

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-2049

NAME AND ADDRESS:

STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE:

Source:
SHERIDAN CREEK

Tributary:

ISLAND PARK RESERVOIR

QUANTITY:

3.000 CFS

PRIORITY DATE:

09/02/1911

POINT OF DIVERSION:

T13N R41E S27 NWSW
Within FREMONT County

T13N R41E S34 NWNE
Within FREMONT County

T13N R41E S35 SWNE
Within FREMONT County

Fwp

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	05/01 10/31	3.000 CFS

PLACE OF USE:

IRRIGATION within FREMONT County

T12N R41E S01 Lot 3 NENW 9.1

T12N R41E S01 NWSW 8.2

T12N R41E S02 Lot 1 NENE 7.3

T12N R41E S02 Lot 2 NWNE 23.0

T12N R41E S02 Lot 3 NENW 29.0

~~T12N R41E S02 Lot 4 NENW 3.1~~

T12N R41E S02 NESW 10.0

T12N R41E S02 NESE 27.0

T12N R41E S02 NWSE 26.0

T13N R41E S26 NESW 17.0

T13N R41E S26 NWSW 19.0

T13N R41E S26 SWSW 23.0

T13N R41E S26 SESW 40.0

T13N R41E S26 SWSE 11.0

T13N R41E S35 NENE 33.0

T13N R41E S35 NWNE 25.0

T13N R41E S35 SENE 30.0

T13N R41E S35 NENW 8.5

T13N R41E S35 NESE 1.3

T13N R41E S36 SWNE 6.8

T13N R41E S36 NENW 4.5

T13N R41E S36 NWNW 20.0

T13N R41E S36 SWNW 40.0

T13N R41E S36 SENW 39.0

T13N R41E S36 NESW 40.0

JAG

*ENC
NBS
D/B*

T13N R41E S36 NWSW 39.0
T13N R41E S36 SWSW 14.0
T13N R41E S36 SESW 40.0
T13N R41E S36 NWSE 22.0
T13N R41E S36 SWSE 10.0

FWP

622.7 ACRES TOTAL

~~625.8 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 622.7 acres in a single irrigation season. Combined Right Nos.: 21-91, 21-11277, 21-2049, 21-92, 21-11276, and 21-90.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

EMC
NBS

LAR

DJB



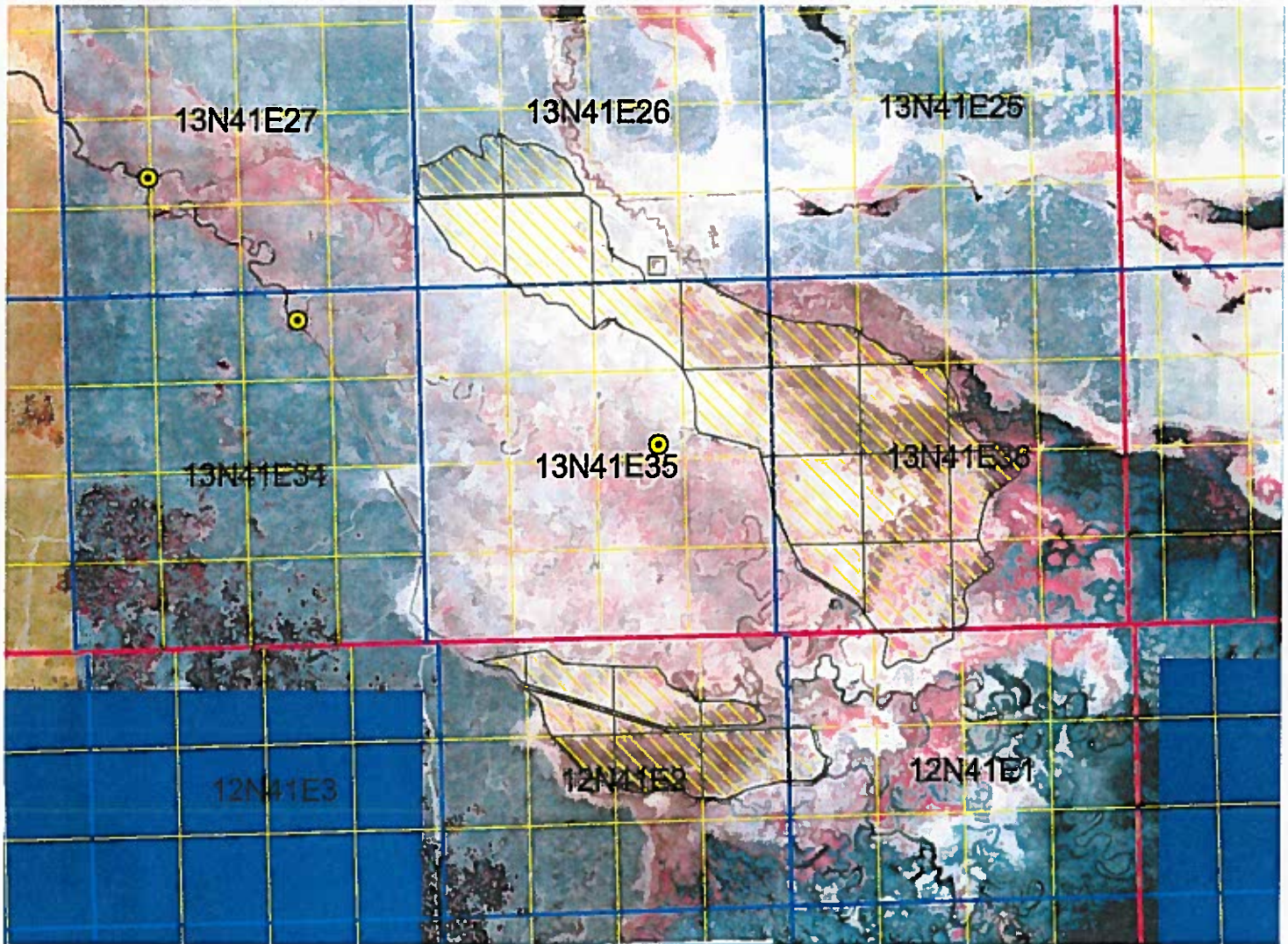
State of Idaho

Department of Water Resources

Eastern Region



Water Right(s): 21-90, 21-11276, 21-92,
21-2049, 21-11277, 21-91



1320 0 1320 2640 3960 5280 6600 7920 9240 Feet

PROFIT

SCANNEL
JUN 23 2006



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: May 2005

07/05/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-2049

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065

SOURCE: SHERIDAN CREEK

TRIBUTARY: ISLAND PARK RESERVOIR

QUANTITY: 3.000 CFS

PRIORITY DATE: 09/02/1911

POINT OF DIVERSION:

T13N R41E S27 NWSW Within FREMONT County

T13N R41E S34 NWNE Within FREMONT County

T13N R41E S35 SESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	3.000 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T12N R41E S01 Lot 3 NENW	9.1	T12N R41E S01	NWSW	8.2
T12N R41E S02 Lot 1 NENE	7.3	T12N R41E S02 Lot 2 NWNE		23.0
T12N R41E S02 Lot 3 NENW	29.0	T12N R41E S02 Lot 4 NWNW		3.1
T12N R41E S02	NESW 10.0	T12N R41E S02	NESE	27.0
T12N R41E S02	NWSE 26.0	T13N R41E S26	NESW	17.0
T13N R41E S26	NWSW 19.0	T13N R41E S26	SWSW	23.0
T13N R41E S26	SESW 40.0	T13N R41E S26	SWSE	11.0
T13N R41E S35	NENE 33.0	T13N R41E S35	NWNE	25.0
T13N R41E S35	SENE 30.0	T13N R41E S35	NENW	8.5
T13N R41E S35	NESE 1.3	T13N R41E S36	SWNE	6.8
T13N R41E S36	NENW 4.5	T13N R41E S36	NWNW	20.0
T13N R41E S36	SWNW 40.0	T13N R41E S36	SENW	39.0
T13N R41E S36	NESW 40.0	T13N R41E S36	NWSW	39.0
T13N R41E S36	SWSW 14.0	T13N R41E S36	SESW	40.0
T13N R41E S36	NWSE 22.0	T13N R41E S36	SWSE	10.0

625.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 625.8 acres in a single irrigation season. Combined Right Nos.: 21-91, 21-11277, 21-2049, 21-92, 21-11276, and 21-90.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

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 21-2049
Date Received: 5/3/1990
Receipt No: C016662
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STATE OF IDAHO Phone: (208)334-4180

DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID USA 83720-0065

2. Date of Priority: 09/02/1911

3. Source: SHERIDAN CREEK Trib. to: ISLAND PARK RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	41E	27	NW SW	FREMONT	
13N	41E	34	NW NE	FREMONT	
13N	41E	35	SE SE	FREMONT	

5. Description of diverting works:

WATER IS DIVERTED FROM SHERIDAN CREEK BY MEANS OF DAMS DITCHES HEAD GATES AND
GRAVITY FLOW IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/31	3	

7. Total Quantity Appropriated is:
3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
12N	41E	1	NE	NW	3	IRRIGATION	9.1
			NW	SW		IRRIGATION	8.2
						Section Acres	17.3
12N	41E	2	NE	NE	1	IRRIGATION	7.3
			NW	NE	2	IRRIGATION	23.1
			NE	NW	3	IRRIGATION	28.6
			NW	NW	4	IRRIGATION	3.1
			NE	SW		IRRIGATION	10.1
			NE	SE		IRRIGATION	27.4
			NW	SE		IRRIGATION	26.1
						Section Acres	125.7
12N	41E	26	NE	SW		IRRIGATION	17.2
			NW	SW		IRRIGATION	19.4
			SW	SW		IRRIGATION	23.1
			SE	SW		IRRIGATION	40
			SW	SE		IRRIGATION	11
						Section Acres	110.7
12N	41E	35	NE	NE		IRRIGATION	33.3
			NW	NE		IRRIGATION	25.1
			SE	NE		IRRIGATION	30.1
			NE	NW		IRRIGATION	8.5
			NE	SE		IRRIGATION	1.3
						Section Acres	98.3
12N	41E	36	SW	NE		IRRIGATION	6.8
			NE	NW		IRRIGATION	4.5
			NW	NW		IRRIGATION	19.8
			SW	NW		IRRIGATION	40.2
			SE	NW		IRRIGATION	39.3
			NE	SW		IRRIGATION	40.2
			NW	SW		IRRIGATION	38.8
			SW	SW		IRRIGATION	14.4
			SE	SW		IRRIGATION	39.6
			NW	SE		IRRIGATION	21.5
			SW	SE		IRRIGATION	10.2
						Section Acres	275.3

Total Acres 627.3

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

TRANSFER 190.
HARRIMAN: SHERIDAN

THIS CLAIM REPRESENTS A PERMISSIBLE PLACE OF USE. COMBINED WITH SHERIDAN CREEK
CLAIMS: 21-90, 21-92, 21-2049, 21-11276, 21-11277

15. Basis of Claim: License

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 A21-2049
Date Received: 1/05/1990
Receipt No: C016662
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE, ID 83720-0065
(208) 334-4199

2. Date of Priority: SEPT 02, 1911

3. Source: SHERIDAN CREEK Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
13N	41E	27	NW SW		FREMONT	POD 1
13N	41E	34	NW NE		FREMONT	POD 2
13N	41E	35	SW NE		FREMONT	POD 3

5. Description of diverting works:

Water is diverted from Sheridan Creek by means of dams, ditches, head gates, and gravity flow irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	3.0	

7. Total Quantity Appropriated is:
3.0 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
12N	41E	01	NE	NW	3	IRR	9.1
			NW	SW		IRR	8.2
			Section Acres				17.3
12N	41E	02	NE	NE	1	IRR	7.3
			NW	NE	2	IRR	20.3
			NE	SE		IRR	27.4
			NW	SE		IRR	26.1
			NE	NW	3	IRR	28.6
			NW	NW	4	IRR	3.1
			NE	SW		IRR	10.1
			Section Acres				125.7
13N	41E	26	SW	SE		IRR	11.0
			NE	SW		IRR	17.2
			NW	SW		IRR	19.4
			SE	SW		IRR	40.0
			SW	SW		IRR	23.1
			Section Acres				110.7
13N	41E	35	NE	NE		IRR	33.3
			NW	NE		IRR	25.1
			SE	NE		IRR	30.1
			NE	NW		IRR	8.5
			NE	SE		IRR	1.3
			Section Acres				98.3
13N	41E	36	SW	NE		IRR	6.8
			NE	NW		IRR	4.5
			NW	NW		IRR	19.8
			SE	NW		IRR	39.3
			SW	NW		IRR	40.2
			NW	SE		IRR	21.5
			SW	SE		IRR	10.2
			NW	SW		IRR	38.8
			NE	SW		IRR	40.2
			SW	SW		IRR	14.4
			SE	SW		IRR	39.6
			Section Acres				275.3
			Total Acres				

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used: SEE REMARKS

14. Remarks:

This claim represents a permissible place of use.

Combined with Sheridan Creek claims: 21-90, 21-91, 21-92, 21-11276 & 21-11277.

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am DEVELOPMENT ENGINEER of
Title
IDPR, that I have signed the foregoing
Organization

document in the space below as SAME of
Title

SAME and that the statements contained in the
Organization

foregoing document are true and correct. [Signature]
Signature of Authorized Agent

IDPR DEVELOPMENT ENGINEER
Title and Organization

2/24/05
Date

State of Idaho
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 24th
of Feb 2005

[Signature]

Notary Public



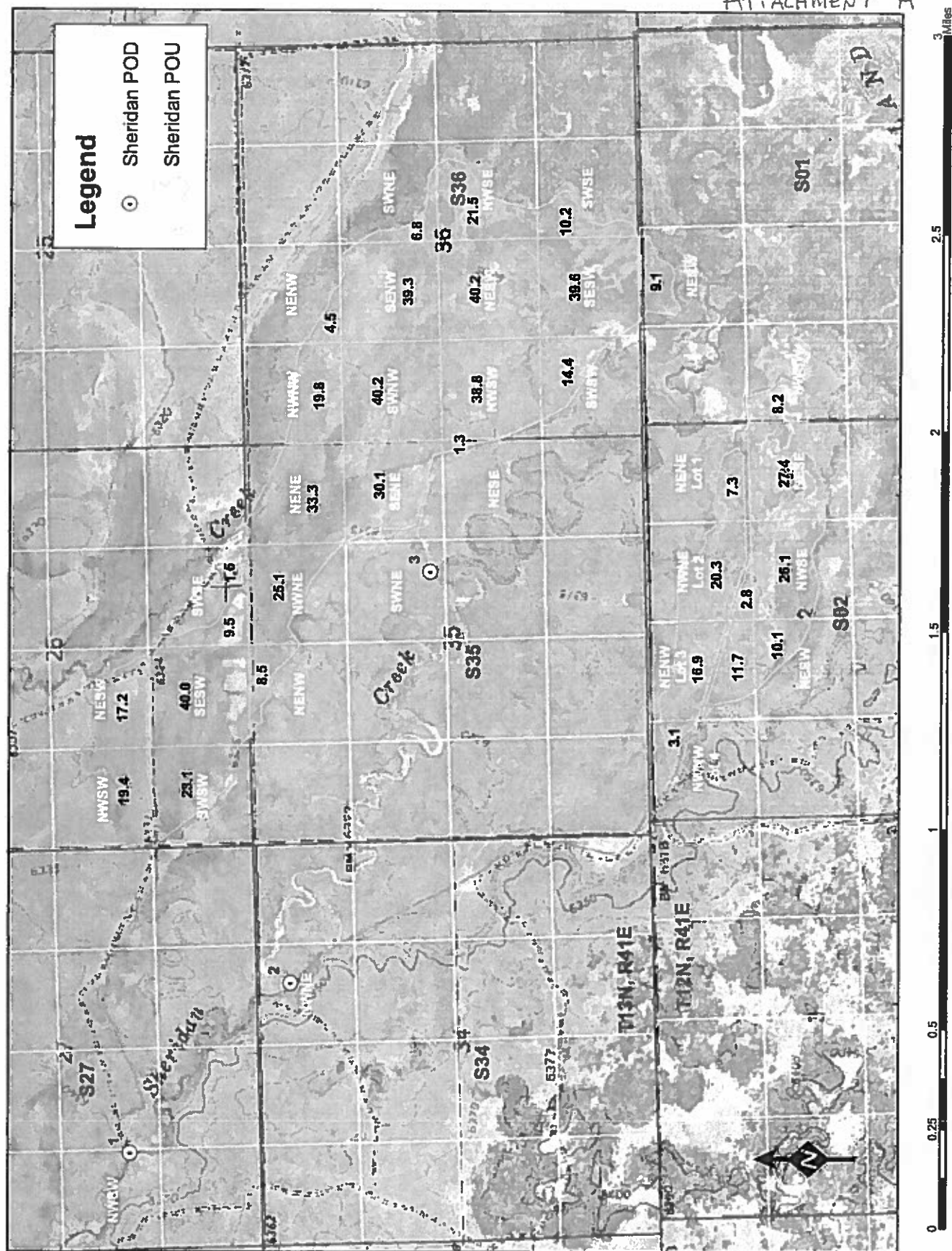
Residing at _____

My commission Expires Ron Howerton

Residing at Boise, Idaho

My Commission Expires December 8, 2006

SHERIDAN CREEK PPOU



SCANNED

AUG 11 2001

HARRIMAN
JAN 5 1990

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: A21-02049
Date Received: 11/28/1988 11/5/90
Receipt No: C016662
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 5 1990

Department of Water Res:

A2102049



1. Name: STATE OF IDAHO
Address: DEPT. OF PARKS & REC.
STATEHOUSE
BOISE, ID

83720

2. Date of Priority: SEP 02, 1911

3. Source: SHERIDAN CREEK Trib. to: ISLAND PARK RESER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13N	41E	~~34~~ 35	~~SW~~ SE	~~SW~~ SE	FREMONT

5. Description of diverting works:
PRIVATE DITCHES FROM SHERIDAN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	3.000		

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

8. Total consumptive use is 315.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	41E	2		1	IRR	43.0
				2	IRR	43.0
			NE SW		IRR	40.0
Section Acres						126.0

A21-02049

Page 1

Date: 12/27/89

MICROFILMED
OCT 20 1992

10. Place of Use: Continued

Total Acres 126.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRANSFER 190.
HARRIMAN: SHERIDAN

15. Basis of Claim: LICENSE
Water Right Number: 7723

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: 1

For Organizations:

I do solemnly swear or affirm that I am Development Chief of
Title
Idaho Dept of Parks & Rec., that I have signed the foregoing
Organization
document in the space below as Development Chief of
Title
I.D.P.R. and that the statements contained in the
Organization
foregoing document are true and correct.

Sharon H. Green
Signature of Authorized Agent

Development Chief IDPR
Title and Organization

1-5-90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 02nd day
of January 19 90

Ruth Vlassens
Notary Public

Seal

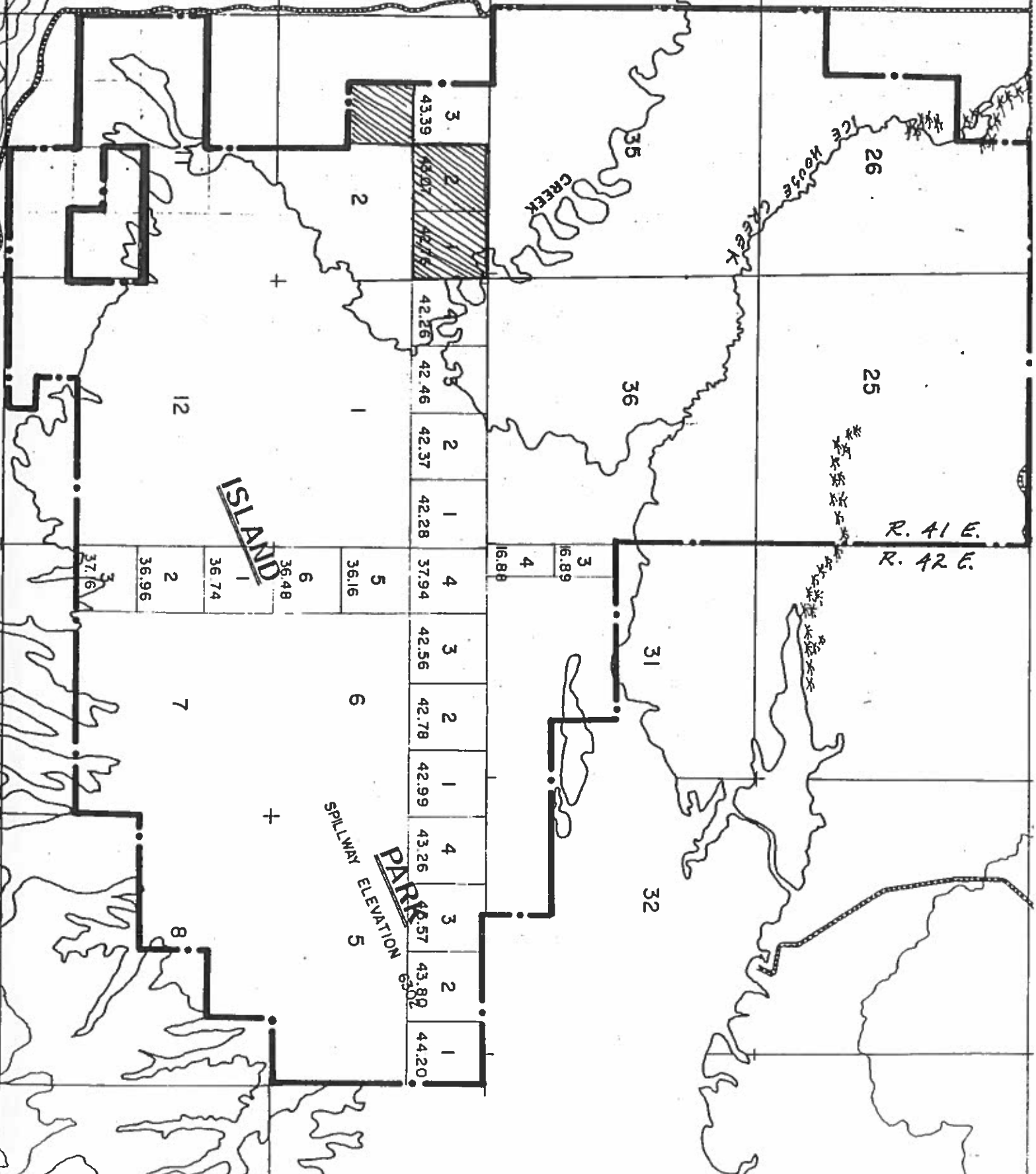
Residing at Boise

My Commission Expires 7-9-93

MICROFILMED
OCT 20 1992

T. 13 N.
R. 12 W.

HERIDA





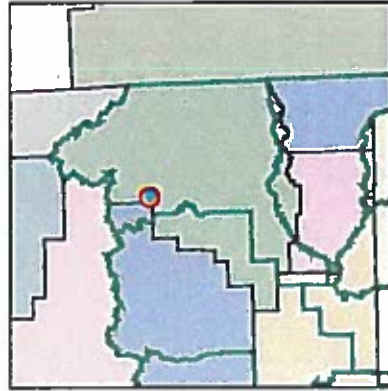
Idaho Department of Water Resources

SRBA Recommendation:

- 21-90
- 21-91
- 21-92
- 21-2049
- 21-11276
- 21-11277 (Irrigation)

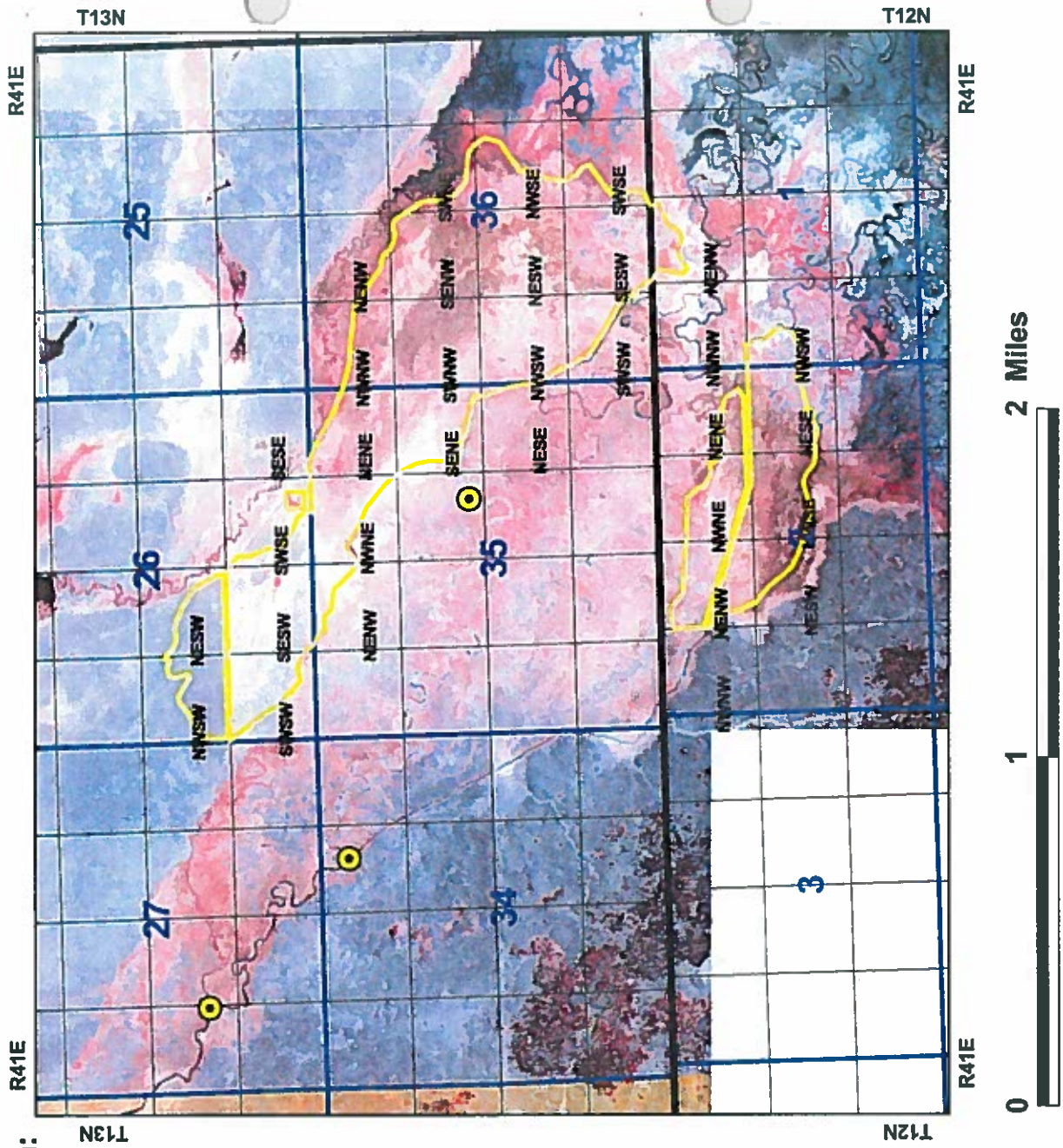
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Fremont County
IDWR Basin 21

Prepared by T. Galbraith
On Thursday, October 26, 2006
1987/88 Aerial Photography



07/05/2005

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 21-2049

STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 83720-0065
Telephone Number: (208)334-4180

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9/12/05 SIGNATURE: Mary Lucachick
Please print your name: Mary Lucachick

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED

SEP 16 2005

Department of Water Resources
Eastern Region

SCANNED

SEP 21 2005

PROFILED

MT
9/19

Mikesell, Ryan

From: Ronald D. Howerton [rhowerton@IDPR.state.id.us]
Sent: Wednesday, May 25, 2005 9:15 AM
To: Mikesell, Ryan
Cc: Ronald D. Howerton
Subject: PPOU Claims 21-90, 21-91, 21-92, 21-2049, 21-11276 & 21-11277

Ryan,

The claimed total section acres was correct as shown 125.7.

How I got the correct 125.7 total for the sectional acres? I exported an Arc View data base file to total the quarter quarters.

I goofed however, when I data entered the 1/4 1/4 field in my word document, thus incorrectly data entered only the 20.3 instead of adding 2.8 for a total of 23.1.

You could verify the mapped intended total in the NWNE tract by verifying two polygon totals, 20.3 and 2.8, totaling (23.1) acres instead of the data entered 20.3.

Looks like I carried out the same data entry error for all these permissible place of use claims...

Please data enter 23.1 acres for this NWNE tract so it will match the claimed total sectional acres. Sorry for the inconsistency.

Thank you so much,

Ron Howerton

-----Original Message-----

From: Mikesell, Ryan [mailto:Ryan.Mikesell@idwr.idaho.gov]
Sent: Tuesday, May 24, 2005 4:33 PM
To: Ronald D. Howerton
Subject:

Ron,

Today, we have been amending some claims for you. However, we have come across a problem with one of the amended claims. On claim 21-90 the Place of use acres don't add up correctly. In 12N 41E sec 02 you give a total acreage of 125.7 acres when in truth it only adds up to 122.9 acres. Which is correct? Could you please give me a little insight? Thanks.

Ryan

PROFILED

SCANNED

JUN 23 2006

 Fremont County *
 Sheridan Creek, *
 3 second-feet *
 Irrigation *
 Priority 9/2/11. *

STATE OF IDAHO

Water License No. 7723.

WHEREAS, On the 2nd day of September, A. D. 1911, JAMES G. BISHOP, of Rea, County of Fremont, State of Idaho, duly made application (No. 11289) to me for a permit to use 3.2 cubic feet per second of the waters of SHERIDAN CREEK, County of Fremont, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 30th day of September, A. D. 1911, Permit No. 7723 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 30th day of September, A. D. 1912 and for the application to beneficial use of said water on or before the 30th day of September, A. D. 1913, and,

WHEREAS, On the 28th day of December, A. D. 1911, JAMES G. BISHOP, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 7723, dated August 24th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of September 2nd, 1911, and,

WHEREAS, On the 28th day of December, A. D. 1911, JAMES G. BISHOP, the holder of said permit, duly made proof of the application to beneficial use of 3 cubic feet per second of said water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JAMES G. BISHOP, of Rea, County of Fremont, State of Idaho, the holder and owner of said Permit No. 7723, a perpetual right, dating from September 2nd, 1911, to the use of 3 cubic feet per second of the waters of SHERIDAN CREEK, in the County of Fremont and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 34, Township 15 North, Range 41, East of the Boise Meridian, and conducted to and upon 150 acres, divided as follows: (40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and 30 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 12 North, Range 41, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 24th day of August, A. D. Nineteen hundred and twelve.

A. E. Robinson,

State Engineer.

(SEAL)

Application for Transfer of Water Right

STATE OF IDAHO,

County of Fremont

ss.

Land and Cattle Co,
Martin Garn, Manager for Island Park,

OCT 22 1915

OFFICE OF STATE ENGINEER

being first duly sworn, deposes and says:

That his name is Martin Garn; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Island Park, Ashton P.O. Fremont County, Idaho

That he is the owner and using a certain water right of 3 cubic feet per second of the waters of Sheridan Creek

County of Fremont, State of Idaho, ~~document to~~

~~the district judge~~~~state~~~~County of Fremont, State of Idaho, in and for the County of~~~~in the case of~~

vs.

~~and change having date of~~

7712

(or obtained by virtue of License No. 7723, issued by the State Engineer of the State of Idaho, dated August 24, 1912), for the purpose of irrigating the following described lands situate, lying and being in the County of Fremont and State of Idaho, to-wit: the NE 1/4 and the NE 1/4 of section 2, Tp. 12 N. R. 41 E. B. 1.

and is ~~the owner~~ (or the representative of the corporation) to whom such right so issued, ~~of~~ has become the owner thereof in the following manner, i. e. by purchase

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

and conducted to the above described lands through
as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of the right to use ~~the~~ water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Fremont and State of Idaho, to-wit: Lots 1 and 2 and the NE 1/4 of section 2, Tp. 12 N. R. 41 E. B. 1.

That his reasons for desiring to make such transfer are as follows: at time of application for license the tract was unsurveyed, and that the new survey causes 120 acres of the tract to take a new description as given above.

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21-2049

That he intends to divert and convey said 3 cubic feet of water to the tract of land last above described in the following manner, to-wit: _____

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 Commissioner of the Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

Subscribed and sworn to before me this 18th day of October
A. D. 1912

Martin Gann
J. K. Sharp
Water Right

STATE OF IDAHO.

County of Fremont

ss.

Thomas J. Bishop and John B. Bishop

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 Rea, Idaho that he is a user of water from Sheridan Creek, County of Fremont, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Martin Gann, and is familiar with its allegations, and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way 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 petitioned.

Subscribed and sworn to before me this 18th day of October
A. D. 1912

x Thomas J. Bishop
x John B. Bishop
J. K. Sharp
Martin Gann

STATE OF IDAHO.

County of

} ss.

I, ..., Watermaster of

County of, State of Idaho, whose postoffice address is.....

....., have read or heard read the foregoing affidavit and petition of
....., 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 authorized;
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:.....
.....
.....

.....
Watermaster.

Notice having been duly published for thirty days of the intention of the above named.....
..... to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in this affidavit and petition herein, and an opportunity having
been given to any and all persons opposing said transfer to present their objections in a public hearing before
me at, on, according to
the terms of said notice;

And it not appearing at said hearing that anyone would be materially injured by such transfer:

I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said appli-
cant, authorizing the transfer as prayed for in his petition; or ~~(and it appearing at said hearing that the fol-
lowing injuries would be sustained by others if such transfer is permitted~~

~~I hereby recommend that the State Engineer do not issue the certificate authorizing the transfer sought~~
~~hereinabove:~~

W. H. Ellis
Assistant State Engineer
Commissioner of Water Division No.

By

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OFFICE OF STATE ENGINEERING

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Name of Applicant 06-1-T

REPORT OF ENGINEER

1. State name of applicant and number of permit: James G. Bishop Permit No. 7723.
2. State source of water supply: Sheridan Creek.
3. Location of point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, Twp. 13 N. R. 41, E. B. M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: 4'
- (b) Width at water line: 8 1/2'
- (c) Depth of water: 1'
- (d) Grade per mile: 4 ft
- (e) Capacity of ditch: 5 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

Water used during irrigating season of 1911-12

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract:

	<u>cultivated</u>	<u>Pasture</u>
<u>N.E. N.E.</u>	<u>11 acres</u>	<u>29 acres</u>
<u>N.W. N.E.</u>	<u>12 "</u>	<u>28 "</u>
<u>S.E. N.W.</u>	<u>40 "</u>	<u>40 "</u>
<u>S.E. N.W.</u>	<u>30 "</u>	<u>30 "</u>

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: _____

STATE OF IDAHO,

County of _____ ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

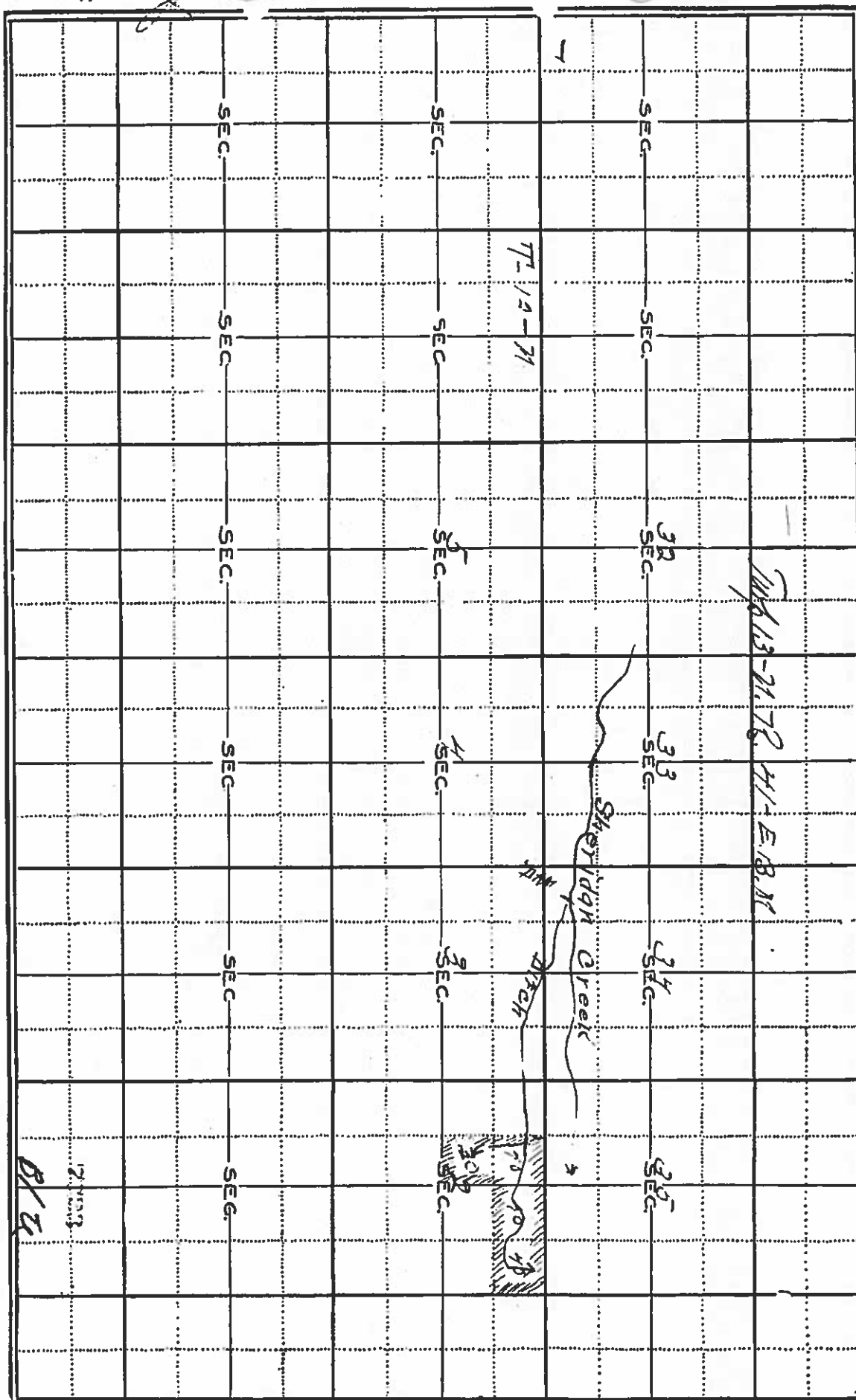
Subscribed and sworn to before me this _____ day of _____ 191_____

My Commission Expires _____

7723 Notary Public.

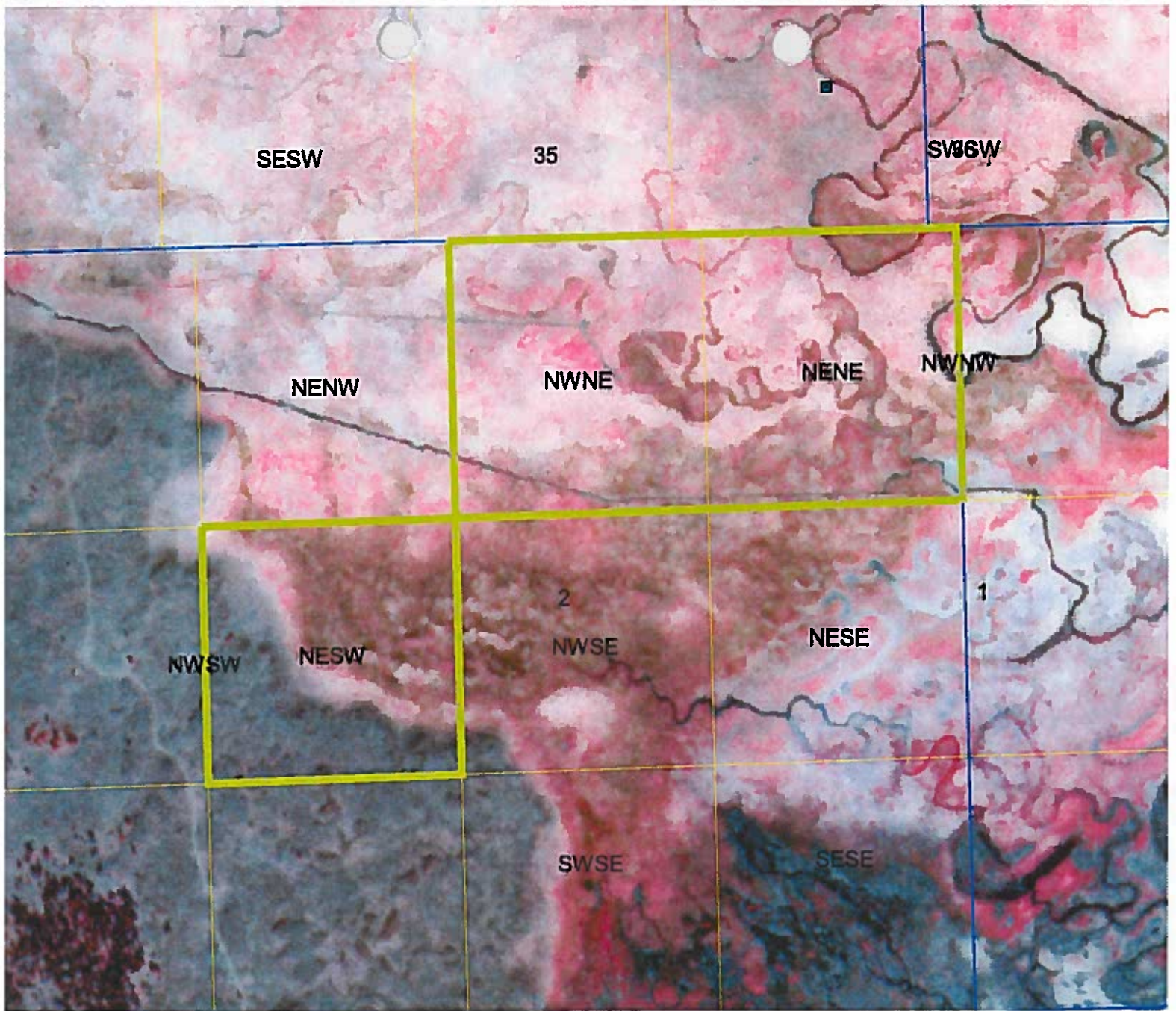
Chas. H. D. Leach
Water Com. Div No 1.

Name of Applicant



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

Printed and for sale by the Statesman Shop, Boise, Idaho.



21-02049
T13N R41E

SCANNED
DEC 17 2004

PROFILED