

T1665 OWSLEY CANAL CO

Identification No. 31-0166

Transfer No. 1665

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 Owsley Canal Company

Post office address Terreton, Idaho 83450

2. Right obtained by:

a. Decree to Bertha I. Neilson in Case of Ernest Sauve
(Name)

vs. W. H. Abbott, Dated 1931 in U. S. District Court for District
of Idaho, Eastern Division (Name of Court)

~~County of~~

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

3. Source of water Camas Creek tributary to Mud Lake
(Name of stream or source)

4. Date of Priority Sept. 5, 1912

5. Amount of water a. 1.72 c.f.s. and/or 2.00 c.f.s. easment deed attached
b. --- acre feet/annum *William L. Byrnes*

6. Water is used for irrigation from April 1 to Nov. 1
(Month, Day) (Month, Day)

7. Original location of point of diversion is NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36,
Township 7N, Range 36E, B.M., in Jefferson County;

Additional points of diversion, if any See transfer #861

8. Lands presently 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 $\frac{1}{4}$	
7N	35E	25													X	X	X	X	160 120
7N	35E	36	X	X			X												120

Total number of acres presently irrigated 280 240

William L. Byrnes

By direct purchase of Mud Lake Right and Easement Right originally
belonging to Owsley Canal Co.

Total number of acres to be irrigated 200

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:

Well water has been applied for by Don R. Bybee, application has
been advertised and approved by the Department of Water Administration.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this

right: Water to be used on ground not now irrigated, but within The
Owsley Canal Company boundarys.

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.

X Marking L Bybee
(signature of applicant)

Subscribed and sworn to before me this 18 day of February, 19 71

Jay Gardner
(notary public)

My commission expires 12-13-73

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0166/1665,
and said application is hereby APPROVED.

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

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

Witness my hand this 11th day of May, 19 71

R. Keith Higginson
R. KEITH HIGGINSON
Director State Reclamation Engineer

MEMORANDUM

TO: Roberta Garrett
FM: Ken Knicklock *Ken*
RE: Sauve vs. Abbott Decree
DATE: June 25, 1985

Department of Water Resources

The following rights have been superseded:

in Sauve vs Abbott Decree (31-A) by Holley Water Users Assn. (31-DW)

✓ 31-0166	31-0341
✓ 31-0140	31-0342
✓ 31-0039	31-0343
✓ 31-0091	31-0344
✓ 31-0224	31-0345
✓ 31-0226	31-0346
✓ 31-0041	31-0347
✓ 31-0225	31-0348
✓ 31-0040	31-0349
✓ 31-0264	
✓ 31-0138	
✓ 31-0131	31-
✓ 31-0132	31-0353
✓ 31-0111	31-0354
✓ 31-0112	31-0355
✓ 31-0136	31-0356
✓ 31-0092	31-0357
✓ 31-0246	31-0358
✓ 31-0227	31-0359
✓ 31-0265	31-0360
✓ 31-0139	31-0361
✓ 31-0110	31-0362
✓ 31-0137	31-0363

Thanks.

31-0376

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 861.

BEFORE ME, the undersigned, That H. L. Wybee of Haer, Idaho, is the owner of and using a certain water right for 1.72 cubic feet per second of the waters of Camas Creek with priority of September 5, 1912, said water right decreed to Bertha L. Nelson by Judge Charles C. Cavanah of the District Court of the United States, for the District of Idaho, Eastern Division, in the case of

Plaintiff,

vs.

L. M. West, et al.,

Defendants.

said decree bearing date of November 1, 1930, and being appurtenant to the following described lands, to-wit:

Northwest Quarter Section 1
Township 6 North, Range 35 East, R. 1.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees, beginning at page 535.

That H. L. Wybee has become the owner of said water right through purchase.

And that now, upon the application of H. L. Wybee of Haer, Idaho, for the transfer of 1.72 cubic feet per second of the waters of Camas Creek, under before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 1.72 cubic feet per second of the waters of Camas Creek upon the above described lands is hereby abandoned and the land to which the water right hereby confirmed shall, by this certificate, become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

Section 25
Section 36
Township 7 North, Range 35 East, R. 1.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

1.72 cubic feet per second of the waters
of Camas Creek with priority of September 5, 1912.

That the water right hereby transferred was heretofore been conducted to the first above describe lands from Camas Creek through the Holley Water Users' Association, Inc. Canal with point of diversion in the NW 1/4 Section 36, Township 7 North, Range 35 East, . . .

That the water right hereby transferred shall hereafter be conducted to the last above described land from Camas Creek through private ditches with point of diversion in the SW 1/4 Section 25, Township 7 North, Range 35 East, . . .

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

I, STEVEN L. HARRIS, have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 5th day of October, 1955.

WILLIAM L. KULL
State Reclamation Engineer