

A.H. Hadfield,
Civil Engineer
P.O. Box 103, Rte. 1
Malad, Idaho.

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35911
Permit No. G- 27954
District No.

1. Name of Applicant: Leo H. Brown, Ray M. Barker, and A. H. Hadfield
Postoffice address: Rte. 1, Malad County: Oneida State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 3 or Idaho
Miners' inches 150 or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35
Twp. 14 S. , Rge. 35 E. , B.M., County of Oneida
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled and cased well, deep well turbine and electric motor
8. Estimated cost of works: \$10,000.00
9. (a) Is reservoir to be used? Yes. Reservoir for overnight storage
(b) Capacity of reservoir: 3 acre feet
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (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 onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 12 shares of stock (water rights) in the Samaria Water and Irrigation Company. 6 hrs. per share or 72 hrs. per turn. Average 8 turns per season.*
 - (a) 1.5 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 1.5 (cubic feet per second, inches or gallons per minute) is for new lands.

*Stream averages about 2 sec. ft.

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

Leo H. Brown, Ray M. Barker, / A. H. Hadfield:
Applicant.

By s/ A. H. Radfield
Civil Engineer

Date of first receipt at Department of Reclamation: 9:00 A.M. May 28, 1959

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 27954

Recorded in Book 98 Page 27954 Approved May 28, 1959

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 _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 28, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 28, 1964

before May 26, 1964 s/ GEO. N. CARTER
Witness my hand this 28th day of May, 1969 STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT E. SHVILE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th
day of May, 19 59.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By ROBERT E. SMYLER
Governor

12.

[illegible]



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

May 11, 1959

Re: Application for Permit

A. H. Hadfield, Civil Engineer
Box 103, Route #1
Malad City, Idaho

Dear Mr. Hadfield:

Enclosed is application for permit you submitted and instructions for filing applications.

Under 2, the "or gallons per minute" is included only for those applicants who do not understand the c.f.s. or miner's inches. The annual withdrawal in acre feet per annum varies so much from year to year we do not use that line.

Under 6, the questions are answered only for a domestic or other purposes shown on the form.

Under 10, we change the time to 5 years in all cases to eliminate many extensions of time. You had "0" years and the time for proof would have been passed before you received the permit.

Under 12, you did not extend the totals.

Under 13, you do not show how much water there is in each share or 12 shares.

Only one map was included. Permit fee must accompany each application.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew
Enc. application
instructions

May 26, 1959

Returned to Dept of Reclamation
charges made & fee enclosed
per above request. A. H. Hadfield

27754

May 11, 1959

Re: Application for Permit

A. H. Hadfield, Civil Engineer
Box 103, Route #1
Malad City, Idaho

Dear Mr. Hadfield:

Enclosed is application for permit you submitted and instructions for filing applications.

Under 2, the "or gallons per minute" is included only for those applicants who do not understand the c.f.s. or miner's inches. The annual withdrawal in acre feet per annum varies so much from year to year we do not use that line.

Under 6, the questions are answered only for a domestic or other purposes shown on the form.

Under 10, we change the time to 5 years in all cases to eliminate many extensions of time. You had "0" years and the time for proof would have been passed before you received the permit.

Under 12, you did not extend the totals.

Under 13, you do not show how much water there is in each share or 12 shares.

Only one map was included. Permit fee must accompany each application.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

~~Egy~~

~~Chief Clerk~~

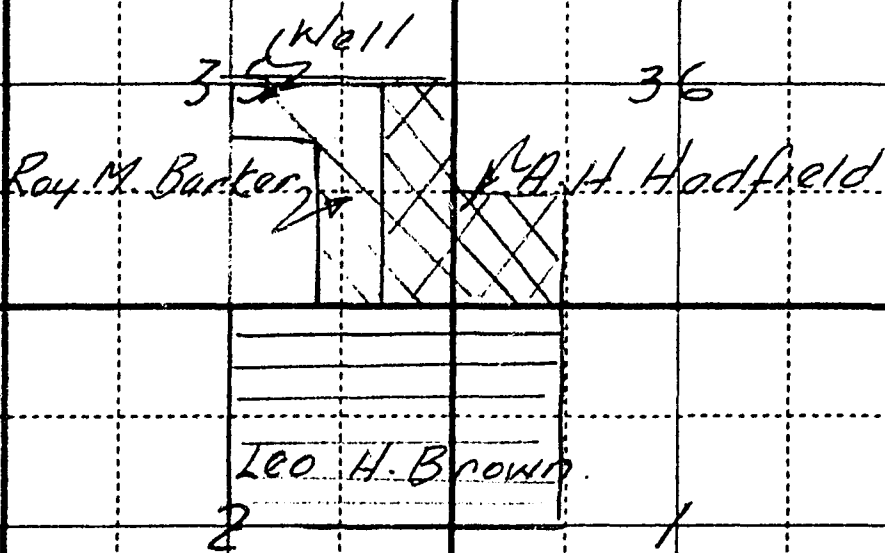
GNC:ET:ew
Enc. application
instructions

27954
KT

NAME OF APPLICANT

LEO H. BROWN
RAY M. CUTLER
A. H. HADFIELD

Form No. 0



Permit Map No. 27954
As Approved MAY 28 1959
GEO. N. CARTER
State Reclamation Engineer

June 3, 1959

Re: Permit No. G-27954

Mr. A. H. Hadfield, Civil Engineer
Box 103, Route #1
Malad, Idaho.

Dear Mr. Hadfield:

We enclose Permit No. G27954 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-4043 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years, however, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

Encl.

EPR/pmk

27954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

March 16, 1964

Re: Permit No. G-27954

Leo H. Brown, Roy M. Barker, & A. H. Hadfield
Route #1
Malad, Idaho

Gentlemen:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 27954 are due not later than May 28, 1964

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

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

Very truly yours,

CARL E. TAPPAN

State Reclamation Engineer

Enclosures 36 and 11

27954

March 30, 1964

Re: Permit No. G-27954
Brown, Barker & Hadfield

Mr. A. H. Hadfield
R. F. D. #1, Box 236
Malad, Idaho

Dear Sir:

Returned herewith for correction is notice of proof of completion of works and beneficial use for above noted permit.

On the form we have noted the information as it appears in our records for Items 1, 5 and 6. Please confirm it, as corrected, and return to this office.

As a matter of explanation, the priority date is determined from the date application for permit is first received in this office.

Please return the form right away to avoid changing the date of publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enclosure

27954

RE

MAR 30 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED

APR 2 1964

Department of Reclamation

(Date) March 27th., 1964

(P. O.) R. F. D. 1. Box 236, Malad City, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Idaho Enterprise. of
Malad City, Idaho published in the
county in which the works are situated.

G. L. Hedfield

(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

27954

RECEIVED
No. 36
APR 2 1964

RECEIVED
10/1/63
MAR 30 1964

NOTICE OF PROOF OF COMPLETION OF WORKS

Department of Reclamation

and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 2:00 P. M., on the 11th day of May, 1964, at Malad City, County of Oneida, State of Idaho, before J. W. Crowther, Notary Public, at (address) 60 - North Main St., Malad City, Idaho, proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27954, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Leo H. Brown, R.F.D. 1, Box 235, Malad, Idaho., Ray M. Barker, R.F.D. 1, Box 234, Malad, Idaho and A. H. Radfield, R. F. D. # 1, Box 236, Malad City, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.

3. The use to which said water has been applied is Irrigation, purposes, and the amount applied to beneficial use is 3 cubic feet per second.

4. The point of diversion of said water is NW 1/4 of the SE 1/4 of Section 35, Twp. 14 S. Rge. 35 E., B. M. County of Oneida

5. The place where said water is used is S.E. SE 1/4 Sec. 35 Twp. 14 S. Rge. 35 E. B. M., SW 1/4 of SW 1/4 Sec. 36 Twp. 14 S. Rge. 35 E. B. M., NW 1/4 Sec. 1 Twp. 15 S. 35 E. B. M., N. E. 1/4 Sec. 2 Twp. 15 S. Rge. 35 E. B. M.

6. The date of priority which said user is prepared to establish is July 1st., 1946
May 28th., 1959.

CARL E. TAPPAN

State Reclamation Engineer

27954

Re: Permit No. G-27954
Leo H. Brown, Ray M. Barker
and A. H. Hadfield

Date: April 3, 1964

Idaho Enterprise,
Malad City, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to May 11, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant A. H. Hadfield
of RFD #1, Box 236, Malad City, 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 or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

27954

April 3, 1964

Re: Permit No. G-27954
Leo H. Brown, Ray M. Barker
and A. H. Hadfield

Mr. A. H. Hadfield,
RFD #1, Box 236,
Malad City, Idaho.

Dear Mr. Hadfield:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-27954. The proofs are to be made at 2:00 o'clock P.M. on the 11th day of May, 1964, before J. W. Crowther, Malad City, Idaho, Notary Public.

As of this date, we have mailed the Notice to the Idaho Enterprise Malad City, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

27954

May 22, 1964

Re: Permit No. G-27954
Brown, Barker, & Hadfield

Leo H. Brown
Route #1, Box 235
Malad, Idaho

Dear Mr. Brown:

Returned herewith is proof of completion of works
and beneficial use for the above noted permit for correction.

In Question 6 you have the SE $\frac{1}{4}$, Sec. 36, T. 14 S.,
R. 35 E., B. M. and NW $\frac{1}{4}$, Sec. 1, T. 15 S., R. 35 E. According
to our records these should be SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14 S., R.
35 E. and W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 1, T. 15 S., R. 35 E., respectively.

Please make the corrections on all three forms
and return to us right away. Retain Form 3, application for
permit, for your files.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR:ew

Enc. proofs
Your permit

27954

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G-27954

R
MAY 22 1964

Department of Reclamation

RECEIVED
MAY 27 1964

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

Department of Reclamation

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address:
Leo H. Brown one of the owners (other owners are Ray M. Barker and A. H. Hadfield)

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:
(Partnership)

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; G 27954, May 28, 1959 and May 28, 1959

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range:
NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 35, T. 14 So., R. 35 E., B.M.

Ques. 5. Describe your works of diversion: Drilled and cased well turbine and electric motor.
; state amount of water they are capable of conveying from point of diversion to place of use 3 cfs.; Give name of canal or ditch or other works by which water is conducted to such place of use: none
; if a well, state depth of well 250 feet; depth and size of casing: 250 feet of 11" casing; depth to water 25 feet; if pump is used, state discharge of pump: 8"; tell how it was measured or determined: over weir
; if sprinkler irrigation, give number and size of nozzles and operating pressure:

Ques. 6. State for what purpose water is used: Irrigation
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water :
T. 14 So., R. 35 E., Sec. 35, SE $\frac{1}{4}$, 115 acres
T. 14 So., R. 35 E., Sec. 36, SW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres
T. 15 So., R. 35 E., Sec. 1, W $\frac{1}{2}$ NW $\frac{1}{4}$, 80 acres
T. 15 So., R. 35 E., Sec. 2, NE $\frac{1}{4}$, 125 acres

State nature of all improvements which have been made as a direct result of said use:
Increased production and new crops

27954

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Charles Gardner, Malad City, Idaho

Ques. 7. If for other than irrigation purposes, state purpose and how used:

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

n/a

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:

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: May 28, 1950 Time used since first use:

fifteen years

Ques. 11. Describe all other water rights appurtenant to same place of use:

12 shares of Samaria Water and Irrigation Co. stock

(sign) Leo H. 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 ✓ 11th day of ✓ May, A.D. 19 64 ✓.

My Commission expires: 11/29/65

J. M. Brewster
Notary Public
Residing at Malad City, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. _____

RECEIVED
MAY 22 1964

Department of Reclamation
RECEIVED
MAY 27 1964

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

Carl R. Willie; 39; Malad City, Idaho; Farmer

Ques. 2. Are you acquainted with Leo H. Brown, Ray M. Barker and A. H. Hadfield, the holder of
Permit No. G 27954? How long have you known ^{them} ~~him~~ and where do ~~es~~ they reside:

At least 15 years; Reside at Malad City, Idaho

Ques. 3. Have you read or heard said Permit No. G 27954 read, and are you familiar
with its provisions and conditions: Yes: X No: _____

Ques. 4. State source of water supply: Subterranean

State place of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 35 T. 14 S., R. 35 E.B.M.

Describe works for conveying water to place of use: Open Ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 3 cfs How much water have you seen being so
conveyed: 3 cfs

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

T. 14 S., R. 35 E., Sec. 35, SE $\frac{1}{4}$, 115 acres

T. 14 S., R. 35 E., Sec. 36, SW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres

T. 15 S., R. 35 E., Sec. 1, W $\frac{1}{4}$ NW $\frac{1}{4}$, 80 acres

T. 15 S., R. 35 E., Sec. 2, NE $\frac{1}{4}$, 135 acres

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

Irrigation

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:

Heavy loess - would require two irrigations annually.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: No

Ques. 10. When did you first see this water used: 1952

Other times you have seen such use: Every season since then.

(Signed)

Carl R. Willis

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 11th day of May,
A. D., 1964.

J. M. [Signature]
Notary Public for State of Idaho

Residing: Malad City, Idaho

My commission expires: 11/29/65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO
Permit No. G 27954

RECEIVED
MAY 22 1964

Department of Reclamation

RECEIVED
MAY 27 1964

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

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:

Arthur G. Tew, age 60, residence 268 So., Main St., Malad City, Idaho

Ques. 2. Are you acquainted with Leo H. Brown, Ray M. Barker and A.H. Hadfield the holder of
do they
Permit No. G 27954 ? How long have you known ~~them~~ and where ~~does he~~ reside:

Known all for 15 years, they resided at Malad City, Idaho

Ques. 3. Have you read or heard said Permit No. G 27954 read, and are you familiar
with its provisions and conditions: Yes: X No:

Ques. 4. State source of water supply: Subterranean

State place of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 35, T. 14 So., R. 35 E.P.M.

Describe works for conveying water to place of use: open ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 230 inches How much water have you seen being so
conveyed: 230 inches

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

T. 14 So., R. 35 E., Sec. 35, SE $\frac{1}{4}$, 115 acres

T. 14 So., R. 35 E., Sec. 36, SW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres

T. 15 So., R. 35 E., Sec. 1, W $\frac{1}{4}$ NW $\frac{1}{4}$, 80 acres

T. 15 So., R. 35 East., Sec. 2, NE $\frac{1}{4}$, 135 acres

27954

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

irrigation

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:

Heavy loam: would require 130 inches ^{hourly, continuously} ~~xxxixxxx~~ during the growing season.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: no

Ques. 10. When did you first see this water used: May 1952

Other times you have seen such use: continuously during growing seasons subsequent to above date.

(Signed)

Arthur Tew

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 11th day of May,
A. D., 196⁴2.

J. M. Brantner
Notary Public for State of Idaho

Residing: Malad City, Idaho

My commission expires: 11/29/65

RECEIVED
MAY 22 1964

RECEIVED

Department of Reclamation
Affadavit of Publication

**NOTICE OF PROOF OF
COMPLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 2:00 P.M., on the 11th day of May, 1964, at Malad City, County of Oneida, State of Idaho, before J. W. Crowther, Notary Public, at 60 North Main St., Malad City, Idaho, proof will be submitted of the completion of works for the diversion of 3 cubic feet of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G. 27954, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Leo H. Brown, R.F.D. 1, Box 235, Malad, Idaho, Ray M. Barker, R.F.D. 1, Box 234, Malad, Idaho and A. H. Hadfield, R.F.D. No. 1, Box 236, Malad City, Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 3 cubic feet per second.
3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 3 cubic feet per second.
4. The point of diversion of said water is NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35, Twp. 14 S. Rge. 35 E. B.M., County of Oneida.
5. The place where said water is used is SE $\frac{1}{4}$ Sec. 35 Twp. 14 S. Rge. 35 E.B.M., SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 36 Twp. 14 S. Rge. 35 E.B.M., W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 1, Twp. 15 S., 35 E.B.M., N. E. $\frac{1}{4}$ Sec. 2, Twp. 15 S., Rge. 35 E.B.M.
6. The date of priority which said user is prepared to establish is May 28th, 1959.

CARL E. TAPPAN
State Reclamation Engineer
4-9-30 t4

Department of Reclamation
State of Idaho
County of Oneida, ss.

Leo H. Brown being first duly sworn on oath, states: That *he* is *bookkeeper*

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 at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for successive weekly issues thereof the date of the first publication being the *9...* day of *April*..., 19*64* the date of the last publication being the *30...* day of *April* 19*64*.

Leo H. Brown

Subscribed and sworn to before me this *11* day of *May*..., 19*64*

A. H. Hadfield
Notary Public, residing at *Malad, Idaho*

My Commission expires the... day of ..., 19....

Costs: *59*... lines at 13c per line first insertion \$...*7.67*
.....lines tabulated at 20c per line \$.....
10c per line each subsequent insertion \$...*17.76*
TOTAL \$...*25.37*

(Rates for legal notices are fixed by Idaho law)

27954

1M April 1962

May 27, 1964

Re: Permit No. ~~C-27954~~

Leo H. Brown
Route #1
Malad, Idaho

Dear Mr. Brown:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the IDAHO ENTERPRISE, all submitted in proof of completion of works and beneficial use on Permit No. ~~C-27954~~.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:
cc: A. H. Hadfield, Civil Eng.
P. O. Box 103, Rt. #1
Malad, Idaho

27954

RECEIVED

NOV 16 1964

Reclamation

R. F. D. # 1, Box 236,
Malad City, Idaho 83252
November 13th., 1964

Mr. George N. Carter,
State Reclamation Engineer,
Boise, Idaho

Dear Mr. Carter;

Re: Permit No. G-27954

Reference is made to your letter of May 27th.,
1964 to Mr. Leo H. Brown acknowledging receipt of depositions
and affidavit of publication.

The property of A. H. Hadfield is being sold,
and the prospective buyer wishes to know the status of this
project. Please advise at your earliest convenience.

Yours very truly,

Eva H. Hadfield

27954

November 16, 1964

RE: Permit No. G-27954
Brown, Barker & Hadfield

Eva H. Hadfield
RFD #1, Box 236
Malad City, Idaho
83252

Dear Mrs. Hadfield:

Enclosed is a form to assign a permit which can be used to assign your interest in the permit to the new owner.

The works under this permit was one of a number not inspected the past irrigation season. There were more inspections than our field men could complete.

We hope the inspection can be completed early in the next season.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

R/T:mr

Enc. assignment form

P.S. There is a \$0.50 fee for recording an assignment which should accompany the assignment.

27954

Malad Idaho

Oct 24, 1966

George N Carter
State Rec. Engineer
 Boise Idaho.

Dear Mr Carter

Sometime ago we
started to prove up
on our well - The
last we heard anything
on it was in May
1964 - The well known
as B B H. Pump. The
Permit No is 27954

From what Mr.
Hayfield tells me
the necessary papers are ok

RECEIVED

OCT 25 1966

Department of Agriculture

was all done on it.

All we needed
is a state man to
come and check the
location of the well.
As to my knowledge
this has not yet
been done. The reason
I'm quite concerned over
this is because
I need the License
to get a loan on
my place. I need
both the Permit no
which I have. But
I need the License
number. If it has
already been given

27954

Use on the well-
would you please
give it to me again,
as I stated before
I don't ever remember
a getting one.

Thanking you
in advance

Sincerely

Ray M Barker
Rt 1

Box 234
Malah. Idaho

November 1, 1966

RE: Permit No. G-27954

Ray M. Barker
Box 234
Malad, Idaho

Dear Mr. Barker:

No field examination has yet been made on your irrigation well covered by Permit No. G-27954; however all of your procedure has been completed and a license can be issued after the inspection.

The field examination will probably be made some time next summer.

Very truly yours,

Donald J. Watts
Engineer

DJW:mr

27954

Miss Jackson - No Answer

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Preston, Idaho

RECEIVED
JUN 18 1967

Department of Reclamation

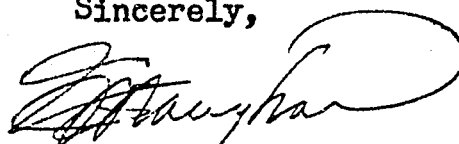
12 June 1967

Bureau of Reclamation
State House
Boise, Idaho 83702

Dear Sir:

Mr. Ray Barker has a well permit No. G27954 in which he owns 3/10 interest. He is unable to locate this permit. Would you please advise if a license has been issued or if permit is still in good standing.

Sincerely,



W. C. Maughan
County Supervisor

cc: State Director
FHA, Boise, Idaho

27954

June 19, 1967

RE: Permit G-27954

W. C. Maughan
County Supervisor
Farmers Home Administration
Preston, Idaho 83263

Dear Mr. Maughan:

This is in reply to your inquiry of June 12, 1967,
regarding the above numbered permit. This permit is still
valid, however, no license has been issued.

Hope this answers your questions.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

27954

June 19, 1967

RE: Permit G-27954

W. C. Maughan
County Supervisor
Farmers Home Administration
Preston, Idaho 83263

Dear Mr. Maughan:

This is in reply to your inquiry of June 12, 1967,
regarding the above numbered permit. This permit is still
valid, however, no license has been issued.

Hope this answers your questions.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

C
O
P
Y

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Preston, Idaho

RECEIVED
JUN 27 1967

Department of Reclamation

26 June 1967

Bureau of Reclamation
107 State House
Boise, Idaho 83701

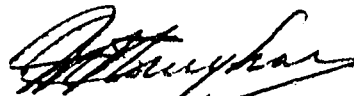
Dear Sir:

Thank you for your prompt reply concerning the well permit No. G27954 in which Ray Barker owns 3/10 interest.

We are now proposing a loan to Carl R. Willie to purchase Mr. Barker's farm and interest in this well. Would you send us any needed papers for this transfer of right together with information on what needs to be done to prove up and get this licensed. We are interested in seeing this accomplished.

Also we would like to obtain a copy of this permit. We have not been able to locate it among the holders here. Can you let us know how we can obtain this.

Sincerely,



W. C. Maughan
County Supervisor

June 27, 1967

RE: Permit G-27954

W. C. Maughan
County Supervisor
Farmers Home Administration
Preston, Idaho 83263

Dear Mr. Maughan:

Enclosed are the forms for assigning the above permit to Mr. Willie and a copy of the permit.

This permit will be licensed as soon as our field examiner has been out to make his inspection. This should be accomplished sometime this summer.

There is a \$1.00 fee for the permit copy which you may remit to this office.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Enclosure

27954

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Preston, Idaho

RECEIVED
JUL 1 1967
Department of Reclamation
31 July 1967

- 27954
- State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

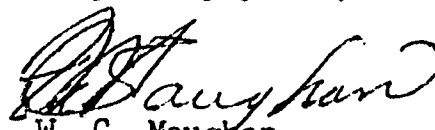
Dear Sir:

Enclosed is a check in the amount of \$1.00 which covers the fee for the permit No. G-27954 transfer to Mr. Carl Willie. Also enclosed is the "Assignment" which has been executed by Ray M. and Iris I. Barker.

Please be advised that United States of America through the Farmers Home Administration has a real estate mortgage executed by Carl R. Willie and Carol Dawn Willie, his wife which covers the well under Permit #G-18223 dated 21 December 1936 and on the well Permit #-27954 being transferred to Mr. Willie from Ray M. Barker.

Please sign the enclosed copy of this letter as acknowledgement of this lien being placed on your records.

Very truly yours,


W. C. Maughan
County Supervisor

Enclosures

27954

ASSIGNMENT

RECEIVED
JUL 1 1967

For value received, I hereby assign all of my ^{right, title, and interest} ~~right, title, and interest~~ in and to Permit to appropriate the Public Waters of the State of Idaho, Permit No. G 27954 to Carl R. Willie
Address: Box 73 - Malad, Idaho 83252

*

Ray M. Barker
Ray M. Barker
Permit Holder

Iris J. Barker
Iris Barker
Wife of Permit Holder

STATE OF IDAHO)
 : ss
County of Oneida)

On this 27 day of July, 1967, before me, a Notary Public for the State of Idaho, residing at Malad, Idaho personally appeared Ray M. Barker and Iris Barker, his wife known to me to be the person s whose names s ~~ix~~ are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

[Signature]
Notary Public
Residing at Malad, Idaho

My commission expires: 12/15/69

Note:

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

27954

August 1, 1967

RE: License G-18223 and Permit G-27954

W. C. Maughan
County Supervisor
Farmers Home Administration
Preston, Idaho 83263

Dear Mr. Maughan:

We are returning Mr. Willie's check in the amount of \$1.00. Since the new law went into effect we no longer charge a fee for assignments.

These records have been marked indicating you are to be notified of any changes.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Encl: Check
Assignment

27954

Raj. M. Buehler
Mabel, Idaho

(J. H. Brown
For E. H. Barker
A. H. Hadfield)

G 27954

No inspection made (2/16/64)

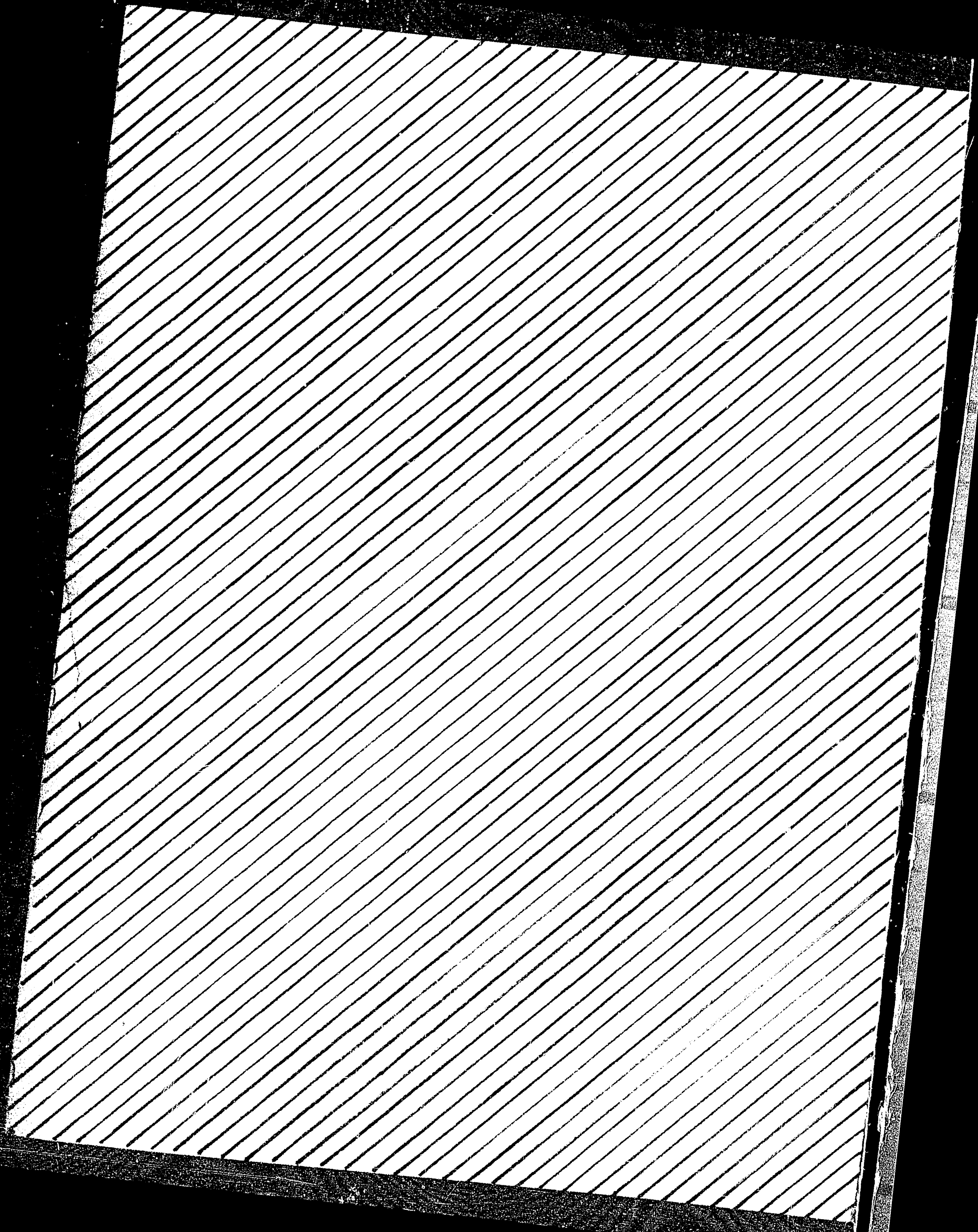
Completion made 7-7/64

Affidavit published 7/9/64

No license yet
What happen!



27954



WATER LICENSE

Water License No. G-27954/15-2052 Priority May 28, 1959 Amount 2.39 c.f.s.

THIS IS TO CERTIFY that Leo H. Brown, A. H. Hadfield & Carl R. Willie
of Malad, Idaho made application for a permit to appropriate the public waters of
the State of Idaho, dated May 28, 1959; that Permit G-27954/15-2052 was issued pursuant
to said application; that the proposed works were completed on or about May 28, 1959,
with a storage/or carrying capacity of 2.39 c.f.s., said works consisting of well, pump,
open ditch
motor, concrete distribution box, storage pond, and /; and that on May 11, 1964
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 253.57
acre feet per season, with a maximum rate of diversion of 2.39 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is
located in NW SE 1/4, Sec. 35, T. 14 S, R. 35 E, B.M., and
other additional points _____, in the County of
Coneida, and that the amount of water to which such right is
entitled and which is hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 253.57 acre feet per year.

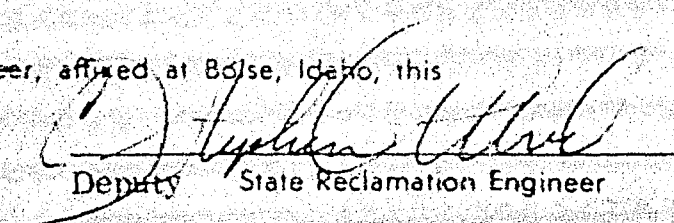
Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14 S	35 E	35													40	24	8	36	108
		36											40						40
15 S	35 E	1						33	40										73
		2	38	18	28	40													124

Total number of acres irrigated 345

The right to the use of the water 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 State Reclamation Engineer, affixed at Boise, Idaho, this

12th day of February, 1970.

Deputy State Reclamation Engineer

27954
15-2052

February 12, 1970

Re: Permit No. C-27954/15-2052

Leo H. Brown, A. H. Hadfield & Carl R. Willie
Box 73
Malad, Idaho 83252

Gentlemen:

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

Also enclosed is departmental receipt No. 4165 in the amount
of \$27 covering the licensing fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

15-2052
27954

DON SAMUELSON
GOVERNOR



P. KETCHUM - GOINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 22, 1970

RECEIVED

Department of Reclamation

Re: Permit No. G-27954/15-2052

Leo H. Brown, A. H. Hadfield & Carl R. Willie
Box 73
Malad, Idaho 83252

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit 15-2052 and has found the following:

Quantity of water diverted: 2.39 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 2.39 c.f.s.

The maximum quantity diverted shall not exceed 253.57 acre feet per season.

Beneficial Use: Irrigation of 345 acres within SE $\frac{1}{4}$ Sec. 35; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 14 S., R. 35 E., B.M. and NE $\frac{1}{4}$ Sec. 2; W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 1, T. 15 S., R. 35 E., B.M.

The priority date established is: May 25, 1959

A fee totaling \$ 27.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dorian Clay

Dorian Clay
Field Examiner

DC:kh

27954
15-2052

15-2052
27954



January 22, 1970

Re: Permit No. G-27954/15-2052

Leo H. Brown, A. H. Hadfield & Carl R. Willie
Box 73
Malad, Idaho 83252

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit 15-2052 and has found the following:

Quantity of water diverted: 2.39 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 2.39 c.f.s.

The maximum quantity diverted shall not exceed 253.57 acre feet per season.

Beneficial Use: Irrigation of 345 acres within SE $\frac{1}{4}$ Sec. 35; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 14 S., R. 35 E., B.M. and NE $\frac{1}{4}$ Sec. 2; W $\frac{1}{2}$ NW $\frac{1}{2}$ Sec. 1, T. 15 S., R. 35 E., B.M.

The priority date established is: May 28, 1959

A fee totaling \$ 27.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dorian Clay
Field Examiner

DC:kh

15-2052
27954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. S-27954

15-3052

REPORT ON PROOF OF Completion of Works of Reclamation

Lee E. Brown, Ray H. Barker & A. J. Macfield
Route #1, Tula, Idaho

15-3052
27954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-27754

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: Leo H. Brown, Ray M. Barker & A. H. Hadfield2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the _____ of Section _____

T. 11S R. 35 E.B.M. County of Oneida

4. Describe works as they exist, giving dimensions and capacities of same: 50 HP G.E. Motor
WC 6678216, F-M Pump #CF 53412, 8" discharge into a
4'x8'x7' concrete distribution box that diverts water into an
open ditch or into a 138 x 138 x 7' storage Pond.

5. Water is used for: irrigation6. 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 other than irrigation):

SE 1/4 Sec. 35., SW 1/4 Sec. 36., Twp. 11 S., R. 35 E.B.M.

NW 1/4 Sec. 1., NE 1/4 Sec. 2., Twp. 15 S., R. 35 E.B.M.

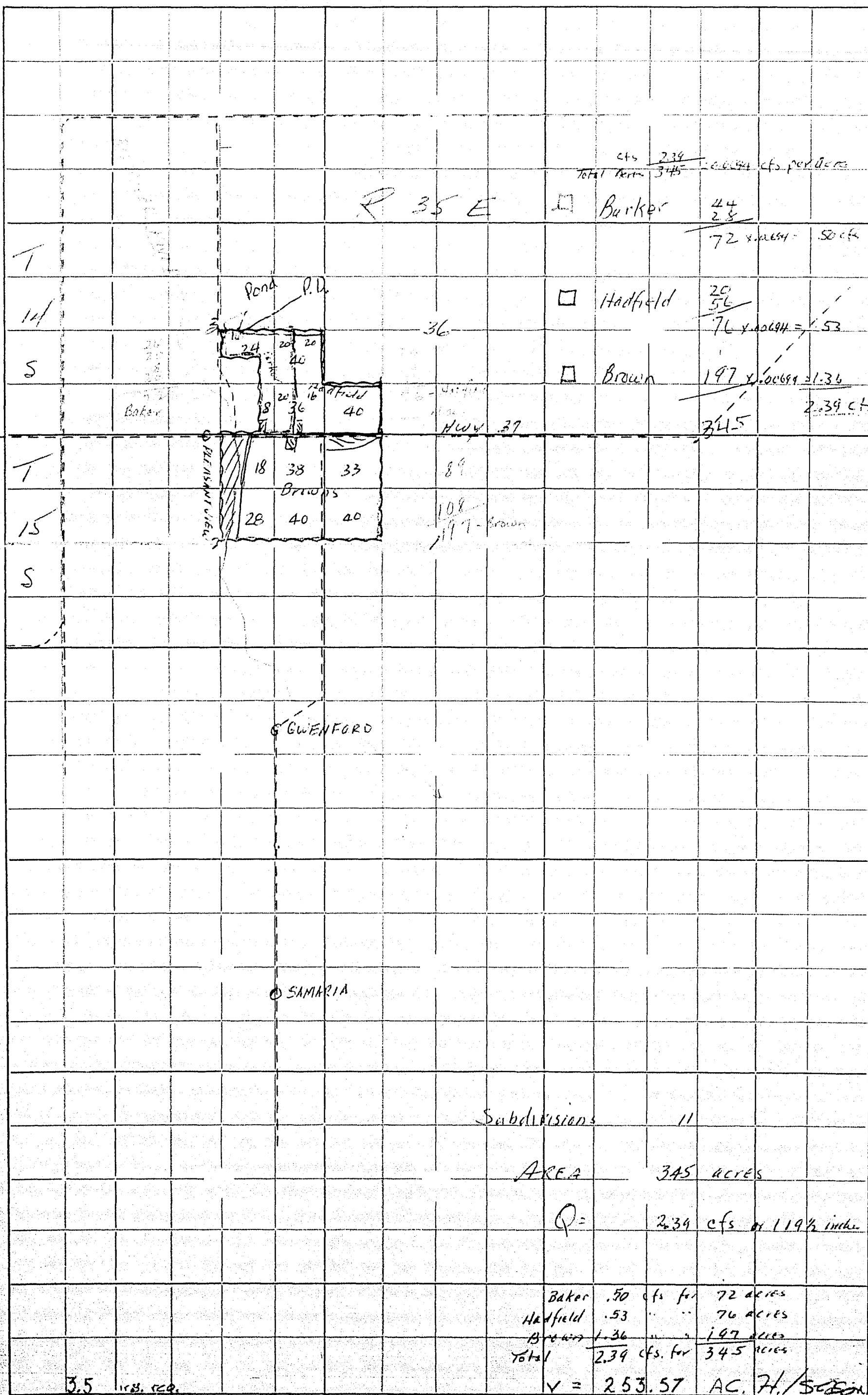
Total of 370 acres

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

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

Remarks: Talked to Mr. Barker and Mrs. JensenMr. Brown owns 1/2 of wellMr. Hadfield sold to Joe Jensen, Rt. 1 Malad, IdahoMr. Barker sold to Carl Willie, Malad, Idaho (Oneida Industries Inc)Measured by Exflow meter 51.849 x 16.83 x 1.1 = 2.39 cfs.This examination was made on the 13th day of June, 1968(Signed) Lynda Johnson & Del. Ralston
Examiner.152058
27954

Multiplic 48
Demand 52
GEMETER #
50333483
UP 11
D30P29017



Scale: 2 inches Equals 1 Mile. Draw Map In Ink.

Leo H. Brown, Ray M. Barker & A. H. Hadfield
Route #1, Malad, Idaho

Permit No. G-27954

Examination for Completion of Works & Beneficial Use

County Oneida

Sec. 35 T. 11 S R. 35 E BM

Quantity:

3.0 cfs
15-

Source:

Well

P. D.:

N 1/2 E, 35-145-35 E

Use:

Irrigation

Filed:

5-28-59

Due:

5-28-64

Extension:

Protest:

Completion of Works:

Other Rights:

12 Acres in

Gamma Water & Irr. Co.

Made: May 11, 1964

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 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.
6. Give general characteristics of soils, topography, and crops raised.

WATER LICENSE

Water License No. G-27954/15-2052 Priority May 28, 1959 Amount 2.39 c.f.s.

THIS IS TO CERTIFY, that Leo H. Brown, A. H. Hadfield & Carl R. Willie
of Malad, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated May 28, 1959; that Permit G-27954/15-2052 was issued pursuant
to said application; that the proposed works were completed on or about May 28, 1959,
with a storage/or carrying capacity of 2.39 c.f.s., said works consisting of well, pump,
motor, concrete distribution box, storage pond, and / ^{open ditch}; and that on May 11, 1964,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 253.57
acre feet per season, with a maximum rate of diversion of 2.39 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 14 S, R. 35 E, B.M., and
other additional points _____, in the County of
Oneida; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 253.57 acre feet per year.

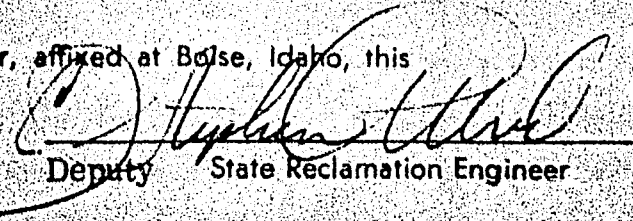
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 S	35 E	35													40	24	8	36	108
		36											40						40
15 S	35 E	1						33	40										73
		2	38	18	28	40													124

Total number of acres irrigated 345

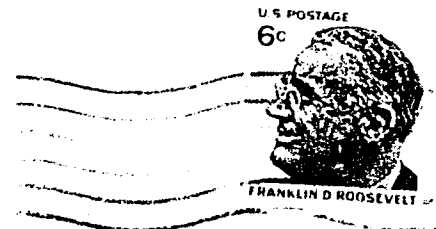
The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

12th day of February, 1970

Deputy State Reclamation Engineer

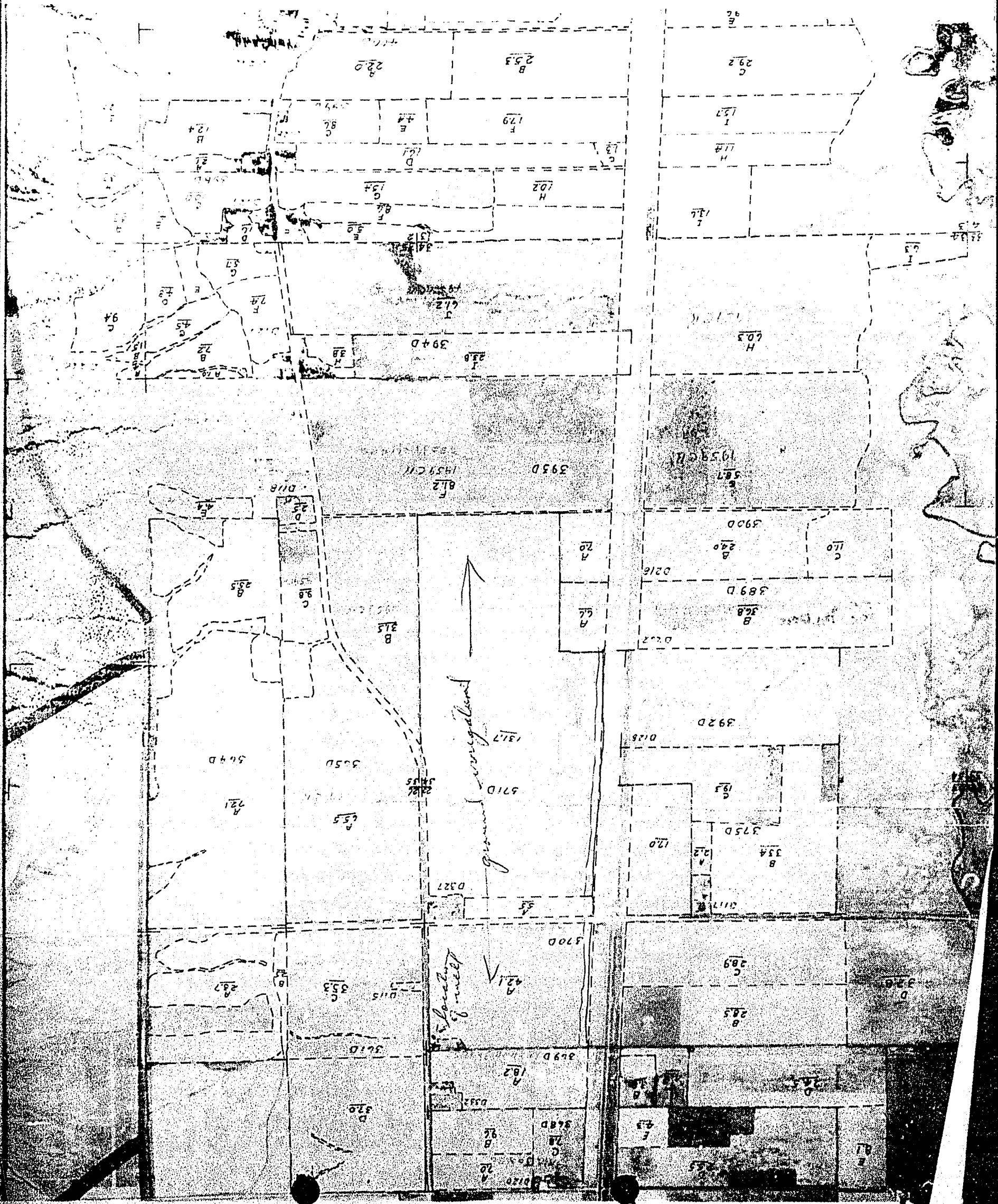
27954
15-2052

Carl R. Willie
Box 73
Mald, Idaho 83252



Handwritten:
FEB 6 1970
83252

Department Of Reclamation
Statehouse Annex 2
Boise, Idaho 83707



State of Idaho

WATER LICENSE

Water License No. G-27954/15-2052 Priority May 28, 1959 Amount 2.39 c.f.s.

THIS IS TO CERTIFY, that Leo H. Brown, A. H. Hadfield & Carl R. Willie
of Malad, Idaho, made application for a permit to appropriate the public waters of
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with a storage/or carrying capacity of 2.39 c.f.s., said works consisting of well, pump,
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proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 253.57
acre feet per season, with a maximum rate of diversion of 2.39 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 14 S, R. 35 E, B.M., and
other additional points _____, in the County of
Oncida; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 253.57 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 S	35 E	35													40	24	8	36	108
		36											40						40
15 S	35 E	1						33	40										73
		2	38	18	28	40													124

Total number of acres irrigated 345

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

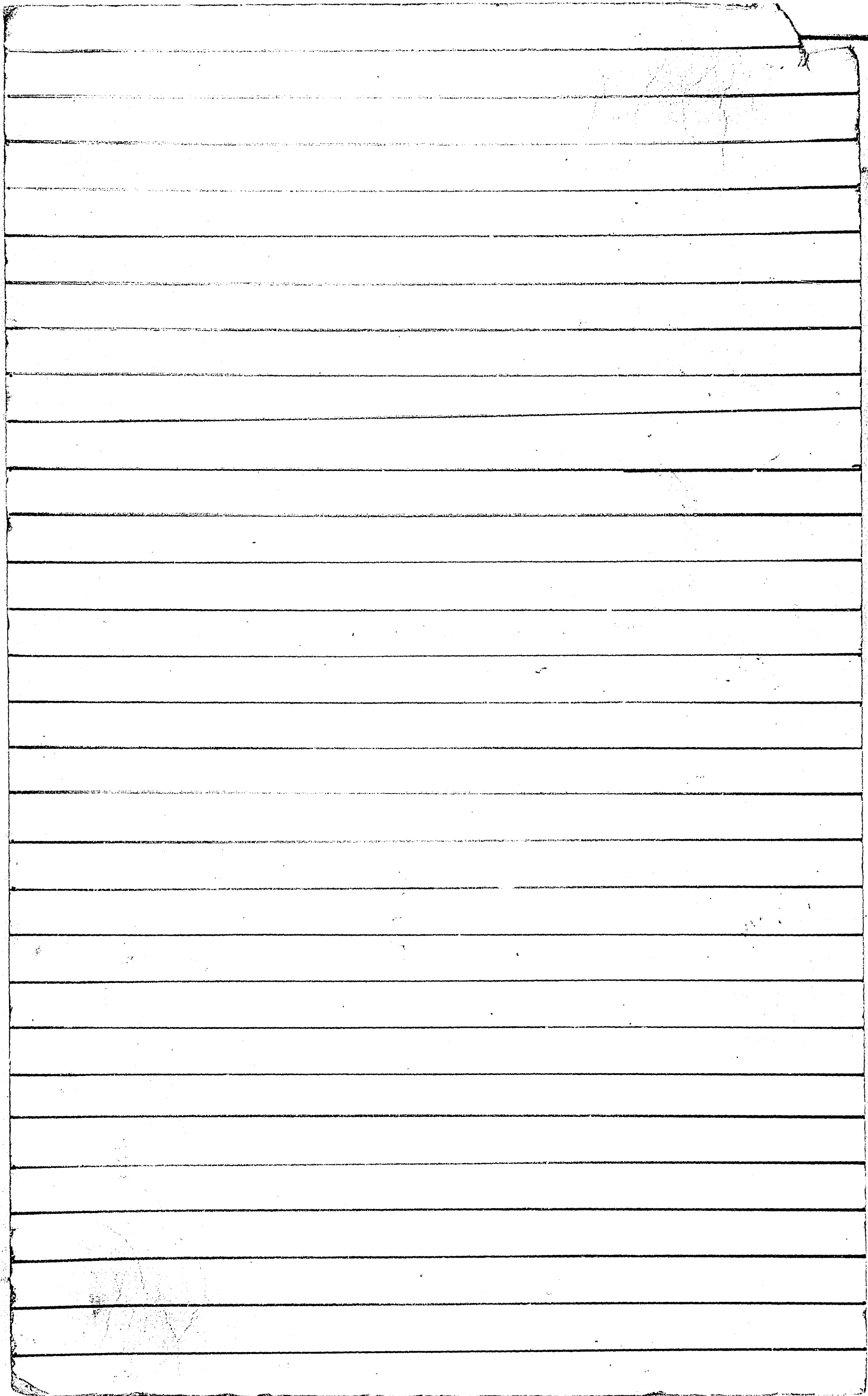
Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

12th day of February, 1970.

Deputy State Reclamation Engineer

15 2052

27954
15-2052



MCKENZIE & MUMFORD LAW OFFICES
Attorneys & Counselors

Jay R. McKenzie
Ronald E. Mumford

Five East Oneida
Preston, Idaho 83263
(208) 852-3500
Fax No: (208) 852-3502

November 4, 1991

RECEIVED

NOV - 5 1991

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
Eastern Region
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83402

RE: Leo H. and Leora I. Brown
Well Permit No. G 27954
License No. 15-2052

Gentlemen:

In the process of doing the estate planning for Leo H. and Leora I. Brown, we have established a living Trust. In that connection, it is necessary that all of their property be conveyed into the Trust.

I am enclosing a Bill of Sale, to effectuate the transfer of their permit/license for their deep irrigation well into their Trust, as follows:

THE LEO H. BROWN FAMILY TRUST
Leo H. Brown and Leora I. Brown, Trustees
Trust Agreement dated October 31, 1991
417 West Highway 38
Malad, ID 83252

We would appreciate it very much if you would reflect this change upon your records, and return the extra copy of this cover letter to acknowledge that the transfer has been made.

Thank you very much for your assistance in this matter.

Very truly yours,

Jay R. McKenzie
Jay R. McKenzie
Attorney at Law

JRM:vt
Enclosure

RECEIVED

NOV - 6 1991

Department of Water Resources
Eastern District Office

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that on this 31st day of October, 1991, LEO H. BROWN and LEORA I. BROWN, husband and wife, of Malad, County of Oneida, State of Idaho, the party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto LEO H. BROWN and LEORA I. BROWN, initial Trustees, or their successors, in trust, of the LEO H. BROWN FAMILY TRUST, of Malad, County of Oneida, State of Idaho, the party of the second part, its executors, administrators, and assigns all right, title and interest in and to that certain personal property as shown on Schedule "A" attached hereto and made a part hereof by reference;

TO HAVE AND TO HOLD the same to the said party of the second part, its executors, administrators and assigns, forever; and the said party of the first part does for its heirs, executors and administrators, covenant and agree to and with the said party of the second part, executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and chattels hereby made, unto the said party of the second part, its executors, administrators and assigns, against all and every person and persons whomsoever, lawfully claiming or to claim the same.

The surviving trustee and successor trustees have full rights to sell or encumber the property herein set forth.

The successor trustees of the Trust are the following, successively in the order named: the survivor of Grantors, sole-trustee; DENNIS RUEL BROWN of Rexburg, Idaho; BOYD DEVON BROWN of Clinton, Utah; ROY ALLEN BROWN of Pocatello, Idaho; JANIEL BROWN SWORE of Pocatello, Idaho; and JAMES LEO BROWN of Perth, Australia; and such person as may be designated by grantors, or the survivor of them, or, if neither grantor is then living, then such person as may be designated by JAMES LEO BROWN; the transfer of Trusteeship may be evidenced by a Bill of Sale from the Trustee herein, or a resignation of the first successor or a death certificate filed of record.

IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal the day and year first above written.

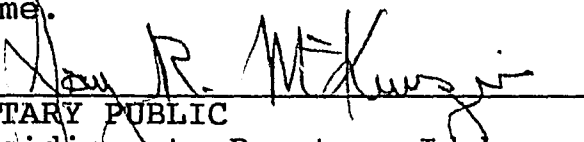
Leo H. Brown
LEO H. BROWN

Leora I. Brown
LEORA I. BROWN

BILL OF SALE
billsale.tr

STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

On this 31st day of October, 1991, before me, a Notary Public, personally appeared LEO H. BROWN and LEORA I. BROWN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



NOTARY PUBLIC
Residing at: Preston, Idaho
My Commission Expires: 11-16-91

BILL OF SALE
billsale.tr

SCHEDULE "A"

Grantors' interest in and to a deep irrigation well, Permit No. G 27954 and or License No. 15-2052, Idaho Department of Water Resources, located in N1/2NW1/4SE1/4 of Section 35, Township 14 South, Range 35 East of the Boise Meridian.

November 25, 1991

RE: Water Right No. 15-02052

THE LEO H BROWN FAMILY TRUST
LEO H BROWN
LEORA I BROWN
417 W HWY 38
MALAD ID 83252

Dear Water Right Holder (s):

We are in receipt of the correspondence concerning ownership of your portion of the above referenced water right.

In Idaho, a licensed water right is considered real property; therefore, proof of owning the land is proof of owning the water right unless specifically excluded in the sale. We have placed your correspondence in the file for future reference.

If you have any questions, please let us know.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5015APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Roy A. or Jeanne Brown Phone (208) 232-2030
Post Office address 261 Thurston, Pocatello 83201

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other _____
2. Describe the reason for the proposed changes Drilling well for irrigation of portion owned by applicants

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 15-02052 B Priority 5-28-1959 Amount (cfs/ac-ft) 1.36 cfs Nature of Use IRRIGATION Period of Use 4/1 to 10/31
2. Total amount of water being transferred 1.36 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	2	15S	35E	Oneida	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	35E	1						33	40										73
								44											124
		2	38	18	28	40													
			4-1	4-2															
																			197 total

RECEIVED

JUN 06 1997

Department of Water Resources

PART 1

5015

6. General Information:

a. Description of diversion system well pump main line to laterals with sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE same place of use adding well for portion owned by applicant

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 5015

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

PART 2

TRANS NO. 5015

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 15-02052

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.39 CFS	253.5 AF

SOURCE

GROUNDWATER

Priority: 05/28/1959

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 35, Township 14S, Range 35E
ONEIDA CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S 35E 35	NESE 40	NWSE 24	SWSE 8	108
	SESE 36			40
36	SWSW 40			73
15S 35E 1	NWNW 33	SWNW 40		
2	NENE 38	NWNE 18	SWNE 28	124
	SENE 40			345

Total number of acres irrigated: 345

CONDITIONS/REMARKS:

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED B

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.36 cfs for IRRIGATION purposes from 4/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	35	14S	35E	Oneida	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	35E	1						33	40										73
								44											124
		2	38	18	28	40													124
			4-1	4-2															

Total acres 197 acC. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) A

1. amount 1.03 cfs for IRRIGATION purposes from 4/1 to 10/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	35	14S	35E	ONEIDA	

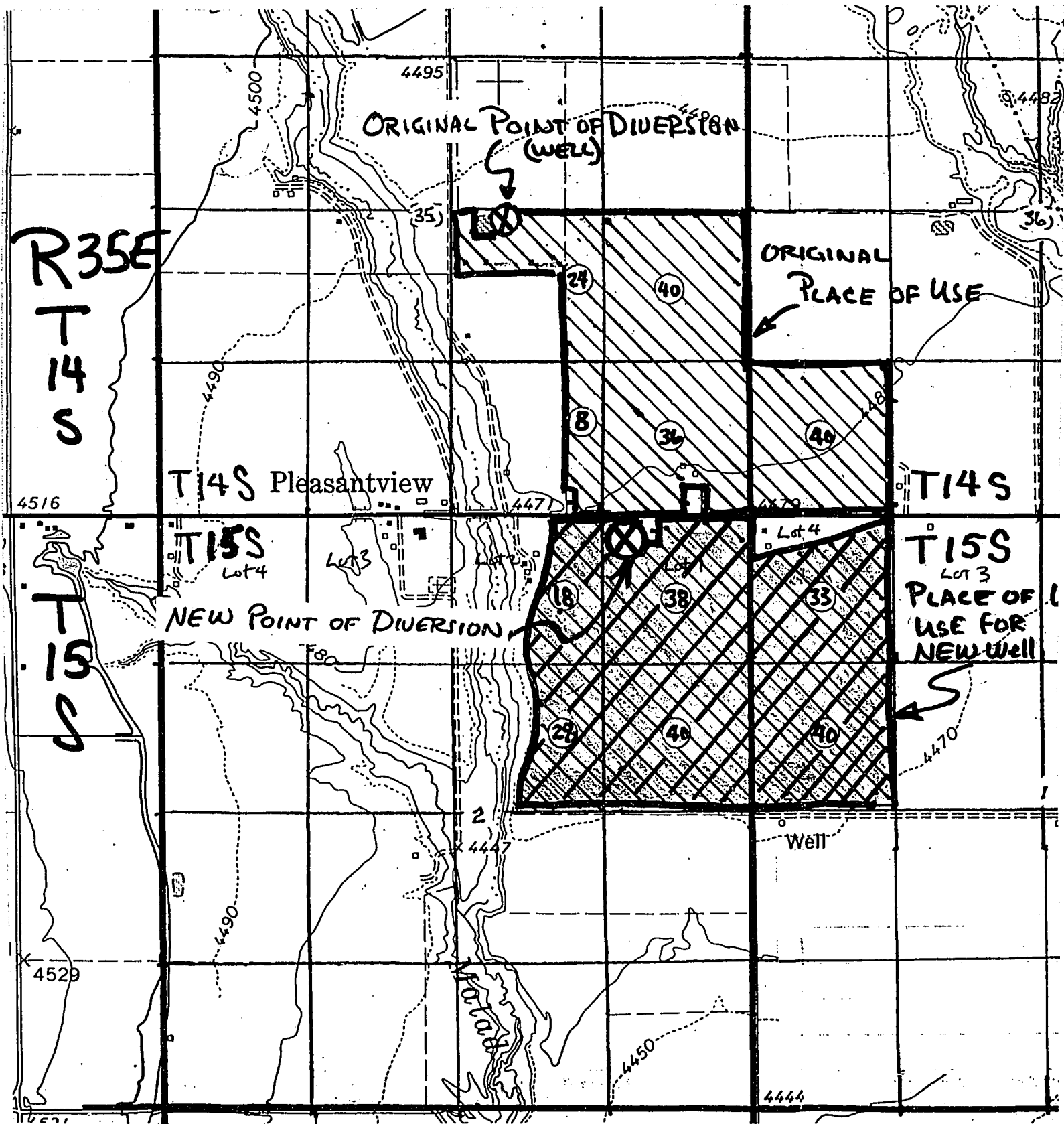
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	35E	35													40	24	8	36	108
		36									40								40

Total acres 148

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

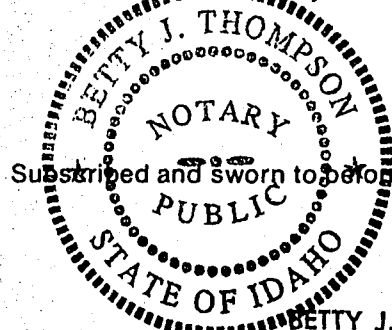
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

7th

day of

February, 1997

Ray A Brown
(Signature of Applicant)

Betty J. Thompson
(Notary Public)

BETTY J. THOMPSON, NOTARY PUBLIC

My commission expires RESIDING AT IDAHO FALLS, IDAHO

MY COMMISSION EXPIRES: 7-05-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 7 attachments

Assisted by

Received by KCW

Date

2-7-1997

Protest filed by

Prelim. check by

Fee

100⁰⁰ #E022943

Received by

KCW

Date

2-2-1997

Published in

Idaho Enterprise

Copies of protest forwarded by

Pub. dates

March 13 & 20, 1997

Hearing held by

Date

Watermaster recommendation requested on

Recommended for

☒ approval ☐ denial

rec'd.

by RKX

Copy of transfer sent to lien holder

122378

FOR VALUE RECEIVED

WARRANTY DEED

LEO H. BROWN AND LEORA I. BROWN, HUSBAND AND WIFE

the grantorS , do hereby grant, bargain, sell, and convey unto

ROY BROWN AND JEANNE BROWN, HUSBAND AND WIFE

the grantee S , whose current address is 261 THURSTON, POCA TELLO, ID 83201

the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S ,
 THEIR heirs and assigns forever. And the said Grantor S do hereby covenant to and
 with the said Grantee S , that They ARE the owner in fee simple of said premises; that said
 premises are free from all incumbrances except as hereinabove set forth and that They will warrant
 and defend the same from all lawful claims whatsoever.
 Dated: DECEMBER 11, 1995

Leo H. Brown
 LEO H. BROWN

Leora I. Brown
 LEORA I. BROWN

STATE OF IDAHO, COUNTY OF BANNOCK

On this 11TH day of DECEMBER, 1995,
 before me, a notary public in and for said State, personally
 appeared

LEO H. BROWN AND LEORA I. BROWN,
 HUSBAND AND WIFE

known to me to be the personS who SE name S ARE
 subscribed to the within instrument, and acknowledged to
 me that THEY executed the same

Notary Public

Residing at POCA TELLO
 Comm. Expires MAY 30, 1999



122378

Microfilm No. 12 Day December 1995

At 9:40 O'clock A.M.

Shirley Blaudell
 Oneida Co. Recorder

Fee \$ 6.00 Deputy

Recorded at Request of

Professional General Services

INSTRUMENT No.

Form Provided By: *First American Title Co., Inc.*

ATTACHMENT #1

EXHIBIT "A"

122378

TRACT 1: LOT 4 AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1; AND LOT 1, AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, LESS THE FOLLOWING DESCRIBED TRACT, TO-WIT: COMMENCING AT THE NORTHWEST CORNER OF SECTION 1 ABOVE, SAID TOWNSHIP AND RANGE, AND RUNNING THENCE EAST 20 RODS, THENCE SOUTH 20 RODS, THENCE WEST 20 RODS, THENCE NORTH 20 RODS TO THE PLACE OF BEGINNING.

TRACT 2: ALL OF LOT 2, AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN.

ALSO, 12-11/20 SHARES OF CAPITAL STOCK OF THE SAMAIRA WATER AND IRRIGATION COMPANY.

ALSO, ALL OF SELLERS' INTEREST IN THAT CERTAIN DEEP WELL PUMP AND PUMPING EQUIPMENT SITUATED IN THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN.

TOGETHER WITH AN EASEMENT OVER THE PROPERTY SURROUNDING SAID WELL AND OVER AND ACROSS THE FOLLOWING PARCELS:

NORTH FROM WELL SITE TO QUARTER SECTION LINE DIVIDING THE NORTH HALF OF SAID SECTION FROM THE SOUTH HALF, THENCE RUNNING EAST ALONG SAID QUARTER SECTION LINE TO THE SIXTEENTH SECTION LINE, THENCE SOUTH ALONG SIXTEENTH SECTION LINE TO BROWN'S PROPERTY BEGINNING ON THE NORTH LINE OF SECTION 2, TOWNSHIP 15 SOUTH, RANGE 35 EAST BOISE MERIDIAN.

NORTH FROM WELL SITE TO QUARTER SECTION LINE DIVIDING THE NORTH HALF OF SAID SECTION FROM THE SOUTH HALF, THENCE SOUTH ALONG SIXTEENTH SECTION LINE TO THE SOUTHWEST CORNER OF THE NE1/4SE1/4 OF SAID SECTION 35, THENCE EAST ALONG EAST-WEST SIXTEENTH SECTION LINE TO THE WEST BOUNDARY LINE OF SECTION 36, TOWNSHIP 15 SOUTH, RANGE 35 EAST BOISE MERIDIAN TO SMITH PROPERTY.

Malad City, Idaho
Feb. 10, 1997

Department of Water Resources

We hereby give our
Permission for Roy A. Brown to drill
an Irrigation Well on the Property he
has Purchased from us.
We are the first Lease Holders on this
Property.

Leo H Brown
Leora Brown

STATE OF IDAHO
COUNTY OF ONEIDA

ON this 10th day of February, in the year 1997, before me a Notary Public in and for said State, personally appeared LEO H. BROWN known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Debra Ann Hill
Notary Public for Idaho
Residing at Malad, ID
My commission expires 9-9-99

RECEIVED

FEB 18 1997

Department of Water Resources
Eastern District

ATTACHMENT #2