

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

#1090
75-0113
RECEIVED

APR 19 1974

CERTIFICATE OF DECREED WATER RIGHT
TRANSFERRED RIGHT NO. 1090

Department of Water Administration
Eastern District Office

THIS IS TO CERTIFY, That Walter L. Blackadar of Salmon, Idaho, is the owner of and using a certain water right of 2.0 cubic feet per second of the waters of Jesse Creek, with priority of April 1, 1894, decreed to the Estate of John Long by decree of Judge Geo. W. Edgington of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of

GEORGE G. MILLER, et al

Plaintiffs

vs.

ERNEST LONG, et al

Defendants

said decree bearing date of June 19, 1925, and being appurtenant to the following described lands, to-wit:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 2 & 3,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, parts NE $\frac{1}{4}$ NW $\frac{1}{4}$,
and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, Town-
ship 22 North, Range 22 E.B.M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 5 at Page 35;

That said Walter L. Blackadar has become the owner of said water right by purchase;

And that now, upon the application of Walter L. Blackadar for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 2.0 cubic feet per second of the waters of Jesse Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation and domestic purposes, is described as follows, to-wit:

All of Lots Numbered Three and Four and the East Half of the Southwest Quarter of Section 31, in Township 22 North of Range 22 East of the Boise Meridian, in Lemhi County, Idaho, containing 159.92 acres of land; together with all ditches, water and water rights belonging to said premises, appertaining thereto or used in connection therewith, including 65½ inches of the water of Jesse Creek as the same was awarded to John H. Wheeler and C. C. Willis, by decree of the District Court, recorded in Judgment Book "A", page 251, being 30 inches of the said water right conveyed by John H. Wheeler and Emma Wheeler to James Hockensmith by deed dated February 24, 1904, and recorded in Book "Q" of Deeds, Page 76, and 35½ inches of said water right conveyed by Chester C. Willis to James H. Hockensmith by deed dated October 7, 1904, and recorded in Book "Q" of Deeds at Page 210, and all ditch and ditch rights appurtenant thereto; also, water right in Book "C" of Judgments, Pages 294-5-6-7, records of Lemhi County, Idaho;

Together with all water and water rights, ditches and ditch rights thereto belonging or in anywise appertaining:

EXCEPTING AND RESERVING THEREFROM THE following five tracts of land, to-wit:

Tract 1: A part of the East Half of the SW¼ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Hiram Martin by deed dated September 11, 1939, and recorded in Book 35 of Deeds at Page 630 of the Records of Lemhi County, Idaho, more particularly described as follows to-wit:

Beginning at a point 1574 feet east and 404 feet north of the S. W. Corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres of land more or less.

Always reserving from the above described 5 acre tract of land, a strip of land 10 feet in width, running North and South along the East side of said 5 acre tract.

Together with all water, water rights, ditches and ditch rights, appertaining thereto or used in connection therewith.

Tract 2: A part of the East Half of the SW¼ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Bedell E. Veldez by deed dated September 11, 1939,

and recorded in Book 37 of Deeds at Page 190 of the Records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at a point 1574 feet East of the SW Corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less.

Always reserving from the above 5 acre tract of land a strip of land 10 feet in width, running North and South, along the East side of said 5 acre tract of land. Said reservation being for the purpose of a road.

Together with all water, water rights, ditches and ditchrights, appertaining thereto or used in connection therewith.

Tract 3: A part of the East Half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Stanley W. Greig by deed dated September 11, 1939, and recorded in Book 37 of Deeds at Page 450 of the Records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at a point 2113 feet East of the SW corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning containing 5 acres, more or less.

Always reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South, along the West side of said 5 acre tract of land. Said reservation being for the purpose of a road.

Tract 4: A part of the East half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to James Gutzman by deed recorded in Book 39 of Deeds, Page 222, records of Lemhi County, Idaho, more particularly described as follows to-wit:

Beginning at a point 2113 feet East and 404 feet North of the SW corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less.

Always reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running^{North} and South, along the West side of said 5 acre tract of land.

Said reservation being for the purpose of a road.

Tract 5: A part of the East Half of the SW¼ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Florin C. Beller by deed recorded in Book 47 of Deeds, Page 603, records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Commencing at the South Quarter Corner of Section 31, Twp. 22 N., R. 22 E.B.M., in Lemhi County Idaho, and running thence North along the center line of said Section 31, 808 feet to the place of beginning; thence North on the same course 404 feet; thence West 539 feet; thence South 404 feet; thence East 539 feet to the place of beginning, containing 5 acres, more or less.

Excepting and reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South along the West side of said 5 acre tract of land, as and for a road way easement of ingress and egress.

That 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:

2.0 cubic feet per second of
the waters of Jesse Creek, with
priority of April 1, 1894;

That the water right hereby transferred has heretofore been conducted to the first described lands through un-named ditch; the decree does not describe the point of diversion except as place where water was being diverted at time of decree;

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

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use 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 26th day of July, 1967.

(SEAL)

s/

R. KEITH HIGGINSON

R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Walter L. Blackadar)
of)
Salmon, Idaho)

ORDER GRANTING TRANSFER

NO. 1090

For a Transfer of Water Right)
in the County of Lemhi, State)
of Idaho,)

WHEREAS, On the 8th day of May, 1967, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Walter L. Blackadar of Salmon, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and,

WHEREAS, a protest was made in person by Dale Arave against the approval of said application, and,

WHEREAS, a decision was rendered on July 26, 1967, authorizing the transfer of water right;

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer of Water Right be issued to the applicant herein, 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 26th day of July, 1967.

(SEAL)

E/

R. KEITH HIGGINSON

R. KEITH HIGGINSON
State Reclamation Engineer