

9 0326 of the continuous and uninterrupted flow of one-fifth of all the waters of Station Creek,
9 0327 and the use and benefit of the continuous and uninterrupted flow of one-sixth of all the
waters of Birch Creek flowing towards March Valley. That said waters be used upon and ap-
purtenant to N.W.1/4 of S.W.1/4, and E.1/2 of S.W.1/4; S.1/2 of N.W.1/4; S.W.1/4 of N.E.1/4;
W.1/2 of S.E.1/4 and lot 3 of Section One, Township 12 S., Range 36 E. Boise Meridian,
Bannock County, containing 360 acres. It being intended hereby to cover all lands of said
defendant now owned as irrigated from said streams.

9 0328 That defendant John Ware be adjudged and decreed to have the use and benefit of
Fr 106 the continuous and uninterrupted flow of one-sixth of all the waters of Birch Creek flowing
towards March Valley.

That said waters be used upon and appurtenant to N.E.1/4 Section 15, Township 11 ^{ERROR} 12
South, Range 36 E. Boise Meridian, said Bannock County, Idaho. It being intended hereby to
cover lands now owned by said defendant as irrigated from said stream.

9 0329 That defendant J. J. Wakley be adjudged and decreed to have the use and benefit of
the continuous and uninterrupted flow of one-twelfth of the waters of Birch Creek flowing
towards March Valley. That said waters are used upon and appurtenant to N.E.1/4 Section 13,
Township 12 South, Range 36 E. Boise Meridian, except 30 acres thereof heretofore conveyed
by deed by said defendant to J. H. Wakley. It being intended hereby to cover all lands of
defendant as irrigated from said stream.

9 0330 That defendant J. H. Wakley be adjudged and decreed to have the use and benefit of
one-fourth of all the waters of Iry Hollow and Maple Creeks, the use and benefit of the con-
tinuous and uninterrupted flow of one-fifth of all the waters of Station Creek, and one-

9 0331 Tr. 45, 163, 177
9 0332 Tr. 45, 163, 177, 186
twelfth of the continuous and uninterrupted flow of all the waters of Birch Creek flowing
towards March Valley. That said waters are used upon and appurtenant to S.W.1/4 of N.E.1/4,
N.1/2 of N.E.1/4, N.W.1/4 of N.E.1/4 Section 36, Township 11 S. Range 36 E. Boise Meridian,
containing 160 acres, also 30 acres off the East side of N.W.4 Sec.13 Tp.12 S.R.36 E.B.M. in
said Bannock County. It being intended hereby to cover all lands now owned by said defendant
as irrigated from said streams.

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Notices is hereby given that John E. Ware, of Downey, Bannock County, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer the use of one-sixth (1-6) of the water of Birch Creek from the land upon which it is now used, to a NE $\frac{1}{4}$ S. 12, T. 11 S., R. 36 E. B. M. to the following described tract: W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11, T. 12 S., R. 36 E. B. M. And that, on the 4th day of September, 1912, at the office of the Jackson Real Estate Company, Pocatello, Idaho, before the Water Commissioner of this Division, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from the clerk or the master of said stream.

Does not apply to
29-319 as indicated
in Deane Bk.
Applies only to
29-320