

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

Application No. **25464**
Permit No. **18212**
District No.

1. Name of Applicant: **KENNETH HADFIELD**

Postoffice address: **Malad**

County: **Oneida**

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:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: **0.3** cubic feet per second.

3. Source of water supply: **Artesian Well (Subterranean)** which is a tributary of

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$**
of Section **35** , T. **14 S.** , R. **35 E.** , B. M., County of **Oneida**

5. Water is to be used for: **Irrigation and domestic uses**

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: \$ **600.00**

8. Kind of works: **Artesian well and distributing ditches**

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

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

11. Ditch: Width at bottom **0.5** feet; width at water line **1.0** feet; depth of water **0.5**

feet; dimensions of flume:

Diameter of pipe inches; length of conduit **600'**

Average grade per mile feet.

12. The time required for the completion of such work is **2** years.

13. The time required for the complete application of the water to the proposed use is **No** 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.

Kenneth Hadfield

Applicant.

By

Agent:

Date of first receipt at Department of Reclamation: **3:00 P. M. December 19, 1935**

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **18212**

Recorded in Book **66** Page **18212** Approved **December 23, 1935**

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 **February 22, 1936** 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 **December 23, 1936**

The whole of said work to be completed on or before **December 23, 1937**

Beneficial use of water appropriated in accordance herewith, to be made on or before **December 23, 1937**

Witness my hand this **23rd** day of **December, 1935.**

R. W. FARIS
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14 S	35 E	35																16	16
			Total Number of Acres to be Irrigated..... 16																16
---- <u>ASSIGNMENT</u> For value received, I hereby assign all my right, title and interest in and to permit to appropriate the public waters of the State of Idaho No. 18212, to A. H. Hadfield, purchaser of the property on which the well covered by the permit referred to above is located. KENNETH E. HADFIELD ASSIGNOR STATE OF CALIFORNIA)) ss. COUNTY OF LASSEN) On this 29th day of November, 1937, before me a Notary Public for the State of California, residing at Westwood, California, personally appeared Kenneth Hadfield, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same of his own free will and judgment. In witness whereof, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate above written. DONNA STEELE Notary Public (SEAL) My Commission expires Nov. 13th, 1940. Received and filed for record in the Department of Reclamation at Boise, Idaho, at 11:00 A. M., Dec. 4, 1937. PAUL L. HENRY Deputy Commissioner of Reclamation																			

Permit No. 18212

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that A. H. HADFIELD of Malad, County of Oneida, and State of Idaho, the holder of Permit No. 18212, issued upon Application No. 25464 bearing date of priority of December 19, 1935, authorizing the diversion of 0.3 second feet of the waters of an artesian well, County of Oneida, State of Idaho, for irrigation and domestic 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 artesian well; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T. 14 S., R. 35 E., B. M., County of Oneida; and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: 16 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T. 14 S., R. 35 E., B. M.

Witness my hand this 15th day of December, A. D. 1937.

R. W. FARIS
Commissioner of Reclamation

Proof of completion of works made Dec. 2, 1937
Certificate issued December 15, 1937.

LICENSE ISSUED FOR 0.24 SEC. FE.

page 3936

Kenneth Hadfield

FORM NO. 0

SEC

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T/45 R35 E BM

112411

SEC. 35

1 SEC. 3 6

Permit Map No. 18212

~~As Approved~~

DEC 23 1935

R. W. FARIS

Commissioner of Reclamation

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

18212

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18312

Dear Sir:

Boise, Idaho, January 7, 1936

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.

MR. KENNETH MADFIELD
Malad, Idaho

R. W. FARIS
Commissioner of Reclamation.

18212

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Kenneth Hadfield
Malad, Idaho

Boise, Idaho, **October 8, 1937**

Dear Sir:—

Under the terms of your permit No. **18212** you are required to complete your diversion works on or before **Dec. 23, 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.

18212

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

October 8, 1937

Kenneth Hadfield
Malad, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 18212, 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 Dec. 23, 1937, 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,

E. W. FARIS
~~EDWARD CARTER~~
Commissioner of Reclamation.

18212

Box 1812
Salt Lake City, Utah
November 26, 1937

NOV 28 1937

R. W. Faris, Commissioner of Reclamation
State House
Boise, Idaho

Re: Permit No. 18212, Kenneth Hadfield

Attn: Deputy Commissioner Paul L. Henry.

Dear Sir:

In accordance with your letter of November 24th I am mailing an assignment to Kenneth Hadfield for execution in connection with the transfer of application No. 18212.

As Kenneth Hadfield is now residing in California some little time will be required before this assignment can be returned to you for recording however, it will be expedited in every way possible. In the meantime it is requested that the writer be furnished with a copy of the permit in order that the necessary papers can be executed and held ready to send in until the assignment is received. The one dollar fee for this service is enclosed.

The last paragraph of your letter states that proof cannot be offered later than December 23, 1937. The writer is under the understanding that in the event proof is offered after December 23 the date of priority will be brought down a length of time equal to the time expiring after December 23 and the date proof is made. Kindly verify this and advise what procedure is recommended for the writer to follow in case it is not possible to offer proof on December 23. An early reply will be appreciated.

Yours very truly

A. H. Hadfield

A. H. Hadfield

18212

November 29, 1937

Re: Permit No. 18212

A. H. HADFIELD
P. O. Box 1912
Salt Lake City, Utah

Dear Sir:

Pursuant to your request, contained in your letter of November 26, I am herewith enclosing a copy of the above permit. Also our office receipt in the amount of one dollar (\$1.00) for the fee that you submitted.

Your understanding with reference to the extension of the priority date in the event that proof is late is correct. However, this refers solely to beneficial use proof and has nothing whatsoever to do with proof of completion of the diversion works. In this particular case, no publication will be required in connection with the first proof, so that all you will have to do is to go before a Notary Public and execute the affidavit which we furnished you and return it to this office with a fee of five dollars (\$5.00).

I assume that you will get the assignment from Kenneth Hadfield long before December 23, so that you can have it in this office with your affidavit for proof of completion of works prior to that date.

After your certificate of completion of works has been issued, you can then proceed with the final proof.

Yours very truly,

PAUL L. HENRY,
Deputy Commissioner

PLH/ci
Encs.

18212

Box 1912
Salt Lake City, Utah
November 15, 1937

Mr. R. W. Farris
Commissioner of Reclamation
State House
Boise, Idaho.

Dear Sir:

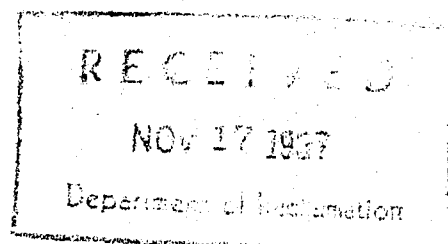
Reference is made to your letter of October 8, 1937 to Kenneth Hadfield of Malad, Idaho in connection with permit No. 18212 to appropriate underground water for use on certain lands in Section 35, T. 14 S., R. 35 E., B. M. in Oneida County, Idaho.

The writer has recently arranged for the purchase of the property on which this well is located and will acquire legal title to the property within the next few days. It was understood that the filing on the well had been completed but your letter referred to above which was recently mailed to me by Attorney D. W. Thomas who is handling the transaction indicates that only the first step has been completed. In other words a permit (No. 18212) was obtained but no certificate of completion of works was obtained nor proof of appropriation submitted.

It is desired to complete this filing at the earliest practicable date and it will be greatly appreciated if you will transfer the application and permit to the writer. Kenneth Hadfield who submitted the original application with the assistance of your Mr. Walker is now residing out of the state and to date the approved permit had not been located. In order to expedite matters it is requested that the writer be furnished with a copy of the permit as filed in your office, from which the necessary information can be obtained to properly complete Form 6 covering Proof of Completion of Works.

Kindly also advise as to other requirements necessary to complete the filing and name of the party to whom proof of application should be submitted.

Yours very truly,
A. H. Hadfield
A. H. Hadfield



18212

November 24, 1937

Re: Permit No. 18212,
Kenneth Hadfield.

Mr. A. H. Hadfield
Box 1912
Salt Lake City, Utah

Dear Sir:

I have your letter of November 15th in which you request this department to transfer the above permit from Kenneth Hadfield to yourself.

Please be advised that in order for us to make such a transfer, it is necessary to have an instrument executed to show a formal conveyance. The short form of assignment which we are enclosing will suffice for your purpose. If you will obtain Mr. Hadfield's signature on this assignment and return it to the Department at once, at that time requesting a copy of the permit, we shall be glad to prepare it for you for the sum of one dollar.

After the assignment has been made a matter of record, you can proceed with your proof. You should go forward with this matter immediately, however, since proof cannot be offered later than December 23rd.

Very truly yours,

Deputy Commissioner of Reclamation

PLH:jl
Encl.

18212

RECEIVED

DEC 4 1937

Box 1912
Salt Lake City, Utah
December 1, 1937

Mr. R. W. Faris, Commissioner of Reclamation
State House
Boise, Idaho

Attn: Paul L. Henry, Deputy Commissioner
Re: Permit No. 18212

Dear Sir:

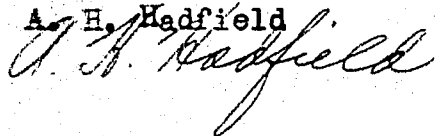
There is enclosed herewith a formal assignment executed by Kenneth Hadfield in connection with the transfer of Permit No. 18212 to the writer. It is requested that this assignment be recorded and the transfer made.

Also enclosed is affidavit covering proof of completion of works and it is requested that a certificate of completion of works be issued. The \$5.00 fee required for recording the proof and issuing certificate of completion of works is enclosed.

Kindly advise as to the requirements for completing the filing and furnish necessary forms to be submitted in this connection. If there is a bulletin published by the State covering the procedure for making filings of this nature the writer would appreciate receiving a copy.

Yours very truly,

A. H. Hadfield



18212

Permit No. 18212

STATE OF IDAHO
Department of Reclamation

RECEIVED

DEC 4 1937

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of ONEIDA

} SS

A. H. Hadfield, 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. 18212, and that his postoffice address is RFD #1 Malad, Idaho State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Subterranean water diverted by means of an artesian well.

Third: That the point of diversion of said water is SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35, T. 14 S., R. 35 E., B. M., Oneida County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 23, 1937.

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

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: A 3 inch cased well 254 feet deep (Artesian) and distributing ditches.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

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

(d) Conduit ditch width at bottom 0.5 feet, width at water line 2.0 feet, depth of water 0.4 feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is 600 miles feet.
(State whether ditch, flume or pipe.)

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 16 acres of land described as follows: SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35, T. 14 S., R. 35 E., B. M., Oneida County, Idaho.

Ninth: Remarks: That

A. H. Hadfield

(Sign here)

Subscribed and sworn to before me this 2nd day of December, 1937

F. E. Ewing

My commission expires

Notary Public.

18212

December 9, 1937

Re: Permit No. 18212

A. H. HADFIELD
Box 1912
Salt Lake City, Utah

Dear Sir:

This will acknowledge receipt of an assignment to you of the above permit from the former holder and also your proof of completion of works. The assignment has been duly recorded and the certificate of completion of works has been issued. We are therefore enclosing the proper forms for you to proceed with beneficial use proof, pursuant to your request.

Kindly fill out the notice in duplicate and return it to this office with your authorization to have it published in a newspaper in Oneida County. You are aware of the fact that the proof will be due on December 23, but there isn't sufficient time to have the necessary number of insertions run in the newspaper before that date so it is suggested that you fix the date for proof at least 30 days in advance so that there can be no question as to the publication. This will mean the loss of a few days priority, but there is no other way in which the matter can be handled.

Yours very truly,

Paul L. Henry,
Deputy Commissioner

PLH/ci
Enc.

18212

December 15, 1937

Re: Permit 18212.

Mr. A. H. Hadfield
Malad, Idaho

Dear Sir:

We are herewith returning the assignment whereby the rights under the above permit are conveyed from Kenneth Hadfield to you. This instrument has been made a matter of record in this department and is being returned to you for your files.

We are also enclosing Certificate of Completion of Works issued under the above permit to appropriate 0.3 second feet of water from an artesian well for irrigation and domestic use, together with the Department's Receipt No. 16473 for the \$5.00 fee you paid in connection with this certificate.

A copy of the notice to be published in connection with the beneficial use proof under this permit has been mailed to the Idaho Enterprise with instructions to publish it once a week for four consecutive weeks prior to January 8, 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 Judge John J. Evans, of the Oneida County Court, Malad, Idaho, so that he will have them in ample time for the proof. On the date designated you should appear at Judge Evans' 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

j1
Enc. (3)

18212

December 15, 1937

Re: Permit 18212,
A. H. Hadfield.

THE IDAHO ENTERPRISE
Malad, Idaho

Dear Sirs:

We are enclosing herewith a notice for publication to replace the notice mailed to you yesterday. The date of priority to be established under this permit was incorrectly stated in the notice mailed to you, and this new notice corrects this date from December 19, 1935, to January 4, 1936.

Will you please see that this notice is published correctly and the affidavit of publication issued to conform with the enclosed notice.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

j1
Encl.

Sent Special Delivery

18212

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

December 31, 1937

Judge John J. Evans
Oneida County Court
Malad, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18212.

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 January 8, 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 Malad, Idaho before Judge John J. Evans.

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.

18212

January 11, 1938

Re: Permit No. 18212.

Mr. A. H. Hadfield
c/o Wm. Hadfield
R. F. D. No. 1
Malad, 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 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

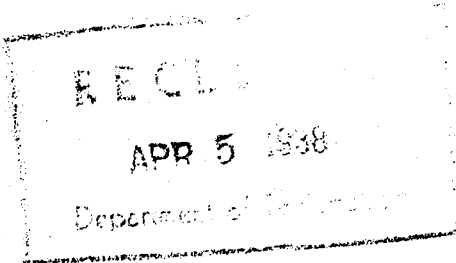
Chief Clerk

j1

18212

Salt Lake City, Utah
April 3, 1938

R. W. Faris
Commissioner of Reclamation
State House
Boise, Idaho



Dear Sir:

Reference is made to your letter of January 11, 1938 advising that depositions and proof of publication in connection with beneficial use of water from well as covered in Permit No. 18212 had been received.

As considerable time has elapsed since the depositions and proof of beneficial use was submitted it will be greatly appreciated if the field examination required before the license is issued could be made at an early date. I am anxious to get this matter settled at the earliest practicable date and therefore request if no definite arrangements have been made to make this field examination that a date be set and the examination be made as soon as practicable. As there are several other wells in the immediate vicinity which are to be examined it appears that all could be examined by Mr. Tolman on the same trip.

Due to my being employed in the United States Bureau of Air Commerce with headquarters at Salt Lake City I am in Malad only occasionally. If you could advise me as to the probable date on which the field examination will be made I will endeavor to meet Mr. Tolman at Malad and show him over the grounds.

Yours very truly,

A. H. Edfield

18212

April 6, 1936

Re: Permit 18212 ✓

A. H. Hadfield
United States Bureau of Air Commerce
Salt Lake City, Utah

Dear Mr. Hadfield:

I have your letter of April 3, in which you request that our field engineer Mr. Tolman make a field examination in connection with proof of beneficial use on the above numbered permit as early as possible. I have talked with Mr. Tolman and find that he will probably make the examinations in the Wasatch Valley around the first part of May. However, these plans are not definite and it may be somewhat later in the season before he can arrange his schedule to make these examinations.

It is not absolutely necessary that you accompany Mr. Tolman when he is making the examination, however if you desire to do so, we will endeavor to let you know the date that Mr. Tolman will be in Malad. In any event, if I say a certain day, it will be likely that Mr. Tolman's affairs would be so arranged that he would either be a few days early in making the inspection or a few days late, since it is nearly impossible to name the exact date when a certain inspection will be made.

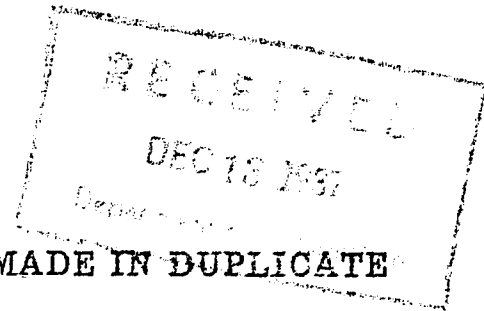
I trust that if the inspection is made within the next month, it will be agreeable to you.

Very truly yours,

PAUL H. BERG
Deputy Commissioner of Reclamation

PHB:mn

18212



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 10, 1937

(P. O.) RFD #1, Malad, 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 Idaho Enterprise of Malad, Idaho, published in the county in which the works are situated.

A. N. Hatfield

(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.

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

Notice is hereby given that at 10:00 A. M. on the 8th day of January, 1938,
 at Malad, Idaho, County of Oneida, State of Idaho, before
John J. Evans, Judge, Oneida County Court, proof will be submitted of the
 application to beneficial use of 0.3 cubic feet per second of the waters of subterranean
sources in accordance with the terms and conditions of Permit No. 18212
 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.....
A. H. Hadfield, care Wm Hadfield, RFD #1, Malad, Idaho

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

The amount applied to beneficial use is 0.3 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) Sixteen acres located in the SE¹ of the SE¹ of Section 35, T. 14 S.,
R. 35 E., Boise Meridian, Oneida County, Idaho.

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

The right to take water from such works is based upon Permit No. 18212

The source of supply from which such water is diverted is subterranean, diverted by
means of an artesian well.

The date of priority which said user is prepared to establish is January 4, 1936.
~~August 20, 1918.~~

R. W. FARIS
 Commissioner of Reclamation.

18212

18212

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date December 14, 1937

THE IDAHO ENTERPRISE
Malad, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to January 8, 1938, the date set for proof, the expense of the publication to be paid by the applicant, A. H. Hadfield,

to whom you should furnish proof of publication on or prior to the date set for proof.

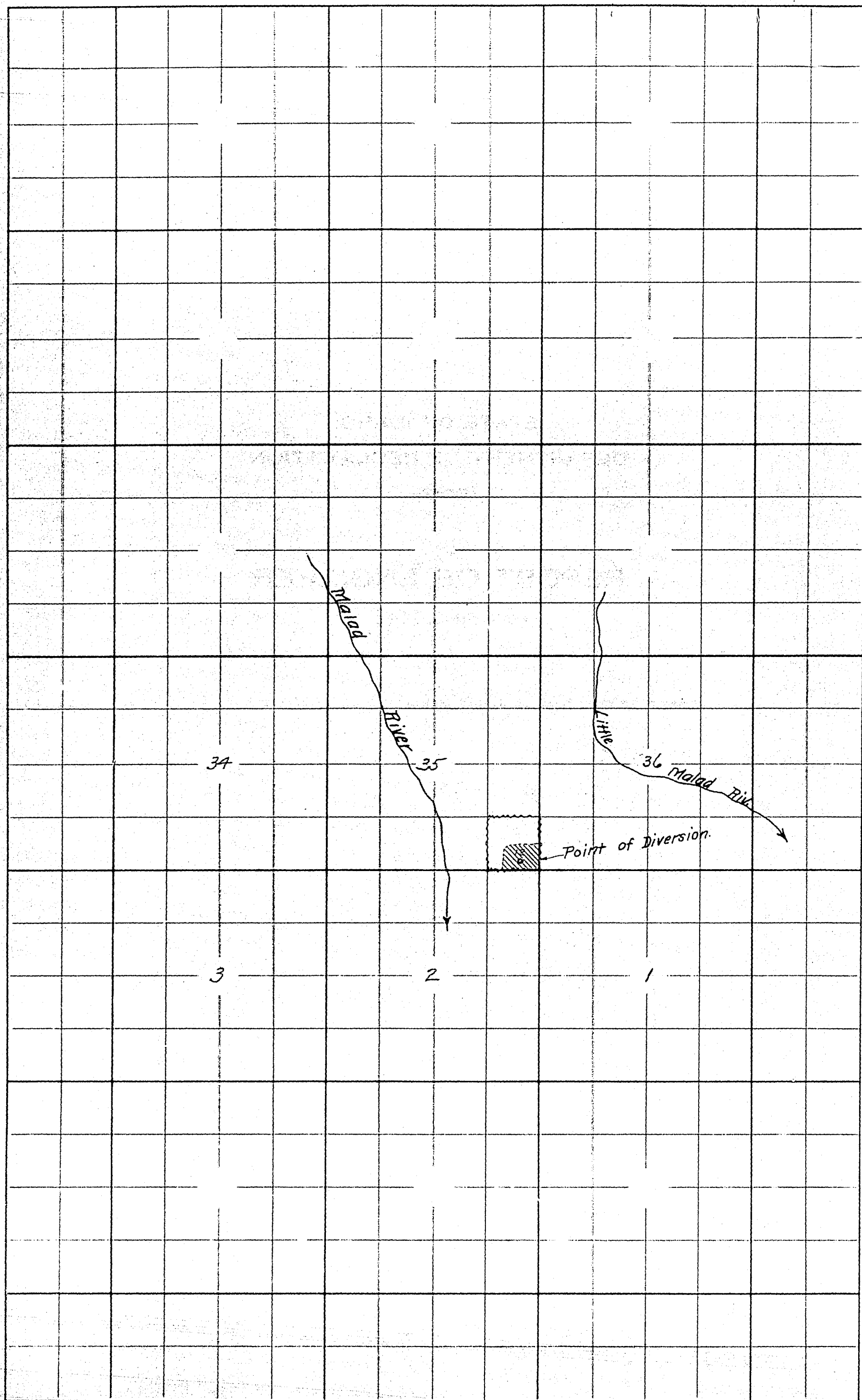
Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

18212



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

182/2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18212

This proof is for Beneficial Use

In Water District No.

1. Name of applicant A. H. Hadfield
2. Source of water supply: Artesian Well (Subterranean)
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35
T. 14 S., R. 35 E., B. M., County of Oneida.
4. Describe works as they exist, giving dimensions and capacities of same: *A drilled well said to be 254 ft. deep and cased with 3" casing. flows about 90 gallons per minute. Ditches 12" wide x 10" deep.*
5. Water is used for: Irrigation and domestic uses.
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): SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 14 S., R. 35 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? *none*

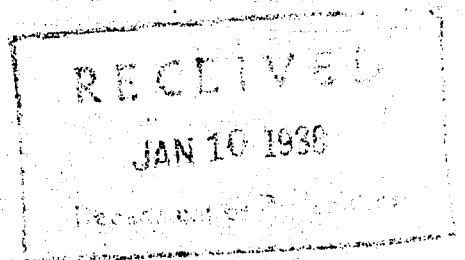
Remarks: *No one ^{living} on the place at time of examination. Information obtained from a neighbor.*

This examination was made on the 14th day of June, 1938

(Signed)

Examiner.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.



PERMIT NO. 18212

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. A.H. Hadfield; Age 34 years; residence Malad, Idaho R.F.D. No. 1
Occupation Civil Engineer; P.O. Address Malad, Idaho R.F.D. No. 1

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. NONE

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

Ans. No. 18212; Dec. 23rd. 1935; Date of priority August 1918.

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

Ans. Flowing Well; location in SE, SE, -Sec. 35-14-35 E.B.M.

Point of diversion at this well.

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

Ans. Works 3 inch casing 254 feet deep; and earth ditches for
distribution. And capable of conveying 0.3 second feet from well
to place of use on lands adjoining the said well

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. Domestic and Cullinary use; and for irrigation. And is used
on about 16 acres of cultivated land in SE, SE, -35-14-35 E.B.M.
Improvements on place are eight room frame residence; and farm out-
buildings.

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

Ans. Domestic and cullinary purposes; and piped into the residence.

18212

A. H. Hadfield

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

Ans. 325 second feet required continuously for domestic and cullinary use.

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 acquired this permit from Kenneth Hadfield, by assignment on purchase of the land on which this well is located.

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

Ans. Water used on this land since well was dug in 1918; for Domestic cullinary and irrigation purposes on this property

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. Five shares of water stocks in Samaria Water & Irrigation Company and each share is $\frac{1}{2}$ 100 miners inches for 6 hours of time; which waters supplements the waters from this flowing well and irrigates additional lands.

(Sign)

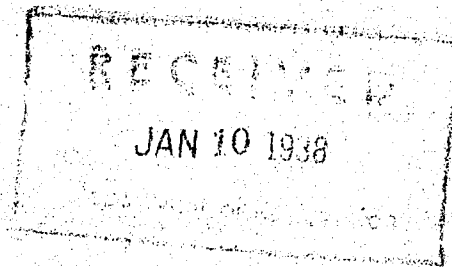
A. N. Hadfield

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 Malad, County of Oneida State of Idaho, on this 8th day of January A. D. 1938.

John J. Evans
Probate Judge for Oneida County, Idaho

My commission expires Jan. 1939.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18212

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. Joseph Palmer; Age 51 years; Residence Malad, Idaho; occupation Farming and stockraising; P.O. Address; Malad, Idaho.

Ques. 2. Are you acquainted with A.H. Hadfield, the holder of Permit No. 18212? How long have you known him and where does he reside?

Ans. ^{known} I have this applicamt all his life.

Ques. 3. Have you read or heard read said Permit No. 18212, and are you familiar with its provisions and conditions?

Ans. YES; And I am familiar with its provisions and 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. One Flowing well; At the flowing Well on SE $\frac{1}{4}$ SE $\frac{1}{4}$; -35-14-35 E.B.M Works is Earth 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. About .5 second feet of water to place of use on lands joining this well. And I have seen this ditch carry all the water from this well.

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. Domestic and Cullinary purposes; and for irrigation. and this water is used for irrigation on about 16 acres of land in SE $\frac{1}{4}$ SE $\frac{1}{4}$; -35-14-35 E. This land is cultivated land of black loam character.

Improvements are eight room frame residence with this water piped into same and farm outbuildings.

18212 OK PRR

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

Ans. Domestic and culinary purposes.

✓ 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. Character of land is black loam character. The waters from this well and in addition other waters owned by the applicant.

✓ 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. Since well was dug; and by personal observation, and I have seen the water produced by this well running upon the lands joining this well.

(Signed)

Joseph Palmer

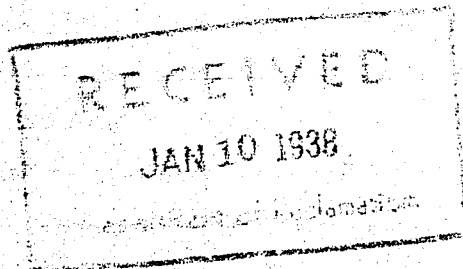
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Malad, County of Oneida, State of Idaho, on this day of January 8th, A. D. 1938.

My commission expires Jan. 1939.

John J. Evans
Notary Public.

Probate Judge for Oneida County
Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18212

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. Lorin L. Peck; Age 47 years; Malad, Idaho; Farmer & Clerk;

P.O. address; Malad, Idaho.

Ques. 2. Are you acquainted with A.H. Hadfield, the holder of Permit No. 18212? How long have you known him and where does he reside?

Ans. I have known him for 22 years; and his residence is at

Malad, Idaho R.F.D. No. 1

Ques. 3. Have you read or heard read said Permit No. 18212, and are you familiar with its provisions and conditions?

Ans. Yes; I am familiar with the provisions and 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. One Flowing Well; At the flowing well for point of diversion in SE₁SW₁; Sec. 35-14-35 E.; Works are Earth ditch from the well and running Easterly for lands to be irrigated, and which lands also adjoin the flowing well.

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. Ditch will carry about .5 second feet. I have seen 0.3 second feet flowing through this ditch

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. Domestic and culinary purposes, and also for irrigation. Water used for irrigating about 16 acres in SE₁SW₁; -35-14-35 E. adjacent to said well. This land is cultivated land. Light room frame residence; and farm outbuildings.

18212

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

Ans. For Domestic and culinary purposes, and is used into the residence

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. A Black loam soil; Waters from this flowing well; supplemented by other waters owned by the applicant.

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. This well was dug in year 1918; and I have observed its use on the abutting lands since that time.

(Signed)

Loren L. Leck

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 Blad, County of Oneida, State of Idaho, on this day of January 8th, A. D. 1938.

John J. Eram

Notary Public

My commission expires Jan. 1939. Probate Judge for Oneida County, Idaho

NOTICE FOR PUBLICATION
NOTICE OF PROOF
APPLICATION OF WATER
To Beneficial Use

Notice is hereby given that at 10:00 A. M. on the 2nd day of January, 1938, at Malad, Idaho, County of Oneida, State of Idaho before John J. Evans, Judge, Oneida County Court, proof will be submitted of the application to beneficial use of 0.3 cubic feet per second of the waters of subterranean sources in accordance with the terms and conditions of Permit No. 18212, 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 A. H. Hadfield, care Wm. Hadfield, RFD. No. 1, Malad, Idaho.

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

The amount applied to beneficial use is 0.3 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Sixteen acres located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35, T. 14 S., R. 35 E. Boise Meridian, Oneida County, Idaho.

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

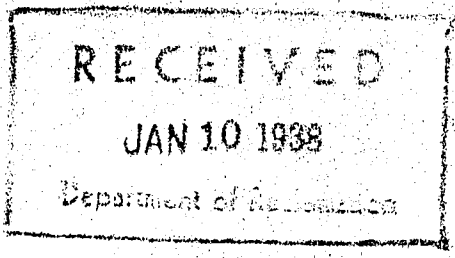
The right to take water from such works is based upon Permit No. 18212.

The source of supply from which water is diverted is subterranean, diverted by means of an artesian well.

The date of priority which said user is prepared to establish is January 4, 1936.

R. W. Paris
Commissioner of
Reclamation

12-15 to 1-7; t4.



Affidavit of Publication

State of Idaho

ss.

County of Oneida

Lurling James...being first duly sworn on *h. w. oath*, states: That *s. he is chief*...
clerk of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published, and that said paper was published at regular intervals not less frequently than once a week.

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for *7* successive weekly issues thereof the date of the first publication being the *16* day of *December* 1937... the date of the last publication being the *6* day of *January*, 1937...

Lurling A. James

Subscribed and sworn to before me this *8* day of *January*, 1938...

J. E. Ray
Notary Public, residing at Malad, Idaho

My Commission expires the *16* day of *July* 1939.

COSTS *52* times at 10c per line first insertion \$ *5.20*
5c per line each subsequent insertion \$ *7.80*
TOTAL *13.00*

18212



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

~~BY W. F. FARRIS, COMMISSIONER~~
James Spofford, Commissioner
BOISE

HARRY Dewey
~~PAUL H. BERT~~
DEPUTY COMMISSIONER

~~BARRETT W. BLANK, GOVERNOR~~
C. A. Bottolfsen, Governor

January 31, 1939

Re: Permit No. 18212

Mr. A. E. Hadfield,
R. F. D. No. 1,
Malad, Idaho.

Dear Sir:-

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

This report shows that you are irrigating 12 acres in the $SE\frac{1}{2}$ $SE\frac{1}{2}$ of Section 35, Township 14 South, Range 35 East.

Therefore, your fee will be \$2.00, upon receipt of which a license will be issued.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Jeane L. Anderson
Chief Clerk

JLA

*Returned to Commissioner of Reclamation
check in amount of \$2.00 covering
fee for license is attached*

RECEIVED
MAR 3 1939

18212

A. E. Hadfield

March 10, 1939

Re: Permit No. 18212

Mr. A. H. Hadfield,
R. F. D. No. 1,
Malad, Idaho.

Dear Sir:-

We are herewith enclosing License and Certificate of Water Right issued under the above numbered permit, confirming your right to use 0.24 second foot of subterranean waters, with a date of priority of January 4, 1936, for irrigation and domestic use upon the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 14 South, Range 35 East.

The Department's Receipt No. 16900 for the \$2.00 fee which you paid in connection with final proof is also enclosed.

Very truly yours,

JAMES SPOFFORD

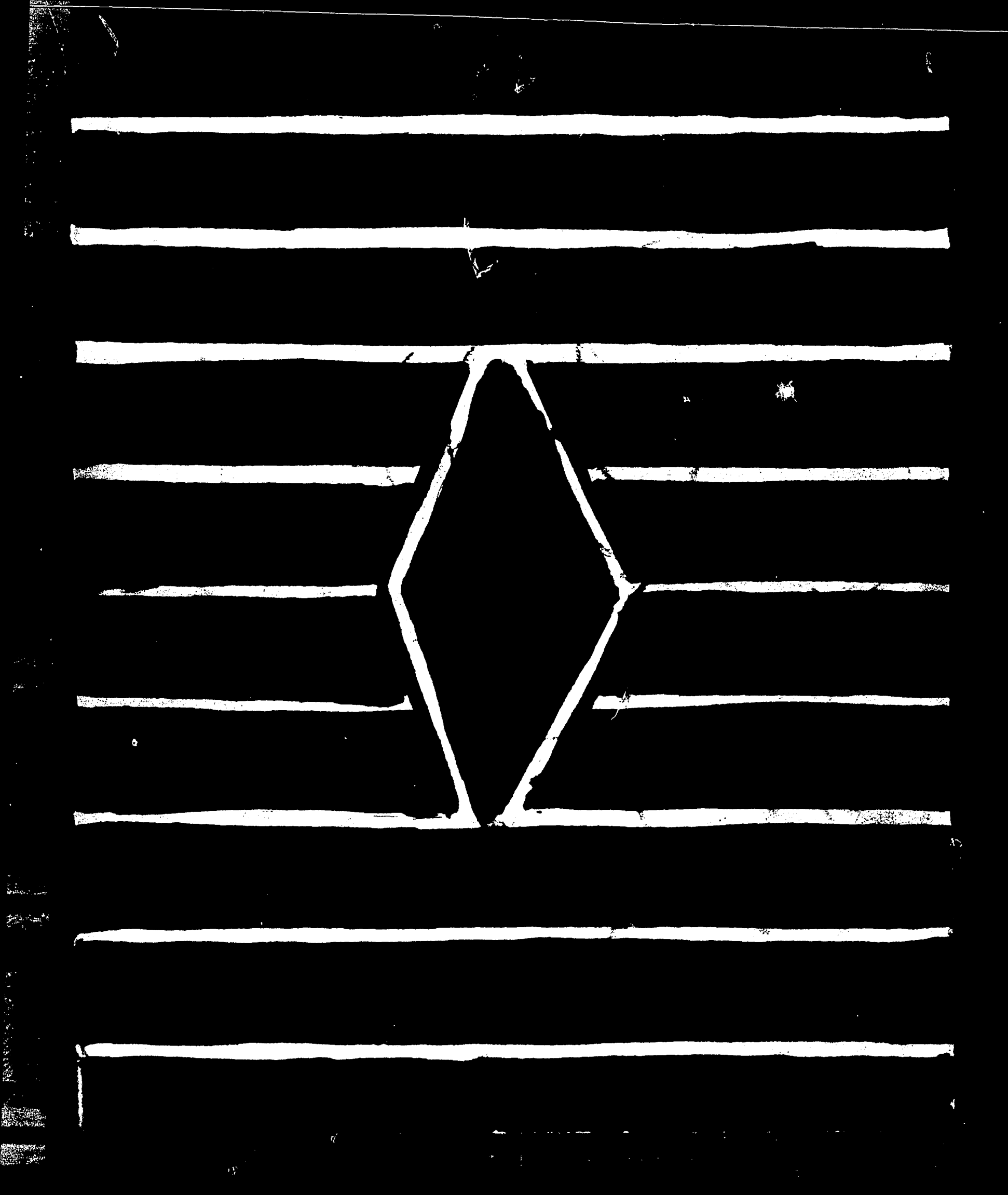
Commissioner of Reclamation

By

Chief Clerk

JLA
Encs.

18212



State of Idaho

License and Certificate of Water Right

Water License No. 18212
Water District No.

Amount 0.24 second foot
Priority January 4, 1936

THIS IS TO CERTIFY that KENNETH HADFIELD
of Malad, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 19, 1935; that Permit No. 18212
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 15, 1937, showing that said works
were completed on the 2nd day of December, 1937; and that on the 7th
day of January, 1938,

A. H. HADFIELD, ASSIGNEE

of Malad, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of subterranean
waters, a tributary of, for the purpose of irrigation and domestic
use, under Use Permit No. 18212 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 3936, on the 10th day of March, 1939;

The right hereby confirmed dates from January 4, 1936;

The Point of Diversion is located
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Tp. 14 S., R. 35 E., B. M. Oneida 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 0.24
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14 S.	35 E.	35	SE $\frac{1}{4}$ SE $\frac{1}{4}$	16	12

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, 1939

JAMES SPOTTFORD

Commissioner of Reclamation

(SEAL)

