

33.5 inches

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A45-00284A
Date Received: 6/07/1989
Receipt No: 5007635
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRED HAWKER 208-678-2014
Address: RT. 2 BOX 2232
BURLEY, ID 83318

2. Date of Priority: APR 01, 1875

3. Source: HOWELL CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	25E	21	SE	NW	SW		CASSIA

5. Description of diverting works:
ROCK CHECK WITH HEADGATE TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	02/15	11/15	0.670		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
0.670 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK RANGE/150

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	25E	21	SW	NE		IRR	40.0
			NE	SW		IRR	15.0

A45-00284A

Page 1

Date: 06/07/89

MICROFILMED

MAR U 7 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	25E	21	NE	SW		STOCK	
			NW	SE		IRR	40.0
						Section Acres	95.0
						Total Acres	95.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
4500517C, 45-00256B, 45-00286A

14. Remarks:
THE FULL 2.68 CFS IS ROTATED BETWEEN MR. NEYMAN, MR. ANDERSON AND MYSELF. I RECEIVE IT $\frac{1}{4}$ OF THE TIME. THE PLACE OF USE SHOWN HAS NOT CHANGED FOR AS LONG AS I AM AWARE.

15. Basis of Claim: DECREED
Case Number:
Court : FOURTH
Decree date: 3/21/1892

R. L. WOOD, ET. AL.
Decree Plaintiff

vs

WM. STOKES, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Fred Hawker Date: June 7-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of June 19 89
Al D. Hansen
Notary Public

Seal

Residing at Kimberly, Id
My Commission Expires 6/30/92

E32

E213

A45-00284A

12S-25E

E202

E213



BLM

PD

N
114.3

7.6

MICROFILMED
MAR U 7 1993

BLM



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

November 2, 1999

FRED HAWKER
361 W 400 S
BURLEY ID 83318

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A45-00240A, 00256B, 00284A, 00286A,
00517C, 02500, 02507, 07339A, 11242, 11243, 11244
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

CT:ct



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

NOV 19 1998

Department of Water Resources
Southern Region

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s):

002568, 00286A, 00517C
45-00284A, 02500, 02507, 07339A, 00240A
45-11242, 11243, 11244

☐ Old Mailing Address:

Rt 2-Box 2232
Burley, ID 83318

☐ New Mailing Address:

361 W 400 S
Burley, ID 83318

☐ New Telephone Number: () 678 - 2014

☐ Signature of Claimant(s):

Fred Hawker

Date:

11-19-98

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 12-17-98 By: [Signature]

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

07/16/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-284A
NAME AND ADDRESS: FRED HAWKER
361 W 400 S
BURLEY ID 83318

VERIFIED BY KKC

SOURCE: HOWELL CREEK
QUANTITY: 0.670 CFS
TRIBUTARY: MARSH CREEK

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE. COMBINED RIGHT NOS. 45-284A, 45-286A, 45-256B and
45-517C.

PRIORITY DATE: 04/01/1875

POINT OF DIVERSION:

T12S R25E S21 SENWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 10/31	0.050 CFS
IRRIGATION	04/01 10/31	0.670 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T12S R25E S21	SWNE	T12S R25E S21	NESW
T12S R25E S21	NWSE		

IRRIGATION Within CASSIA County

T12S R25E S21	SWNE	41.0	T12S R25E S21	NESW	12.0
T12S R25E S21	NWSE	37.0			

90 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 90 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-284A and 45-286A.

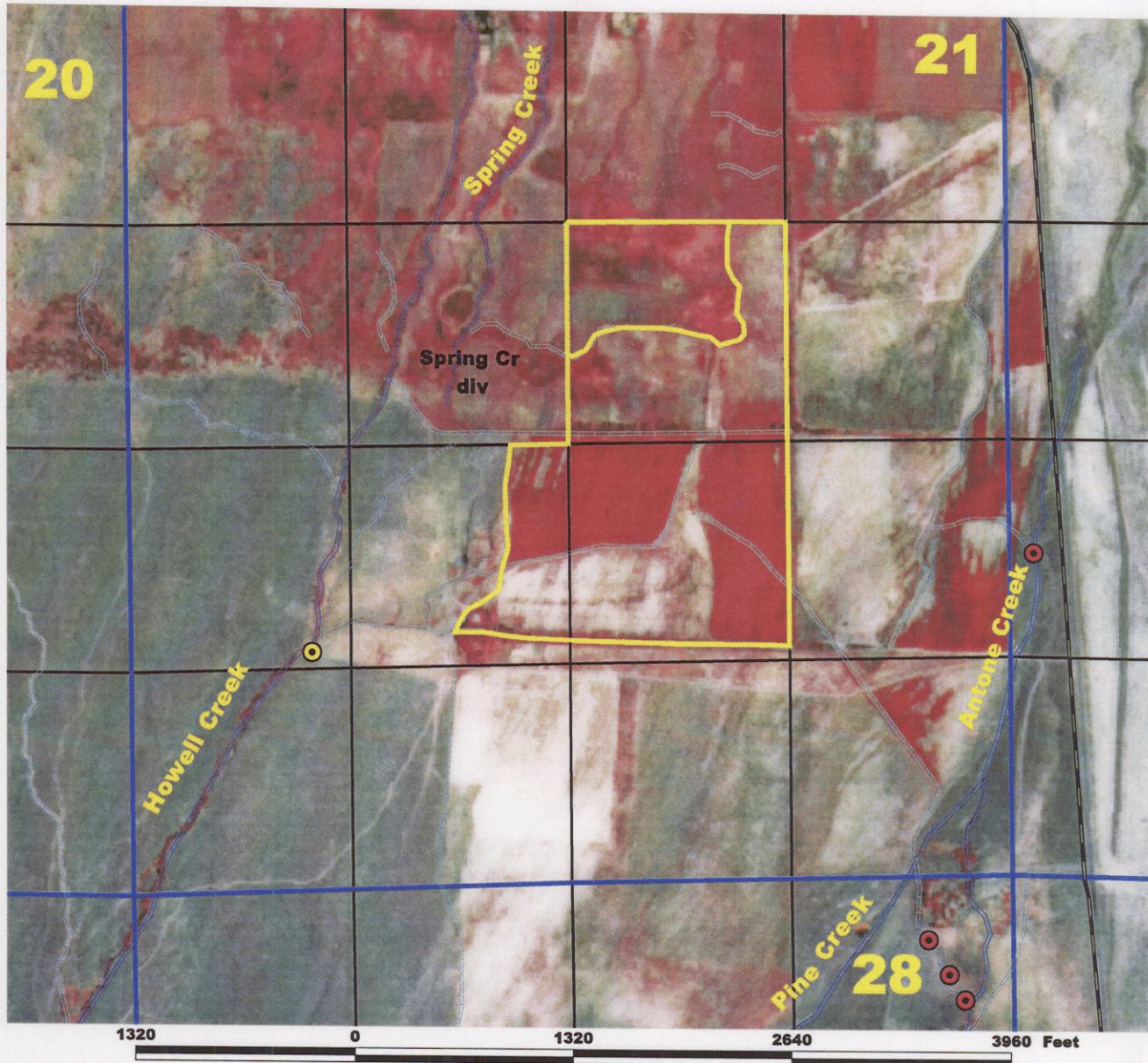
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-284A, 45-286A, 45-256B and 45-517C.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

RECOMMENDED PLACE OF USE FOR 45-284A and 45-286A



PLACE OF USE
TWP 12S, RNG 25E, SEC 21
Data entry on July 16, 2003



● RECOMMENDED POINT OF DIVERSION

□ RECOMMENDED PLACE OF USE

— SECTION LINES

— QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



**Idaho Dept of Water Resources
Claims review notes and narrative**

Date: 10-1-2001

File: 45-284 decree split analysis

Prepared by Kelly K Christensen

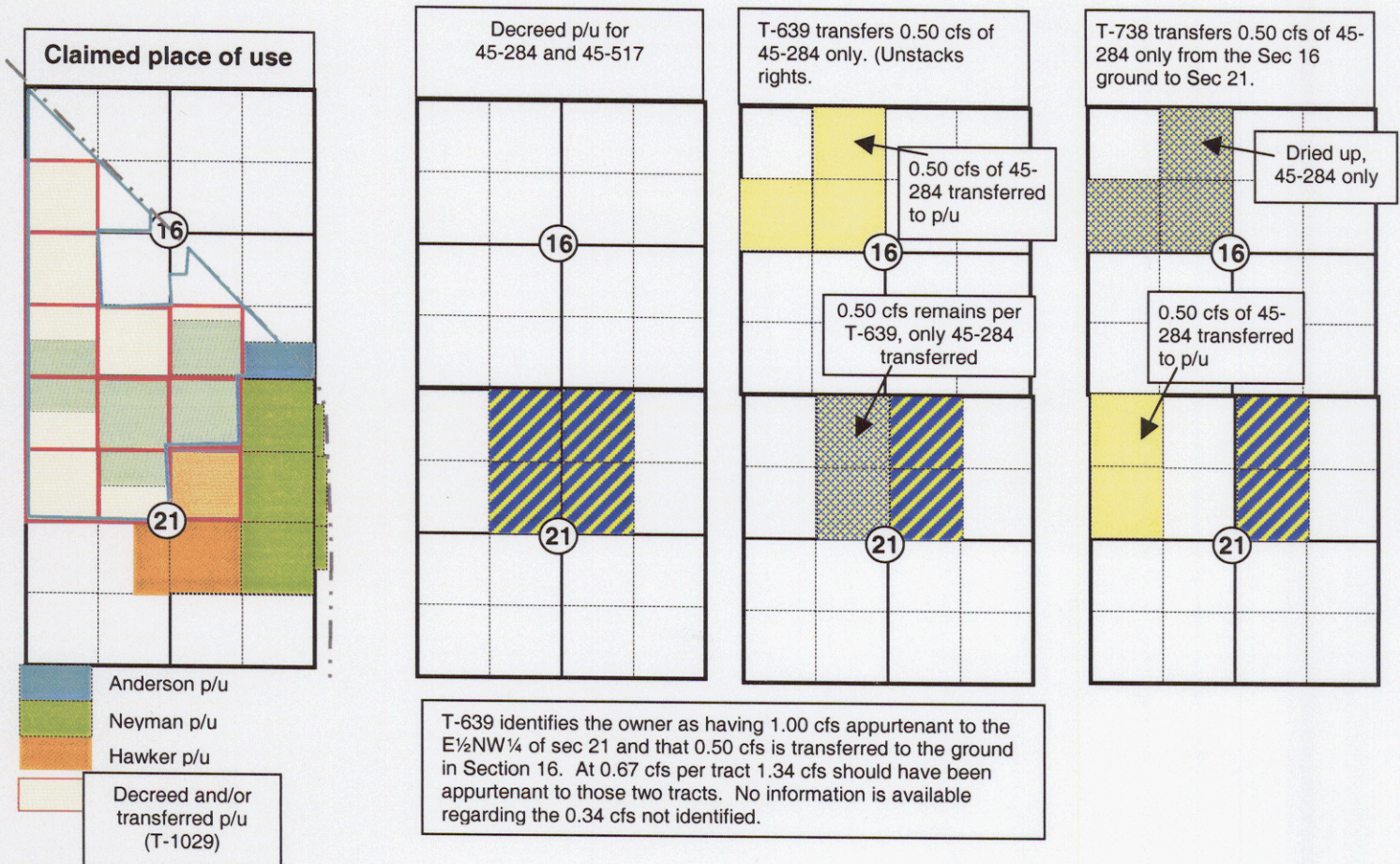
**ANALYSIS OF 45-284
4-1-1875 source Howell Creek
2.68 cfs on four 40 ac tracts
(complete p/u overlap with 45-517)**

T-639 moves 0.50 cfs to ground in sec 16	T-738 moves the 0.50 cfs to ground in Sec 21	T-775 creates a ppu from the .5 cfs in T-738; .5 cfs from the original transferred from pu in T-639; and .5 cfs from NWNE SEC 21(part of original decreed pu)	T-1029 creates a new ppu from the ppu created in T-775. T-1029 changed the place of use for 1.50 cfs of 45-284 and 0.20 cfs of 45-517
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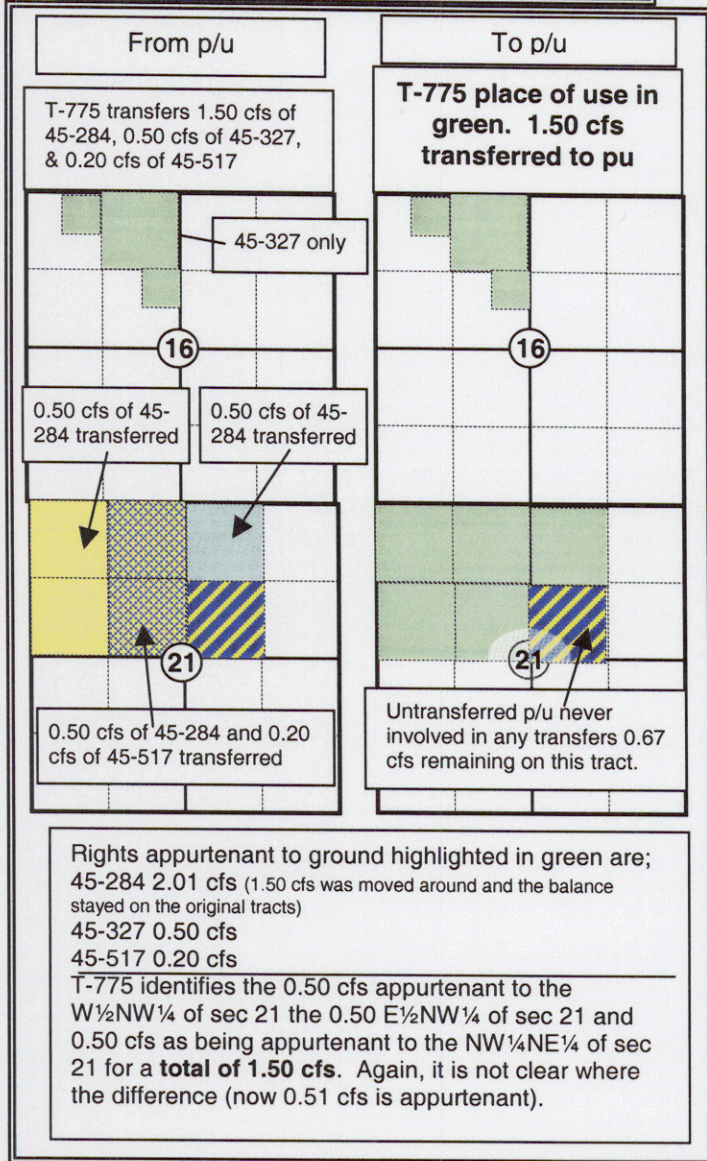
This right was claimed as follows

45-284A	Hawker	0.67 cfs	claimed place of use includes 40 acres of the decreed pu all but 20 acres of the claimed pu are within the transferred pu Claimed pu is NOT part of the decreed or transferred pu
45-284B	Anderson	1.50 cfs	
45-284C	Neyman	0.51 cfs	
total		2.68 cfs	

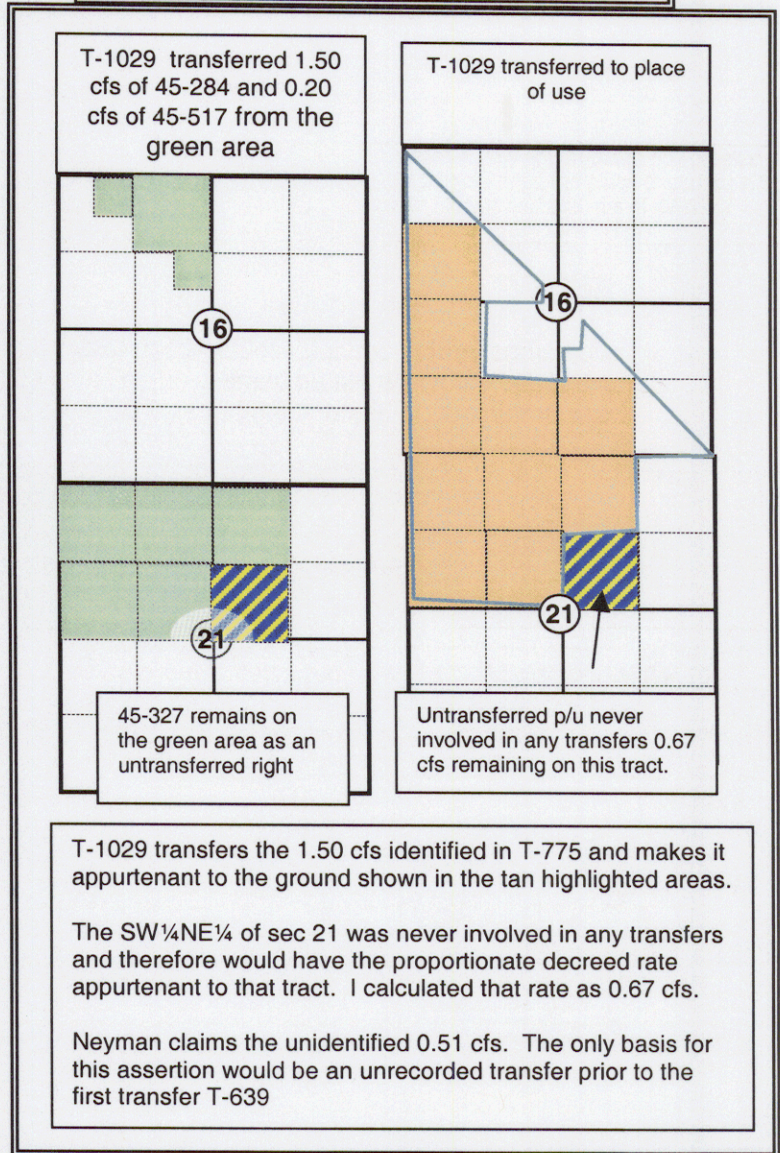
At 2.68 cfs /4 40-acre tracts you get 0.67 cfs per tract.
Therefore, Hawker's share (1 forty acre tract) is 0.67 cfs
The remaining 2.01 cfs is appurtenant to ground owned by Anderson and/or Neyman.



T-775 transfer analysis



T-1029 transfer analysis



Acre limitation calculation.

Hawker based upon SW¼NE¼ of sec 21	= 40 acres	Rate	0.67 cfs
Neyman .51/.67 * 40 ac	≈ 30 acres		0.51 cfs
Anderson (40 + 30) - 160	= 90 acres		1.50 cfs

Tentative



The blue outlined shape shows Anderson owned ground

BASIS FOR RECOMMENDATION

45-284 split analysis

I met with Anderson, Hawker, and Clark on 6-19-2003 along with other individuals involved with other claims.

After reviewing the claims involved the three of them stated that this right should be split by diversion rate as claimed. The latest information existing in the department records was T-1029, which was approved on 5-26-1964. This transfer placed the right on 10 40-acre tracts currently owned by Anderson and 1 40-acre tract owned by Hawker.

The three individuals agreed that the proper split for this right is as follows.

ORIGINAL DECREE

2.68 cfs on 160 acres

<u>Acre limitation calculation.</u>			<u>Rate</u>
Hawker	based upon SW $\frac{1}{4}$ NE $\frac{1}{4}$ of sec 21 = 40 acres		0.67 cfs
Neyman	$.51/.67 * 40 \text{ ac}$	$\approx 30 \text{ acres}$	0.51 cfs
Anderson	$(40 + 30) - 160$	$= 90 \text{ acres}$	1.50 cfs
	Totals	160 acres	2.68 cfs

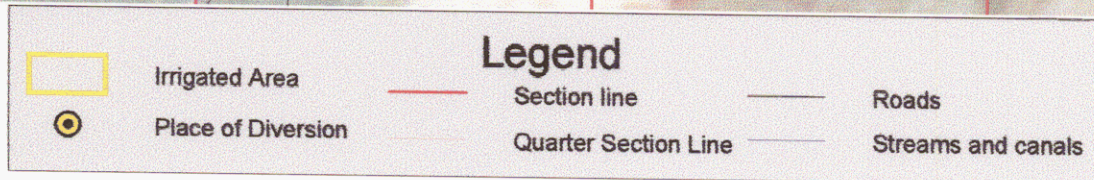
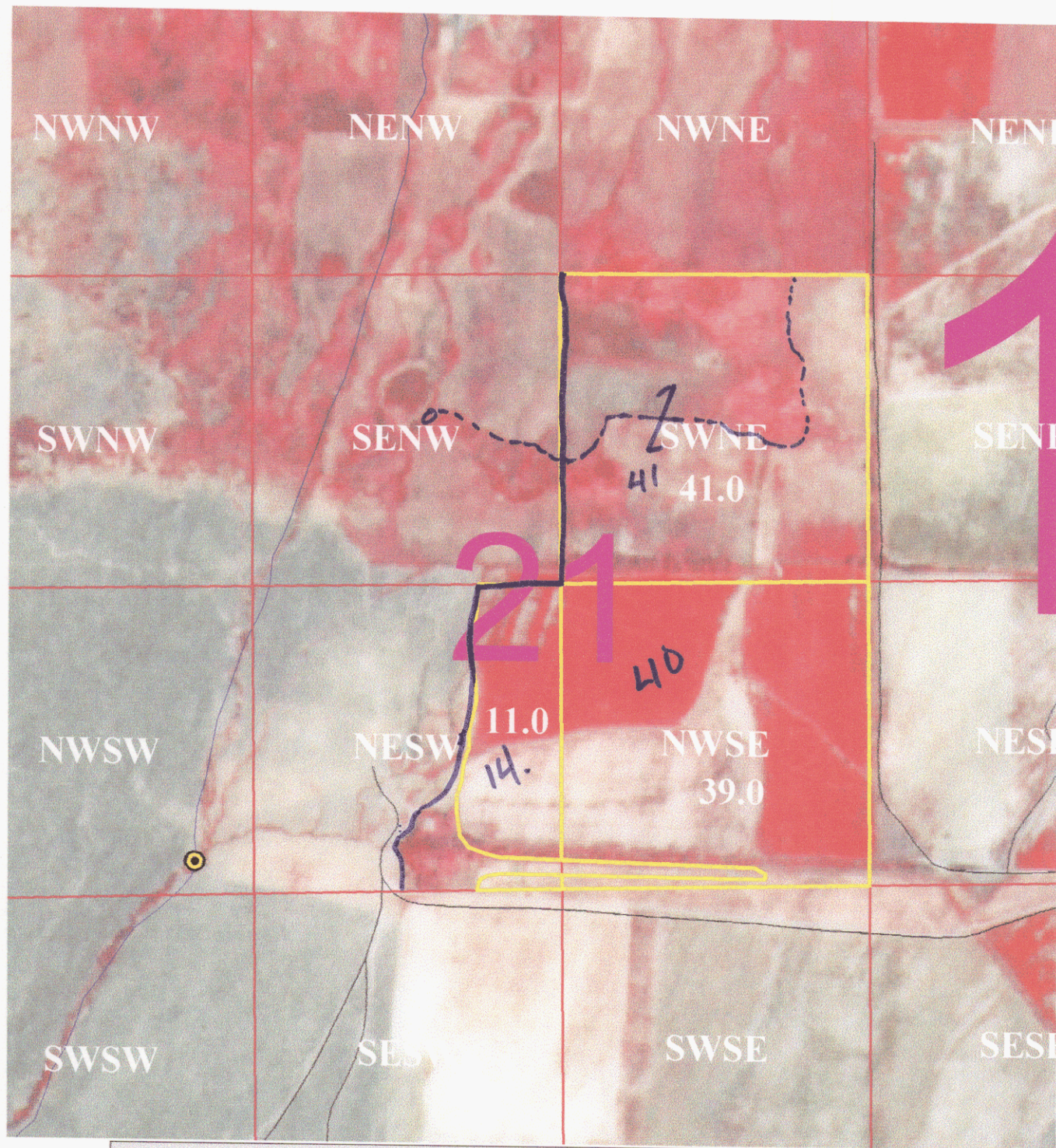
Log for claim A45-00284A

Spatial Dynamics MWY

4/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s25e	21	SWNE	40	41	
12s25e	21	NESW	15	11	
12s25e	21	NWSE	40	39	
Totals:			95	91	

Township , 12S25E



TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Stokes, William	2.68 0		45-0284
639	Anderson, Richard Storey	(0-5)	2.18	45-0284
738	Anderson, Richard Storey	0.5 0		45-0284AA
775	Anderson, Richard Storey	(1-5)	0.68	45-0284B
1029	Anderson, Richard Storey	1.5		45-0284BA

T
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E

See file 45-0517 for Appl., Letters, etc.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Certificate of Transfer Issued Pursuant to the Application of Richard Storey Anderson, Box 126, Albion, Idaho, Designated as Transferred Right No. 1022	))))))	ORDER CANCELLING TRANSFER OF WATER RIGHT NO. 1022 AND ISSUANCE OF NEW TRANSFER OF WATER RIGHT NO. 1029.
---	----------------------------	--

WHEREAS, Under date of April 2, 1964, an Order was executed granting the transfer requested by the application of Richard Storey Anderson covering a certain water right in Water District No. 26, and as a result of such Order, Certificate of Transfer of Water Right No. 1022 was issued April 2, 1964; and

WHEREAS, said Certificate shows 0.2 cubic feet per second of the waters of Howell Creek with priority of August 31, 1874; and 1.5 cubic feet per second of the waters of Spring Creek with priority of April 1, 1875; this should read

45-517 0.2 cubic feet per second of the waters
of Spring Creek, with priority of
August 31, 1874; and 1.5 cubic feet per
second of the waters of Howell Creek with
45-284 priority of April 1, 1875;

NOW, Certificate of Transfer of Water Right No. 1022, issued April 2, 1964, is HEREBY CANCELLED, and a new Certificate of Transfer of Water Right No. 1029 shall be issued;

WITNESS the seal and signature of the State Reclamation Engineer of the State of Idaho affixed at Boise, Idaho, this 25th day of May, 1964.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT
TRANSFERRED RIGHT NO. 1029

45-284 1.50cFS
45-517 .20cFS

45-517

THIS IS TO CERTIFY, That Richard Storey Anderson of Box 126, Albion, Idaho, is the owner of and using a certain water right of 1.7 cubic feet per second, bearing date of priority as follows: August 31, 1874, for 0.2 cubic feet per second of the waters of Spring Creek; April 1, 1875, for 1.5 cubic feet per second of the waters of Howell Creek, County of Cassia, State of Idaho, decreed to William Stokes by decree of Judge C. O. Stockslager of the 4th Judicial District of the State of Idaho, in and for the County of Cassia, in the case of

45-284

R. L. WOOD, et al

Plaintiffs.

vs.

WILLIAM STOKES, et al

Defendants

From P/u

16

said decree bearing date of March 21, 1892, and being appurtenant to the following described lands, to-wit:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 16; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$,
Section 21, Township 12 South,
Range 25 E.B.M., (by Transfer
No. 775)

21

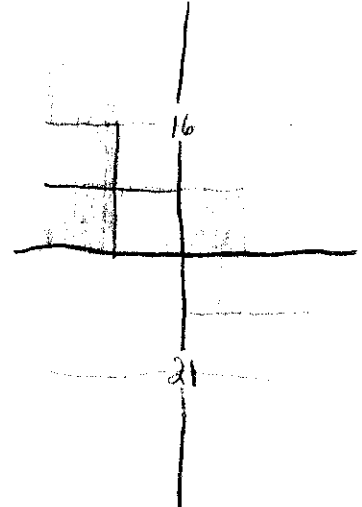
That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 1 of Decrees at Page 607 thereof;

That said Richard Storey Anderson has become the owner of said water right by purchase;

And that now, upon the application of Richard Storey Anderson, for the transfer of 1.7 cubic feet per second of the waters of Howell and Spring Creeks, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 1.7 cubic feet per second of the waters of Howell and Spring Creeks upon the above described land is hereby abandoned, and the land under such right and to which the water right HEREBY CONFIRMED, shall become appurtenant by this Certificate for irrigation purposes, is described as follows, to-wit:

to P/u

SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 16;
NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Town-
ship 12 South, Range 25 E.B.M.,



That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount, to-wit:

45-517 0.2 cubic feet per second
of the waters of Spring Creek,
with priority of August 31, 1874;

45-284 1.5 cubic feet per second of the
waters of Howell Creek, with
priority of April 1, 1875;

That the water right hereby transferred has heretofore been conducted from said streams to the first above described lands through private ditch with points of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 12 South, Range 25 E.B.M.,

P/Ds

That the water right hereby transferred will hereafter be conducted to the last above described lands through private ditch with points of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, of Section 21, all in Township 12 South, Range 25 E. B. M.,

That the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 25th day of May, 1964,

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

Best Int. Misc. In the District Court of the Territory
Judicial District in and for the
County of Cassia, State of Idaho 45-G

R. L. Wood, et al
Plaintiffs

vs

Wm. Stokes, et al
Defendants,

Transfers Noted

This cause having been heretofore tried by the Court without a jury and the Court having made its findings and conclusions of law,

It is now ordered adjudged and decreed that the following persons parties to this action are entitled to divert from March Creek and its tributary streams situate in Cassia County, Idaho, the amount of water hereinafter indicated, the amount of each party to date from the time hereinafter stated and set apposite his or their name, to-wit:

45 0259 Hardy Sears one hundred (100) inches from Land Creek tributary to Marsh Creek March 1st. 1875.

45 0259 Hardy Sears, Thirty inches from Rose Creek tributary to Marsh Creek March 1st. 1875.

45 0260 M. A. Harroun Seventy inches (70) from Howell Creek Tributary to Marsh Creek, March 31st. 1876.

45 0261 Josiah Bridger Fifty inches (50) from Marsh Creek March 31st. 1882.

45 0262 John Bridger Sixty inches from Marsh Creek November 30, 1879.

45 0263 J. W. Lamoreaux Sixty inches from Marsh Creek April 16th 1881.

45 0264 J. W. Lamoreaux, Sixty (60) inches from Marsh Creek July 21st 1884.

45 0265 J. W. Lamoreaux Four hundred and eighty (480) inches from Marsh Creek from January 1st. to July of each year when not in use by prior appropriators.

45 0266 T. A. Starrh, Sixty inches from Land Creek Tributary to Marsh Creek June 15, 1875.

45 0267 S. R. Quin Fifty inches from Marsh Creek June 5th, 1875.

45 0268 S. R. Quin one hundred and thirty three and 1/3 inches from Marsh Creek May 30, 1879.

Trans 676

Marsh Creek from the 31st. day of March, 1878.

19.

45-0517 6282 Mary R. Norton one hundred (100) inches of the waters of Marsh Creek from the 30th day of April 1874. Trans #672

20.

45-0518 6282 D. I. Stark one hundred (100) inches of the waters of Land Creek, a tributary of Marsh Creek, from the 1st. day of March 1875, and thirty (30) inches of the waters of Rose Creek, a tributary of Marsh Creek, from 1st. day of March 1875, and 30 inches of the waters of Marsh Creek from the 1st. day of April 1876.

21.

45-0517 6284 William Stokes 134 inches of the waters of Howell Creek, a tributary of Marsh Creek, from the 1st. day of April 1875, and twenty (20) inches of the waters of Spring Creek (a tributary of Marsh creek, from the 31st. day of August 1874, and ninety five (95) inches of the waters of Rose Creek, a tributary of Marsh Creek, from the 1st. day of April 1876, and 2 inches of water from Springs, tributary of Marsh Creek, from the 1st. day of April 1876. Trans #639-738, #775-1029

22.

45-0519 6285 William Stokes for the heirs of George Stokes, Fifteen inches of the waters of Howell Creek, a tributary of Marsh Creek, from the 1st. day of April 1878.

23.

45-0519 6286 E. J. Stokes, Eighty (80) inches of the waters of Howell Creek tributary of Marsh Creek, from the 1st. day of September 1880.

24.

45-0519 6287 Wm. Stokes, Potter claims, Seventy inches of the waters of Rose Creek, tributary of Marsh Creek, from the 5th day of June 1875.

25.

45-0519 6288 C. M. Gray one hundred and twenty five (125) inches of the waters of Land Creek a tributary of Marsh Creek, from the 3d. day of November 1875.

26

45-0519 6289 B. Williams Forty inches of the waters of Land Creek, a tributary of Marsh Creek, from June 30th 1881.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 775

THIS IS TO CERTIFY That RICHARD STORREY ANDERSON of Albion, Idaho,
is the owner of and using the following water rights in Howell and Spring
Creeks:

327⁹ .50 cubic foot per second
with priority of March 1, 1881.
45-284 1.5 cubic feet per second
with priority of April 1, 1875.
45-517 .20 cubic foot per second with
priority of August 31, 1874.

said water being decreed to William Stokes, et al., by Judge C. O. Stockslager
of the Fourth Judicial District of the State of Idaho, in and for the County
of Cessia, in the case of

R. L. WOOD, et al.,
Plaintiff,

vs.

WILLIAM STOKES, et al.,
Defendants.

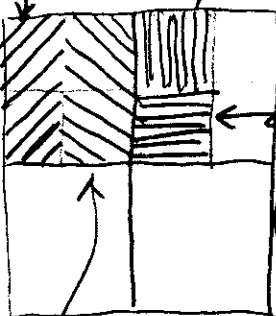
said decree bearing date of March 21, 1892.

738 That by said decree and by Certificates of Transfer Nos. 475 and
283, these waters were made appurtenant to the following described lands,
to-wit:

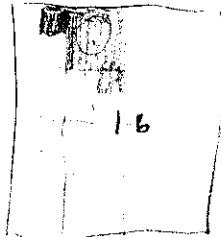
45-327⁹ .50 cubic foot per second, March 1,
1881, appurtenant to NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, Howell
45-0284 .50 cubic foot per second, April 1,
1875, appurtenant to NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21;
45-0284 .50 cubic foot per second, April 1, 1875
and .20 cubic foot per second, August 31,
1874, appurtenant to E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 21.

1.5 cfs
45-284 .50 cubic foot per second, April 1, 1875,
appurtenant to W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 21; P/A T-738
in Township 18 South, Range 25 East,

as has been entered in the records of the Department
of Idaho, in Volume 1 of Decrees, beginning at
or Certificates in Volume 2 of Transfers, on Pages



E $\frac{1}{2}$ NW $\frac{1}{4}$.50 CFS
TRANSFERRED
FROM P/A T-639



unit of farm
P/A

That said Richard Storey Anderson of Albion, Idaho, has become the owner of said water rights through purchase.

And that now upon the application of Richard Storey Anderson of Albion, Idaho, for the transfer of two and twenty-hundredths (2.20) cubic feet per second of the waters of Howell Creek and Spring Creek, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of two and twenty hundredths (2.20) cubic feet per second of the waters of Howell Creek and Spring Creek upon the above described lands is hereby abandoned and the place of use of said water under such right hereby confirmed shall by this Certificate become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16; NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 12 South, Range 25 East, B.M. *xo 8/11*

see below
That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

45-327 .50 cubic foot per second
with priority of March 1, 1881.

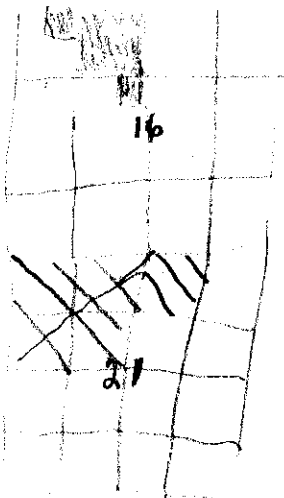
45-284 1.5 cubic feet per second
with priority of April 1, 1875.

45-517 .20 cubic foot per second with
priority of August 31, 1874.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 4th day of August, 1951.

MARK R. KULP
State Reclamation Engineer



COPY

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the matter of the Application of	)	
	)	
RICHARD STOREY ANDERSON of	)	ORDER GRANTING TRANSFER
Albion, Idaho	)	
	)	No. 775
For a Transfer of Water Right.	)	

WHEREAS, On the 15th day of March, 1951, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of Richard Storey Anderson of Albion, Idaho, for a Transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No valid protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 4th day of August, 1951.

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 738

1.00 CFS

45-284

only

THIS IS TO CERTIFY THAT RICHARD STORREY ANDERSON, of Albion, Idaho is the owner of and using a certain water right bearing date of priority of April 1, 1875 for one cubic foot per second of the waters of Howell Creek, a tributary of Marsh Creek, County of Cassia, State of Idaho, decreed to WILLIAM STOKES by Decree of Judge C. O. Stockelager, of the 4th Judicial District of the State of Idaho, in and for the County of Cassia in the case of

R. L. WOOD, et al

Plaintiffs,

vs.

WILLIAM STOKES, et al,

Defendants,

said decree bearing date of March 21, 1892, and being appurtenant to the following described lands, to-wit:

E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 21
Township 12, S., Range 25 E., B.M.

THAT THE SAID DECREE has been entered in the records of the Department of Reclamation of the State of Idaho, in Book One of DECREES at Page 607.

THAT SAID RICHARD S. ANDERSON has become owner of said Water Right by means conveyances.

THAT BY ORDER of the Commissioner of Reclamation, dated July 23, 1942, Certificate of Transfer No. 639 was issued transferring 0.50 cubic foot per second of the waters of Howell Creek to the following described lands, to-wit:

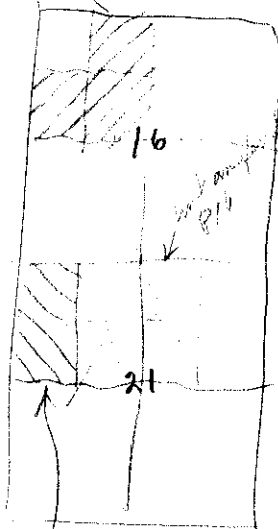
Part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ and
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16,
Township 12 S., Range 25 E., B.M.

From P/U

THAT NOW UPON THE APPLICATION OF RICHARD STORREY ANDERSON, of Albion, Idaho, for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 0.50 cubic feet per second of the waters of HOWELL CREEK, a tributary of Marsh Creek, upon the lands above described is HEREBY ABANDONED, and the lands to be irrigated under such right and to which the water right HEREBY CONFIRMED shall be appurtenant, by this Certificate, are described as follows:

W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 21,
Twp. 12, S., Range 25, E., B.M.

situate, lying and being in the County of Cassia, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:



Transferred
to P/U
Same water
as in T-639

0.50 cubic feet per second of the waters
of HOWELL CREEK, a tributary of Marsh Creek
with date of priority April 1, 1875.

THAT THE WATER RIGHT hereby transferred has heretofore been conducted from Howell Creek to the first above described lands through the channel of Howell Creek, into an artificial ditch, the point of diversion of which is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16; to another ditch leading from Howell Creek, the point of diversion of which is on the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16, and through another ditch leading from Howell Creek the point of diversion of which is on the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16, Township 12 S. Range 25 E., B.M.

THAT THE WATER RIGHT hereby transferred will hereafter be conducted to the last above described lands through an artificial ditch, diverted through Howell Creek with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 12 South, Range 25 West, B.M.

THAT THE RIGHT TO the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho to be affixed at Boise, Idaho, this 9th day of March, 1949.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

23

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

RICHARD STOREY ANDERSON,)
Albion, Idaho)

ORDER GRANTING TRANSFER
No. 738

For a Transfer of Water Right, in)
Water District No. 26, County of)
Cassia.)

WHEREAS, On the 21st day of January, 1949, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of RICHARD STOREY ANDERSON, of Albion, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and

WHEREAS, No protest has been filed against the application.

NOW, THEREFORE, IT IS HEREBY ORDERED that the said application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 9th day of March, A. D. 1949.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 639

July 1942

45- 284
only

THIS IS TO CERTIFY THAT RICHARD STOREY ANDERSON, of Albion, Idaho is the owner of and using a certain water right bearing date of priority of April 1, 1875 for one cubic foot per second of the waters of Howell Creek, a tributary of Marsh Creek, County of Cassia, State of Idaho, decreed to WILLIAM STOKES by Decree of Judge C. O. Stockslager, of the FOURTH JUDICIAL DISTRICT of the State of Idaho, in and for the County of Cassia in the case of

R. L. WOOD ET AL,
Plaintiffs,

vs.

WILLIAM STOKES ET AL,
Defendants,

Dated, March 21, 1892.

FROM P/4

Being appurtenant to the East Half of N. W. Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 21, Township 12 S. R. 25 E. B. M. situate, lying and being in Cassia County, Idaho.

THAT THE SAID DECREE has been entered in the records of the Department of Reclamation of the State of Idaho, in Book ONE of DECREES at Page 607.

THAT NOW UPON THE APPLICATION OF RICHARD STOREY ANDERSON, of Albion, Idaho, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.50 cubic feet per second of the waters of HOWELL CREEK, a tributary of Marsh Creek, upon the lands above described is HEREBY ABANDONED, and the lands to be irrigated under such right and to which the water right HEREBY CONFIRMED shall be appurtenant, by this Certificate, for a more efficient use of water on a better quality of land, are described as follows:

Part of E $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16,
Township 12 S. Range 25 E. B. M.

situate, lying and being in the County of Cassia, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

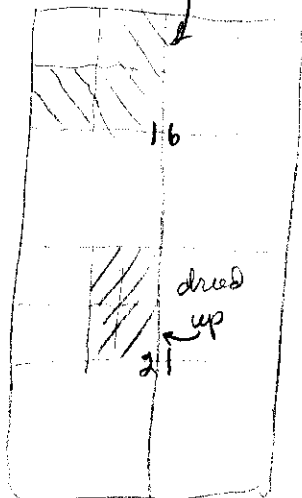
45-284

0.50 Cubic feet per second of the waters
of HOWELL CREEK, a tributary of Marsh Creek
with date of priority April 1, 1875.

THAT THE WATER RIGHT hereby transferred, has been conducted to the first above described lands.

THAT THE WATER RIGHT hereby transferred, will hereafter be conducted to the last above described lands through the channel of Howell Creek, into an artificial ditch the point of diversion of which is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16; to another ditch leading from Howell Creek, the point of diversion of which is on the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16; and through another ditch leading from Howell Creek the point of diversion of which is on the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16, Township 12 S. Range 25 E.B.M.

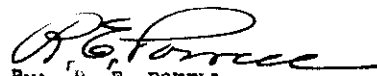
Transferred to



THAT THE RIGHT TO the use of the water aforesaid,
hereby confirmed, is restricted to the lands or place of use last
above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and
caused the seal of the Department of Reclamation of the State of
Idaho to be affixed at Boise, Idaho, this 23rd day of July, 1942.

E.V. BERG
Commissioner of Reclamation


By: R. E. POWELL
Supervisor of Water Distribution

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the matter of the application
of:

RICHARD STOREY ANDERSON,
Albion, Idaho

ORDER GRANTING TRANSFER

For a Transfer of Water Right, in
Water District No. 27, County of
Cassia.

WHEREAS, On the 3rd day of November, 1941, at the department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of RICHARD STOREY ANDERSON, of Albion, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application shows this tract needs this additional Water to be sufficiently and properly irrigated.

NOW, THEREFORE, IT IS HEREBY ORDERED that the said application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed, at Boise, Idaho, this 23rd day of July, 1942.

E. V. BERG
Commissioner of Reclamation


By: R. W. POWELL
Supervisor of Water Distribution

*in the District Court of the Southern
Judicial District in and for the
County of Cassia, Idaho* 45-G

West 1st Misc

R. L. Wood, et al
Plaintiffs

vs

Wm. Stokes, et al
Defendants,

Transfers Noted

This cause having been heretofore tried by the Court with-
out a jury and the Court having made its findings and conclusions
of law,

It is now ordered adjudged and decreed that the following
persons parties to this action are entitled to divert from March
Creek and its tributary streams situate in Cassia County, Idaho, the
amount of water hereinafter indicated, the amount of each party to
date from the time hereinafter stated and set apposite his or their
name, to-wit:

- 45 0258 Hardy Sears one hundred (100) inches from Land Creek tribu-
tary to Marsh Creek March 1st. 1875.
- 45 0259 Hardy Sears, Thirty inches from Rose Creek tributary to
Marsh Creek March 1st. 1875.
- 45 0260 M. A. Harroun Seventy inches (70) from Howell Creek Tribu-
tary to Marsh Creek, March 31st. 1876.
- 45 0261 Josiah Bridger Fifty inches (50) from Marsh Creek March
31st. 1882.
- 45 0262 John Bridger Sixty inches from Marsh Creek November 30, 1879.
- 45 0263 J. G. Lamoreaux Sixty inches from Marsh Creek April 16th
1881.
- 45 0264 J. G. Lamoreaux, Sixty (60) inches from Marsh Creek July 21st
1884.
- 45 0265 J. G. Lamoreaux Four hundred and eighty (480) inches from
Marsh Creek from January 1st. to July of each year when not in use by
prior appropriators.
- 45 0266 T. A. Starrh, Sixty inches from Land Creek Tributary to
Marsh Creek June 15, 1875.
- 45 0267 J. R. Guin Fifty inches from Marsh Creek June 5th, 1875.
- 45 0268 J. R. Guin one hundred and thirty three and 1/3 inches from
Marsh Creek May 30, 1879.

MICROFILMED

Trans 578

Marsh Creek from the 31st. day of March, 1878.

19.

45-0518 Mary R. Norton one hundred (100) inches of the waters of Marsh Creek from the 30th day of April 1874. Trans #678

20.

45-0518 D. I. Stark one hundred (100) inches of the waters of Land Creek, a tributary of Marsh Creek, from the 1st. day of March 1875, and thirty (30) inches of the waters of Rose Creek, a tributary of Marsh Creek, from 1st. day of March 1875, and 30 inches of the waters of Marsh Creek from the 1st. day of April 1876.

21.

45-0517 William Stokes 134 inches of the waters of Howell Creek, a tributary of Marsh Creek, from the 1st. day of April 1875, and twenty (20) inches of the waters of Spring Creek (a tributary of Marsh Creek, from the 31st. day of August 1874, and ninety five (95) inches of the waters of Rose Creek, a tributary of Marsh Creek, from the 1st. day of April 1876, and 2 inches of water from Springs, tributary of Marsh Creek, from the 1st. day of April 1875. Trans #639-738 #775-1027 #1029

22.

1323 William Stokes for the heirs of George Stokes, Fifteen inches of the waters of Howell Creek, a tributary of Marsh Creek, from the 1st. day of April 1878.

23.

45-0518 W. J. Stokes, Eighty (80) inches of the waters of Howell Creek tributary of Marsh Creek, from the 1st. day of September 1880. ~~Strength #1011~~

24.

45-0518 Wm. Stokes, Potter claims, Seventy inches of the waters of Rose Creek, tributary of Marsh Creek, from the 5th day of June 1875.

25.

45-0518 C. M. Gray one hundred and twenty five (125) inches of the waters of Land Creek a tributary of Marsh Creek, from the 3d. day of November 1875.

26

45-0518 B. Williams Forty inches of the waters of Land Creek, a tributary of Marsh Creek, from June 30th 1881.

