

That the plaintiff, Walter Wood, is the owner of or has an estate in the following described lands, to-wit:

$W\frac{1}{2}SW\frac{1}{4}$ of Section 1; $NE\frac{1}{4}SE\frac{1}{4}$ of section 2, in township 4 north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from Mahogany Creek, with the point of diversion located in the $SE\frac{1}{4}SW\frac{1}{4}$ of section 12 in township 4 north, range 44 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted 1.6 cubic feet per second or 80 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of said lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff or his predecessors in interest, and,

Also, the $SE\frac{1}{4}SE\frac{1}{4}$ of section 2, township 4, north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from South Twin Creek, with the point of diversion located in the $SE\frac{1}{4}SW\frac{1}{4}$ of section 2, township 4 north, range 44 E.B.M., and the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted .8 cubic foot per second or 40 miners inches of the waters of said creek and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest, and, -

Also: The $SW\frac{1}{4}SE\frac{1}{4}$ of section 35 in township 5 north, range 44 E.B.M.,

and is the owner of a ditch through which he conveys water from North Twin Creek, with the point of diversion located in the $SW\frac{1}{4}SE\frac{1}{4}$ of section 35, in township 5 north, range 44 E.B.M., and

Excerpt From

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Lynne Candall

7 Dec. 1938

22-00028

the plaintiff, or his predecessor in interest, on or before and ever since the 22nd day of January, 1916, has so diverted .8 cubic feet per second or 40 miners inches of the waters of said creek, and has applied the same to beneficial use in the irrigation of the above described lands during each irrigating season, which has been in addition to any other rights fixed, decreed, or granted to the said plaintiff, or his predecessors in interest.

22 0028 19. That the plaintiff, Walter Wood, is awarded the right to the use of .8 cubic feet per second or 40 miners inches of the waters of North Twin Creek, with a priority date of January 22nd, 1916, and with point of diversion and for the irrigation of the lands described in Paragraph XXIII of the Findings of Fact.

22 0029 20. That the plaintiff, Narma Dustin, is awarded the right to the use of 1.6 cubic feet per second or 80 miners inches, of the waters of Mahogany Creek, with priority date of January 22nd, 1916, with point of diversion and for the irrigation of the lands described in Paragraph XXIV of the Findings of Fact.

22 0030 21. That the plaintiff, Golden R. Wood, is awarded the right to the use of 3.2 cubic feet per second or 160 miners inches of the waters of Mahogany Creek, with a priority date of January 22nd, 1916, with point of diversion and for the irrigation of the lands described in Paragraph XXV of the Findings of Fact.

22 0031 22. That the plaintiff, A. C. Buxton, is awarded the right to the use of 1.6 cubic feet per second or 80 miners inches of the waters of Mahogany Creek, with point of diversion and for the irrigation of the lands described in XXVI of the Findings of Fact.

December 11, 1974

Fred Bowen
Office,
Idaho - 8622

Dear Mr. Bowen:

Re: Proposed Diversion of Water from the
by your permit No. 2491/22-2211

Quantity of water diverted: 1.70 cfs

Amount of water diverted: 1.70 cfs
Idaho Law: 1.70 cfs

The maximum quantity of water diverted is 616
acre feet per season.

Beneficial use: For Irrigation of 399 acres within the WSEK,
SW_{1/4}, WSEK, Sec. 35, Twp. 5N, Rge. 44E, W_{1/2}NE_{1/4}, W_{1/2}SE_{1/4}, Sec. 35

Twp. 4N, Rge. 44E

Point of diversion: SW_{1/4}SW_{1/4}, Sec. 35, Twp. 5N, Rge. 44E, S.M.

Priority date established: August 8, 1961

A fee totaling \$ ~~27.00~~ must be received within 30 days of the date of this letter
in order that we can issue a water license as set forth above.

If you do not concur with these findings, please contact this office within the 30
day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Received 12/11/74

RE: Permit No. 21604
Mr. Fred Rosen

August 2, 1953

Mr. H. B. Farnham
State Engineer
Sacramento, Idaho

Dear Mr. Farnham:

Letter of July 30, 1953, has been duly discussed with the State Reclamation Engineer. His decision in the matter is:

1. Since a license is issued, the 2nd and Section 35 will automatically be out licensed as the one forty has a full decree right and the other did not have water applied to it by Mr. Rosen.

2. The 2nd and Section 35 cannot be included in the license because it is not in the records as having been included.

There will allow a license agreement to the land as listed under the other agreement, since the 2nd, 3rd and 34.

3. No more you can send in statements from the presentants withdrawing the protest. As soon as it is received, a license will be issued for 0.85 second of water from North Fork Snake, or 370 gallons per minute as stated by Mr. Rosen in his decision.

4. License fee for this will amount to \$10.00, being at the rate of \$2.00 per inch of water withdrawn, in which the water has been applied.

Very truly yours,

WALKER H. HALL
State Reclamation Engineer
By
R. L. Humphrey
Deputy State Reclamation Engineer

WHL

21604