

Ans. irrigate lands.

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. sandy loam the land needs all the water that the spring will produce.

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

Ans. 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 have seen the water several times each year applied to the lan for irrigation of beets and pasture I saw him use all the water he used the water from June 1, 1933 to the present time. He used the water fir irrigating 10 acres of land.

(Signed) John S. Webb.

I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho, on this day of June 1, 1938, A. D. 19 38

Geo E Dougi

United States Commissioner

My commission expires

AFFIDAVIT PUBLICATION

I, Louise Monson, Clerk
(Foreman or Publisher)
of the Franklin County Citizen, a newspaper published weekly at Preston, Idaho, do solemnly swear that the notice as per clipping attached was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for four, (4) consecutive weeks, commencing with the issue dated May 4, 1938 and ending with the issue dated, May 25, 1938.

Louise Monson

Subscribed and sworn to before me this 1 day of June 1938.

Geo E Burgi
Notary Public.
U. S. Commissioner

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use

Notice is hereby given that at 10 a.m. on the 1st day of June 1938, at Preston, County of Franklin, State of Idaho, before George E. Burgi, U. S. Commissioner, proof will be submitted of the application to beneficial use of 3 tenths cubic feet per second of the waters of an un-named spring in accordance with the terms and conditions of Permit No. 18451 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles Leo Hobbs, Preston, Idaho.

The use to which said water has been applied is irrigation,

The amount applied to beneficial use is three-tenths cubic foot.

The place where said water is used: SW¼SW¼, Section 21, Tp. 15 So. R. 39 East, B.M. in Franklin County.

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

The right to take water from such works is based upon Permit No. 18451.

The source of supply from which such water is diverted is an un-named spring.

The date of priority which said user is prepared to establish is May 24, 1937.

R. W. Faris,
Commissioner
of Reclamation

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18451

Form No. 22-B

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, May 25, 1938

Mr. George E. Burgi
U. S. Commissioner
Preston, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18451.

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 June 1, 1938, 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 Preston, Idaho before George E. Burgi.

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.

R. W. FARIS
Commissioner of Reclamation.

18451

April 25, 1938

Re: Permit No. 18451.

Mr. Charles Leo Hobbs
Preston, Idaho

Dear Sir:

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof, and also your authorization to have the notice published in the Franklin County Citizen, Preston, Idaho, all in connection with Permit No. 18451.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to June 1, 1938. About ten days prior to this date depositions, consisting of one for the holder and one each for two witnesses, will be mailed to George E. Burgi, U. S. Commissioner, Preston, Idaho, so that he will have them in ample time for the proof.

On the date designated you should appear at Mr. Burgi's office with two disinterested witnesses who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

jl

18451

Form No. 11

RECEIVED
APR 22 1938
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 20 ,1938

(P. O.) Preston , Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Charles Leo Webb

(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.

18451

FORM NO. 11-A

18451

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date April 25, 1938

THE FRANKLIN COUNTY CITIZEN
Preston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 1, 1938, the date set for proof, the expense of the publication to be paid by the applicant, Charles Leo Hobbs, Preston, 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,

R. W. FARIS

Commissioner of Reclamation

18451

Form 10

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 1st day of June, 1938, at Preston, County of Franklin, State of Idaho, before George E. Burgi, U. S. Commissioner, proof will be submitted of the application to beneficial use of 3 tenths cubic feet per second of the waters of an unnamed spring in accordance with the terms and conditions of Permit No. 18451 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Charles Leo Webb, Preston, Idaho.

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is three tenths cubic foot.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE¼ of Section 21, Tp. 15 So., R. 39 East B.M., in Franklin County.

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

The right to take water from such works is based upon Permit No. 18451

The source of supply from which such water is diverted is an unnamed spring

The date of priority which said user is prepared to establish is ~~June 1 at 1933~~ May 24, 1937.

E. W. Nelson

Commissioner of Reclamation.

18451

Form No. 9

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

April 12, 1938

Geo. E. Burgi, Agent
Charles Leo Hobbs
Preston, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 18451, 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 June 1, 1938, 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,

R. W. FARIS
[redacted]
Commissioner of Reclamation.

Note: Proof is to be submitted before a notary public or other officer authorized by law to administer oaths.

18451

December 8, 1937

Re: Permit 18451.

Mr. Charles Leo Hobbs
Preston, Idaho

Dear Sir:

We are herewith enclosing Certificate of Completion of Works issued under the above permit to appropriate 0.3 of one cubic foot of water per second for irrigation purposes.

The Department's Receipt No. 16460 for the $5.00 fee you paid in connection with this certificate is also enclosed.

We are herewith returning your permit to you for your files.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

jl
Encl.

18451

Preston Ida 11-20-37

State of Ida Dept of Rec.
Boise Ida

Dear Sir:

Enclosed application for Permit # 18451 also Proof of completion of Works also Notice of Order for #5.

We wish to call your attention to "Remarks" under paragraph 15 "The spring is located upon my own lands." which was spot written my us and is not a fact. The spring is located upon a neighbors land, but too low for use to him.

Please advise?

Yours very truly
Geo E Dunn
Preston Ida

RECEIVED
NOV 23 1937
Department of Reclamation

18451

Form 6

Permit No. 18451

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

NOV 23 1937
Department of Reclamation

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Franklin } ss

Charles Leo Hobbs, 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. 18451, and that his postoffice address is Preston State of Idaho

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

Third: That the point of diversion of said water is SW1/4 SW1/4 Sec 21 Tp 15 S R 39 E B.M. Franklin Co

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Deal, 19 37.

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 (or were not) fully completed and consisted of the following:

I. Kind of works: Ditch and Dam
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: 1 foot

(a) Height of dam 1 feet, length of dam at top 1 1/2 feet, length of dam at bottom 1 feet. Material used in construction earth
(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 1/2 feet; diameter of pipe ..... inches, average grade per mile is 1/2 feet. Length of conduit is 1000 ft miles.

Seventh: That said works are capable of conducting to the place of intended use 0.3 second feet of water.

Eighth: That water appropriated under said permit is available for 15 acres of land described as follows: SW1/4 SW1/4 Sec 21 Tp 15 S R 39 E B.M.

Ninth: Remarks: That

Charles Leo Hobbs
(Sign here)

Subscribed and sworn to before me this 12 day of Nov, 19 37

Geo E Burgi
U. S. Commissioner
Notary Public.

My commission expires .....

18451

Form No. 5

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Charles Leo Webbs
Preston, Idaho

Boise, Idaho, October 8, 1937

Dear Sir:—

Under the terms of your permit No. 18451 you are required to complete your diversion works on or before December 1, 1937. 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,

R. W. FARIS

Commissioner of Reclamation.

18451

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18451

Boise, Idaho, June 4, 1937

Dear Sir:

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

George E. Burgi, Agent
Charles Lee Hobbs
Preston, Idaho

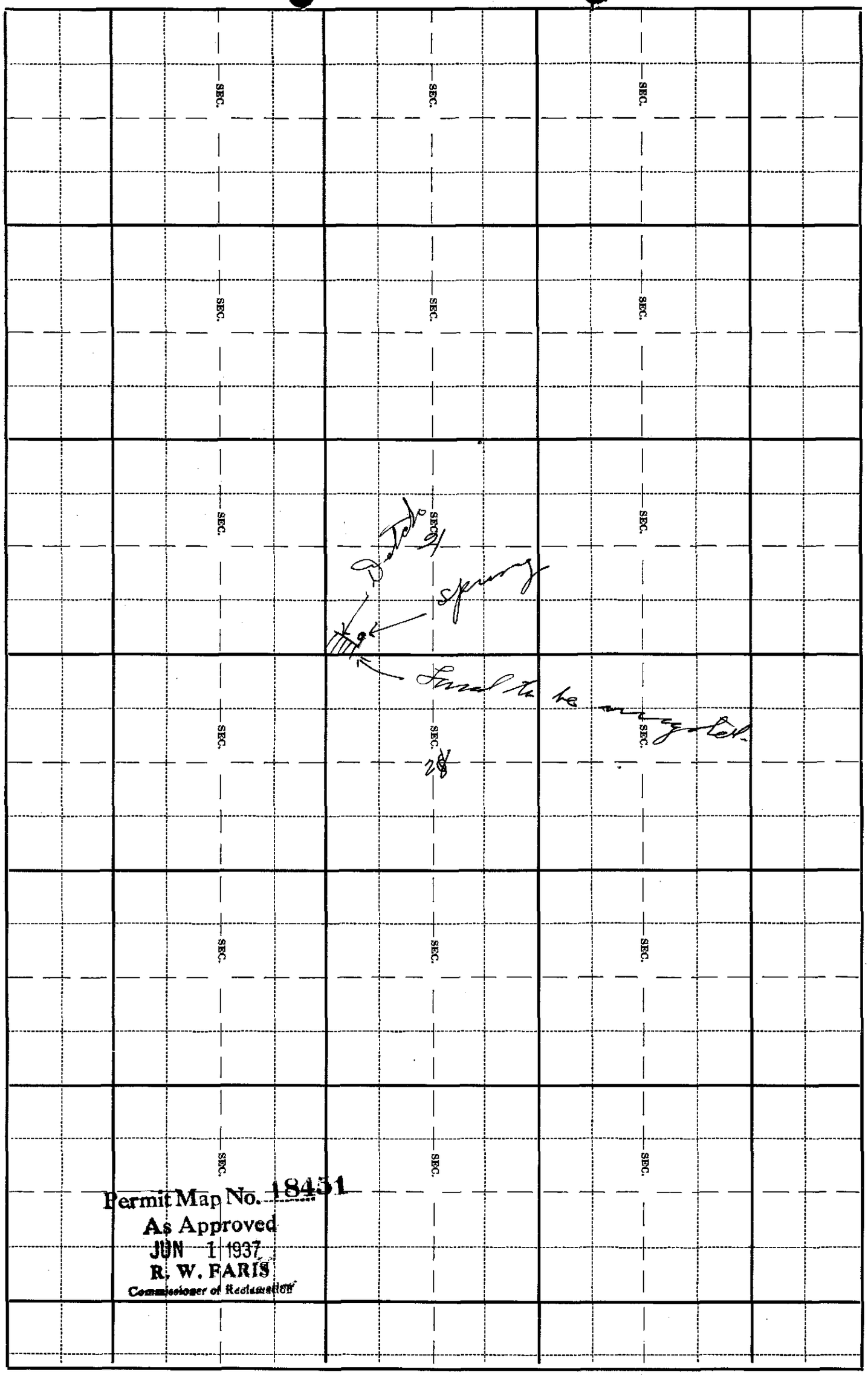
R. W. FARIS
Commissioner of Reclamation.

Encl.
Office Receipt for $0.00.

18451

NAME OF APPLICANT Charles L. Hobbs. Tp 15 So R. 39 E. M

FORM NO. O



Permit Map No. 18451
As Approved
JUN 1 1937
R. W. FARIS
Commissioner of Reclamation

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

18451