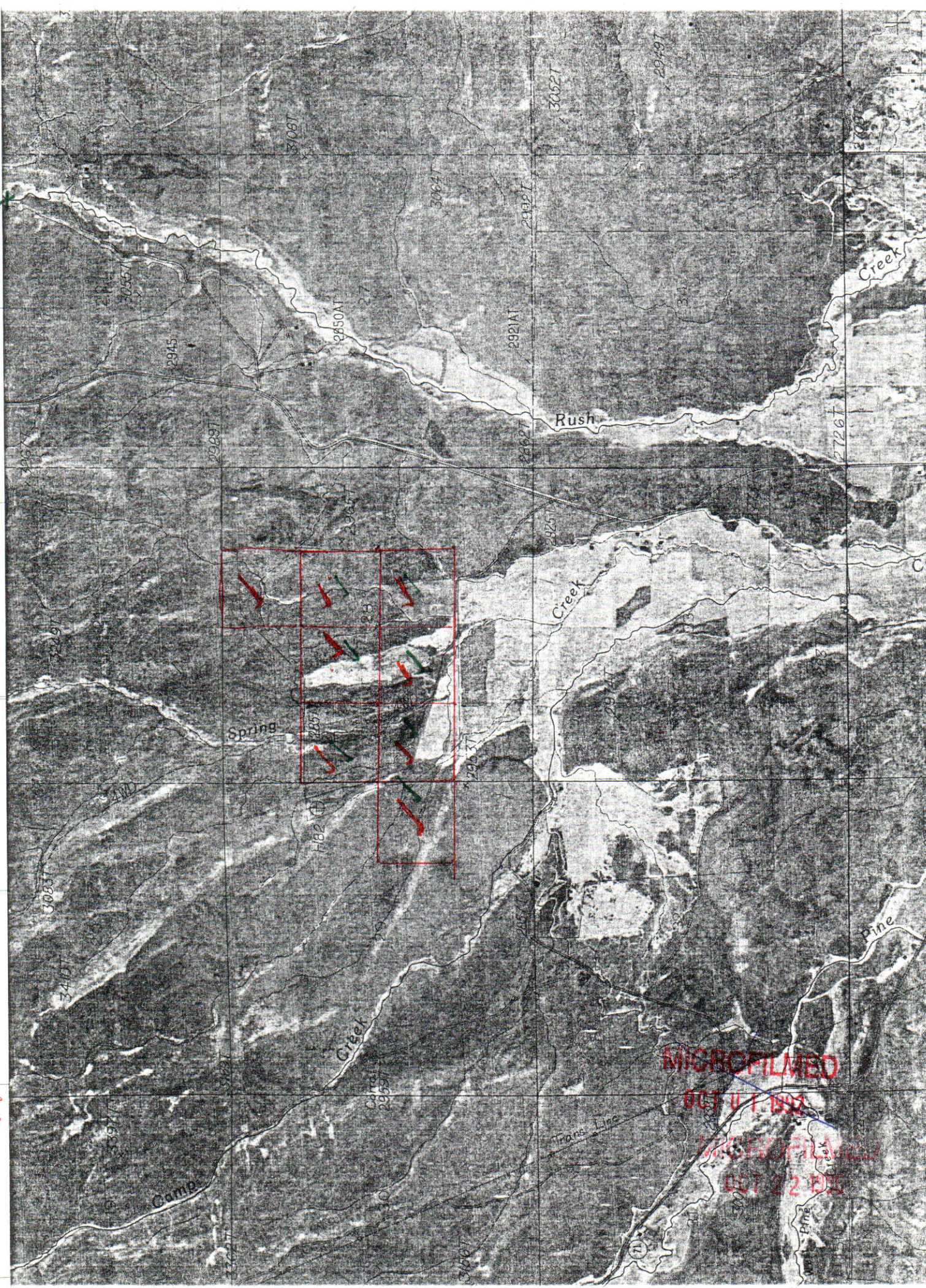


21000m L.
-67-4246
-67-00303

T15N, R3W, Sec. 28

P/D

POOR ORIC
POOR



POOF ORIGINAL

T15N
R3W
Sec. 28

MICROFILMED

OCT 11 1992

MICROFILMED

OCT 22 1996



DO NOT FILM

Case #7

Application for Transfer of Water Right

STATE OF IDAHO,

County of Washington } ss.

Charles R. Edwards,

, being first duly sworn, deposes and says:

That his name is Charles R. Edwards, : that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Conbridge, Idaho

That he is the owner and using a certain water right, bearing date of priority of March 20, 1911, for 1.02 cubic feet per second of the waters of Ruck Creek

County of Washington, State of Idaho, decreed to him by State Engineer, and later adjudication was had he was decreed 5/8 inches to acre in high water and 3/8 inches in low water, for 1/2 acres, by decree of Judge Ed L. Bryan of the Seventh Judicial District of the State of

Idaho, in and for the County of Washington, in the case of Muir Brothers

vs. W. W. Allison et al said decree bearing date of May 9, 1918.

also

(~~of~~ obtained by virtue of License No. 7341 issued by the State Engineer of the State of Idaho,

dated September 23, 1915, bearing date of priority of March 20, 1911, 19....

for the purpose of irrigating the following described lands situate, lying and being in Water District No.

in the County of Washington and State of Idaho, to-wit: SE 1/4 NW 1/4 SW 1/4 NE 1/4

NW 1/4 SE 1/4 Sec. 28 Twp. 15 N. R. 3 W. B. M.

and is the person (~~of the~~ ~~corporation~~) to whom such right so issued, ~~or in whose name the same~~ thereof in the following manner, i. e.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream at SE 1/4 SE 1/4 Sec. 15. T.

15 N. R. 3 W. B. M.

and conducted to the above described lands through Edwards Ditch .

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of Seven

of said water upon the above described land, and to convey and use same upon the following tract situate,

lying and being in the County of Washington and State of Idaho, to-wit:

NW 1/4 NE 1/4 Sec. 28 Twp. 15 N. R. 3 W. B. M.

That his reasons for desiring to make such transfer are as follows: That he has filed desert entry upon said NW 1/4 NE 1/4 Sec. 28 Twp. 15 N. R. 3 W. and must show water right for the same.

That he intends to divert and convey said 7 inches of water to the tract of land last above described in the following manner, to-wit: Thru Ditch, Lateral from Main Edwards Ditch, which lateral has been constructed and the water has been conveyed thru the same to the said lands, for three years.

as set forth upon the map hereto attached; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Master of Water District No. 5, in accordance with the provisions of Section 3264 of the Revised Codes of Idaho, as amended.

Subscribed and sworn to before me this 23 day of July,
A. D. 1918.

Edwards
Elizabeth Norton
Notary Public
Cambridge, Idaho

Applicant will answer the following questions:

From what stream is the water diverted? Rush Creek,

Where is the diversion point located? SE 1/4 Sec. 15, T. 15 N. R. 3 W. B. M.

Through what ditch is it now conducted? Edwards Ditch

How much land is now irrigated by the water sought to be transferred? Nine acres.

Give the description: Nine acres on the NW 1/4 Sec. 28 Twp. 15 N. R. 3 W. B. M.

What is the total amount of water in inches, or second feet, dedicated to said land? None so far
but I ask that seven inches be dedicated to the said land.

What kind of crops are being raised? Grain and Hay.

How much water per acre is now required to irrigate said land? One inch per acre.

What will be the effect on the land now irrigated, if the use of water on it is discontinued? The land will be rendered worthless and will not produce any crop of any kind.

From what stream will the water be diverted if the transfer is made? Rush Creek.

Give location of new point of diversion. Same old point of Diversion SE 1/4 Sec. 15 Twp. 15 N. R. 3 W. B. M.

Through what ditch will it be conducted after transfer? Edwards Ditch

How much water will be required per acre to irrigate the land to which this water is transferred? It will require 1 inch to the acre, but will have to use less and rotate the Court having allowed 3/8 inches to acre in low water and 1/2 inches to the acre in high water.

Do you claim any other water right for the land from which you seek to abandon the use of this water? No.

Is there now any other water right for the land to which you seek to make this transfer? No.

Signed Edwards
Applicant

STATE OF IDAHO,
County of Washington

John Norton and *Ed. Byers*
being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho; residing at *Cambridge, Idaho*, that he is a user of water from *Rough Creek*, in Water District No. *5*, County of *Washington*, State of Idaho; that he has read or heard read the foregoing petition and petition of *Charles R. Edwards*, and is familiar with its allegations and with the right and lands therein mentioned and described and is not in any way interested in either, nor related to said petitioner, that the statements and allegations therein made are true of his own knowledge and that no one will be injured by the granting of the certificate authorizing the transfer therein prayed for.

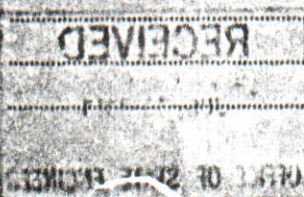
Subscribed and sworn to before me this *27* day of *July*

A. D. 191*8*

Elyabeth Norton
Notary Public, residing at
Cambridge, Idaho.

STATE OF IDAHO,
County of Washington

I, *J. B. Coyle*, Watermaster of *Rough Creek*, Water District No. *5*, County of *Washington*, State of Idaho, whose postoffice address is *Cambridge*, have read or heard read the foregoing affidavit and petition of *Charles R. Edwards*, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be made, and I hereby endorse my approval of said petition, and request that the State Engineer issue the certificate of transfer as petitioned; or ~~(do not approve of the issuance of the certificate of transfer prayed for for the following reasons:~~



J. B. Coyle
Watermaster, Dist. No. *5*

Dated at *Cambridge*, Idaho, this *27* day of *July*

Name of Applicant-

ST. 1
M. 1

SEC. SEC. SEC. SEC.

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK

October 13, 1918.

Re Transfer-Edwards.

Mr. D. L. Carter,
Cambridge, Idaho.

Dear Sir:--

Replying to yours of the 13th inst.
would say that a representative from this office
will be at your office on the 19th for the hearing
in the above transfer and Mr. Edwards should appear
at that time. An examination will also be made on
the ground.

Very truly yours,

FRED A. WILKIE,
State Engineer.

By _____

LAWYERS

FARM LOANS

INSURANCE

CAMBRIDGE, IDAHO.

Oct. 11, 1918

RECEIVED

OCT 15 1918

OFFICE OF STATE ENGINEER

State Engineer,
Boise,
Idaho.

Dear Sir:

The Hearing in the transfer of water of Charles R. Edwards is set for the 19th of this month. Will there be anything for Mr. Edwards to do on that date except send the affidavit of proof of publication to you? Mr. Edwards has until the 2nd of November to make showing of water right in the Land Office and if not made by that time his proof will be rejected. Will it be possible to get this transfer all completed and get the evidence in the Land Office by the 2nd of November?

Thanking you for any information you may give me,
I am very truly yours,
D. L. Carter.

Re: Application Transfer of Water Right.
Chas. R. Edwards.

Messrs. Donovan & Carter,
Cambridge, Idaho.

Gentlemen:

This is to acknowledge receipt of yours of the 29th, enclosing application for transfer of water right of Chas. R. Edwards. This application is not in proper form.

Fish Creek is in Water District No. 41E and there is no record in this office to show that J. B. Cox is watermaster on said stream. Mr. A. Flournoy Galloway of Telsor is watermaster and he may have appointed J. B. Cox as a deputy. However, I can take proper note of these things during the course of the hearing and will permit the application to proceed to a hearing.

Very truly yours,

State Engineer.

PAW/MB

T. Carter

State of
Boise,
Idaho.
Dear Sir
Right of
steps to
Desert

41E

LAWYERS

FARM LOANS

INSURANCE

CAMBRIDGE, IDAHO.

JUL 31 1913

OFFICE OF STATE ENGINEER

July 29, 1913.

State Engineer,
Boise,
Idaho.

Dear Sir:

Enclosed herewith application for Transfer of Water Right of Charles R. Edwards. Kindly take the necessary steps for this transfer as soon as possible as Mr. Edwards Desert Proof is being held up awaiting this transfer.

Thanking you, we are

very truly yours,

Wm. H. Edwards
J. E. M.

413

Re Transfer.

Mr. Charles R. Edwards,
Cambridge, Idaho.

Dear Sir:--

October 19th has been set as the date
for the hearing in the matter of your application
for transfer of water right and notice has today
been mailed to the Cambridge News for publication.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

_____ from the land to
_____ to the following
_____ And that
1918, at _____
before the _____
to any and all
cate should not
Fuller
Washington

Consented Transfer of Water Right

Notice is hereby given that _____ Charles _____ of _____ County, _____ Idaho, _____, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer the use of _____ seven _____ of the _____

Rush Creek

from the land upon which it is now used, i. e. _____ Sec. 28, _____ T. 15 N., R. 3 W., B. 11.

to the following described tract: _____ Sec. 28, T. 15 N., R. 3 W., B. 11.

And that, on the _____ 19th _____ day of _____ October _____, A. D.

1919, at _____ Cambridge, Idaho.

before the _____ State Engineer, _____, or his authorized agent, the opportunity will be given _____ and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Full details of this proposed transfer may be obtained upon _____

Watermaster at _____

Fred A. Willde,
State Engineer

FARM LOANS

INSURANCE

CHANDLER & CO. INC.

PLEASE ADVISE US CONCERNING THE MATTER IN HAND IN
ANYTHING YOU CAN DO TO FACILITATE THE MATTER. WE
AS SO. WE ARE OF THE OPINION THAT THE MATTER IS
BE PUBLISHED, THAT AT THE SAME TIME WE ARE NOT
LEAST OF THE MATTER BUT CAN NOT BE AVOIDED. WE
ORDERED THE PUBLICATION LONG BEFORE THAT.
WILL BE GLAD TO HEAR FROM YOU AT ONCE CONCERNING
THE MATTER.

very truly yours,
Devaney & Carter.

8/11

17, Case 7

DEPARTMENT OF WATER

LAWYERS

FARM LOANS

INSURANCE

SEP 14 1918

CAMBRIDGE, IDAHO OFFICE OF STATE ENGINEER

Sept. 17, 1918.

State Engineer,
Boise,
Idaho.

Dear Sir:

Mr. Charles R. Edwards is in receipt of letter from the Land Office which reads as follows "Your Desert Proof on D. E. 012694, has now been held suspended in this Office since July 1st 1918, awaiting evidence of water right. Unless the evidence is filed in this office before the close of this month it will be necessary to reject the proof."

Let this have your attention, very respectfully,
T. B. Chapman."

Mr. Edwards made the necessary application to your office for transfer of water to this land but you seem to have done nothing further with it.

Tr. Case 7

OFFICE OF THE STATE ENGINEER

BOISE, IDAHO.

October 21, 1918.

Re: Edwards Application for Transfer.

Rush Creek - Dist. 41E.

Mr. Fred A. Wilkie,

State Engineer,

Boise, Idaho.

Dear Sir:

On Friday, October 18, 1918, I made an examination of the lands mentioned in the application for transfer by C. K. Edwards, of Cambridge, Idaho. The land to which (NW¹/₄ NE¹/₄ - 28 - 15N - 3W) the water is sought to be transferred is very hilly and rocky; was taken up under the Desert Act by Mr. Edwards, and adjoins his 120 acre homestead. On this desert, about 8 acres are under cultivation and irrigation, and is the probable extent of tillable land, but more can be irrigated for pasture purposes.

The lands from which the water is desired to be taken were taken up under the Homestead Act by Edwards, and consist of the SW¹/₄ NE¹/₄, NW¹/₄ SE¹/₄, SE¹/₄ NW¹/₄, Sec. 28, Tp. 15 N., Rg. 3 W., and about 45 acres are under cultivation and irrigation - this cultivated area is scattering and in patches over the tract.

The water-right attached to this homestead is as follows: On March 20, 1911, Edwards took out permit No. 7341, and license for 1.14 second feet was issued under this permit on September 23, 1915. However, on May 9, 1918, a decree was rendered in the Seventh Judicial District of this State on the waters of Weiser River and its tributaries, on the basis of 5/8 inch per acre, high water right, and 3/8 inch per acre, during low water period. In this adjudication, Mr. B. R. Edwards was

decreed 27 inches from Rush Creek, having date of priority of March 20, 1911, which is the date of Edwards application for Permit in this office. Altho the desert entry had been irrigated for 3 years, previous to the suit, this land was not mentioned, in the pleadings of Edwards, as the entry was not in his name at that time, as the following will show.

Mr. Edwards homesteaded his lands about 15 years ago, but 3 years ago sold same to F. B. Hardy, who also made desert entry on the land to which the transfer is asked. Mr. Hardy used the water on both the homestead and desert land, but made no application for permit covering his desert entry. As Mr. Hardy failed to make his payments on the land, Mr. Edwards regained possession of his homestead prior to the adjudication of the Weiser waters, but did not get an assignment of the desert land from Hardy until late in the spring 1918.

Mr. Edwards' father owns land adjoining and was decreed 20 inches of water from Rush Creek, and the total of 47 inches, all diverted at the same point and in a joint ditch have been rotated over all lands appurtenant, and if the transfer is granted, this same procedure will be followed.

The above was all gathered by direct questioning of Mr. Edwards, at the hearing in Cambridge, Idaho, on October 19, 1918. No one appeared to protest against the granting of the application.

Attached is a plat showing lands from and to which - also a statement signed by Mr. Edwards, showing a claim of his water right.

Very truly yours,

W. B. Hardy

of use with of of case - dec the

Wat

at

STATEMENT OF CLAIM OF WATER RIGHT--DECREE OF COURT

This Certifies that I, Charles R. Edwards
of Cambridge, State of Idaho, claim right to the

use of water in the State of Idaho as follows:

27/50 second feet from Rush Creek,

with date of priority of March 20, 1911, confirmed by decree
of court of the Seventh Judicial District of the State
of Idaho in and for the County of Washington, in the
case of Snair Brothers versus

W.V. Allison et al, said

decree bearing date of May 9, 1918, and dedicated to
the following lands:

SE 1/4
SW 1/4
T. 28 N., R. 3 W.,
Sec. 28, T. 28 N., R. 3 W..

Charles R. Edwards.
-CLAUANT

Water District No. 41-E

recd. 18-1918
as Cambridge, Idaho.
873

RECEIVED

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WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-14095
Date Received: 9/26/1989
Receipt No: W006047
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: MELVIN A DOTSON
Address: 3101 RUSH CREEK RD
CAMBRIDGE ID

83610

208-257-3416

Name: INEZ G DOTSON
Address: 3101 RUSH CREEK RD
CAMBRIDGE ID

83610

208-257-3416

2. Date of Priority: MAR 20, 1911

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	22	SE	NE			WASHINGTON

5. Description of diverting works:
HEADGATE, WEIR, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		

7. Total Quantity Appropriated is:
0.940 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 222.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	28	SW	NW		IRR	9.0

A67-14095

Page 1

Date: 11/09/95

MICROFILMED

OCT 22 1996

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Renumbered to A67-14095

Ident. Number: A67-00303

Date Received: 9/26/1989

Receipt No: W006047

Received By: LC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MELVIN A. DOTSON 208-257-3416
Address: 3101 RUSH CREEK RD.
CAMBRIDGE, ID 83610

Name: INEZ G. DOTSON 208-257-3416
Address: 3101 RUSH CREEK RD.
CAMBRIDGE, ID 83610

2. Date of Priority: MAR 20, 1911

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4 Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	22	SE	NE			WASHINGTON

5. Description of diverting works:
HEADGATE, WEIR, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		

7. Total Quantity Appropriated is:
0.940 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 222.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A67-00303

Page 1

Date: 03/15/90

MICROFILMED

OCT 01 1992

MICROFILMED

OCT 22 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	28	SW	NW		IRR	9.0
			SE	NW		IRR	12.0
			NE	SW		IRR	24.0
			NW	SW		IRR	14.0
			NW	SE		IRR	15.0
						Section Acres	74.0
						Total Acres	74.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A67-04246

14. Remarks:

TRANS.#227.
WATER RIGHT NUMBER 67-00303 AND 67-00304 HAVE BEEN COMBINED IN
THIS FILING. THIS INCLUDED COMBINING THE AMOUNT OF WATER AND THE
PLACES OF USE.
ADDED THE POINT OF DIVERSION.
3/15/1990-AMENDED THE NUMBER OF ACRES UNDER PLACE OF USE
RESULTING IN A DECREASE FROM 320 TO 74 ACRES. NO OTHER CHANGES
MADE EXCEPT FOR THE ADDITION OF THE CONSUMPTIVE USE. SEE
ATTACHED LETTER REQUESTING THIS CHANGE. L.R.W.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

~~MICROFILMED~~

~~OCT 01 1992~~

~~MICROFILMED~~

~~OCT 22 1996~~

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

~~MICROFILMED~~
~~OCT 01 1992~~
~~MICROFILMED~~
OCT 22 1996

2

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

OCT 18 1989

Ident. Number: A67-00303
Date Received: 9/26/1989
Receipt No: W006047
Received By:

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN A. DOTSON 208-257-3416
Address: 3101 RUSH CREEK RD.
CAMBRIDGE, ID 83610

Name: INEZ G. DOTSON 208-257-3416
Address: 3101 RUSH CREEK RD.
CAMBRIDGE, ID 83610

2. Date of Priority: MAR 20, 1911

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	22	SE	NE			WASHINGTON

5. Description of diverting works:
HEADGATE, WEIR, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		

7. Total Quantity Appropriated is:
0.940 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A67-00303

Page 1

Date: 09/26/89

MICROFILMED

OCT 11 1992

OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	28	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	280.0
		29	NE	SE		IRR	40.0
						Section Acres	40.0
						Total Acres	320.0

Handwritten notes: 0, 0, 9, 12, 24, 14, 15, 74, 0, 0, 74

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A67-04246

14. Remarks:

TRANS.#227.

WATER RIGHT NUMBER 67-00303 AND 67-00304 HAVE BEEN COMBINED IN THIS FILING. THIS INCLUDED COMBINING THE AMOUNT OF WATER AND THE PLACES OF USE.

ADDED THE POINT OF DIVERSION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

MICROFILMED

OCT 01 1992

MICROFILMED

OCT 22 1990

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-00303
Date Received: 9/26/1989
Receipt No: W006047
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN A. DOTSON 208-257-3416
Address: 3101 RUSH CREEK RD.
CAMBRIDGE, ID 83610
OR
Name: INEZ G. DOTSON 208-257-3416
Address: 3101 RUSH CREEK RD.
CAMBRIDGE, ID 83610
2. Date of Priority: MAR 20, 1911
3. Source: RUSH CREEK Trib. to: WEISER RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	22	SE	NE			WASHINGTON
5. Description of diverting works:
HEADGATE, WEIR, DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		
7. Total Quantity Appropriated is:
0.940 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

MICROFILMED

OCT 01 1992

MICROFILMED

OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15N	03W	28	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	280.0
		29	NE		SE		IRR	40.0
							Section Acres	40.0
							Total Acres	320.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A67-04246

14. Remarks:
TRANS.#227.
WATER RIGHT NUMBER 67-00303 AND 67-00304 HAVE BEEN COMBINED IN
THIS FILING. THIS INCLUDED COMBINING THE AMOUNT OF WATER AND THE
PLACES OF USE.
ADDED THE POINT OF DIVERSION.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR
Decree Plaintiff

vs

WILLIAM ALLISON
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Melvin A. Dotson Date: Sept. 26, 1989
Inez G. Dotson Date: Sept. 26, 1989

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26 day

of Sept 19 89

Linda Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

P/D

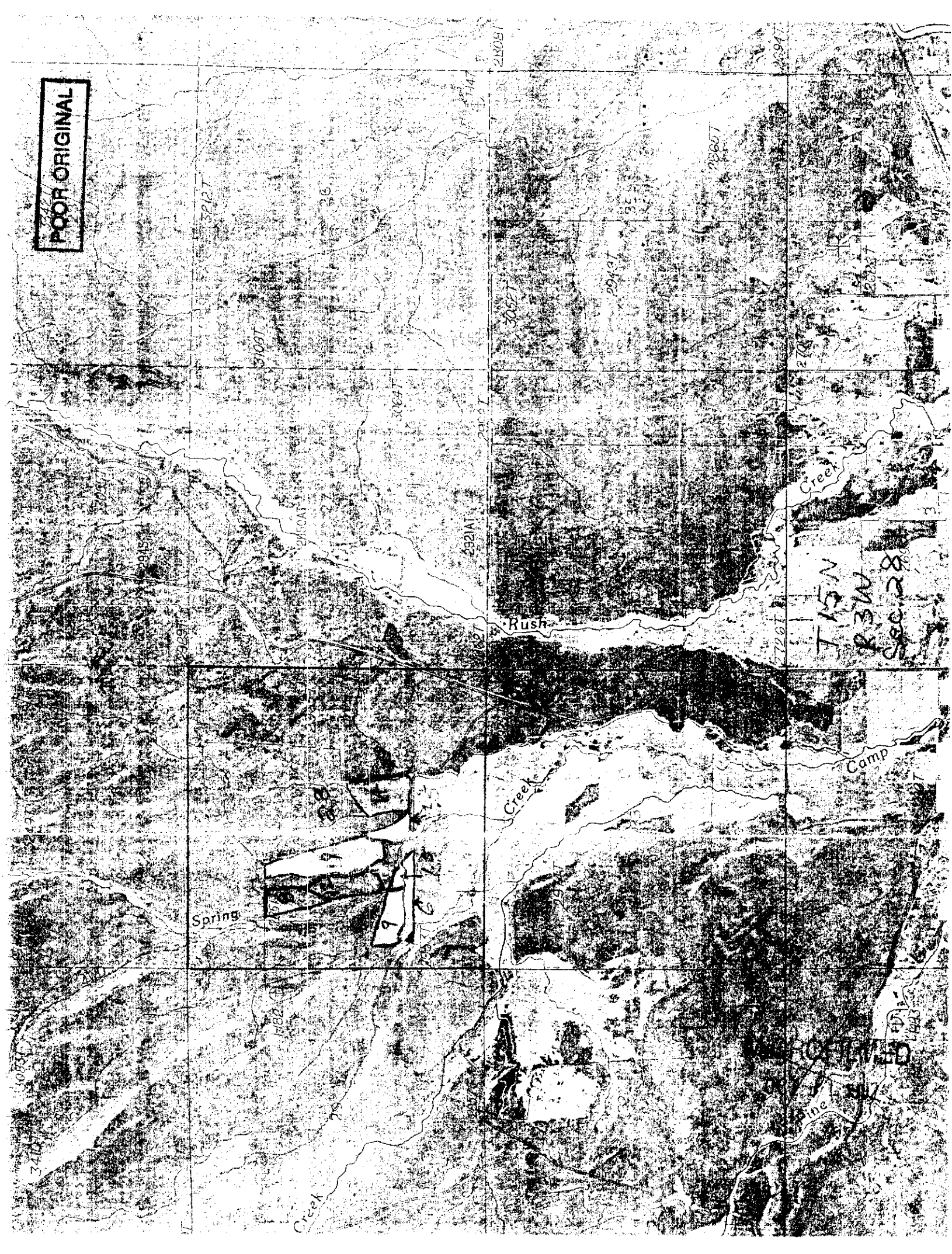
POOR ORIC

T15N, R3W, Sec. 28

21000m. L.
- 67-4246
- 67-00303



POOR ORIGINAL



STATE OF IDAHO

OFFICE OF THE STATE ENGINEER

Certificate of Water Right

WATER DISTRICT No. 41 E

THIS IS TO CERTIFY, That Charles R. Edwards of Cambridge, State of Idaho, has a right to the use of the waters of Water Dist. No. 41, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, in the case of John T. Muir, et al, plaintiffs, vs. William Allison, et al, defendants, dated the 9th day of May, 1918, by Ed. L. Bryan, Judge, wherein 0.54 second feet of the waters of Rush Creek, in Water District No. 41 E, were dedicated to the lands described in the following table; the said decree being entered of record at Boise, Idaho, in the records of the State Engineer, in Volume 4 of Decrees, pages 61 to 141, inclusive.

The point of diversion is located in the _____

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes and shall not exceed:

FLOOD WATER SEASON
0.54 sec. ft. dated March 20, 1911

LOW WATER SEASON
The decree fixes low water duty at 3/8 inch per acre, at which point priorities begin to take effect.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15	3W	28			40				40								40		120

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 Idaho.

WITNESS the seal and signature of the State Engineer of the State of Idaho, affixed at Boise, Idaho, this 13th day of March, 1919.

Recorded in Water Dist. No. 41 E

State Engineer.

By Dwight H. Chapman
3-20-19

STATE OF IDAHO

OFFICE OF THE STATE ENGINEER

Certificate of Water Right

WATER DISTRICT No. 41E

THIS IS TO CERTIFY, That E. E. Edward Administrator of Cambridge, State of Idaho, has a right to the use of the waters of Water Dist. No. 41, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, in the case of John T. Muir, et al, plaintiffs, vs. William Allison, et al, defendants, dated the 9th day of May, 1918, by Ed. L. Bryan, Judge, wherein 0.4 second feet of the waters of Rush Creek, in Water District No. 41E, were dedicated to the lands described in the following table; the said decree being entered of record at Boise, Idaho, in the records of the State Engineer, in Volume 4 of Decrees, pages 61 to 141, inclusive.

The point of diversion is located in the

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes and shall not exceed:

FLOOD WATER SEASON
0.4 sec. ft. dated March 20, 1911

LOW WATER SEASON

The decree fixes low water duty at $3/8$ inch per acre, at which point priorities begin to take effect.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15	3W	29													40				160
		28							40		40	40							

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 Idaho.

WITNESS the seal and signature of the State Engineer of the State of Idaho, affixed at Boise, Idaho, this 13th day of March, 1919.

Recorded in Water Dist. No. 41E

State Engineer.

By Sewell H. Chapman
3-20-19



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

NOV 28 1995

WATER RESOURCES
WESTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 9, 1995

Melvin A. Dotson
Inez G. Dotson
3101 Rush Creek Rd.
Cambridge, ID 83610

Re: Identification Number Change for a Notice of Claim in the
Snake River Basin Adjudication (SRBA)
Washington County - Claim No. A67-14095

Dear Mr. and Mrs. Dotson,

The identification number of your Notice of Claim to a Water Right has been changed from A67-00303 to A67-14095. The claim you filed actually combines two existing rights: 67-00303 and 67-00304. The Idaho Department of Water Resources assigns identification numbers to claims that will allow processing without duplication or confusion; this change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new identification number. Refer to this record number in any future inquiries or correspondence. Please do not hesitate to contact this office, if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm:west
Enclosures:
copy of Notice of Claim

MICROFILMED

OCT 22 1995

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

Date

Head of Agency or Institution

State Auditor

OCT 22 1995

TO: Debbie Allen

FROM: D. Shaff *DS*

DATE: 3-26-90

RE: Receipt W 006047 Refund

Please process a refund of \$ 246.⁰⁰ to:

Inez Dotson
3101 Rush Creek Rd.
Cambridge, ID 83610

A67-00303

~~MICROFILMED~~
~~OCT 01 1992~~

~~MICROFILMED~~
~~OCT 22 1990~~

8

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 0006047

Date: 09/26/89
Time: 15:01:46

Received
From: DOTSON, INEZ

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$445.00
Total		\$445.00

CHECK 1067

WR/ND: A67-04246 A67-00303 A67-10322

Idaho Department of Water Resources

Region: WESTERN

Signature: Linda Warner

MICROFILMED
OCT 01 1992
MICROFILMED
OCT 22 1996

POOR ORIGINAL

CONVERSATION MEMORANDUM

DATE 3-15-1990

FILE AG7-4246

NAME OF PARTY Dotson, Milvin

EMPLOYEE Linda Warner

RE: Claimants request to amend acreage.

Above claim indicates a change to decrease acres to 15 acres where no quarter quarter is shown. Is this a duplicate of AG7-00303 where there is 15 acres indicated in the NWSE 1/4, Section 28, T 15N, R 3W? YES - It is a duplicate. The 74 acres is the actual amount indicated. Add the acres to make it 74.

INTER-DEPARTMENT MEMO — 1

DATE 3-15-90

FROM Linda Warner
TO Don Schaff

SUBJECT Please issue a refund to Mrs. Dotson for \$246.00. They amended their claims to show a decrease in acreage. From 320 to 74. Reason is when they filed they thought they had to pay on all property owned - not just irr. acreage.

3101 Rush Creek Rd.
Cambridge, ID 83610

RECEIVED
MAR 19 1990

MICROFILMED
OCT 22 1990
JUL 1 1992

Linda Warner
SIGNATURE

Department of Water Resources

March 15, 1990

Melvin and Inez Dotson
3101 Rush Creek Rd.
Cambridge, ID 83610

Dear Mr. and Mrs. Dotson;

Enclosed are the copies of the amended Notices of Claim to a Water Right, A67-00303 and A67-04246. Please take special note of the acreages for both claims which you will find on page two. Both claims reflect the same number of acreages for the same areas.

I have initiated the procedure for a partial refund of the fee you paid for these claims. This will take some time. In the meantime, if I can be of further assistance, please don't hesitate to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

~~MICROFILMED~~
~~OCT 01 1992~~

~~MICROFILMED~~
~~OCT 22 1996~~

MS. WERNER

WE ARE RETURNING THE
WATER CLAIM WITH THE NUMBER
OF ACRES IN EACH QUARTER ACRE
SECTION -

Hope this will clear
everything up -

Thanks -

Melvin A. Dotson
Inez M. Dotson

RECEIVED

JAN 31 1990

Department of Water Resources
Western Regional Office

MICROFILMED

OCT 01 1992

MICROFILMED
OCT 27 1990

MIC
OCT

January 25, 1990

Melvin and Inez Dotson
Route 1
Cambridge, ID 83610

Dear Mr. and Mrs. Dotson;

I have received your letter of January 3 in regard to the decrease in number of acres irrigated.

The map which you sent me indicates where these acres are located; however, they must be broken down into quarter, quarter (40 acre) sections. Therefore, to insure accuracy in amending these claims, I am returning the map and the copies of the claims and request that you break these down into the respective 40 acre sections. Indicate these on the claims under item 10 (your page numbers 3 and 6).

Please return this information to my attention. At that time I will amend the claims and order any refund due you.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

~~TOFILMED~~
01 1992

MICRO

01 1992

JANUARY 3, 1990

DEAR MS. WERNER

we ARE Returning your MAP
with the irrigated Acres (74) outlined.
Hope this is what you WANTED.

we ARE not sending ANY PROOF
to change the Priority Date. Leaving
it the way it is, is Fine with us.
we thought there was a mistake -
But if not, leave it Alone.

Thank you
Melvin Dotson
Inez^{or} Dotson

RECEIVED

JAN 05 1990

Department of Water Resources
Western Regional Office

~~MICROFILMED~~

~~OCT 01 1992~~

MICROFILMED

OCT 22 1996

OCT

December 15, 1989

Melvin or Inez Dotson
3101 Rush Creek Rd.
Cambridge, ID 83610

Dear Mr. and Mrs. Dotson;

This office has received your letter of October 14, 1989, requesting a change in irrigated acres and the priority date for water right claims A67-00303 and A67-04246.

I have enclosed an aerial photograph of your property on which you may outline the irrigated acres. These acreages need to be designated to the nearest quarter, quarter section. The ASCS map you sent makes it difficult to ascertain these quarter, quarter sections.

In regard to the priority date--please specify what this date should be. To help insure that a new priority date will be accepted it would be helpful if you could send some documentation in support of a different priority. Such documentation may include a statement from a neighbor who is aware of the first usage date, or pictures of an old diversion supporting usage back to the date you claim, power bills, etc.

When I receive this new information I will amend your claims and issue a refund. If you have questions, feel free to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resources Agent
Adjudication Section

Enclosure: Map

~~MICROFILMED~~

~~OCT 21 1992~~

~~MICROFILMED~~
~~OCT 22 1990~~

RECEIVED

OCT 18 1989

October 14, 1989

Department of Water Resources
Western Regional Office

DEAR SIRs -

I Recently Filed My water claim.
I believe there were errors made
when I filed.

Included with this letter ARE
copies of my claim along with a
map. I have number the pages
in red at the top.

ON the map, or page I, I have
outlined my irrigated acres in
red and wrote the acres in each
field. As you can see the irrigated
acres is 74, not 320 as stated
on page 3. Therefore the fee I
paid on page 8 is wrong.

On page 5 is Flood water I filed
on February 28, 1978. It says the
priority date is March 20, 1911 - I
believe this is wrong. Also, the total
acres on page 6 should be corrected.

MICROFILMED

OCT 01 1992

Thank you

Melvin A. Dotson

Imez L. Dotson

MICROFILMED

OCT 22 1996

Application for Transfer of Water Right

STATE OF IDAHO

County of Washington

Charles R. Edwards,

being first duly sworn, deposes and says:

That his name is Charles R. Edwards, that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is, Condrine, Idaho.

That he is the owner and using a certain water right, bearing date of priority of March 20, 1911, for 1.02 cubic feet per second of the waters of Rush Creek.

County of Washington, State of Idaho, decreed to him by State Engineer, and later adjudication was had he was decreed 5/8 inches to acre in high water and 3/4 inches in low water, for 5 acres, by decree of Judge 24 D. Bryan, of the Southern Judicial District of the State of

Idaho in and for the County of Washington, in the case of Muir Brothers

vs. W. W. Allison et al

said decree bearing date of May 9, 1918.

also (or obtained by virtue of License No. 7341 issued by the State Engineer of the State of Idaho, dated September 23, 1915), bearing date of priority of March 20, 1911, 19

for the purpose of irrigating the following described lands situate, lying and being in Water District No.

in the County of Washington and State of Idaho, to-wit: SE 1/4 NW 1/4, SW 1/4 NW 1/4,

NE 1/4 SE 1/4 Sec. 28 Twp. 15 N. R. 3 W. B. M.

and is the person (or the person to whom such right so issued, or the owner thereof in the following manner, i. e.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream at SE 1/4 SE 1/4 Sec. 15. T. 15 N. R. 3 W. B. M.

and conducted to the above described lands through Edwards Ditch.

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of Seven

of said water upon the above described land, and to convey and use same upon the following tract situate,

lying and being in the County of Washington and State of Idaho, to-wit:

NW 1/4 NE 1/4 Sec. 28 Twp. 15 N. R. 3 W. B. M.

That his reasons for desiring to make such transfer are as follows: That he has filed desert entry upon said NW 1/4 NE 1/4 Sec. 28 Twp. 15 N. R. 3 W. B. M. and must show water right for the same.

That he intends to divert and convey said 7 inches of water to the tract
land above described in the following manner, to-wit: Thru Ditch, lateral from
Edwards Ditch, which lateral has been constructed and the
water has been conveyed thru the same to the said lands
for three years.

as set forth upon the map hereto attached; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to
him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Master
of Water District No. 6, in accordance with the provisions of Section 3264 of the Revised Codes of
Idaho, as amended.

Subscribed and sworn to before me this 23 day of July,
A. D. 1918.

Edgar R. Edwards

Elizabeth Norton

Notary Public

Applicant will answer the following questions:

From what stream is the water diverted? Rush Creek

Where is the diversion point located? Sec. 15, Twp. 15 N., R. 3 W., B. 1 E.

Through what ditch is it now conducted? Edwards Ditch

How much land is now irrigated by the water sought to be transferred? Nine acres

Give the description: Nine acres on the NW 1/4 Sec. 28 Twp. 15 N., R. 3 W., B. 1 E.

What is the total amount of water in inches, or second feet, dedicated to said land? None

but I ask that seven inches be dedicated to the said land.

What kind of crops are being raised? Grain and Hay

How much water per acre is now required to irrigate said land? One inch per acre

What will be the effect on the land now irrigated, if the use of water on it is discontinued? The
land will be rendered worthless and will not produce any crop
of any kind.

From what stream will the water be diverted if the transfer is made? Rush Creek

Give location of new point of diversion: Same old point of Diversion Sec. 32, Twp. 15 N., R. 3 W., B. 1 E.

Through what ditch will it be conducted after transfer? Edwards Ditch

How much water will be required per acre to irrigate the land to which this water is transferred? I
require 1 inch to the acre, but will have to use less and water
the Court having allowed 3/8 inches to acre in low water and 1
inches to the acre in high water.

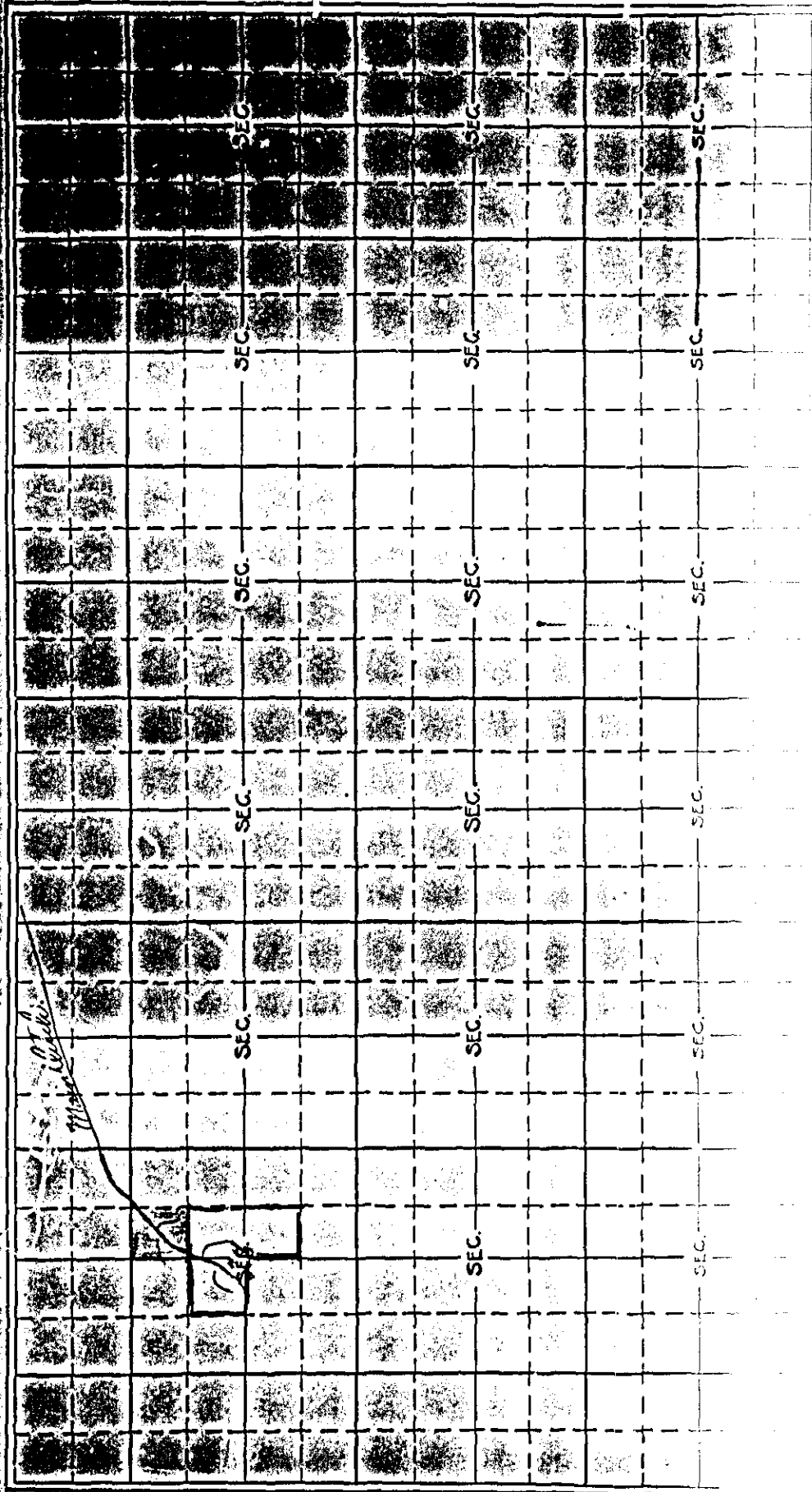
Do you claim any other water right for the land from which you seek to abandon the use of this water? No

Is there now any other water right for the land to which you seek to make this transfer? No

Signed Edgar R. Edwards

Applicant

Name of Applicant



SCALE 2 INCHES = 1 MILE DRAW PLAN IN INK

October 13, 1918.

Re Transfer-Edwards.

Mr. D. L. Carter,
Cambridge, Idaho.

Dear Sir:--

Replying to yours of the 13th inst. would say that a representative from this office will be at your office on the 19th for the hearing in the above transfer and Mr. Edwards should appear at that time. An examination will also be made on the ground.

Very truly yours,

FRED A. WILKIN

State Engineer

By

LOWLES

FARM LOANS

INSURANCE

CAMBRIDGE, IDAHO.

Oct. 11, 1918

RECEIVED

OCT 15 1918

OFFICE OF STATE ENGINEER

State Engineer,
Boise,
Idaho.

Dear Sir:

The Hearing in the transfer of water of Charles R. Edwards is set for the 19th of this month. Will there be anything for Mr. Edwards to do on that date except send the affidavit of proof of publication to you? Mr. Edwards has until the 2nd of November to make showing of water right in the Land Office and if not made by that time his proof will be rejected. Will it be possible to get this transfer all completed and get the evidence in the Land Office by the 2nd of November?

Thanking you for any information you may give me,
I am very truly yours,
D. L. Carter.

Re: Application Transfer of Water Right.
Chas. R. Edwards.

Messrs. Downey & Carter,
Cambridge, Idaho.

Gentlemen:

This is to acknowledge receipt of yours of the 29th,
enclosing a plication for transfer of water right of Chas.
R. Edwards. This application is not in proper form.

When Creek is in Water District No. 413 and there is
no record in this office to show that J. B. Cox is water-
master on said stream. Mr. A. Flournoy Galloway of Weiser
is watermaster and he may have appointed J. B. Cox as a
deputy. However, I can take proper note of these things
during the course of the hearing and will permit the appli-
cation to proceed to a hearing.

Very truly yours,

State Engineer

State
Boise,
Idaho.
Dear Sir

Right of
Steps to
Desert

413

LAWYERS

FARM LOANS

INSURANCE

CAMBRIDGE, IDAHO.

JUL 31 1913

OFFICE OF STATE ENGINEER

July 29, 1918.

State Engineer,
Boise,
Idaho.

Dear Sir:

Enclosed herewith application for Transfer of Water Right of Charles R. Edwards. Kindly take the necessary steps for this transfer as soon as possible as Mr. Edwards Desert Proof is being held up awaiting this transfer.

Thanking you, we are

very truly yours,

Wm. J. Edwards

W. J. E.

Re Transfer.

Mr. Charles R. Edwards,
Cambridge, Idaho.

Dear Sir:--

October 19th has been set as the date
for the hearing in the matter of your application
for transfer of water right and notice has today
been mailed to the Cambridge News for publication.

Very truly yours,

FRED A. WILKIE,

State Engineer.

By _____

_____ in
authorizing him
_____ from the land
_____ to the following
_____ And that
191-8, at
before the _____
to any and all
cate should not
_____ ~~Excluded~~

Exhibit to the State of Idaho for a

Notice is hereby given that _____ has applied to the State of Idaho for a _____
authorizing him to use of _____

_____ Rush Creek _____
from the land upon which it is now used, i. e. _____ Sec. 28,

T. 15 N., R. 3 W., S. 11.

to the following described tract: _____ Sec. 28, T. 15 N., R. 3 W., S. 11.

And that, on the _____ 19th _____ day of _____ October _____ A. D.

_____ Cambridge, Idaho, _____
State Engineer, _____
before the _____
all persons to appear and present for his consideration any reason or reasons why a certifi-

_____ should not be issued authorizing such transfer, _____
_____ of the _____
_____ State Engineer

_____ Fred A. Williams
State Engineer

FARM LOANS

Insurance

When you receive the check for the
amount of the loan, please
to pull the money out of the
bank and deposit it in the
savings account. The bank has
ordered the participation loan
will be glad to hear from you at any time concerning
the matter.

Very truly yours,
Devaney & Carter.

6/11

Tr. Case 7

OFFICE OF STATE ENGINEER
CAMBRIDGE, IDAHO

Sept. 17, 1918.

State Engineer,
Boise,
Idaho.

Dear Sir:

Mr. Charles R. Edwards is in receipt of letter from the Land Office which reads as follows: "Your Desert Proof on D. E. 012694, has now been held suspended in this Office since July 1st 1918, awaiting evidence of water right. Unless the evidence is filed in this office before the close of this month, the will be necessary to reject the proof."

Let this have your attention, very respectfully
T. B. Chapman.

Mr. Edwards made the necessary application to your office for transfer of water to this land but you seem to have done nothing further with it.

12.6.18

OFFICE OF THE STATE ENGINEER

BOISE, IDAHO.

March 21, 1919.

Wm. H. Edwards, Application for Transfer.

See Case No. Dist. 412.

Wm. H. Edwards.

State Engineer.

Boise, Idaho.

On Friday, October 18, 1918, I made an examination of the land mentioned in your application for transfer by C. K. Edwards, of Cambridge, Idaho, and found 45 acres (1/2 Sec. 28, 1/4 Sec. 15N, 3W) the water is such as to be transferred to the 1/2 Sec. 28, 1/4 Sec. 15N, 3W taken up under the Desert Act by Mr. Edwards, (see Case No. 120) homestead. On this desert, about 8 acres are under cultivation and 37 acres are the probable extent of tillable land, but more land is required for irrigation purposes.

The lands from which the water is desired to be taken were taken under the homestead act by Edwards, and consist of the SW 1/4 Sec. 28, 1/4 Sec. 15N, 3W, and about 45 acres are under cultivation and irrigation. The cultivated area is scattering and in patches over the tract.

The water-right attached to this homestead is as follows: On March 20, 1911, Edwards took out permit No. 7341, and License for 1.10 second feet was issued under the permit on September 23, 1915. However, on May 9, 1918, a decree was rendered in the Seventh Judicial District of this State on the waters of Walter River and its tributaries, on the basis of 5/8 inch per acre high water right and 5/8 inch per acre during low water period. In this adjudication, Mr. C. K. Edwards was

decreed 27 inches from Rush Creek, having date of priority of March 20, 1911, which is the date of Edwards application for Permit in this office. Although the desert entry had been irrigated for 3 years, previous to the suit, this land was not mentioned in the pleadings of Edwards, as the entry was not in his name at that time, as the following will show.

Mr. Edwards homesteaded his lands about 15 years ago, but 3 years ago sold same to Mr. Hardy, who also made desert entry on the land to which the transfer was made. Mr. Hardy used the water on both the homestead and desert land, but made no application for permit covering his desert entry. As Mr. Hardy failed to make his payments on the land, Mr. Edwards regained possession of his homestead prior to the adjudication of the Weiser waters, but did not get an assignment of the desert land from Hardy until late in the spring 1918.

Mr. Edwards' father owns land adjoining and was decreed 20 inches of water from Rush Creek, and the total of 47 inches, all diverted at the same point and in a joint ditch have been rotated over all lands appurtenant, and if the transfer is granted, this same procedure will be followed.

The above was all gathered by direct questioning of Mr. Edwards, at the hearing in Cambridge, Idaho, on October 19, 1918. No one appeared to protest against the granting of the application.

Attached is a plat showing lands from and to which - also a statement signed by Mr. Edwards, showing a claim of his water right.

Very truly yours,

S. H. B. B.

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ac

STATEMENT OF CLAIM OF WATER RIGHT--DECREES OF COURT

This Certifies that I, Charles R. Edwards
of Cambridge, State of Idaho, claim right to the
use of water in the State of Idaho as follows:

27/50 second feet from Dush Creek,

with date of priority of March 10, 1911, confirmed by decree

of court of the Seventh Judicial District of the State

of Idaho in and for the County of Washington, in the

case of Snir Brothers versus

W.V. Allison et al, said

decree bearing date of May 9, 1916, and dedicated to

the following lands:

Section 36, Township 36N, Range 3E, Sec. 28, T. 15N., R. 3E.

Charles R. Edwards
--CLAIMANT

Water District No. 41-2

*Sec. 18-1918
as Cambridge, Idaho.
1913*

NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
------	------------------	-------------------	--------------

Edwards, Charles K.

0.54

67-0303

Edwards, Charles R.

0.54

0

67-0303A