

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 645

THIS IS TO CERTIFY THAT N. O. Nye, of Rigby, State of Idaho, is the owner of and using certain water rights described as being 5.14 cubic feet per second of the waters of Snake River, County of Jefferson, State of Idaho, with a priority of June 1, 1885, decreed to the Butler Island Canal Company, confirmed by decree of Judge Stevens, of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

REXBURG IRRIGATION COMPANY, Plaintiff,

vs.

TETON IRRIGATION COMPANY, ET AL., Defendants

Decree bearing date of December 16, 1910

being appurtenant to the following described real property, situate, lying and being in the County of Jefferson, State of Idaho (Water District No. 36), to-wit:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28,
Township 4 North, Range 39 East, B. M.

and is the person to whom such rights so issued, and has become the owner thereof in the following manner:

01-0035 By Transferred Water Right No. 278 on record in the
Department of Reclamation.

5.14 cu ft
June 11885

That he is also the owner of and using a certain water right for 1.36 cubic feet per second of the waters of Snake River, County of Jefferson, State of Idaho, bearing the following dates of priority:

01-0162 55.51 % - August 13, 1888 (C. 755)
01-0163 16.73 % - June 1, 1889 (C. 227)
01-0164 7.78 % - June 1, 1900 (C. 106)
01-0165 19.98 % - June 1, 1905 (C. 272)

decreed to the Rudy Canal Company, by decree of Judge Stevens, of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, State of Idaho, in the case of

REXBURG IRRIGATION COMPANY, Plaintiff,

TETON IRRIGATION COMPANY, ET AL., Defendants,

said decree bearing date of December 16, 1910,

for the purpose of further irrigating the real property hereinabove described.

Applicant is the owner of Stock Certificate No. 563 for 22.59 shares of stock in said Rudy Canal Company, and as such is the owner of, and the person for whom such water was decreed, in trust, to said Canal Company.

That the said decree has been entered in the Records of the Department of Reclamation of the State of Idaho, in Book 3 of Decrees, at Page 450.

THAT NOW, Upon the application of N. O. Nye, of Rigby, Idaho, for a 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 6.50 cubic feet per second of the waters of Snake River is hereby abandoned upon the lands above described, and the place of use of water under such right, and to which the water hereby confirmed shall by this certificate become

appurtenant for irrigation and domestic purposes, after a deduction of five per cent of said water rights have been abandoned to Snake River to compensate other water users for the loss caused by the change in point of diversion, is described as follows, limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

01-0035

Wm C. Smith
480 ac

1.66 cubic feet per second, dated June 1, 1885
E $\frac{1}{2}$ Section 9, and SW $\frac{1}{4}$ Section 3, Township 2 North,
Range 37 East, B. M., Bonneville County, Idaho

F. L. Hansen
473 ac

1.66 cubic feet per second, dated June 1, 1885
Lots 1, 2, 3 & 4 and SW $\frac{1}{4}$ Section 3, and Lots 1 & 2
and SW $\frac{1}{4}$ Section 4, Township 2 North, Range 37
East, B. M., Bonneville County, Idaho

1.563 cubic feet per second, dated June 1, 1885 (Fr. of 01-00358)

1.717 cubic feet per second, dated August 13, 1888
2.216 cubic feet per second, dated June 1, 1889
1.101 cubic feet per second, dated June 1, 1900
2.258 cubic feet per second, dated June 1, 1905

Carl Morris

All that part of the West Half Section 1, Township
1 South, Range 36 East, B. M., lying and being East of
the canal of the New Sweden Irrigation District; also
Lots 1, 2 & 3 Section 2; the SE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$
and SW $\frac{1}{4}$ Section 2, excepting therefrom that portion of
the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying East of the canal of the New Sweden
Irrigation District; all in Township 1 South, Range 36
East, B. M., Bingham County, Idaho

THAT the above described water has heretofore been diverted in the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Township 4 North, Range 40 East, B. M., through the Rudy
Irrigation Company's canal, and will hereafter, by authority of this Certificate,
be diverted in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, Township 4 North, Range 37 East, B. M.,
through the Great Western Canal of the New Sweden Irrigation District.

THAT the right to the use of the water aforesaid hereby confirmed
is restricted to the lands or place of use herein described, as provided by
the laws of the State of Idaho; and is also subject to a certain agreement
between the applicant and the Rudy Irrigation Canal Company, said instrument
being recorded in Jefferson County, Idaho.

WITNESS The seal and signature of the State Reclamation Engineer
of the State of Idaho, this 14th day of April, A. D. 1943.
James Spafford
State Reclamation Engineer

1-35 AL
AN
AP

Fr. of

01-0035B

1-10134

1-10246
and/or

1-10054?