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TRIPLE ELL TRANSFER

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To Whom it may Concern:

One of the first ditches to be made was the one that led to our home. It came directly from the top of the upper dam over to the house by the hill and was used for drinking water and irrigation. There was a nice big culvert and the ditch was always full. In 1917 Mother got Typhoid fever and the doctor told us not to drink from the ditch so we had to carry our drinking water from the spring.

The first head gate that was put in the ditch was directly in front of the old house. A stream of water was diverted East where it was used to irrigate the South and East side of the pasture. Near the head gate Dad built a shed with a large trough where we cooled the milk. This shed also housed the cream separator and a small grist mill.

The second head gate was farther North on the main ditch. Here more water was diverted onto the North side of the pasture. There was a small section on the Northeast corner of the pasture that we could not get under irrigation.

The rest of the water continued on North to the next 40 acre field. We had a series of small ditches that ran North and East. We had water down to the house in the field and we brought some back South where we had a garden.

Dad asked me to check on the water rights for the ranch in 1939. I went to the courthouse in Driggs and found that the water rights had been altered. My Fathers name was on the paper but so were Monroe Dustin Sr. and Milford Kunz. I was very upset and we searched all of the records but could not find how their names got there. The man in charge, William Strong who was a good friend of the two men who's names had been added, finally told me that it must have been by accident but he wouldn't correct it. I then drove to Idaho Falls to check the records. I did not see the records there but the man I talked to went into the back and took down a book to see what was in it. He came back and told me that Dustin and Kunz did lay claim to some water, however he said that

he was well acquainted with the area and that if Monroe Dustin had ever got any water from Paradise Spring up to his property where he claimed he would have had to carry it in a barrel and Milford Kunz would have had the same problem. I believe that the man I talked with in Idaho Falls was a Mr. Christofferson.

He advised me that the claim was so silly that no one would ever try to use it or honor it. I asked him how I could make sure and he made out a little paper that he gave me. He told me to take it to the two men and have them sign it and return it to him. Monroe Dustin Sr. had died and Monroe Dustin Jr. had taken over his land and Grant Kunz had the place that Milford Kunz had owned.

I came home and drove up to see Grant Kunz. He read the paper and then said Chet, I can't imagine how my Dad's name got on that paper but any fool would know that there was no way for us to get that water up here. He signed the paper and I left to see Monroe Dustin Jr. He was out in the field so I drove out to talk to him. When I gave him the paper he read it and then said, I may need that water someday and I won't sign this paper. So much for good honest men!

About 1960 when I started going to college, Ervin Schiess rented the home place from me. He opened some of the Northern ditches and extended some of them.

When I came home from school I installed a pump at the bottom of the pond by the road. This pump was used to irrigate our farm by means of sprinklers lines. After the pump was installed out by the graveyard we began having problems using our pump because the water flow would drop too much when they were pumping out of it.

Signed Chester H. Miller

Jeane M. Condit
Notary for State of Idaho
Comm Exp 8/14/2004

