

T587 PECK

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 587

587
WD 33
RECEIVED

FEB 9 1973

Department of Water Administration
Eastern District Office

33-0044

THIS IS TO Certify that ROY PECK, of Howe, Idaho, is the owner of and using a certain water right, bearing date of priority of November 15, 1911, for 155 inches of the waters of WILLIAMS SPRINGS AND CEDAR RUN, in the County of Butte, State of Idaho, said water being decreed to Roy Hawley and Maude Hawley by decree of Judge Ralph W. Adair of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of

BLAINE COUNTY INVESTMENT CO., vs. ROBERT G. MAYS, et al,

said decree bearing date of March 4, 1927, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 9 in the County of Butte and State of Idaho, to-wit,

E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 4, Township 4 North, Range 29 East of Boise Meridian, S $\frac{1}{2}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34; NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3; Lot 2 and SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 29 East of Boise Meridian;

THAT THE SAID Decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, at Page 86

THAT THE SAID Applicant has become the owner of the said land and water right through deed dated April 2, 1929, Recorded in Butte County, June 6, 1929;

THAT NOW, UPON THE Application of ROY PECK, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 155 inches of the waters of WILLIAMS SPRINGS AND CEDAR RUN, upon the lands above described, 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:

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 9; SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10; and W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 15; all in Township 9 North, Range 27 East of Boise Meridian,

situate, lying and being in the County of Butte, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

155 inches of the waters of Williams Springs and Cedar Run, with date of priority of November 15, 1911.

THAT THE WATER RIGHT, Hereby transferred has been diverted from the said WILLIAMS SPRINGS and CEDAR RUN at a point in the

NW $\frac{1}{4}$ of Section 11, Township 9 North, Range 27 East of Boise Meridian,

and conducted to the first above described lands through a private ditch and Little Lost River, and will hereafter be diverted from the mouth of Williams Springs and mouth of Cedar Run and will be conducted to the new place of use through a private ditch.

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 seal of the Department of Reclamation of the State of Idaho, to be affixed at Boise, Idaho, this 11th day of March, 1938.

R. W. FARIS
Commissioner of Reclamation

By

O. D. Becker

Supervisor of Water Distribution

*From the
Decree*

From Little Lost River:

40 inches, Priority September 1, 1879;
40 inches, Priority March 14, 1891.

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Point of diversion:

From Little Lost River:

to be used and appurtenant to:

The Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section Three, Township Five North, Range Twenty-nine East of the Boise Meridian.

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ROY HAWLEY and MAUDE HAWLEY, husband and wife:

From Little Lost River:

80 inches, September 1, 1879;
80 inches, June 1, 1891.

William Springs and Cedar Run:

155 inches, November 15, 1911. *Trans # 587*

Points of diversion:

From Little Lost River:

From Williams Springs and Cedar Run:

(the award from William Springs and Cedar Run being dependent upon said cross-complainants, and their successors in interest, delivering

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said water into the natural channel of Williams Creek, a tributary of Little lost River, and shall be chargeable with transmission losses occurring in carrying said water down Williams Creek and Little lost River to claimants' point of diversion] to be used upon and appurtenant to:

The East half of the Northeast Quarter of Section Four, Township Four North, Range Twenty-nine East of the Boise Meridian; the South half of the Southwest quarter, the Southwest quarter of the Southeast Quarter of Section Thirty-four, the Northwest Quarter of the Northeast Quarter of Section Three; Lot Two and the Southwest quarter of the Northeast Quarter, the Southeast Quarter of the Northwest quarter of Section Four, in Township Five North, Range Twenty-nine East of the Boise Meridian.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part Y..... of the second part, and to his heirs and assigns forever. And the said part.ies. of the first part, and their..... heirs, the said premises in the quiet and peaceable possession of the said part. Y..... of the second part, her..... heirs and assigns, against the said part.ies. of the first part, and their..... heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part.ies. of the first part have hereunto set their..... hand.s. and seal.s. the day and year first above written.

Signed, Sealed and Delivered in the presence of

I. W. Boyer	Roy Hawley	[SEAL]
	Maude M. Hawley	[SEAL]
		[SEAL]
		[SEAL]

STATE OF IDAHO,

County of BUTTE

ss.

On this 5th day of June, in the year 19 29, before me, Jo G. Martin, a Notary Public in and for said County, personally appeared Roy Hawley and Maude M. Hawley, husband and wife

whose name.s. are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(NOTARIAL SEAL)

Jo G. Martin,
Notary Public residing at Arco, Idaho.
My Commission expires

Recorded at the request of Roy Peck this 6th day of June
A. D. 19 29, at 30 minutes past 9 o'clock A. M.

Deputy. I. W. Boyer Recorder.
Book 13 of deeds, page 29,

Abstract # 9
Deed # 13 - Page 8

Deed Number
33-0041

Notary
90275

WARRANTY DEED

THIS INDENTURE, Made this 2nd day of April in the year of our Lord one thousand nine hundred and Twenty-nine, between

Roy Hawley and Maude M. Hawley, husband and wife
of _____, County of _____, State of _____

the part 1st of the first part, and

Roy Peck
of _____, County of _____, State of _____

the part Y of the second part,

WITNESSETH, That the said part 1st of the first part, for and in consideration of the sum of One Thousand and no/100 DOLLARS,
Lawful money of the United States of America, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in _____ County of Butte State of Idaho, to-wit:

155 inches of the waters of Williams Springs and Cedar Run with date of priority of November 15, 1911 as decreed to Roy Hawley and Maude Hawley, husband and wife, in that certain suit entitled Blaine County Investment Company, a corporation, Vs. Robert G. Mays, et al., in The District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, to be used upon and become appurtenant to the West Half of the Northwest Quarter of Section 15, Township 9 North, Range 27 E.B.M. By transfer through the office of the Commissioner of Reclamation of the State of Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and

STATE OF IDAHO)
 : ss.
County of Butte)

I hereby certify that the foregoing
is a full, true and correct copy
of the original *Warranty Deed*
on file in this office.
Dated *1-9-73*

Napier Johnson
Clerk of the District Court
of Butte County, Idaho

By: _____
Deputy