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RASSMUSSEN

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of	)	
P. T. Rassmussen	)	
of	)	ORDER GRANTING TRANSFER
Kilgore, Idaho	)	NO. 959
For a Transfer of Water Right in	)	
Water District No. 66,	)	
County of Clark, Idaho.	)	

WHEREAS, ON the 12th day of April, 1961, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of P. T. Rassmussen, of Kilgore, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form, and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that said transfer would enable said applicant to put the water to a more beneficial use, and to correct an error in the original decree, and that no one would be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I 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 25th day of April, 1961.

GEO. N. CARTER
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

ORDER GRANTING TRANSFER
NO. 959

In the Matter of the Application of
P. T. Rasmussen
of
Kilgore, Idaho
For a Transfer of Water Right in
Water District No. 66,
County of Clark, Idaho.

WHEREAS, ON the 12th day of April, 1961, at the Department of
Reclamation of the State of Idaho, at Boise, Idaho, this matter of an
application of P. T. Rasmussen, of Kilgore, Idaho, for a Transfer of
Water Right, came on regularly for hearing, pursuant to the published
notice, in due and statutory form, and,

WHEREAS, No protest has been filed against the application,
and the evidence filed by the applicant, with the application, shows
that said transfer would enable said applicant to put the water to a
more beneficial use, and to correct an error in the original decree,
and that no one would be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application
be and the same is HEREBY GRANTED, and that a Certificate of Transfer
be issued to the applicant herein, as provided by the laws of the State
of Idaho.

IN WITNESS WHEREOF, I 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 25th day of April, 1961.

GEO. W. CARTER
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 959

THIS IS TO CERTIFY That P. T. Rasmussen, of Kilgore, Idaho is the owner of and using 3.0 cubic feet per second of the waters of East Camas Creek, said water being decreed to the heirs of Lee Charles Miller, by decree of Judge Charles C. Cavanah of the District Court of the United States for the District of Idaho, Eastern Division, and being shown as Water Right No. 80 in said decree, in the case of

ERNEST SAUVE

Plaintiff

vs.

W. H. ABBOT, et al

Defendants

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

SE $\frac{1}{4}$ of Section 30,
Township 13 North,
Range 39 E. B. M.,

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

That P. T. Rasmussen of Kilgore, Idaho, has become the owner of such water right through purchase;

And that now, upon the application of P. T. Rasmussen of Kilgore, Idaho, for a transfer of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 3.0 cubic feet per second of the waters of East Camas Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this Certificate, for irrigation and domestic purposes, are described as follows, to-wit:

NE $\frac{1}{4}$ of Section 30,
Township 13 North,
Range 39 E. B. M.,

That the 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 3.0 cubic feet per second of the waters of East Camas Creek with priority of June 1, 1895;

That the water right hereby transferred has been conducted to the first above described place of use from East Camas Creek with point of diversion near the east and west center line of Section 18, Township 13 North, Range 39 E. B. M.;

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 252

THIS IS TO CERTIFY That P. T. Rasmussen, of Kilgore, Idaho, as the owner of and using 3.0 cubic feet per second of the waters of East Camas Creek, said water being decreed to the heirs of Lee Charles Miller, by decree of Judge Charles C. Gavanah of the District Court of the United States for the District of Idaho, Eastern Division, and being shown as Water Right No. 80 in said decree, in the case of

WEST SAUV

Plaintiff

vs.

W. H. ABBOT, et al

Defendants

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

SE 1/4 of Section 30,
Township 13 North,
Range 39 E. B. M.

That the said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 2 of Decrees, at Page 232.

That P. T. Rasmussen of Kilgore, Idaho, has become the owner of such water right through purchase.

And that now, upon the application of P. T. Rasmussen of Kilgore, Idaho, for a transfer of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 3.0 cubic feet per second of the waters of East Camas Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become apartment, by this Certificate, for irrigation and domestic purposes, are described as follows, to-wit:

NE 1/4 of Section 30,
Township 13 North,
Range 39 E. B. M.

That the 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 3.0 cubic feet per second of the waters of East Camas Creek with priority of June 1, 1892.

That the water right hereby transferred has been conducted to the first above described place of use from East Camas Creek with point of diversion near the east and west center line of Section 18, Township 13 North, Range 39 E. B. M.

That the water right hereby transferred will hereafter be conducted to the last above described place of use with no change in point of diversion.

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.

IN WITNESS WHEREOF, I 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 25th day of April, 1961.

GEO. N. CARTER
State Reclamation Engineer

State Reclamation Engineer
GEO. H. CAVELER

into which, at Boise, Idaho, this 22nd day of April, 1907.
that each of the Department of Reclamation of the State of Idaho to be re-
IN WITNESS WHEREOF, I have hereunto set my hand and caused the offi-
cial seal of the State of Idaho to be here-
to be affixed to the lands or place of use last above described, as pro-
vided by the laws of the State of Idaho.
That the right to the use of the water aforesaid, hereby confirmed,
to the last above described place of use with no change in point of dis-
charge, that the water right hereby transferred shall hereafter be conveyed

RECEIVED
MAR 28 1931

Department of Reclamation

Application For Transfer of Water Right

copy

STATE OF IDAHO

County of Clark

SS.

31-0158

P. T. Rasmussen

, being first duly sworn, deposes and says:

That his name is P. T. Rasmussen; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Kilgore, Idaho.

That he is the owner and using a certain water right, bearing date of priority of 6/1 1895 for 3.0 cubic feet per second of the waters of East Camas Creek

County of Clark, State of Idaho, decreed to heirs of Lee Charles Miller by decree of Judge Charles C. Cavanah of the United States Judicial District of the State of Idaho, in and for the county of _____, in the case of Ernest Sauve

vs. W. H. Abbott et al, said decree bearing date of Nov. 1, 1930 and being shown as Water Right No. 80 in said decree (or obtained by virtue of License No. _____, issued by the State Department of Reclamation of the State of Idaho, dated _____, 19____, bearing date of _____, 19____)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 66 in the County of Clark and State of Idaho, to-wit: The SE $\frac{1}{4}$ of Section 30, Township 13 North, Range 39 E.B.M.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. By Warranty Deed to the land, which deed includes all water rights decreed to said land,

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 in the near the east and west center line of Section 18, Township 13 N., Range 39 E., B. M., and conducted to the above described lands through an open ditch

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.0 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Clark and State of Idaho, to-wit: NE $\frac{1}{4}$ of Sec. 30, Township 13 North, Range 39 East Boise Meridian in Clark County, Idaho.

That reasons for desiring to make such transfer are as follows: I own the land to which I desire the water right changed in order to correct an error in original decree, which error has come to my attention.

That he intends to divert and convey said 3.0 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:
in an open ditch, there being no change whatever.

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in 1/4 of 1/4 of Section , Township , Range , and thereafter conduct same to the above described land through the ditch, as per map appended. **(no change in point of diversion)**

That his reasons for desiring to make such change are as follows:

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

P. J. Rasmussen
P. J. Rasmussen Applicant. ✓

Subscribed and sworn to before me this 24th day of March, 19 61

H. R. Hahn
Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? East Camas Creek
Where is the diversion point located? Near east and west center line of Section Twp. 13 North, Range 39 E.B.M.
Through what ditch is it now conducted? open ditch - no name
How much land is now irrigated by the water sought to be transferred? 160 acres
Give the description: SE 1/4 of Section 30, Twp. 13 North, Range 39 E.B.M.

What is the total amount of water in inches, or second feet, dedicated to said land? 300

What kind of crops are being raised? hay, pasture, grain

How much water per acre is now required to irrigate said land? Approximately 1 inch

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

no effect

Give location of new point of diversion, if change is to be made no change

Through what ditch will it be conducted after transfer? same ditch

How much water will be required per acre to irrigate the land to which this water is transferred?

Approximately 1 inch per acre

Do you claim any other water right for the land from which you seek to abandon the use of this water? **yes**

If so, give amount, date and source 3.0 c.f.s. 6/1/1895, East Camas Creek

Is there any other water right for the land to which you seek to make this transfer? If so, give amount,

date and source not of record - error in decree

Signed

P. T. Rasmussen

Applicant.

STATE OF IDAHO,

County of Clark

ss.

I, Don W. Shenton, Watermaster of

Water District No. 66, ~~County~~ **Counties** Clark and Jefferson, State of Idaho, whose postoffice address

is Dubois, Idaho, have read or heard read the foregoing affidavit and petition

of P. T. Rasmussen, 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 Reclamation 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: There is an excess of water on the

SE $\frac{1}{4}$ of Section 30, Twp. 13 North, Range 39 E.B.M., which appears to me

to be an error in the original decree, and this will correct this

situation. Other right bears No. 69 of said decree.

Watermaster, District No. 66

Donald W. Shenton

Dated at Dubois, Idaho, this 24th day of March, 1961

Name of Applicant.

. T. Rasmussen, Kilgore

aho

