

T843 WAYMIRE

33-0099

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
TRANSFERRED RIGHT NO. 813

In the Matter of the Application of Fredrick } Wayne and Margaret Waymire
Donald Frederick Waymire and }
Margaret Waymire } ORDER GRANTING TRANSFER
of Howe, Idaho } NO. 843.
For a Transfer of Water Right, in Water }
District No. 9, Butte County, Idaho. }

WHEREAS, On the 17th day of January, 1955, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of Donald Frederick Waymire and Margaret Waymire of Howe, 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 applicants, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will 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 1st day of March, A. D. 1955.

That said Donald Frederick W. **MARK R. KULP** We are have become
the owners of said water rights through **State Reclamation Engineer**

(SEAL) That now, upon the application of Donald Fredrick Wayne and Albert Wayne of Iowa, State, for the transfer of .30 cubic feet per second of the water of Little Lost River and .30 cubic feet per second of the water of Dry Creek made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of said waters upon the above described lands is hereby abandoned and the land in which these water rights shall, by this certificate, become appurtenant for irrigation and domestic purposes is described as follows:

W. 1/2, S. 1/2, E. 1/2, E. 1/2, W. 1/2, Section 29
Township 10 North, Range 27 East, R.M.

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

100 cubic feet per second at the return of Little Lost River with priority of April 15, 1914.

50 cubic feet per second of the waters of Br. Creek with priority of April 15, 1891.

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 843.

THIS IS TO CERTIFY THAT Donald Frederick Waymire and Margaret Waymire of Howe, Idaho, are the owners of and using certain water rights including .30 cubic foot per second from Little Lost River with priority of April 15, 1891 and .80 cubic foot per second from Dry Creek with priority of April 15, 1891, said waters being decreed to Emily Bassinger by Judge Ralph W. Adair of the District Court of the 6th Judicial District of the State of Idaho, in and for the County of Butte, in the case of

BLAINE COUNTY INVESTMENT COMPANY

Plaintiff,

vs.

ROBERT G. MAYS, et al.,

Defendants.

said decree bearing date of March 4, 1927, and being appurtenant to the following described lands, to-wit:

E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20
Township 10 North, Range 27 East B.M.

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 86.

That said Donald Frederick Waymire and Margaret Waymire have become the owners of said water rights through purchase.

And that now, upon the application of Donald Frederick Waymire and Margaret Waymire of Howe, Idaho, for the transfer of .30 cubic foot per second of the water of Little Lost River and .80 cubic foot per second of the water of Dry Creek made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of said waters upon the above described lands is hereby abandoned and the land to which these water rights shall, by this certificate, become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29
Township 10 North, Range 27 East, B.M.

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 amounts, to-wit:

.30 cubic foot per second of the waters of Little Lost River with priority of April 15, 1891.

.80 cubic foot per second of the waters of Dry Creek with priority of April 15, 1891.

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That the water rights hereby transferred have heretofore been conducted to the first above described lands through private ditch with point of diversion in the N¹/₄NE¹/₄ Section 19, Township 10 North, Range 27 East, B.M.

That the water rights hereby transferred will be hereafter conducted to the last above described land through the same private ditch 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 1st day of March, A. D. 1955.

MARK R. KULP
State Reclamation Engineer

(SEAL)

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