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SE 1/4 Section 99;
SW 1/4 Section 100;

That now, upon the application of the Blaine County Canal Company for a 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 5.15 cubic feet per second of the waters of Dry Creek, a tributary of Little Lost River, is hereby abandoned upon the lands above described, and the place of use of water under such right, and to which the water right hereby CONFIRMED by this certificate shall become appurtenant for irrigation and domestic purposes, is described as follows, being lands situated, lying and being in the County of Butte and State of Idaho, to-wit:

That the said corporation, The Blaine County Canal Company, has become and now is the owner of said water right by purchase.

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.

Township 10 North, Range 27 East, B.M.
SW 1/4 Section 19;
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SW 1/4 Section 99;
SW 1/4 Section 100;

said decree being dated March 4, 1927, and being appurtenant to the following described lands, situated, lying and being in the County of Butte, State of Idaho (Water District No. 9), to-wit:

ROBERT G. HAYS, ET AL.
vs.
PLAINTIFFS,
vs.
BLAINE COUNTY INVESTMENT COMPANY, A CORPORATION.
DEFENDANTS.

THIS IS TO CERTIFY THAT THE BLAINE COUNTY CANAL COMPANY, duly qualified as an Idaho corporation, is the owner of a certain water right, described as being 257.7 miner's inches, or 5.15 cubic feet per second of the waters of Dry Creek, a tributary of Little Lost River, with priority date of April 15, 1891, said water being decreed to Perry Hasting, by Judge Ralph W. Adler, of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Water Right No. 670

0098
33-0048

870

S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25
Township 6 North, Range 28 East, B.M.

S $\frac{1}{2}$ Section 19;
NW $\frac{1}{4}$ Section 30;
Township 6 North, Range 30 East, B.M.

That said water is 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:

5.15 cubic feet per second, with priority of April 15, 1891

That the water right hereby transferred has been conducted to the first above described lands through a private ditch, with point of diversion at the Dry Creek Dam.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the Blaine County Canal Company's canal from Little Lost River, with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2, Township 6 North, Range 28 East, B.M.

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 hereunto affixed, at Boise, Idaho, this 21st day of November, A. D. 1944.

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RECEIVED

COPY

Commissioner of Reclamation, Idaho, Boise, Idaho, on the 1st day of October, 1942, in and for the County of Butte, in the case of

STATE OF IDAHO
the Blaine County Canal Company, by L. E. Glennon, President of said Company, of Butte County, State of Idaho, filed an application for transfer of a certain water right, decreed to Perry Basinger, by Judge Ralph W. Adair, of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of

IN REPLY TO ORDER OF THE COMMISSIONER OF RECLAMATION OF IDAHO, NO. 670, DATED OCTOBER 1ST, 1942, IN AND FOR THE COUNTY OF BUTTE, IN THE CASE OF

In the Matter of the Application of)
BLAINE COUNTY CANAL COMPANY,) ORDER GRANTING TRANSFER
)
For a Transfer of Water Right,)
In Water District No. 9,) No. 670
Butte and Custer Counties.)

WHEREAS, THE BLAINE COUNTY CANAL COMPANY, by L. E. Glennon, President of said Company, of Butte County, State of Idaho, filed an application for transfer of a certain water right, decreed to Perry Basinger, by Judge Ralph W. Adair, of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of

BLAINE COUNTY INVESTMENT COMPANY, A CORPORATION,
Plaintiff,

vs.

ROBERT G. MAYS, ET AL,

Defendants,

said decree bearing date of march 4, 1927,

from the lands to which the water was decreed to other lands; the said application having been filed in accordance with the provisions of Section 41-216, Idaho Code Annotated; and,

WHEREAS, Pursuant to the provisions of said chapter a hearing was ordered held before the Commissioner of Reclamation of Idaho, or his authorized agent, in his office, at Boise, Idaho, on the 3rd day of October, A. D. 1942, and notice of said hearing was published in the Arco Advertiser for two consecutive weeks, as provided by statute; and,

WHEREAS, A protest to said transfer was filed by Charles Kyle, Homer B. Mays, Duard W. Terry, Charles Omsley, Charles Webb, R. G. Mays, Zoe Mays, Robert R. Mays, Ellen Holland and J. E. Mays, water users of Little Lost River, and Josephine McCowen, Treasurer of Butte County, representing Butte County; and,

WHEREAS, Pursuant to said notice, the matter came on regularly for hearing on October 3rd, 1942, and by order of the Commissioner of Reclamation was continued to October 21st, 1942, said hearing to be held at Boise, Idaho, in the office of the Commissioner of Reclamation; and,

WHEREAS, Pursuant to said Order, and notification thereof to the applicants and protestants, the hearing was continued at Boise, Idaho, before the Commissioner of Reclamation, E. V. Berg, on October 21st, 1942, a transcript of which hearing is now on file, with all other documents filed in the case, in the Department of Reclamation, at Boise, Idaho; and,

WHEREAS, Under date of October 23, 1942, E. V. Berg, Commissioner of Reclamation, issued his decision granting said transfer as requested by the applicants:

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application of the Blaine County Canal Company for transfer of water right be, and the same is hereby granted, and that a Certificate of Transfer be issued the applicants herein, 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 hereunto affixed, at Boise, Idaho, this 21st day of November, A. D. 1944.

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution