

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

Application No. **25470**
Permit No. **18218**
District No.

1. Name of Applicant: **HENRY C. BROWN**

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:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: **1.2** cubic feet per second.

3. Source of water supply: **4 Artesian Wells (Subterranean)** which is a tributary of

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and ~~are~~ in the Lot # **1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)**
of Section **2** , T. **15 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: \$ **2500.00**

8. Kind of works: **Artesian wells & 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 **1.0** feet; width at water line **1.5** feet; depth of water **1 foot.**

~~feet~~; dimensions of flume:

Diameter of pipe inches; length of conduit **2,000'** miles.

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.

Henry C. Brown

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 **18218**

Recorded in Book **66** Page **18218** 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	
15 S	35 E	2	40			20													60
Total Number of Acres to be Irrigated.....																			60

Permit No. 18218
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MRS. HENRY C. BROWN, Widow of Henry C. Brown, deceased, of Malad, County of Oneida, and State of Idaho, the holder of Permit No. 18218, issued upon Application No. 25470 bearing date of priority of December 19, 1935, authorizing the diversion of 1.2 second feet of the waters of four artesian wells, 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 1.2 second feet of the waters of said artesian wells; that the points of diversion of said waters are in Lot 1 (NE¼ NE¼) of Sec. 2, T. 15 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: NE¼ NE¼ and SE¼ NE¼ of Sec. 2, T. 15 S., R. 35 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 19, 1937
Certificate issued December 2, 1937.

LICENSE ISSUED FOR 1.2 SEC. FT.

p. 3925

NAME OF APPLICANT Henry C. Brown

FORM NO. 0

SEC

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T155, P35 E1317.

irrigated

McElis

Permit Map No. 182183

As Approved

DEC 22 1935

Commissioner of Reclamation

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

182/8

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18218

Boise, Idaho, January 7, 1936

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.

MR. HENRY C. BROWN
Malad, Idaho

18218
R. W. FARIS
Commissioner of Reclamation.

December 8, 1937

Re: Permit 18218.

Mrs. Henry C. Brown
Malad, Idaho

Dear Madam:

We are herewith enclosing Certificate of Completion of Works issued under the above permit to appropriate 1.2 second feet of water for irrigation and domestic purposes.

The Department's Receipt No. 16453 for the \$5.00 fee you paid in connection with this Certificate is also enclosed.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

j1
Encl.

18218

The California Insurance Company

GEO. W. BROOKS, PRESIDENT
JAS. K. MOFFITT, VICE PRESIDENT
A. N. LINDSAY, SECRETARY

OF SAN FRANCISCO, CALIFORNIA
HOME OFFICE
315 MONTGOMERY STREET

JAMES A. WILSON, ASST. SECRETARY
MILTON E. SPAULDING, ASST. SECRETARY
H. H. LAMB, TREASURER

JAMES B. JONES
RESIDENT AGENT

Malad, Ida.

Dec. 23, 1937.

DEC 27 1937

Department of Reclamation

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

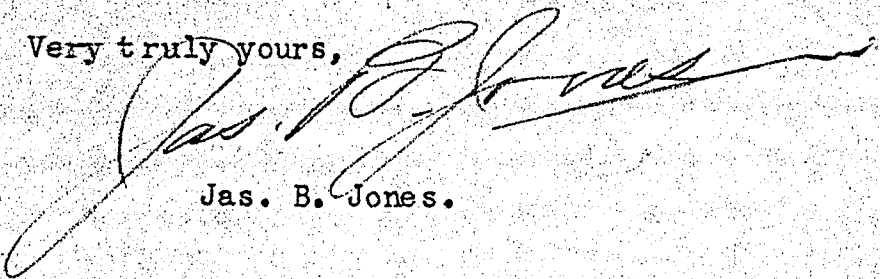
Dear Sir;

Re: Proof of Application of Water
Mrs. H. C. Brown.

Enclosed herewith find the following papers
in connection with the above entitled matter, to-wit;

Deposition of Holder
Depositions of two witnesses.
Affidavit of Publication.

Very truly yours,


Jas. B. Jones.

Enc.

18218

January 11, 1938

Re: Permit No. 18218.

Mrs. Henry C. Brown
R.F.D. No. 1
Malad City, Idaho

Dear Madam:

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

jl
cc: Jas. B. Jones.

18218

November 26, 1937

Re: Permit 18218.

Mrs. Henry C. Brown
Malad, Idaho

Dear Madam:

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 Idaho Enterprise, Malad, Idaho, all in connection with Permit No. 18218.

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 December 23, 1937. About ten days prior to this date depositions consisting of one for the holder and one each for two witnesses will be mailed to James B. Jones, Notary Public, Malad, Idaho, so that he will have them in ample time for the proof.

On the date designated you should appear at Mr. Jones' 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,

Deputy Commissioner of Reclamation

j1

18218

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Henry C. Brown
Malad, Idaho

Boise, Idaho, October 8, 1937

Dear Sir:—

Under the terms of your permit No. 18218 you are required to complete your diversion works on or before Dec. 25, 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.

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

October 8, 1937

Henry C. Brown
Malad, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 18218, 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,

R. W. FARIS
~~GEO. N. CARTER~~
Commissioner of Reclamation.

18218

Permit No. 18218STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Oneida } SSMrs. Henry C. Brown, 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. 18218, and that his postoffice address is Malad State of Idaho

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

Artesian Wells (four)Third: That the point of diversion of said water is LOT #1 (NE 4 NE 4) of Sec 2 T. 15 S R. 35 E, B. M., County OneidaFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Dec 23, 1937Fifth: That the use for which said water is intended is Irrigation & domestic

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: artesian wells & distributing ditches

(Reservoir, dam, ditch, flume, pipe or otherwise.)

1 Six inch pipe 2.55' deep. 1 Four inch pipe 2.95' deep in three inch pipe 2.35' deep

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 _____ width at bottom _____ feet, width at water line _____

(State whether ditch, flume or pipe.)

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

Seventh: That said works are capable of conducting to the place of intended use 1.2 one & two feet second feet of water.Eighth: That water appropriated under said permit is available for 60 acres of land described as follows: SE 4 NE 4 & NE 4 NE 4 of Sec 2 T. 15 S R. 35 E, B. M.County Oneida

Ninth: Remarks: That _____

Mrs. Henry C. Brown
(Sign here)Subscribed and sworn to before me this 19th day of November, 1937My commission expires 11/1/40_____
Notary Public.18218

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Nov. 19 1937

(P. O.) Malad City Oneida Co. 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 City Idaho, published in the county in which the works are situated.

Mrs. Henry C Brown

(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.

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

Notice is hereby given that at 9:00 A. M. on the 23rd day of December, 1937,
 at Malad, County of Oneida, State of Idaho, before
James B. Jones, Notary Public, proof will be submitted of the
 application to beneficial use of 1.2 cubic feet per second of the waters of artesian
wells in accordance with the terms and conditions of Permit No. 18218
 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....
Mrs. Henry C. Brown, Malad, Oneida County, Idaho.

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

The amount applied to beneficial use is 1.2 second feet

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2, T. 15 S., R. 35 E., B. M.

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. 18218

The source of supply from which such water is diverted is underground

The date of priority which said user is prepared to establish is December 19, 1935

.....R. W. FARIS.....
 Commissioner of Reclamation.

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date November 24, 1937

Re: Permit 18218.

THE IDAHO ENTERPRISE
Malad, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 23, 1937, the date set for proof, the expense of the publication to be paid by the applicant, Mrs. Henry C. Brown, Malad, 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

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State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

December 15, 1937

James B. Jones, Notary Public
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. 18218

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 December 23, 1937, 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 James B. Jones, Notary Public.

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

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

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 18218

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Mrs. Henry C. Brown; age 55 years, residence, Pleasant View, Oneida Co., Idaho;
P. O. Address, RFD# 1, Malad City, Idaho, occupation, farmer.

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.

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

Ans. # 18218 Date of priority ~~1934~~ December 19, 1935.

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

Ans. Four Artesian Wells located in Lot # 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 2, Twp. 15 S. Range
35 East of the Boise Meridian In Idaho.

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

Ans. Use accomplished by distribution ditches from location of wells to
various parts of tract on which used all of which both wells and diversion
ditches are on own land

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. Used for Irrigation and domestic use on Lot # 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 2, Twp. 15 South,
Range 35 East of the Boise Meridian, in Idaho, and on SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2 above township
and range, irrigating about 40 acres of the first mentioned tract and 20 acres
of the latter. Land mentioned is all cultivated and as result of said water
being used thereon more intensive farming is possible.

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

Ans. Irrigation and domestic uses.

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

Ans. The ^{entire supply of} water from the wells is required to water said 60 acres.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Original application made by Henry C. Brown now deceased, husband of undersigned.

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

Ans. The last well was drilled in 1920, the next to last shortly previous thereto and the other two about 27 to 28 years ago. The water from said wells has been used on the same land ever since said times.

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. No other water used on this land herein described.

(Sign) Mrs. Henry C. Brown

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 City, County of Oneida

State of Idaho, on this 23rd day of December A. D. 1937.

Jas. H. Jones
Notary Public, Registered
Malad

My commission expires Nov. 1, 1940.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 18218

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. Waldamere Camp; age 29; residence Pleasant View, Idaho; present temporary address, Malad, Idaho; occupation, laborer.
Permanent address, P.O. # 1, Malad, Idaho.

Ques. 2. Are you acquainted with Mrs. Henry C. Brown, the holder of Permit No. 18218? How long have you known him and where does he reside?

Ans. Yes, I have known Mrs. Brown all my life. She resides at Pleasant View, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18218, and are you familiar with its provisions and conditions?

Ans. I have read said permit and am acquainted with the contents thereof.

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. Water is supplied from four artesian wells in Lot 1 of Sec. 2, Twp. 15 S. Range 35 East of the Boise Meridian, Water is diverted from location of said wells to various parts of land watered by use of ditches all on said described land.

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?

I have seen all water from said wells conveyed through ditches for distribution.

Ans. Water has been measured as 1.2 cubic feet per second. The ditches constructed for diversion are more than sufficient for all water from wells.

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

Ans. Most of the water is used for irrigating about 40 acres in Lot 1 and about 20 acres in SE 1/4 NE 1/4 all in Sec. 2 Twp. 15 S. Range 35 East of the Boise Meridian. Land on which water is used is cultivated and as result of said use is producing more as result of more intensive cultivation permissible as result of water. Such water as necessary for domestic use also supplied by said wells.

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

Ans. A little water used for domestic use also.

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. Land on which water is used is rich black or mountain soil. The water supplied from wells is all required for irrigation of said 60 acres herein mentioned. More could be used if it were available.

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

Ans. I have no interest in the wells, works or land.

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 from all wells used for the 17 years since drilled and from from older wells some time prior thereto.

(Sign) Waldamere Camp

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 City, County of Oneida, State of Idaho.
on this 23rd day of December A. D. 1937.

Notary Public.

My commission expires Nov. 1, 1940.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 18218

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. Jonah M. Evans; age 41 years; residence Malad City, Idaho; occupation, farmer;
present address, Malad City, Idaho.

Ques. 2. Are you acquainted with Mrs. Henry C. Brown, the
holder of Permit No. 18218? How long have you known him and where does he reside?

Ans. Yes, I have known Mrs. Henry C. Brown for 27 years; She resides in
Pleasant View, Idaho, with mail address of RFD # 1, Malad City, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18218, and are you familiar with its provisions and conditions?

Ans. Yes, I have read the same and know its contents.

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

Ans. Water is secured from four artesian wells located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Sec. 2,
Twp. 15 S. Range 35 East of the Boise Meridian and diversion is from said wells
through ditches to various parts of the above described tract and to SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2,
above Twp. and Range.

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. The water from said wells has been measured as 1.2 cubic feet per second. The
distribution ditches will take care of more than the water supplied from wells.

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

Ans. Major portion of water is used for irrigation being used to water about 40
acres in the Lot 1, and about 20 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Twp. 15 S., Range 35
East Boise Meridian, watering a total of 60 acres. Land is cultivated and as result
of irrigation is farmed more intensively than could otherwise be done. Little water
also used for domestic purposes.

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

Ans. Small amount used for domestic use.

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. Land irrigated is rich black land. All water produced by said wells is required to irrigate tract described herein and on which said water is used. In fact more could be used if available.

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

Ans. Have no interest in said land or water.

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

Ans. I have seen the water used on said lands since 1920 at which time I lived in part of the house on Mr. Brown's property. I have also seen the water from wells drilled prior to 1920 on said lands prior to said time.

(Sign)

Jonah M. Evans

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 City --, County of Oneida, State of Idaho, on this 23rd day of December, A. D. 1937.

J. P. Jones
Notary Public.

My commission expires Nov. 1, 1940.

Affidavit of Publication

State of Idaho

County of Oneida

ss.

Lurling James being first duly sworn on oath, states: That *he* is *chief* 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 *4* successive weekly issues thereof the date of the first publication being the *2* day of *December* 193*7*... the date of the last publication being the *23* day of *December*, 193*7*...

Lurling A. James

Subscribed and sworn to before me this *23rd* day of *December*, 193*7*...

R. W. Faris
Notary Public, residing at Malad, Idaho

My Commission expires the *1st* day of *January* 19*40*...

COSTS: *48* lines at 10c per line first insertion \$ *4.80*
5c per line each subsequent insertion \$ *7.20*
TOTAL *12.00*

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER To Beneficial Use

Notice is hereby given that at 9:00 A. M. on the 23rd day of December, 1937, at Malad, County of Oneida, State of Idaho, before James B. Jones, Notary Public, proof will be submitted of the application to beneficial use of 1.2 cubic feet per second of the waters of artesian wells in accordance with the terms and conditions of Permit No. 18218 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Mrs. Henry C. Brown, Malad, Oneida County, Idaho.

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

The amount applied to beneficial use is 1.2 second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2, Twp. 15 S., R. 35 E. B. M.

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

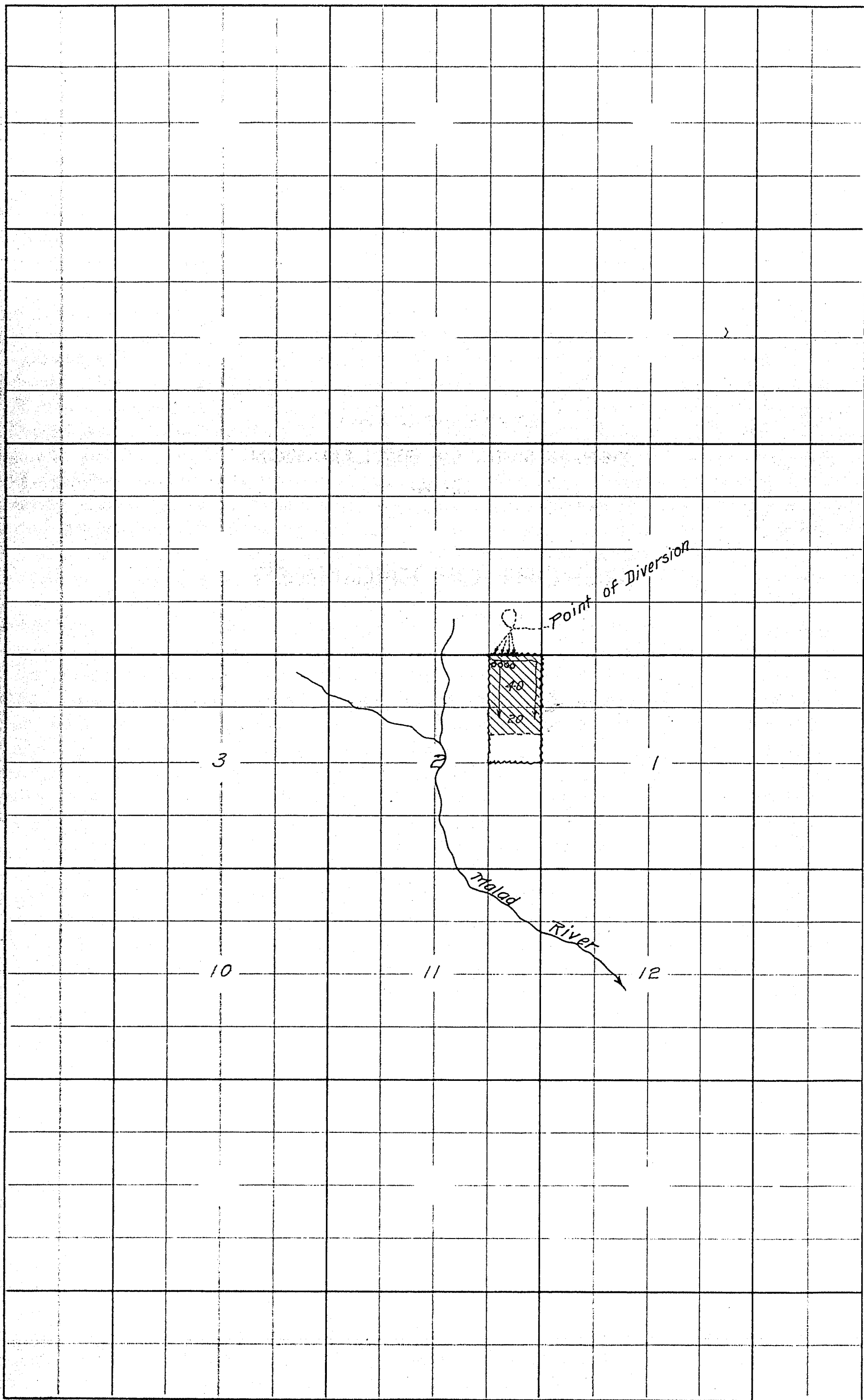
The right to take water from such works is based upon Permit No. 18218.

The source of supply from which such water is diverted is underground.

The date of priority which said user is prepared to establish is December 19, 1935.

R. W. Faris,
Commissioner of Reclamation.
12-24 t4

18218



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

18218

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18218

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Mrs. Henry C. Brown
2. Source of water supply: 4 Artesian Wells (Subterranean)
3. Location of point of diversion: Is in the Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 2
T. 15 S., R. 35 E., B. M. County of Oneida.

4. Describe works as they exist, giving dimensions and capacities of same: *Four drilled artesian wells discharge into a common ditch 2' wide x 1' deep. One well is of 6" diameter x 255 ft deep. " " " 4 " " x 245 " " Two wells of 3" " x 235 " " and all wells cased.*

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): *NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 2, T. 15 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: *The combined flow of these wells as measured by a committee representing local owners of 14 artesian wells was found to be 59 Sec. Ft. on the 27th day of May 1936.*

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

(Signed)

Fred L. Johnson
Examiner.

February 15, 1939

Re: Permit No. 18218

Mrs. Henry C. Brown,
R. F. D. No. 1,
Malad, Idaho.

Dear Madam:-

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 sixty acres in two 40-acre legal subdivisions.

Therefore, your fee will be \$4.00, upon receipt of which a license will be issued.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation

By

JLA

Chief Clerk.

18218

Malad Idaho

Feb 17, 1939

Department of Reclamation,

Inclosed
find \$4.00 as fee for license on
wells, under Permit no 18218.

Very truly yours.

Mrs. Henry C. Brown

18218

February 24, 1939

18218
Re: Permit No. 12818

Mrs. Henry C. Brown
Malad, Idaho.

Dear Madam:-

We are herewith enclosing License and Certificate of Water Right issued under the above numbered permit, confirming your right to use 1.2 second feet of the waters of artesian wells (subterranean waters) in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 2, Township 15 South, Range 35 East, B.M., with a date of priority of December 19, 1935, for irrigation and domestic use upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 15 South, Range 35 East, B.M.

The Department's Receipt No. 16879 for the \$4.00 fee paid in connection with final proof is also enclosed.

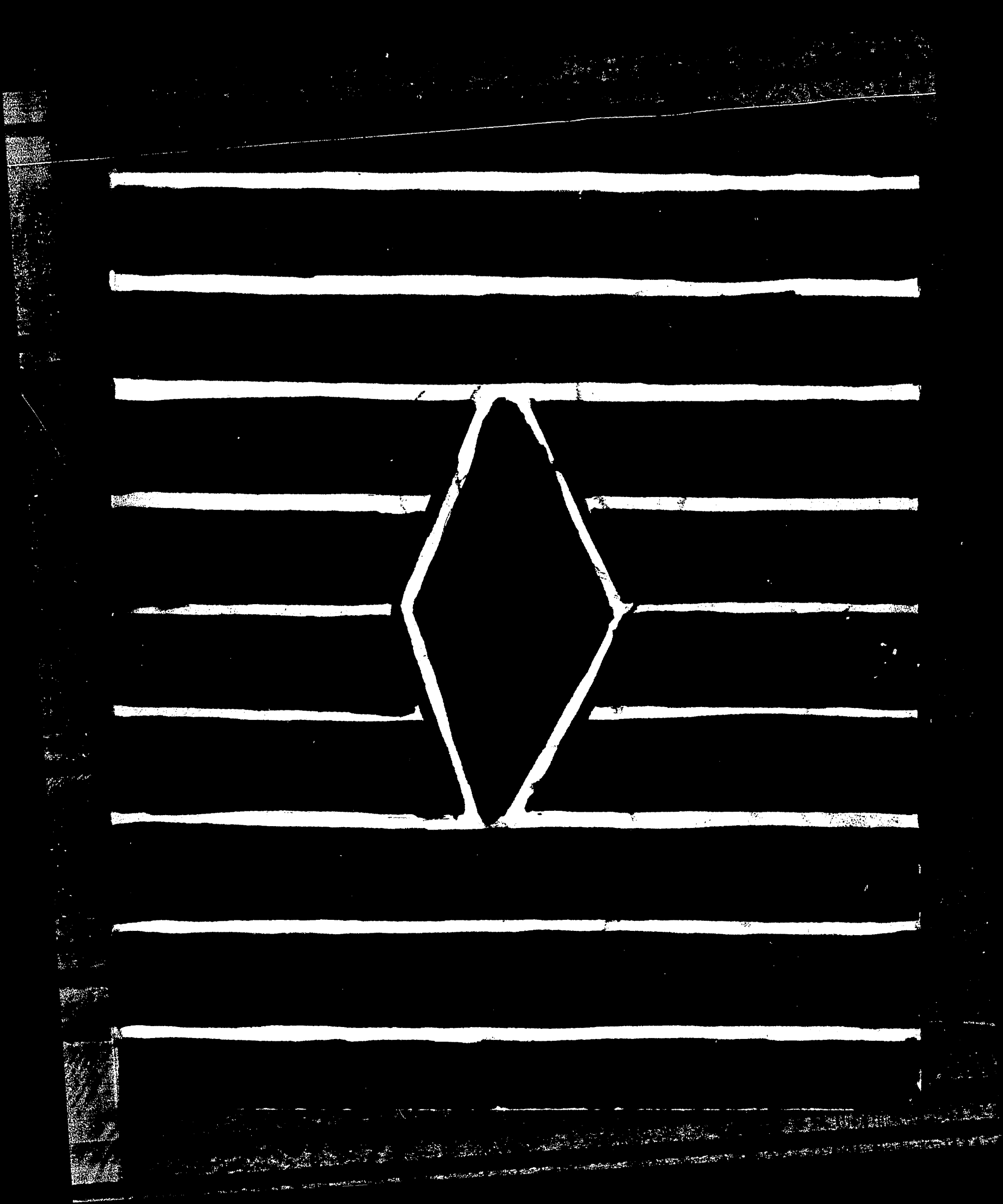
Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Encs. }

18218



State of Idaho

License and Certificate of Water Right

Water License No. 18218
 Water District No. _____

Amount 1.2 second feet
 Priority December 19, 1935

THIS IS TO CERTIFY that HENRY C. BROWN
 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. 18218
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1.2 second feet, was issued thereunder on December 2, 1937, showing that said works
 were completed on the 19th day of November, 1937; and that on the 23rd
 day of December, 1937,

MRS. HENRY C. BROWN, WIDOW OF HENRY C. BROWN
 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, tributary of (artesian wells), for the purpose of irrigation and
 domestic use, under Use Permit No. 18218 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 3925, on the 24th day of February, 1939;

The right hereby confirmed dates from December 19, 1935;

are
 The Point of Diversion is located in Lot 1, or
 in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, Tp. 15 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
 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.	35 E.	2	NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	40 20	40 20
			Total number of acres irrigated		60

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 24th day of February, 1939

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

15 2016

