

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT TRANSFERRED RIGHT NO. 1025

THIS IS TO CERTIFY, That C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, all of Route #5, Idaho Falls, Idaho; Loran Morris of Idaho Falls, Idaho; Nelma McNeil of Heyburn, Idaho; Adrian Crossley Burke of Springer, Oklahoma; and Leora Flynn of Philadelphia, Pennsylvania; are the owners of and using a certain water right of the waters of Snake River as follows; and under State of Idaho, Department of Reclamation, Certificates of Transfer of Water Right Nos. 614, 764, 809, and 934, or portions thereof, arising out of the Decree of Judge J. M. 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, et al

Plaintiffs

vs.

TETON IRRIGATION CANAL CO., et al

Defendants

said Decree bearing date of December 16, 1910, said transferred rights being in the following amounts and dates of priority, and all standing in the name of C. W. Burke, and for use on the following described lands:

Transfer No. 614: 1.00 cubic foot per second
Priority date: June 1, 1891, for use on the
East half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$)
and Northeast Quarter of Southeast Quarter
($NE\frac{1}{4}SE\frac{1}{4}$) of Section Five (5), Township Two
(2) North, Range Thirty-seven (37) East of
the Boise Meridian;

01-0083H

Transfer No. 764: 1.30 cubic feet per second (Ralph Moss)
Priority date: June 1, 1885, for use on the
West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$)
of Section Five (5), Township Two (2) North,
Range Thirty-seven (37), East of the Boise
Meridian;

01-00035

Transfer No. 809: 2.05 cubic feet per second
Priority date: April 30, 1900, for use on
Lots Three (3) and Four (4), the South Half
of the Northwest Quarter ($S\frac{1}{2}NW\frac{1}{4}$) of Section
Five (5), Lot One (1) and the Southeast
Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of
Section Six (6), all in Township Two (2), North,
Range Thirty-seven (37), East of the Boise
Meridian;

01-0125C

Transfer No. 934: 0.60 cubic foot per second
Priority date: June 1, 1891, for use on the West
Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$) of Sec-
tion Five (5), Township Two (2) North, Range
Thirty-seven (37), East of the Boise Meridian;

01-0083T

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume No. 3 of Decree at Page 450 thereof;

That said C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, Lorna Morris, Nelma McNeil, Adrian Crossley Burke and Leora Flynn, have become the owners of said water rights by purchase or by deeds of gift;

And that now upon the application of C. W. Burke, Darrel W. Burke, Murland J. Burke, Ted Ray Hoopes, Lorna Morris, Nelma McNeil, Adrian Crossley Burke, and Leora Flynn, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 4.95 cubic feet per second of the waters of Snake River upon the above described lands is hereby abandoned, and the lands under such right, and to which the water rights HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, are described as follows, to-wit:

N41D TED RAY HOOPES: 0.80 cubic foot from Transfer No. 614:

Beginning at a point on the section line common to Sections 4 and 5 of Township 2 North, Range 37 East of the Boise Meridian; which point is North $0^{\circ}12'51''$ East, 24 feet from the Southwest corner of the aforesaid Section 4, Township 2 North, Range 37, East of the Boise Meridian; thence running North $0^{\circ}12'51''$ East along the West line of Section 4, a distance of 3768.51 feet; thence turning and running South $89^{\circ}03'46''$ East a distance of 639.59 feet; thence South $0^{\circ}17'46''$ East 185.80 feet; thence South $23^{\circ}05'02''$ West 551.0 feet; thence South $0^{\circ}29'32''$ West 541.20 feet; thence South $13^{\circ}27'33''$ East 358.50 feet; thence South $3^{\circ}35'23''$ East 231.60 feet; thence South $9^{\circ}38'57''$ West 303.3 feet; thence South $1^{\circ}46'03''$ East 383.70 feet; thence South $5^{\circ}21'33''$ East 675.6 feet; thence South $30^{\circ}03'27''$ West 224.40 feet; thence South $3^{\circ}57'33''$ East 131.0 feet; thence South $28^{\circ}50'53''$ East 203.3 feet; thence South $0^{\circ}21'30''$ West 92.0 feet; thence North $89^{\circ}24'$ West a distance of 549.8 feet, more or less, to the point of beginning. Containing a calculated area of 43.23 acres, more or less.

SWNW
NW SW
SW SW
4

Beginning at a point which is 24.0 feet North $0^{\circ}12'15''$ East of the Southeast Corner of Section 5, Township 2 North, Range 37, East of the Boise Meridian, said point being coincident with the East line of said Section 5; thence running North $89^{\circ}33'$ West and parallel to the South line of the said Section 5, a distance of 1315.8 feet; thence turning and running North $0^{\circ}07'33''$ East a distance of 2669.32 feet; thence North $57^{\circ}39'30''$ East 1057.7 feet; thence North $24^{\circ}18'20''$ East 625.2 feet; thence South $89^{\circ}03'46''$ East 173.01 feet; thence turning and running South $0^{\circ}12'51''$ West a distance of 3768.51 feet, more or less, to the point of beginning. Containing a calculated area of 94.34 acres, more or less, and being in Bonneville County, Idaho;

SE NE
E 1/2 SE
5

N41D DARREL W. BURKE: 0.60 cubic feet from Transfer No. 934; 01-0083 Z
1.30 " " " " " 764; 01-00035 AF
0.80 " " " " " 809; 01-0125 D

Beginning at a point that is North $89^{\circ}33'20''$ West along the section line 54.91 feet from the Northeast corner of Section 5, Township 2 North, Range 37, East of the Boise Meridian; thence

North 89°33'20" West along said section line 2391.58 feet;
 thence South 14°00'00" West 2360.89 feet; thence South 30.0 feet;
 thence South 89°15' East 1722.9 feet; thence North 30.0
 feet; thence North 57°39'30" East 1057.20 feet; thence North
 24°18'20" East 616.70 feet; thence North 14°24'40" East 497.60
 feet; thence North 0°11'15" East 666.50 feet to the point of begin-
 ning. Containing 127.7 acres, and located in Bonneville County,
 Idaho;

C. W. BURKE: 0.20 cubic feet from Transfer No. 809 01-0125 E
 0.20 " " " " " 614 01-0083 V (AB)

The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
 of Section Thirty-three (33), Township Three (3) North,
 Range Thirty-seven (37), East of the Boise Meridian, in
 Bonneville County, Idaho;

A. N. ISOM: 1.05 cubic feet from Transfer No. 809; 01-0125 F

The North half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section
 Sixteen (16), Township Two (2) North, Range Thirty-seven
 (37), East of the Boise Meridian, in Bonneville County,
 Idaho;

That the 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:

DARREL W. BURKE: 0.60 cfs, priority June 1, 1891 01-0083
 1.30 cfs, priority June 1, 1885 01-00015
 0.80 cfs, priority April 30, 1900 01-0125 D

C. W. BURKE: 0.20 cfs, priority April 30, 1900 01-0125 E
 0.20 cfs, priority June 1, 1891 01-0083 V (AB)

A. N. ISOM: 1.05 cfs, priority April 30, 1900 01-0125 F

TED RAY HOOPES: 0.80 cfs, priority June 1, 1891 01-0083

That the water rights hereby transferred have heretofore been conducted
 from Snake River to the first above described lands as follows:

Transfer No. 614: Through the Great Western Canal with point
 of diversion in the NE $\frac{1}{4}$, Section 35, Town-
 ship 4 North, Range 37 E.B.M.,

Transfer No. 764: Through the Great Western Canal, with point
 of diversion in the NE $\frac{1}{4}$, Section 35, Town-
 ship 4 North, Range 37 E.B.M.,

Transfer No. 809: Through the Great Western Canal, with point
 of diversion in the NE $\frac{1}{4}$, Section 35, Town-
 ship 4 North, Range 37 E.B.M.,

Transfer No. 934: Through the Great Western Canal, with point
 of diversion in the NE $\frac{1}{4}$, Section 35, Town-
 ship 4 North, Range 37 E.B.M.,

That the water rights hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the rights 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 20th day of March, 1964.

Carl E. Tappan

CARL E. TAPPAN
State Reclamation Engineer