

MEMORANDUM

TO: Adjudication claim file 01-00195G
FROM: Tony Olenichak, Water District #1
DATE: October 28, 2004
SUBJECT: Water delivery and transfers for decreed right 01-00195

Water District #1 delivery records indicate the West Labelle Irrigation Company currently owns 109.325 cfs of water right 01-00195G. The original 120 cfs water right was initially split when 10.1 cfs was transferred to the White Ditch in TR #56, dated 10/6/1920. The 10.1 cfs documented in TR #56 was later split and moved incrementally by TR #293 (3.7 cfs), TR #537 (1.6 cfs), and TR #657 (4.8 cfs). TR #1015, TR #1016, and TR #69937 later split the 4.8 cfs described in TR #657.

After TR #56 moved 10.1 cfs of water right 01-00195G, an additional 0.575 cfs was moved from the West Labelle Canal to the White Ditch as evidenced by the attached request to Clyde Baldwin, Watermaster, dated 1/15/1925, and the Quit Claim Deed, moving 0.575 cfs from the West Labelle Canal to the White Ditch, leaving a balance of 109.325 cfs at the heading of the West Labelle Canal. This 0.575 cfs was later moved from the White Ditch to the Sunnyside Canal in TR #650, dated May 26, 1943.

Idaho Falls, Idaho

Jan'y 25th 1925.

Mr. Clyde Baldwin,
Water Master, Dist. #36.,
Idaho Falls, Ida.,

Dear Sir:

Please change the point of diversion of 28-3/4 inches of water decreed to our canal from our heading to the heading of the George M. White ditch. This is water belonging to Siebert Rudman and the change is made to facilitate his convenience, the same land being irrigated as here before.

This change is intended to be permanent as we have completed all necessary arrangements with Mr. Rudman.

Thanking you we remain, Rudman paying all expenses.

The West LaBelle Irrg. Co.

by

(Signed) Wm. Allred
" Royal Ellis
" Caten W. Pierce
" G. L. Boulder
" J. L. Yeaman

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QUIT CLAIM DEED

THIS INDENTURE made the 8th day of April in the year of our Lord, one thousand nine hundred and forty three, between West Labelle Irrigating Company of the County of Jefferson and State of Idaho, the party of the first part, and Abram Ward of the County of Jefferson and State of Idaho, party of the second part.

WITNESSETH: That the party of the first part, for and in consideration of the sum of One dollar and other valuable considerations DOLLARS lawful money of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit claim unto the said party of the second part, and to his heirs and assigns;

28-3/4 minus inches of the waters of Snake River of June 1, 1885 priority decreed to West Labelle Irrigating Co. by decree of Dec. 16, 1910, in the case of Rexburg Irrigation Co. vs. Teton Irrigation Canal Co. et al., in the District Court of the 6th Judicial District of the State of Idaho in and for the County of Fremont, said water to be used on Lot 6 of Section 6, T 4N., R. 39 E.B.M. This represents 28-3/4 minus inches of water whose point of diversion was changed from the West Labelle Canal to the White Ditch on Jan. 25, 1925 at the request of Siebert Rudman, by order of West Labelle Irrig. Co. signed by Wm. Allred, Royal Ellis, Caten W. Pierce, G. L. Boulder and J. L. Yeaman.

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining, and the revision and revisions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part and to his heirs and assigns forever.

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

West Labelle Irrigating Company (SEAL)

By (Signed) J. L. Yeaman, President (Seal)
(Signed) John Ellis, Secretary (Seal)

STATE OF IDAHO

County of Jefferson

} ss.

I do hereby Certify: On this 8th day of April in the year 1943, before me, the undersigned Notary Public, in and for the said County and State, personally appeared J. L. Yeaman, President, and John Ellis, Secretary, of the West Labelle Irrigating Company, known to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Rigby, Idaho, the day and year first above written.

(Signed) George M. Larsen

Notary Public.

My commission expires Dec. 12, 1943.