

T1705 BOY SCOUTS OF AMERICA

WD #131 *No Watermaster*

Identification No. 1705

Transfer No. 13-0030

APPROVED

RECEIVED
JUL 13 1974
Department of Water Administration
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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

1. Name of Right Holder CACHE VALLEY COUNCIL, BOY SCOUTS OF AMERICA

Post office address 199 Pioneer Avenue, Box 600 Logan, Utah

2. Right obtained by:

a. Decree to Alvin C. & LeRoy Hull in Case of McEwan

vs. Franklin Sugar Co. (Name)
Dated 7/9/24 in 5th Judicial District

Court. County of Franklin (Name of Court)

b. License No. 13-030 issued by the State of Idaho, Department of Reclamation.

3. Source of water Carter Creek (L. Hand Fork, (Name of stream or source)
Cub River) tributary to Cub River

4. Date of Priority (not given in decree stated A primary right to the use, if it all flows during the irrigation seasons) Date

5. Amount of water a. 2.4 c.f.s. ~~2.4~~

b. _____ acre feet/annum

6. Water is used for irrigation & domestic from April 1 to October 31
(unspecified; most recent:) (Month, Day) (Month, Day)

7. Original location of point of diversion is SE 1/4 NE 1/4 of Section 34

Township 14S, Range 41E, B.M., in Franklin County;

Additional points of diversion, if any NONE

8. Lands presently 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	
14S	41E	34					H.E.S. No. 87												157.57
							See Attached Legal Description												

Total number of acres presently irrigated 157.57

9. If applicant was not the original holder of this right explain how it was acquired: Purchased from
A. C. Hull family. (Ella M. Hull, deceased widow of Alvin C. Hull)

10. CHANGE IN POINT OF DIVERSION

NO CHANGE

- a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet
- b. New point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____, Township _____
_____, Range _____, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____

- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:

- f. Do you intend to make the transfer permanent? _____
- g. Do you intend to abandon completely the old point of diversion? _____

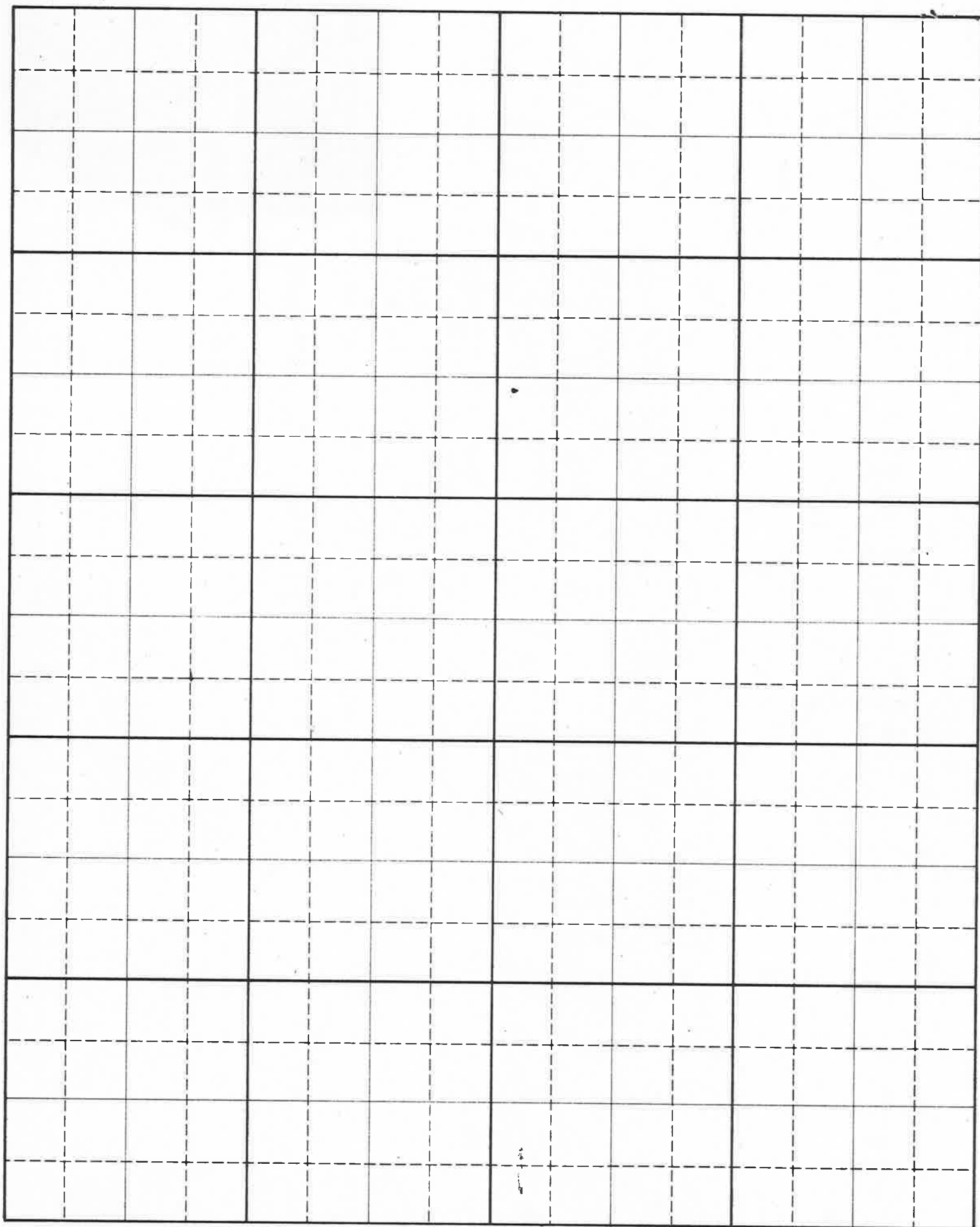
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE (unsurveyed)

- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	
14S	41E	34				H.E.S. No. 87)													78.78
						and)													
						Land Patent No) 11-71-0116													78.79

Total number of acres to be irrigated 157.57



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

b. Do you intend to make the transfer permanent? YES

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

One-half of land in HES No. 87 will still be irrigated in small undesignated patches (troop camp sites, etc.). One-half of land formerly irrigated will be abandoned in HES No. 87, and land in Patent No. 11-71-0116 will be irrigated instead.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: NONE

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

CACHE VALLEY COUNCIL, B.S.A.

[Signature] President
(signature of applicant)

Subscribed and sworn to before me this 27th day of June, 1972

[Signature]
(notary public)

My commission expires Jan 30, 1976

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 13-0030,
and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 15th day of August, 19 72

[Signature]
Deputy Director ~~State Reclamation Engineer~~

FOR DEPARTMENT USE ONLY

Received by <u>Ba</u> Date <u>6/28/72</u>	Protest filed by: _____ Date _____
Prelim. check by _____ Date _____	_____
Fee received by <u>Ba</u> Date <u>6/28/72</u> Fee \$ <u>30.00</u> # <u>7333</u>	_____
Approved for publication by <u>D</u>	_____
Published in _____ Dates _____	_____
Hearing held _____	_____
Watermaster Recommendation sent _____	_____

I-3280

127897

The United States of America

To all to whom these presents shall come, Greeting:

RECEIVED
FEB 20 1971
RECORDED
INDEXED

WHEREAS

Cache Valley Council, Boy Scouts of America,
is entitled to a Land Patent pursuant to General Exchange
Act of March 20, 1922 (42 Stat. 465), as amended by the
act of February 28, 1925 (43 Stat. 1090), for the following
described lands:

Boise Meridian, Idaho

T. 14 S., R. 41 E., unsurveyed,
Tract 37

Containing 199.71 acres;

NOW KNOW YE, that there is, therefore, granted by the
UNITED STATES, unto the above named claimant the land above
described; TO HAVE AND TO HOLD the said land with all the
rights, privileges, immunities, and appurtenances, of what-
soever nature, thereunto belonging, unto the said claimant,
its successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals
constructed by the authority of the United States.
Act of August 30, 1890, 26 Stat. 391; 43 U.S.C.
945;
2. All oil and gas, in or under said land, together
with the right to enter upon the land to drill
and remove the same, in accordance with the pro-
visions of the act of February 28, 1925 (43 Stat.
1090);
3. Reserving to the United States, and its assigns,
an easement for an existing road, No. 30007, over
and across Tract No. 37, being 66 feet in width,

Patent Number

1-0116

Recorded at the request of

9:15 AM MAY 18 1971 p.m.

OTTO L. JOHNSON, RECORDER

Edith J. Olson, Deputy
BLAINE COUNTY, IDAHO

2.05 fee
mail: 199 Pioneer Avenue
Logan, Utah 84321
GPO 847-946

lying equally on each side of the centerline with additional width for cuts and fills. The centerline of the road enters said Tract 37 approximately 14 chains N. 04°33'W., from corner No. 5 of H.E.S. No. 87; the said road traverses in an easterly and northerly direction over and across said Tract 37; the centerline of the road leaves Tract 37 approximately 2 chains S. 01°52'E., of corner No. 9 of Tract 37.

Provided, that if for a period of 5 years, the United States or its assigns, shall cease to use, or preserve for prospective future use, the above road, or any segment thereof, for the purposes reserved, or if at any time the United States of America determines that the road or any segment thereof, is no longer needed for the purposes reserved, the easement traversed thereby shall terminate. In the event of such non-use or of such determination by the United States of America, the United States of America shall furnish to the patentee, its successors or assigns, a statement in recordable form evidencing termination.

The foregoing reservation is in accordance with the provisions of the act of February 28, 1925 (43 Stat. 1090).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho
the TWENTY-EIGHTH day of APRIL in the year
of our Lord one thousand nine hundred and SEVENTY-ONE
and of the Independence of the United States the one hundred
and NINETY-FIFTH.

By David H. Hadley
Manager, Idaho Land Office

Patent Number 21-0116

THE CONTRACT

THIS AGREEMENT, made this 1st day of November, 1966, between

WILLIAM H. HUNT, of Idaho, hereinafter termed the
Seller, and CASH VALLEY COUNCIL BOY SCOUTS OF AMERICA, of Cache County,

both, hereinafter termed the Purchaser.

WITNESSETH:

In consideration of the stipulations herein contained and the pay-

ments to be made as hereinafter specified, the seller hereby agrees to

sell to the purchaser and the purchaser hereby agrees to buy from the

seller the following described real property in the County of Franklin,

State of Idaho:

Tract of land, Section 34, Township 14 North, Range 41 East, and in Section 35, unsurveyed, in Township 14 North, Range 41 East, and in Section 36, surveyed, as shown by the field notes of the survey thereof, on file in the office of the United States Surveyor General at Boise, Idaho, and more particularly described as follows, to-wit: Commencing at corner No. 1, U.S.L.M. No. 87 and running thence North 79°12' East 40.29 chains to corner No. 2; thence North 40°27' West 36.74 chains to corner No. 3; thence South 87°30' East 18.03 chains to corner No. 4; thence South 49°33' East 37.75 chains to corner No. 5; thence South 81°22' East 19.38 chains to corner No. 6; thence South 89°40' West 39.91 chains to corner No. 7; thence North 82°46' West 28.68 chains to corner No. 1 to the place of beginning, and containing 157.57 acres.

Together with any and all water rights and existing ditches belonging or in anywise appertaining thereto.

For the sum of seventy-five thousand (\$75,000.00) Dollars, of which the purchaser has paid the sum of ten thousand (\$10,000.00) Dollars as a down payment, receipt of which is hereby acknowledged by the seller, and the purchaser agrees to pay the remainder of the principal, sixty-five thousand (\$65,000.00) Dollars, together with interest thereon from November 1, 1966, at the rate of five (5%) per cent per annum, shall be payable as follows:

(a) A minimum of \$4,333.33 shall be paid on the unpaid principal balance each fiscal year beginning November 1st and ending the following October 31st, the first such minimum principal payment being due on or before October 31, 1967;

(b) Such minimum principal payment may be paid for each fiscal year or any time and from time to time during such fiscal year within the discretion of purchaser;

(c) Each payment made under this loan contract shall be applied first to interest and the balance to principal;



CACHE VALLEY COUNCIL

Boy Scouts of America

199 Pioneer Avenue — Box 600
Logan, Utah 84321

June 27, 1972

MERLIN I. BISHOP
PRESIDENT

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DERRALD L. WATKINS
SCOUT EXECUTIVE

Mr. Norman C. Young
District Engineer, State of Idaho
Department of Water Administration
240 South Holmes Avenue
Idaho Falls, Idaho 83401

JUN 28 1972

Department of Water Administration
Idaho Falls Office

Dear Mr. Young:

I am enclosing the signed copies of an application of transfer of water right, and an application for a permit for a reservoir along with the necessary fees to cover the cost of processing these applications.

I would appreciate it very much if you would review these applications carefully, and make any adjustments you feel appropriate based upon our recent conservation in your office a few days ago.

On the application for transfer I have included a land description of the original homestead entry survey #87, and a copy of the land patent #11-71-0116 which we received from the United States Forest Service. Also included is a camp development lay-out map showing the approximate location of troop sites, road ways, water lines, and proposed reservoir. Also included are the lower troop sites which will be included as a part of the irrigation program of H.E.S. #87.

I have attached a similar map on the application for permit, to show the camp lay out including the proposed reservoir. The detailed plans for the reservoir will be prepared under the direction of Wendell Smith, Consulting Engineer of Preston, Idaho.

I certainly appreciate the help you have given to us with this application. If additional information is needed, please call me collect.

Sincerely yours,

Derrald L. Watkins
Scout Executive

DLW:jp

Enclosure

Boy Scout Movement begins with BOYPOWER

