



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

File

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

December 9, 1983

RE: Application for Transfer No. 2580/74-0006/0007/0918/2272

David J. Logan
Bolton Ranches, Inc.
Rt. #1, Box 14
Salmon, ID 83467

Dear Mr. Logan:

This is to acknowledge receipt of your withdrawal of the above referenced application for transfer. The Department will take no further action in this matter and has taken the steps necessary to void the application in our files.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Vergil O. Olson
Verdell Olson
Sherman F. Furey, Jr.
Matthew Mullaney, Esq.
with copy of withdrawal

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER)
NO. 2580/74-0006/0007/0918/2272 IN THE) WITHDRAWAL
BOLTON RANCHES)
_____)

We/I hereby withdraw the above referenced application for transfer and request the Department void the application in the records.

Dated this 7th day of December, 1983.

Bolton Ranch Inc. By
David J. Zogor VP & Mgr.

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

Transfer Withdrawn

APR 12 1982
Department of Water Resources
Eastern District Office

IN THE MATTER OF PROTESTS AGAINST APPROVAL)
OF APPLICATION FOR TRANSFER OF WATER RIGHTS)
NO. 74-0006, 74-0007, 74-0918 AND 74-2272 IN)
THE NAME OF BOLTON RANCH, INC.)

MEMORANDUM DECISION
AND ORDER

On July 1, 1981, Bolton Ranch, Inc. applied to the Department of Water Resources (IDWR) for an application to change the points of diversion for rights No. 74-0006, 74-0007, 74-0918 and 74-2272, with no requested change in the place of use. These rights are listed in the Proposed Finding of Water Rights in the Lemhi River Basin, Case No. 4948 in Seventh Judicial District Court, Lemhi County. Rights No. 74-0006 and 74-0007 are based upon a prior decree, Right No. 74-2272 is based upon a license issued by IDWR, and Right No. 74-0918 is based upon diversion and beneficial use of the water. The transfer proposes to add an additional point within Lot 6 (SW1/4SW1/4), Sec. 34, Twp. 22N, Rge. 23E, B.M., Lemhi County, from which the waters of Geertson Creek tributary to Lemhi River could be diverted.

Notice of the application was published in the Recorder Herald, Salmon, Idaho on July 16 and 23, 1981 and protests were received on August 3, 1981 from Vergil O. Olson and Verdell Olson. The protests cited the following issues:

- 1) The point of diversion to be added is in trespass on U. S. Bureau of Land Management ground.
- 2) The applicant has not obtained a permit to change the point of diversion to the new point of diversion.
- 3) Granting the new point of diversion will adversely effect other water rights diverted from Geertson Creek.
- 4) Part of the rights included in the transfer application are still contested in district court.

On October 29, 1981, IDWR conducted a combined hearing in the matter and on protested application for transfer No. 74-2200 at the Lemhi County Court-house, Salmon, Idaho. The protestants, Vergil and Verdell Olson, were present and represented themselves. The applicant was represented by Dave Logan, Manager of Bolton Ranch, Inc. and Sherman F. Furey, Jr., Attorney at Law. Also

Copy sent WS #74-2200 5/28/82

present were Niel Ankrum, Watermaster of Water District No. 74-A and Stephanie Brandy from the Bureau of Land Management.

Dave Logan testified that the purpose of this application was to establish the headworks of their gravity flow sprinkler system as a point of diversion. This system diverts water from Geertson Creek in Lot 6, Sec. 34, Twp. 22N, Rge. 23E B.M. He stated the place of use for the water rights diverted through the system would not be changed. He anticipated there would not be an adverse effect to other rights on the creek since the sprinkler irrigation system would actually allow a more efficient use of the water. Mr. Logan stated installation of the pipeline did require a right-of-way across lands administered by the Bureau of Land Management. The right-of-way had been requested and recent correspondence from the BLM indicated favorable consideration of the request was expected.

Niel Ankrum, Watermaster on Geertson Creek from 1975 through 1981, testified that in his opinion, the requested change in point of diversion would not adversely affect the protestants' water rights.

Vergil Olson, protestant, stated that his primary concern dealt with management of the stream. Allowing the applicant to regulate diversions and move the water rights up and down the creek from diversion point to diversion point during the irrigation season would adversely affect downstream rights. Mr. Olson further stated that if the applicant received only the water he was entitled to, there would be no adverse effect on other water rights.

Subsequent to the hearing, on February 12, 1982, the IDWR received a copy of the Bureau of Land Management's decision to grant the right-of-way requested by the applicant. A copy of the decision was sent to each protestant on February 19, 1982, asking for written objections to inclusion of the right-of-way decision in the hearing record. On March 9, 1982, the IDWR received a letter from Vergil O. Olson reiterating his protest of the application but expressing no objection to acceptance of the right-of-way decision as part of the hearing record.

The Director having read the record herein in conformance with Idaho Code, 67-5211, and based upon testimony obtained at the hearing, files and records of IDWR and the Director's understanding of the law, the following Findings of Fact, Conclusions of Law, Analysis and Order are hereby entered.

REVIEW OF EVIDENCE

IDWR Records Considered:

1. Application for transfer of water rights No. 74-0006, 74-0007, 74-0918 and 74-2272 receipted July 1, 1981.
2. Affidavit of publication of Notice of Application for Transfer received July 24, 1981.
3. Letters from Vergil Olson and Verdell Olson received August 3, 1981 protesting the application for transfer.
4. Proposed Finding of Water Rights in the Lemhi River Basin, Case No. 4948 in the Seventh Judicial District Court in Lemhi County.
5. Right-of-way decision by BLM received February 12, 1982.
6. Letter from Vergil O. Olson dated March 5, 1982.

FINDINGS OF FACT

1. The applicant has filed an application for transfer and has stated the intent of the application for transfer was to add a point of diversion in Lot 6 of Sec. 34, Twp. 22N, Rge. 23E B.M. to each right listed in the transfer. This is the location of the headworks for a gravity flow sprinkler system.
2. Geertson Creek is within the boundaries of State Water District 74-A.
3. There will be no change in the decreed place of use for each right identified in the application for transfer.
4. Testimony by Niel Ankrum, watermaster, indicated he did not expect the transfer to adversely affect downstream diversions.
5. Protestant Vergil Olson stated if the applicant was held to his water rights, there would be no injury.
6. The issue of public interest was not raised.
7. The applicant has received a right-of-way for the pipeline to cross lands administered by the BLM.
8. Each right sought to be transferred is represented by existing decreed, licensed, or claimed rights on record with the IDWR.

CONCLUSIONS OF LAW

1. The addition of a point of diversion to those rights identified in the application for transfer will not constitute an enlargement of these rights if the place of use is not changed for each right.
2. Proper administration by the watermaster will prevent injury to other water rights in Water District No. 74-A, Geertson Creek.
3. The applicant's pipeline is not in trespass on BLM administered land.

4. Section 42-222, Idaho Code, authorizes the Director of IDWR to consider a transfer for decreed, licensed, or claimed rights.

5. The change will not conflict with the local public interest.

6. The applicant is entitled to an approval of the requested change in point of diversion.

ANALYSIS

The transfer does not grant any change in the place of use for the water rights involved. Therefore, to prevent use of the water rights on lands to which they are not appurtenant thru the single pipeline distribution system, regulation by the watermaster must extend beyond the point of diversion to the place of use. The watermaster must ensure that the acreage being irrigated is consistent with the water rights being delivered to prevent the expansion of those water rights approved for diversion into the applicant's sprinkler system.

Alternating the point of diversion of a water right between points of diversion during the irrigation season can interfere with the watermaster's ability to regulate diversions from a stream and reduce the quantity of water available to other water rights. In the case at hand, the applicant's points of diversion are located along nearly one mile of Geertson Creek. Adding the new point of diversion increases this distance by approximately 1/2 mile. Approval of the new point of diversion must include some provision to enable the watermaster to control movement between points of diversion during the irrigation season. The applicant's representative indicated the existing points of diversion would only be used for diverting "high water". The definition of "high water" is not clear in the testimony, but it appears that the necessary watermaster regulation can be obtained by limiting the diversion point of each of the rights to the new point of diversion unless water is available to fill rights junior to May 23, 1923, the priority date of right No. 74-2272, unless the applicant has given the watermaster written notice prior to April 1 of any year that all or any part of any of the rights included in this transfer is to be delivered for the entire irrigation season at one or more of the other authorized points of diversion.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Transfer of Water Rights No. 74-0006, 74-0007, 74-0918 and 74-2272 be and is APPROVED to add the additional point of diversion in Lot 6, Sec. 34, Twp. 22N, Rge. 23E B.M. to each of the rights. This approval is subject to the following conditions:

1. A measuring device and lockable controlling works of a type acceptable to IDWR shall be permanently installed and maintained as part of the diverting works at each point of diversion identified in Section C of the transfer prior to diversion of water under this approval.

2. Use of water under this transfer is subject to control by the Watermaster of Water District No. 74-A, Geertson Creek.

3. Approval of this transfer in no way grants any right-of-way or easement across the land of another.

4. Diversion of water under rights 74-0006, 74-0007, 74-0918 and 74-2272 shall be only from the point of diversion in Lot 6, Sec. 34, Twp. 22N, Rge. 23E B.M. unless water is available in Geertson Creek to fill rights junior in priority to May 23, 1923, or unless the right holder notifies the watermaster in writing prior to April 1 of any year that all or any specific part of any of said rights is to be delivered for the entire irrigation season at one or more of the other authorized points of diversion.

5. Each of the rights included in this transfer shall be used only on the lands to which they are appurtenant as listed in the records of IDWR. The right holder shall not use nor demand delivery of water by the watermaster for use on lands to which the rights are not appurtenant.

6. The right holder shall provide reasonable access to the watermaster to inspect the point of diversion and place of use for water being diverted under the rights included under this transfer.

7. Failure of the right holder to comply with the conditions of this approval shall constitute cause for the Director of IDWR to revoke approval of this transfer.

8. The Director of IDWR retains jurisdiction of this approval to insure compliance with the conditions listed herein.

9. This approval is not intended to confirm the validity of claim to a water right No. 74-0918.

Signed this 7th day of April, 1982.



A. KENNETH DUNN

Director

1. A measuring device and lockable controlling works of a type acceptable to IDWR shall be permanently installed and maintained as part of the diverting works at each point of diversion identified in Section C of the transfer prior to diversion of water under this approval.

2. Use of water under this transfer is subject to control by the Watermaster of Water District No. 74-A, Geertson Creek.

3. Approval of this transfer in no way grants any right-of-way or easement across the land of another.

4. Diversion of water under rights 74-0006, 74-0007, 74-0918 and 74-2272 shall be only from the point of diversion in Lot 6, Sec. 34, Twp. 22N, Rge. 23E B.M. unless water is available in Geertson Creek to fill rights junior in priority to May 23, 1923, or unless the right holder notifies the watermaster in writing prior to April 1 of any year that all or any specific part of any of said rights is to be delivered for the entire irrigation season at one or more of the other authorized points of diversion.

5. Each of the rights included in this transfer shall be used only on the lands to which they are appurtenant as listed in the records of IDWR. The right holder shall not use nor demand delivery of water by the watermaster for use on lands to which the rights are not appurtenant.

6. The right holder shall provide reasonable access to the watermaster to inspect the point of diversion and place of use for water being diverted under the rights included under this transfer.

7. Failure of the right holder to comply with the conditions of this approval shall constitute cause for the Director of IDWR to revoke approval of this transfer.

8. The Director of IDWR retains jurisdiction of this approval to insure compliance with the conditions listed herein.

9. This approval is not intended to confirm the validity of claim to a water right No. 74-0918.

Signed this 7th day of April, 1982.



A. KENNETH DUNN

Director

Transfer No. 2580

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Bolton Ranch Inc. Phone 756-3675
Post Office address Route #1, Box 14, Salmon, ID 83467

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. 74-0006 Decreed to William B. Bolton &/or Rose Starr
(Name)
in case of Proposed Finding of Water Rights in the Lemhi River Basin
Case No. 4948
dated in _____ in 7th Judicial District county of Lemhi
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is
recognized holder of water right.
3. Source of water Geertson Creek tributary to Lemhi River
4. Date of priority 5/1/1881
5. Water is used for the following purposes:
amount 0.60 cfs for irrigation purposes from April 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. 0.60 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9
Township 21N Range 23E, B.M., in Lemhi County
Additional points of diversion, if any Lot #1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, Twp. 21N, Rge. 23E
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	23E	9	15.3			10.3				23.9					31.7				81.2

Total number of acres to be irrigated 81.2

9. Describe any other water rights used for the same purpose as described above 74-0619
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-0918 Decreed to William B. Bolton &/or Rose Starr
(Name)
in case of Proposed Finding of Water Rights vs in the Lemhi River Basin
Case No. 4948
dated in _____ in 7th Judicial District county of Lemhi
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is
recognized holder of water right.

3. Source of water Geertson Creek tributary to Lemhi River

4. Date of priority 5/5/1893

5. Water is used for the following purposes:

amount 1.32 cfs for irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.32 cfs cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9
Township 21N Range 23E, B.M., in Lemhi County
Additional points of diversion, if any SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 21N, Rge. 23E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	23E	9		36	30														66

Total number of acres to be irrigated 66

9. Describe any other water rights used for the same purpose as described above none

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-0007 Decreed to William B. Bolton &/or Rose Starr
(Name)
in case of Proposed Finding of Water Rights vs in the Lemhi River Basin
Case No. 4948
dated in _____ in 7th Judicial District county of Lemhi
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is recognized
holder of water right.

3. Source of water Geerton Creek tributary to Lemhi River

4. Date of priority 6/1/1884

5. Water is used for the following purposes:

amount 1.00 cfs for irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)

6. Total amount of water under right: a. 1.00 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4
Township 21N Range 23E, B.M., in Lemhi County

Additional points of diversion, if any Lot #1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, Twp. 21N,
Rge. 23E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	23E	4													34	10.7	32.5	35	112.2

Total number of acres to be irrigated 112.2

9. Describe any other water rights used for the same purpose as described above 74-0619

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 74-2272 Decreed to William B. Bolton &/or Rose Starr
(Name)
in case of Proposed Finding of Water Rights in the Lemhi River Basin
Case No. 4948
dated in _____ in 7th Judicial District county of Lemhi
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is
recognized holder of right.

3. Source of water Geertson Creek tributary to Lemhi River

4. Date of priority 5/23/1923

5. Water is used for the following purposes:

amount 0.54 cfs for irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.54 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4
Township 21N Range 23E, B.M., in Lemhi County
Additional points of diversion, if any Lot #1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 4, Twp. 21N, Rge. 23E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	23E	4												1					1
		9					14.6												14.6

Total number of acres to be irrigated 15.6

9. Describe any other water rights used for the same purpose as described above none

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information 0.60 cfs (74-0006) 1.00 cfs (74-0007) 1.32 cfs (74-0918)
 0.54 cfs (74-2272)
- a. Amount of water to be diverted 3.46 c.f.s. &/or acre feet
- b. Description of diverting works Headgates and open ditches, concrete headbox for gravity flow sprinkler system.
- c. Describe the reasons for the proposed changes The installation of a gravity flow sprinkler system has established a new point of diversion for the lands appurtenant to rights described by application.

2. Change in point of diversion

Point of diversion Lot 6
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34 Township 22N
 Range 23E, B.M., Lemhi County
 Additional points Lot #1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; NE $\frac{1}{4}$ NE $\frac{1}{4}$,
 Sec. 9; Twp. 21N, Rge. 23E

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No XX. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
no change

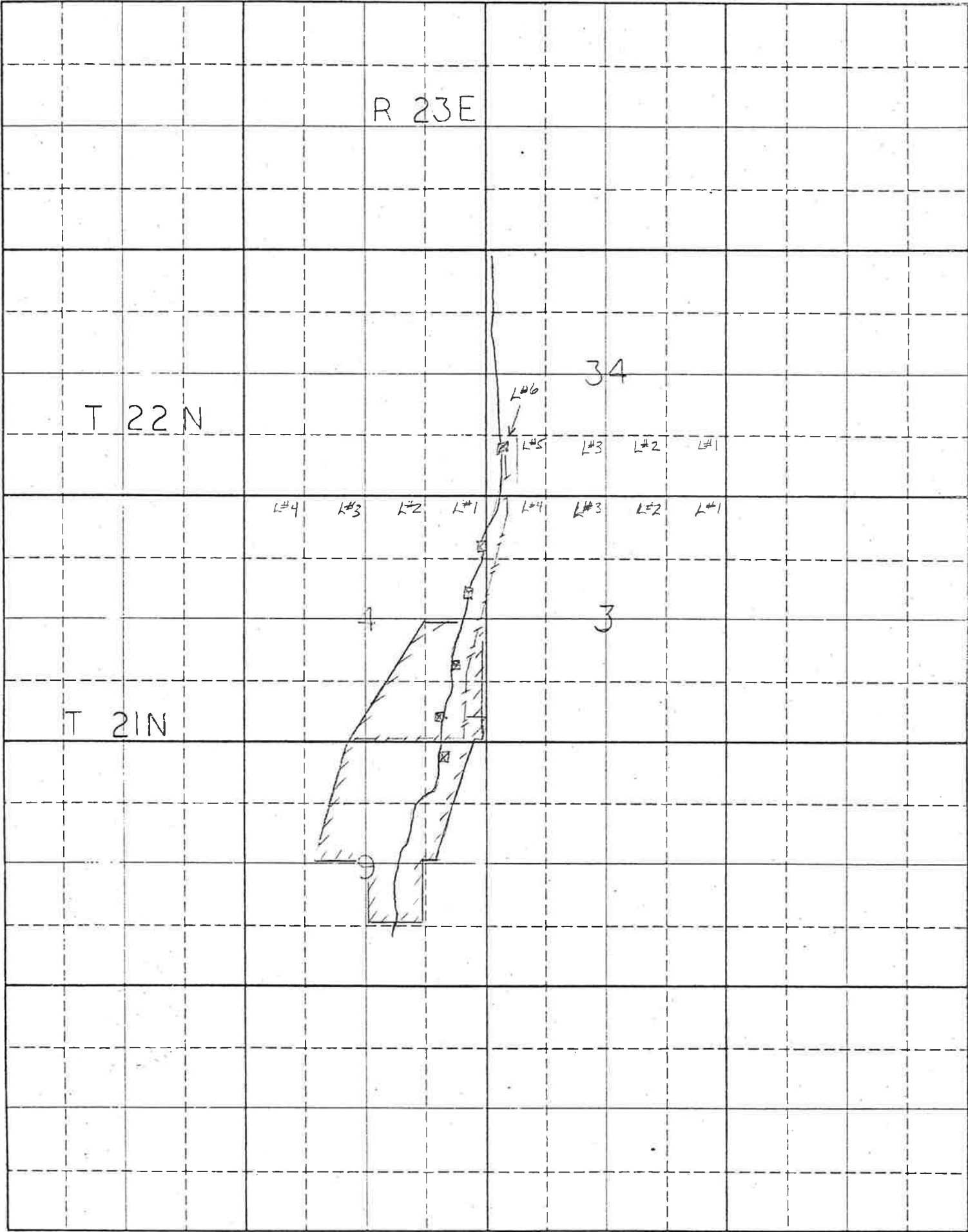
c. Describe the lands or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. 74-0619

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 30 day of June, 19 81.
David M. Egan U.P. Mar.
Signature of Applicant
Elaine Burch
(Notary Public)

My commission expires 12-21-82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 74-0006
and said application is hereby APPROVED, subject to the following limitations and conditions:
Pursuant to Memorandum Decision and Order

Witness my hand this 7th day of April, 19 82
[Signature]
Director

FOR DEPARTMENT USE ONLY			
Received by <u>kw</u>	Date <u>7/1/81</u>	Protest filed by <u>Virgil Olson</u>	
Prelim. check by <u>Kaw</u>	Fee <u>50.00</u>	<u>Virgil Olson</u>	
Receipted by <u>kw</u>	Date <u>7/7/81</u> #17779		
Published in <u>Recorder-Herald</u>		Copies of protest forwarded by <u>kw</u>	
Pub. dates <u>7/16 & 7/23/81</u>		Hearing held by _____ Date _____	
Watermaster recommendation requested on _____		Recommended for _____ approval _____ denial _____	
_____ rec'd. _____		by _____	

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL
OF APPLICATION FOR TRANSFER OF WATER RIGHTS
NO. 74-0006, 74-0007, 74-0918 AND 74-2272 IN
THE NAME OF BOLTON RANCH, INC. *Trans 2580*

MEMORANDUM DECISION
AND ORDER

On July 1, 1981, Bolton Ranch, Inc. applied to the Department of Water Resources (IDWR) for an application to change the points of diversion for rights No. 74-0006, 74-0007, 74-0918 and 74-2272, with no requested change in the place of use. These rights are listed in the Proposed Finding of Water Rights in the Lemhi River Basin, Case No. 4948 in Seventh Judicial District Court, Lemhi County. Rights No. 74-0006 and 74-0007 are based upon a prior decree, Right No. 74-2272 is based upon a license issued by IDWR, and Right No. 74-0918 is based upon diversion and beneficial use of the water. The transfer proposes to add an additional point within Lot 6 (SW1/4SW1/4), Sec. 34, Twp. 22N, Rge. 23E, B.M., Lemhi County, from which the waters of Geertson Creek tributary to Lemhi River could be diverted.

Notice of the application was published in the Recorder Herald, Salmon, Idaho on July 16 and 23, 1981 and protests were received on August 3, 1981 from Vergil O. Olson and Verdell Olson. The protests cited the following issues:

- 1) The point of diversion to be added is in trespass on U. S. Bureau of Land Management ground.
- 2) The applicant has not obtained a permit to change the point of diversion to the new point of diversion.
3. Granting the new point of diversion will adversely effect other water rights diverted from Geertson Creek.
- 4) Part of the rights included in the transfer application are still contested in district court.

On October 29, 1981, IDWR conducted a combined hearing in the matter and on protested application for transfer No. 74-2200 at the Lemhi County Court-house, Salmon, Idaho. The protestants, Vergil and Verdell Olson, were present and represented themselves. The applicant was represented by Dave Logan, Manager of Bolton Ranch, Inc. and Sherman F. Furey, Jr., Attorney at Law. Also

RECORDED

present were Niel Ankrum, Watermaster of Water District No. 74-A and Stephanie Brandy from the Bureau of Land Management.

Dave Logan testified that the purpose of this application was to establish the headworks of their gravity flow sprinkler system as a point of diversion. This system diverts water from Geertson Creek in Lot 6, Sec. 34, Twp. 22N, Rge. 23E B.M. He stated the place of use for the water rights diverted through the system would not changed. He anticipated there would not be an adverse effect to other rights on the creek since the sprinkler irrigation system would actually allow a more efficient use of the water. Mr. Logan stated installation of the pipeline did require a right-of-way across lands administered by the Bureau of Land Management. The right-of-way had been requested and recent correspondence from the BLM indicated favorable consideration of the request was expected.

Niel Ankrum, Watermaster on Geertson Creek from 1975 through 1981, testified that in his opinion, the requested change in point of diversion would not adversely affect the protestants' water rights.

Vergil Olson, protestant, stated that his primary concern dealt with management of the stream. Allowing the applicant to regulate diversions and move the water rights up and down the creek from diversion point to diversion point during the irrigation season would adversely affect downstream rights. Mr. Olson further stated that if the applicant received only the water he was entitled to, there would be no adverse effect on other water rights.

Subsequent to the hearing, on February 12, 1982, the IDWR received a copy of the Bureau of Land Management's decision to grant the right-of-way requested by the applicant. A copy of the decision was sent to each protestant on February 19, 1982, asking for written objections to inclusion of the right-of-way decision in the hearing record. On March 9, 1982, the IDWR received a letter from Vergil O. Olson reiterating his protest of the application but expressing no objection to acceptance of the right-of-way decision as part of the hearing record.

The Director having read the record herein in conformance with Idaho Code, 67-5211, and based upon testimony obtained at the hearing, files and records of IDWR and the Director's understanding of the law, the following Findings of Fact, Conclusions of Law, Analysis and Order are hereby entered.

REVIEW OF EVIDENCE

IDWR Records Considered:

1. Application for transfer of water rights No. 74-0006, 74-0007, 74-0918 and 74-2272 received July 1, 1981.

2. Affidavit of publication of Notice of Application for Transfer received July 24, 1981.

3. Letters from Vergil Olson and Verdell Olson received August 3, 1981 protesting the application for transfer.

4. Proposed Finding of Water Rights in the Lemhi River Basin, Case No. 4948 in the Seventh Judicial District Court in Lemhi County.

5. Right-of-way decision by BLM received February 12, 1982.

6. Letter from Vergil O. Olson dated March 5, 1982.

FINDINGS OF FACT

1. The applicant has filed an application for transfer and has stated the intent of the application for transfer was to add a point of diversion in Lot 6 of Sec. 34, Twp. 22N, Rge. 23E B.M. to each right listed in the transfer. This is the location of the headworks for a gravity flow sprinkler system.

2. Geertson Creek is within the boundaries of State Water District 74-A.

3. There will be no change in the decreed place of use for each right identified in the application for transfer.

4. Testimony by Niel Ankrum, watermaster, indicated he did not expect the transfer to adversely affect downstream diversions.

5. Protestant Vergil Olson stated if the applicant was held to his water rights, there would be no injury.

6. The issue of public interest was not raised.

7. The applicant has received a right-of-way for the pipeline to cross lands administered by the BLM.

8. Each right sought to be transferred is represented by existing decreed, licensed, or claimed rights on record with the IDWR.

CONCLUSIONS OF LAW

1. The addition of a point of diversion to those rights identified in the application for transfer will not constitute an enlargement of these rights if the place of use is not changed for each right.

2. Proper administration by the watermaster will prevent injury to other water rights in Water District No. 74-A, Geertson Creek.

3. The applicant's pipeline is not in trespass on BLM administered land.

4. Section 42-222, Idaho Code, authorizes the Director of IDWR to consider a transfer for decreed, licensed, or claimed rights.
5. The change will not conflict with the local public interest.
6. The applicant is entitled to an approval of the requested change in point of diversion.

ANALYSIS

The transfer does not grant any change in the place of use for the water rights involved. Therefore, to prevent use of the water rights on lands to which they are not appurtenant thru the single pipeline distribution system, regulation by the watermaster must extend beyond the point of diversion to the place of use. The watermaster must ensure that the acreage being irrigated is consistent with the water rights being delivered to prevent the expansion of those water rights approved for diversion into the applicant's sprinkler system.

Alternating the point of diversion of a water right between points of diversion during the irrigation season can interfere with the watermaster's ability to regulate diversions from a stream and reduce the quantity of water available to other water rights. In the case at hand, the applicant's points of diversion are located along nearly one mile of Geertson Creek. Adding the new point of diversion increases this distance by approximately 1/2 mile. Approval of the new point of diversion must include some provision to enable the watermaster to control movement between points of diversion during the irrigation season. The applicant's representative indicated the existing points of diversion would only be used for diverting "high water". The definition of "high water" is not clear in the testimony, but it appears that the necessary watermaster regulation can be obtained by limiting the diversion point of each of the rights to the new point of diversion unless water is available to fill rights junior to May 23, 1923, the priority date of right No. 74-2272, unless the applicant has given the watermaster written notice prior to April 1 of any year that all or any part of any of the rights included in this transfer is to be delivered for the entire irrigation season at one or more of the other authorized points of diversion.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Transfer of Water Rights No. 74-0006, 74-0007, 74-0918 and 74-2272 be and is APPROVED to add the additional point of diversion in Lot 6, Sec. 34, Twp. 22N, Rge. 23E B.M. to each of the rights. This approval is subject to the following conditions:

1. A measuring device and lockable controlling works of a type acceptable to IDWR shall be permanently installed and maintained as part of the diverting works at each point of diversion identified in Section C of the transfer prior to diversion of water under this approval.

2. Use of water under this transfer is subject to control by the Watermaster of Water District No. 74-A, Geertson Creek.

3. Approval of this transfer in no way grants any right-of-way or easement across the land of another.

4. Diversion of water under rights 74-0006, 74-0007, 74-0918 and 74-2272 shall be only from the point of diversion in Lot 6, Sec. 34, Twp. 22N, Rge. 23E B.M. unless water is available in Geertson Creek to fill rights junior in priority to May 23, 1923, or unless the right holder notifies the watermaster in writing prior to April 1 of any year that all or any specific part of any of said rights is to be delivered for the entire irrigation season at one or more of the other authorized points of diversion.

5. Each of the rights included in this transfer shall be used only on the lands to which they are appurtenant as listed in the records of IDWR. The right holder shall not use nor demand delivery of water by the watermaster for use on lands to which the rights are not appurtenant.

6. The right holder shall provide reasonable access to the watermaster to inspect the point of diversion and place of use for water being diverted under the rights included under this transfer.

7. Failure of the right holder to comply with the conditions of this approval shall constitute cause for the Director of IDWR to revoke approval of this transfer.

8. The Director of IDWR retains jurisdiction of this approval to insure compliance with the conditions listed herein.

9. This approval is not intended to confirm the validity of claim to a water right No. 74-0918.

Signed this 7th day of April, 1982.



A. KENNETH DUNN

Director

RECEIVED
APR 10 1982

Transfer No. 2580

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Bolton Ranch Inc. Phone 756-3675
Post Office address Route #1, Box 14, Salmon, ID 83467

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-0006 Decreed to William B. Bolton &/or Rose Starr
(Name)
in case of Proposed Finding of Water Rights vsx in the Lemhi River Basin
Case No. 4948
dated in _____ in 7th Judicial District county of Lemhi
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is
recognized holder of water right.

3. Source of water Geertson Creek tributary to Lemhi River

4. Date of priority 5/1/1881

5. Water is used for the following purposes:

amount 0.60 cfs for irrigation purposes from April 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.60 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9
Township 21N Range 23E, B.M., in Lemhi County
Additional points of diversion, if any Lot #1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, Twp. 21N, Rge. 23E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	23E	9	15.3			10.3				23.9					31.7				81.2

Total number of acres to be irrigated 81.2

Describe any other water rights used for the same purpose as described above 74-0619

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D REMARKS.

RECORDED

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-0007 Decreed to William B. Bolton &/or Rose Starr
(Name)
 in case of Proposed Finding of Water Rights vs in the Lemhi River Basin
 Case No. 4948
 dated in _____ in 7th Judicial District county of Lemhi
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant. Applicant is recognized holder of water right.

3. Source of water Geerton Creek tributary to Lemhi River

4. Date of priority 6/1/1884

5. Water is used for the following purposes:

amount 1.00 cfs for irrigation purposes from 4/1 to 11/1
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.00 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4
 Township 21N Range 23E, B.M., in Lemhi County
 Additional points of diversion, if any Lot #1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, Twp. 21N, Rge. 23E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	23E	4													34	10.7	32.5	35	112.2

Total number of acres to be irrigated 112.2

9. Describe any other water rights used for the same purpose as described above 74-0619

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D. REMARKS.

MICROFILMED

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-0918 Decreed to William B. Bolton &/or Rose Starr
(Name)
 in case of Proposed Finding of Water Rights vs in the Lemhi River Basin
 Case No. 4948
 dated in _____ in 7th Judicial District county of Lemhi
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is
recognized holder of water right.

3. Source of water Geertson Creek tributary to Lemhi River

4. Date of priority 5/5/1893

5. Water is used for the following purposes:

amount 1.32 cfs for irrigation purposes from 4/1 to 11/1
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.32 cfs cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9
 Township 21N Range 23E, B.M., in Lemhi County
 Additional points of diversion, if any SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, Twp. 21N, Rge. 23E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	23E	9		36	30														66

Total number of acres to be irrigated 66

9. Describe any other water rights used for the same purpose as described above none

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

RECORDED

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 74-2272 Decreed to William B. Bolton &/or Rose Starr
(Name)
 in case of Proposed Finding of Water Rights in the Lemhi River Basin
 Case No. 4948
 dated in _____ in 7th Judicial District county of Lemhi
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is
recognized holder of right.

3. Source of water Geertson Creek tributary to Lemhi River

4. Date of priority 5/23/1923

5. Water is used for the following purposes:

amount 0.54 cfs for irrigation purposes from 4/1 to 11/1
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.54 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is SE 1/4 of NE 1/4 of Section 4
 Township 21N Range 23E, B.M., in Lemhi County
 Additional points of diversion, if any Lot #1 (NE 1/4 NE 1/4), Sec. 4, Twp. 21N, Rge. 23E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
21N	23E	4												1					1
		9					14.6												14.6

Total number of acres to be irrigated 15.6

9. Describe any other water rights used for the same purpose as described above none

to your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D. REMARKS.

MICROFILMED

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information 0.60 cfs (74-0006) 1.00 cfs (74-0007) 1.32 cfs (74-0918)
0.54 cfs (74-2272)
 - a. Amount of water to be diverted 3.46 c.f.s. &/or _____ acre feet
 - b. Description of diverting works Headgates and open ditches, concrete headbox for gravity flow sprinkler system.
 - c. Describe the reasons for the proposed changes The installation of a gravity flow sprinkler system has established a new point of diversion for the lands appurtanent to rights described by application.

2. Change in point of diversion

Point of diversion Lot 6
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34 Township 22N
Range 23E, B.M., Lemhi County

Additional points Lot #1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9; Twp. 21N, Rge. 23E

3. Change in place of use
 - a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No XX. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
no change

- c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. 74-0619

UNRECORDED

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

X Daniel P. Lopez UP, Mon
Getton Ranch, L.R.
(Signature of Applicant)

Subscribed and sworn to before me this 30 day of June, 19 81.

Elaine Burch
(Notary Public)

My commission expires 12-21-82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 74-0006 and said application is hereby APPROVED, subject to the following limitations and conditions:
Pursuant to Memorandum Decision and Order

Witness my hand this 7th day of April, 19 82

[Signature]
Director

FOR DEPARTMENT USE ONLY		
Received by <u>KW</u>	Date <u>7/1/81</u>	Protest filed by <u>Virgil Olson</u>
Prelim. check by <u>KW</u>	Fee <u>50.00</u>	<u>Virgil Olson</u>
Received by <u>kw</u>	Date <u>7/7/81</u> #17779	
Published in <u>Recorder-Herald</u>		Copies of protest forwarded by <u>CW</u>
Pub. dates <u>7/16 & 7/23/81</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on _____		Recommended for _____ approval _____ denial _____
_____ rec'd. _____		by _____

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