

STARTING LEFT SIDE OF FILE

SCANNED
MAR 05 2008

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Adams, Jacob~~	~~3.0~~		~~37-0006~~
2286	Durfee, Oria C.	1.5		37-0006B
	~~Adams, Jacob~~	~~1.5~~		~~37-0006A~~
2715	Molyneux, A.W. &/or Maxine	1.5		37-0006A

TRANSFER

Transfer No. 2715Water Right No. 37-0006A
37-0007A
37-0008ASTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVEDName of applicant A. W. &/or Maxine Molyneux Phone 788-2552
Post Office address Box 400, Bellevue, ID 83313

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to Jacob Adams (Name)
in case of S. C. Frost et al vs Alturas Water Co. et al
dated in 12-13-1909 in Fourth District county of Lincoln
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
purchase of water & ground together

3. Source of water Silver Creek tributary to Little Wood River

4. Date of priority A) 5-1-1881 B) 4-1-1885 C) 4-1-1887

5. Water is used for the following purposes:

amount A) 1.5 cfs for irrigation purposes from Apr 1 to Nov 1
amount B) 1.25 cfs for " purposes from " to "
amount C) 0.30 cfs for " purposes from " to "
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.05 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29
Township 2S Range 21E, B.M., in Blaine County
Additional points of diversion, if any NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 29; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20 T. 2S R. 21E

8. Lands 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 $\frac{1}{4}$	
<u>2S</u>	<u>21E</u>	<u>20</u>					<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>									<u>160</u>

Total number of acres to be irrigated 160

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

hot

[illegible]

Total number of acres to be irrigated 160

4. Describe any other water rights used for the same purpose as described above. _____

 _____ None _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

A.W. Molyneux
(Signature of Applicant)

Subscribed and sworn to before me this 20 day of July, 19 82

Ed Bay
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

37-0006A, 37-0007A,

This is to certify that I have examined Application for Transfer of Water Rights No. and 37-0008A

and said application is hereby APPROVED, subject to the following limitations and conditions:

1. Use of water under these rights is subject to control by the watermaster of State Water District No. 37M, Little Wood River.

2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 11th day of February, 19 83

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>JP</u>	Date <u>7-13-82</u>	Protest filed by _____
Prelim. check by <u>TWB</u>	Fee <u>50.00</u> # <u>20878</u>	_____
Receipted by <u>marpa</u>	Date <u>7/13/82</u>	_____
Published in <u>Wood River Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>7/29 + 8/5/82</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>7/21/82</u>	Recommended for <u>approval</u> denial	
_____ rec'd. <u>7/26/82</u>	by <u>Juni DMT</u>	

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

Gordon O. Glasman, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 5 day of August,

1982, and the date of the last publication was on the 12

day of August, 1982.

Subscribed and sworn to before me this 12th

day of August, 1982.
(SEAL)

[Signature]
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13

Number of Lines in Notice 65

Number of Insertions 2

Lines tabular at _____ 4¢ / Pica

65 Lines straight at 25.35 3¢ / Pica

65 Subsequent lines at 16.90 2¢ / Pica

TOTAL COST 42.25

COPY OF NOTICE

(Paste Here)

Notice of Proposed Change
of Water Right
37-0006A, 37-0007A, 37-0008A

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho 83301

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0006A 37-0007A 37-0008A

NOTICE IS HEREBY GIVEN, That A.W. &/or Maxine Molyneux of Bellevue, Idaho, has applied to the Department of Water Resources for a change of Place of Use from Silver Creek tributary to Little Wood River. The rights sought to be changed are evidenced by decree to Jacob Adams in case of S.C. Frost, et al., vs. Alturas Water Co., et al, dated December 13, 1909, in Fourth District Court, County of Lincoln, and is recorded as follows:

A) 37-0006A

Amount: 1.5 cfs

Priority Date: 05/01/1881

Point of Diversion: NE¼NW¼, NW¼NW¼, Sec. 29; SE¼SW¼, Sec. 20, T.2S., R.21E., B.M., Blaine County. The water is used for irrigation of 160 acres from April 1 to November 1 within the NW¼, Sec. 20, T.2S., R.21E.

B) 37-0007A

Amount: 1.25 cfs

Priority Date: 04/1/1885

Point of Diversion:

Same as A) 37-0006A

Place of Use:

Same as A) 37-0006A.

C) 37-0008A

Amount: 0.30 cfs

Priority Date: April 1, 1887

Point of Diversion:

Same as A) 37-0006A

Place of Use:

Same as A) 37-0006A

TO BE CHANGED AS FOLLOWS:

Amount: 3.05 cfs

Point of Diversion: NE¼NW¼, NW¼NW¼, Sec. 29 (2 points); SE¼SW¼, Sec. 20, T.2S., R.21E.

Place of Use: NW¼, Sec. 29, T.2S., R.21E., for irrigation of 160 acres from April 1 to November 1.

Any protest against approval of the above-proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before AUGUST 23, 1982.

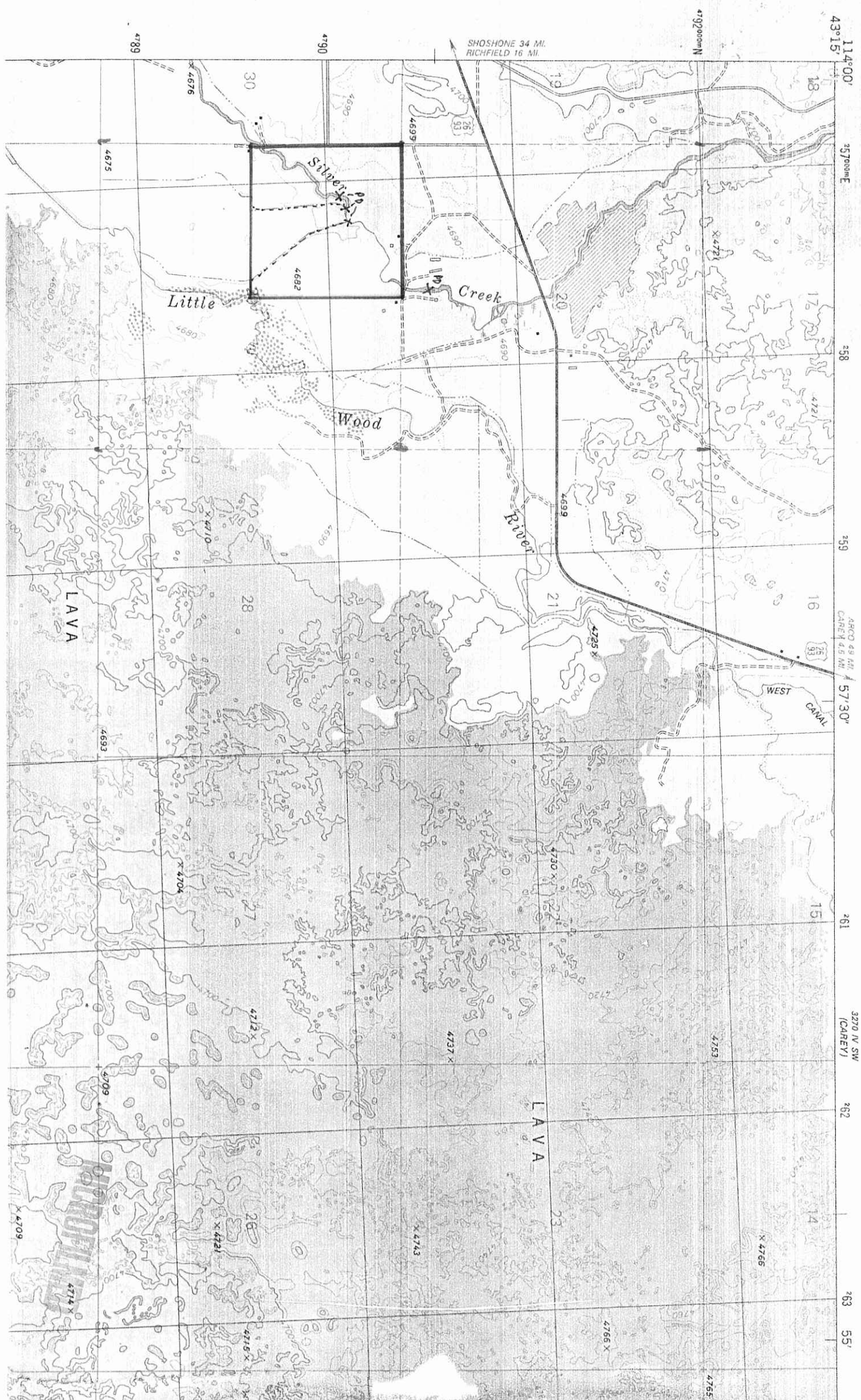
A. KENNETH DUNN
Director

Publish: Wood River Journal-August



57'30"

3270 IV SW
(CAREY)



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Oris C. Durfee Phone 823-4508

Post office address Box 152, Carey, ID 83320

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to Jacob Adams (Name)
- in case of S. C. Frost vs Alturas Water Co.
- dated 10/6/1909 in 4th. Judicial Court county of Blaine & Lincoln (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
- See Attached Deed.

3. Source of water Silver Creek tributary to Little Wood River
4. Date of priority (1) 5/1/1881 - 3.0cfs (2) 4/1/1885 - 2.5cfs (3) 4/1/1887 - 0.6cfs
5. Water is used for the following purposes:
- amount 6.10 cfs for Irrigation purposes from Apr. 1 to Nov. 1
- amount _____ for _____ purposes from _____ to _____
- amount _____ for _____ purposes from _____ to _____ (month/day - both dates inclusive)

6. Total amount of water under right: a. 6.10 cubic feet per second &/or
- b. _____ acre feet per annum
7. Location of original point of diversion is NE NW $\frac{1}{4}$ of NW NW $\frac{1}{4}$ of Section 29
- Township 2S Range 21E., B.M., in Blaine County
- Additional points of diversion, if any _____

8. Lands 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 $\frac{1}{4}$	
2S	21E	29									40	40	40	40					160
		20					40	40	40	40									160

Total number of acres to be irrigated 320

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water:

a. 3.05 cubic feet per second

&/or

b. acre feet per annum

1) 37-0006(part) = 1.50 cfs

2) 37-0007(part) = 1.25 cfs

3) 37-0008(part) = 0.30 cfs

2. Point of diversion

NE NW 1/4 NW 1/4

1/4 1/4

Section 29

Township 2S

Range 21E., B.M., Blaine

County

Additional points

3. Place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2S	21E	29									40	40	40	40					160

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 3.05 c.f.s. &/or acre feet

b. Point(s) of diversion NW 1/4 SE 1/4

1/4 1/4

Section 30

Township 2S

Range 21E., B.M., Blaine

County

Additional points Plus 2 points listed in Item 7

c. Description of diverting works

pump taking suction from Silver Creek and discharging into mainline of sprinkler system, plus old diversions to gravity flow ditches.

d. Describe the reasons for applying for a change in the point(s) of diversion

To put water to a more beneficial use by utilizing sprinkler system.

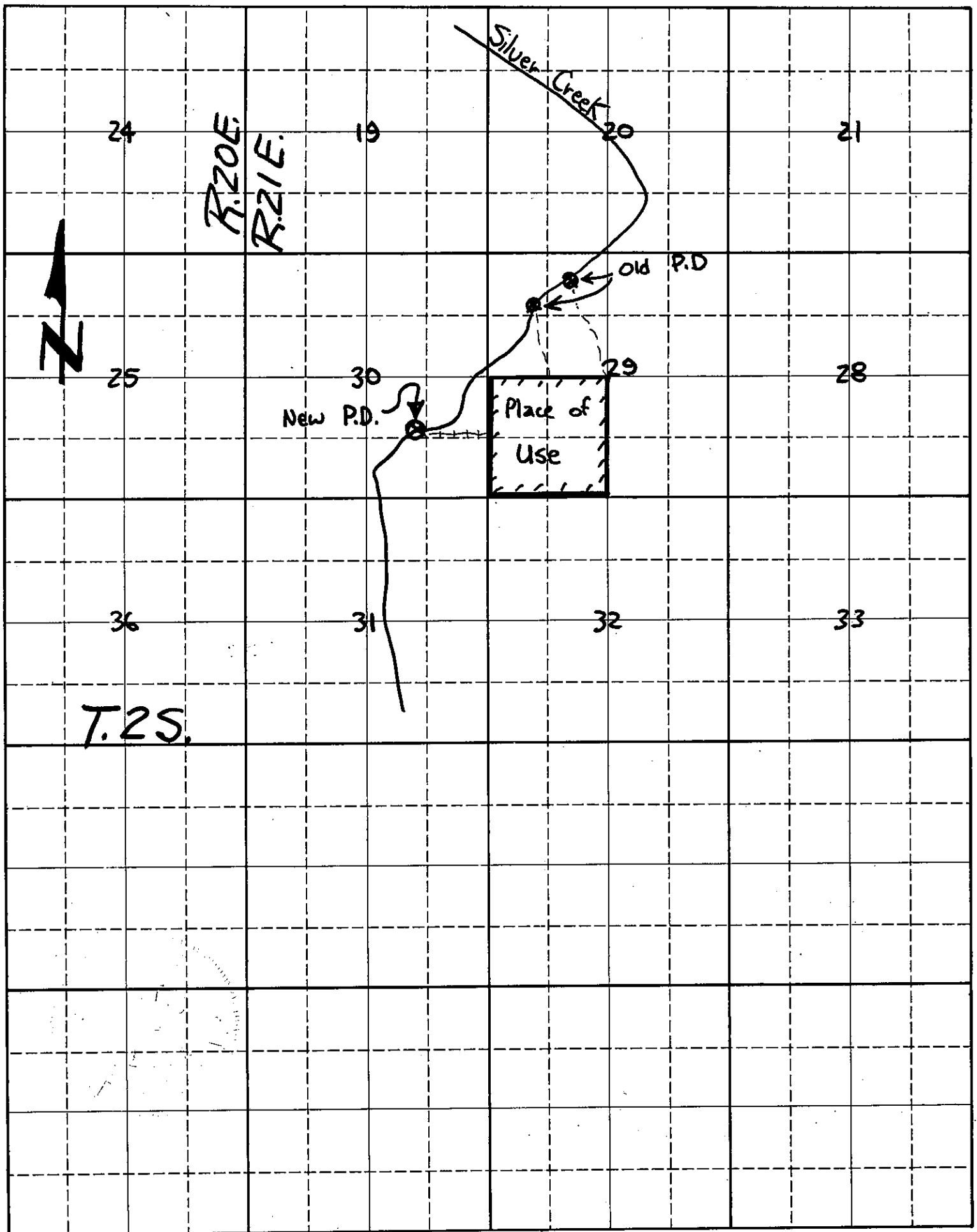
2. Change in place of use NO CHANGE

a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Cris E. Quisenberry
(Signature of applicant)

Subscribed and sworn to before me this 27th day of July, 19 78.

Sheryl R. Meritt
(Notary public)
Sevin Falls, Idaho

My commission expires 2/10/82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0006, 37-0007, 37-0008 and said application is hereby APPROVED, subject to the following limitations and conditions:

(1) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. (2) Use of water under this Transfer is subject to control by the watermaster of State Water District No. 37-M, Little Wood River.

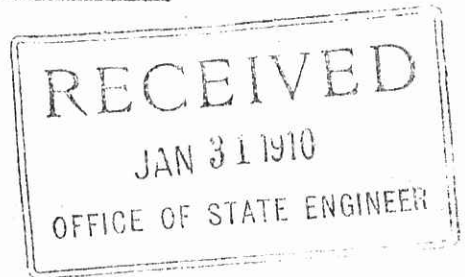
Witness my hand this 17TH day of October, 19 78.

Norman C. Young
Administrator

FOR DEPARTMENT USE ONLY

Received by <u>ADM</u>	Date <u>7/27/78</u>	Protest filed by _____
Prelim. check by <u>JA</u>	Fee <u>\$35.00</u>	_____
Receipted by <u>SM</u>	Date <u>7/27/78</u> # <u>10512</u>	_____
Published in <u>Wood River Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>8/10 & 8/17/78</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>8-4-78</u>	Recommended for <u>approval</u> denial	
_____ rec'd. <u>8-8-78</u>	by <u>LA</u> <u>S.S.</u>	

In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.



S. C. Frost, et al.,

P l a i n t i f f s,

vs.

Alturas Water Company, et al.,

D e f e n d a n t s.

DECREE.

This cause coming on to be heard this 6th day of October, 1909, upon the Report of F. J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered herein, and the said F. J. Cowen having filed his Report of the testimony taken, and his recommendations as to Findings of Fact, Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the court being fully informed and advised in the premises, and having ordered, that judgment be entered in accordance with the Report and recommendations of the said Referee, Wherefore, by reason of the law and the Report and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a

right to use, for irrigation and other purposes, the following number of inches of water, each fifty inches thereof to be equivalent to a flow of one cubic foot per second, as prescribed by the law of Idaho, from the waters of the Malad or Big Wood River and its tributaries, situated in the counties of Blaine and Lincoln, State of Idaho, their priorities to date from the times hereinafter named, to-wit:

37 0003	Abbott, George H.	100 inches.	June 18, 1883.	Soldier Creek. Trans 301
37 0004	Abbott, William G.	105 "	Mch. 24, 1883.	Big Wood River. (From Riley ditch.)
37 0005	Adams, Henry W.	150 "	Mch. 10, 1883.	Big Wood River.
37 0006	Adams, Jacob	150 "	May 1, 1881.	Silver Creek.
37 0007	" "	125 "	Apr. 1, 1885.	" "
37 0008	" "	30 "	Apr. 1, 1887.	" "
37 0009	Adamson, Margaret			Little Wood River Canal Company shares.
37 0010	Ainsworth, James	80 "	Apr. 15, 1884.	Little Wood River.
37 0011	" "	80 "	June 20, 1883.	" " "
37 0012	Ainsworth, J. L.	20 "	Apr. 15, 1884.	" " "
37 0013	" "	8 "	May 15, 1883.	" " "
37 0014	Ainsworth, Joseph	72 "	May 15, 1883.	" " "
37 0015	" "	70 "	Apr. 15, 1884.	" " "
37 0016	Albrethson, Albert	110 "	May 1, 1883.	" " "
37 0017	" "	50 "	July 9, 1886.	" " "
37 0018	" "	50 "	Apr. 1, 1889.	" " #771-
37 0019	" "	20 "	June 30, 1889.	" " "
37 0020	" "			Little Wood River Canal Company shares.
37 0021	Albrethson, Martin	200 "	Sept. 1, 1887.	Silver Creek.
37 0022	" "	50 "	June 17, 1899.	" " (Exclusive right from pond.)
37 0023	" "	60 cubic ft.	Aug. 2, 1902.	Silver Creek. (For power purposes.)
37 0024	" "	160 inches.	Mch. 23, 1883.	Big Wood River. (From Riley ditch.)

AFFIDAVIT of PUBLICATION

State of Idaho, }
 Connty of Blaine } SS.

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 14 day of September

1978, and the date of the last publication was on the 21

day of September, 1978

Gordon O. Glasmann

Subscribed and sworn to before me this 25th

day of September, 1978.

(SEAL)

Robert J. Kucher

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 57

Number of Insertions 2

..... Lines tabular at 39c

57 Lines straight at 26c 14.82

57 Subsequent lines at 15c 8.55

TOTAL COST 23.37

MICROFILMED

COPY OF NOTICE

(Paste Here)
Notice of Proposed
Change of Water Right

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N. TF

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOTICE IS HEREBY GIVEN, That Oris C. Durfee of Carey, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of Silver Creek. The rights sought to be changed is evidenced by Decree to Jacob Adams in case of S.C. Frost vs. Alturas Water Co. dated 10-6-1909 in Fourth Judicial Court, County of Blaine and Lincoln and are recorded as follows:

No. 37-0006 - Amount: 3.0cfs
 Priority: 5-1-1881

No. 37-0007 - Amount: 2.5cfs
 Priority: 4-1-1885

No. 37-0008 - Amount: 0.6cfs
 Priority: 4-1-1887

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M., Blaine County.

The water is used for irrigation purposes of 320 acres within the SW $\frac{1}{4}$, Sec. 29; NW $\frac{1}{4}$, Sec. 20, Twp. 2S, Rge. 21E., B.M.

The portion of the right for which the change is requested is described as follows:

No. 37-0006 - Amount: 1.50cfs

No. 37-0007 - Amount: 1.25cfs

No. 37-0008 - Amount: 0.30cfs

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M., Blaine County.

Place of use: 160 acres within the SW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M. TO BE CHANGED AS FOLLOWS:

The applicant proposes to divert 3.05cfs within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp. 2S, Rge. 21E., B.M., plus 2 points of diversion listed above. There is no change proposed in the use of place of use.

Any protest against the approval of the above proposed change of the water rights must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301, on or before August 28, 1978.

C. STEPHEN ALLRED
 Director

Publish: Wood River Journal -- September 14, 21, 1978.

AFFIDAVIT of PUBLICATION

RECEIVED

AUG 25 1978

State of Idaho, }
County of Blaine } SS.

Department of Water Resources
Southern District Office

GORDON O. GLASMANN

being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 10 day of August, 1978, and the date of the last publication was on the 17

day of August, 1978.

Subscribed and sworn to before me this 18th

day of August, 1978.
(SEAL)

Roberta Lockfischer

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>58</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	39c	
<u>58</u> Lines straight at	26c	<u>15.08</u>
<u>58</u> Subsequent lines at	15c	<u>8.70</u>
TOTAL COST		<u>23.78</u>

called in correction 9/1/78

MICROFILMED

COPY OF NOTICE

(Paste Here)

Notice of Proposed
Change of Water Right

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
1041 Blue Lakes Blvd N
Twin Falls, Idaho 83301

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOTICE IS HEREBY GIVEN that Oris C. Durfee of Carey, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of Silver Creek. The rights sought to be changed is evidenced by Decree of Jacob Adams in case of S.C. Frost vs. Alturas Water Co. dated October 6, 1909 in Fourth Judicial Court, County of Blaine and Lincoln and are recorded as follows:

No. 37-0006 - Amount: 3.0cfs
Priority: May 1, 1881

No. 37-0007 - Amount: 2.5cfs
Priority: April 1, 1885

No. 37-0008 - Amount: 0.6cfs
Priority: April 1, 1887

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M., Blaine County.

The water is used for irrigation purposes of 320 acres within the SW $\frac{1}{4}$, Sec. 29; NW $\frac{1}{4}$, Sec. 20, Twp. 2S, Rge. 21E., B.M.

The portion of the right for which the change is requested is described as follows:

No. 37-0006 - Amount: 1.50cfs

No. 37-0007 - Amount: 1.25cfs

No. 37-0008 - Amount: 0.30cfs

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M.

Place of use: 160 acres within the SW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M.

TO BE CHANGED AS FOLLOWS:

The applicant proposes to divert 3.05 cfs within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp. 2S, Rge. 21E., B.M., plus 2 points of diversion listed above. There is no change proposed in the use or place of use.

Any protests against the approval of the above proposed change of the water rights must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho 83301, on or before August 28, 1978.

C. Stephen Allred
Director

Publish: Wood River Journal - August 10, 17, 1978.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

DRAFT

Name of applicant Oris C. Durfee Phone 823-4508
Post office address Box 152, Carey, ID 83320

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to Jacob Adams (Name)
in case of S. C. Frost vs Alturas Water Co.
dated 10/6/1909 in 4th Judicial Court county of Blaine & Lincoln
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
See Attached Deed.
3. Source of water Silver Creek tributary to Little Wood River
4. Date of priority (1) 5/1/1881 - 3.0 cfs (2) 4/1/1885 - 2.5 cfs (3) 4/1/1887 - 0.6 cfs
5. Water is used for the following purposes:
amount 6.10 for Irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. 6.10 cubic feet per second
b. 3.05 &/or acre feet per annum
7. Location of original point of diversion is NE NW $\frac{1}{4}$ of NW NW $\frac{1}{4}$ of Section 29
Township 2S Range 21E., B.M., in Blaine County
Additional points of diversion, if any _____

8. Lands 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 $\frac{1}{4}$	
2S	21E	29									40	40	40	40					160
2S	21E	30					40	40	40	40									160

Total number of acres to be irrigated 160
320

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B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1) 0006 (P_{2v}+) = 1.50 cfs
2) 0007 (P_{2v}+) = 1.25 cfs
3) 0008 (P_{2v}+) = 0.30 cfs

1. Amount of water: a. 3.05 cubic feet per second &/or
b. _____ acre feet per annum

2. Point of diversion NE NW $\frac{1}{4}$ NW NW $\frac{1}{4}$, Section 29 Township 2S
Range 21E, B.M., Blaine County
Additional points _____

3. 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 $\frac{1}{4}$	
2S	21E	29									40	40	40	40					160

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 3.05 c.f.s. &/or _____ acre feet

b. Point(s) of diversion NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30 Township 2S
Range 21E., B.M., Blaine County
Additional points Plus 2 points listed in Item 7

c. Description of diverting works pump taking suction from Silver Creek and discharging into mainline of sprinkler system, plus old diversions to gravity flow ditches.

d. Describe the reasons for applying for a change in the point(s) of diversion _____
To put water to a more beneficial use by utilizing sprinkler system.

2. Change in place of use NO CHANGE

a. Describe the lands or place of use to which the right will be transferred:

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

**STARTING
RIGHT
SIDE OF
FILE**

February 14, 1983

RE: Water Right Nos. 37-0006A, 37-0007A and 37-0008A

A. W. &/or Maxine Molyneux
Box 400
Bellevue, ID 83313

Dear Mr. and Mrs. Molyneux:

Enclosed is a copy of your approved application for transfer of the above referenced water rights (Transfer No. 2715). Be sure to note the conditions of approval on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

RECEIVED
FEB 15 1983
WATER RIGHTS SECTION

Recorded at request of J. B. Batten
April 11th 1887 at 2 30 PM

John W. Cannady
Co-Recorder

United States

To

Jacob Adams

Certificate
No. 634

The United States of America

To all to whom these presents shall come
Greeting:

Whereas Jacob Adams of Citrus County
Fla. Territory was deeded in the General Land Office
of the United States a Certificate of the Register of the
Land Office at Boise City Idaho Territory whereby it appears
that full payment has been made by the said
Jacob Adams according to the provisions of the
Act of Congress of the 24th of April 1870 entitled An
Act making further provisions for the sale of the Public
Land and the Act subsequent thereto and the same

... laws and d
of the proper
own thorough
intersect in
... the United
... made for
... at
...
... day
... under
... State

Seal

Recorded Vol
Recorded
May 16th

MICROFILMED

NW 1/4 S. 29
T2S R21E

Jacob Adams according to the provisions of the
Act making further provisions for the sale of the Public
lands and the Act supplemental thereto for the North west
quarter of section twenty nine in township two south of
range twenty one east of Boise Meridian in Idaho
containing one hundred and sixty acres according
to the official plat of the survey of the said lands returned
to the General Land Office by the Surveyor General which
said tract has been purchased by the said Jacob Adams

Now know ye that the United States of America in
consideration of the premises and in conformity with the
several acts of Congress in such case made and provided
have given and granted and by these presents do give and
grant unto the said Jacob Adams and to his heirs
the said tract above described.

To have and to hold the same together with all
rights privileges immunities and appurtenances of

MICROFILMED

whatever nature interests belonging unto the said
 Jacob Adams and to his heirs and assigns forever:
 subject to any vested and accrued water rights for mining
 agricultural manufacturing or other purposes and rights to
 ditches and reservoirs used in connection with such water
 rights as may be recognized and acknowledged by the local
 laws and decisions of courts and also subject to the right
 of the prohibition of a river or none to affect any improvement
 on the river should the same be found to be suitable or
 necessary the premises hereby granted as provided by law
 in testimony whereof I Governor Cleveland President of
 the United States of America have caused these letters to
 be made patent and the seal of the Government office to be
 hereunto affixed

Given under my hand at the City of Washington the
 Thirtieth day of August in the year of our Lord one thousand
 eight hundred and eighty six and of the Independence of the
 United States the one hundred and ninth

of the operation of a mine or hole to extract and remove, his
ors therefrom should the same be found to penetrate or
intersect the premises hereby granted as provided by law

In testimony whereof Grover Cleveland President of
the United States of America has caused these letters to
be made patent and the seal of the General Land Office to be
hereunto affixed.

Given under my hand at the City of Washington the
Thirtieth day of August in the year of our Lord one thousand
eight hundred and eighty six and of the Independence of the
United States the one hundred and eleventh.

By the President:

Per

Grover Cleveland

By M. M. McLean, Secretary

W. C. Clark Recorder of the General Land Office

Recorded Vol 2 page 457

Recorded at request of Jacob Adams
May 16 1887 at 12⁰⁰ M

By

W. C. Barrett Secretary

John W. Cameron

MICROFILMED

This is a copy of the original
Homestead Entry of Jacob Adams dated
May 16, 1887 which indicates ownership
of the NW $\frac{1}{4}$ Sec. 29, T2S, R21E.

~~DATE~~ 2/8/83

(rec'd from Mr. Molyneux)

Abbott, George H. SE 1/4 of Sec. 32, T. 1 N., R. 14 E., 160 acres.

Abbott William G. W 1/2 of NW 1/4, NE 1/4 of SW 1/4, Sec. 10,
T. 2 N., R. 18 E.

Adams, Henry W. E 1/2 of SE 1/4 of Sec. 26, Lot 2 of Sec. 36, &
Lot 3 of Sec. 35, T. 2 N., R. 18 E., B. M.,
containing 147.50 acres.

Adams, Jacob NW 1/4 of Sec. (20), T. 2 S., R. 21 E., 160 acres;
Should be Sec 29. also, SW 1/4 of Sec. 29, T. 2 S., R. 21 E.,
See copy of Homestead Entry papers. containing 160 acres.

Adamson, Margaret Commencing at a point 48 feet E and 51 feet S of
NW corner of NW 1/4 of the NE 1/4 of Sec. 27,
T. 1 S., R. 21 E., running thence E. 28.3 rods,
thence S 28.3 rods, thence W 28.3 rods, thence
N 28.3 rods, to place of beginning, containing
five acres.

Ainsworth, James S 1/2 of NW 1/4 and Lots 3 & 4 of Sec. 2, T. 2
S., R. 21 E., containing 158.38 acres; also
N 1/2 of SW 1/4 of Sec. 2, T. 2 S., R. 21 E.,
containing 80 acres.

Ainsworth, J. L. NE 1/4 of SE 1/4 of Sec. 34, T. 1 S., R. 21 E.

Ainsworth, Joseph S 1/2 of SW 1/4, NE 1/4 of SW 1/4, NW 1/4 of SE
1/4 and NW 1/4 of SW 1/4 of Sec. 35, T. 1 S.,
R. 21 E., containing 200 acres.

Albrethson, Albert S 1/2 of NW 1/4 of Sec. 26, and S 1/2 of NE 1/4
of Sec. 27, T. 1 S., R. 21 E., containing 160
acres; also, SW 1/4 of NE 1/4, SE 1/4 of NW
1/4, and Lot 3, of Sec. 2, T. 1 N., R. 20 E.,
and SE 1/4 of SW 1/4 of Sec. 35, T. 2 N., R.
20 E., containing 159.09 acres.

Albrethson, Martin SE 1/4 of Sec. 19, N 1/2 of NE 1/4, NE 1/4 of
NW 1/4 and Lot 1 of Sec. 30, T. 1 S., R. 20

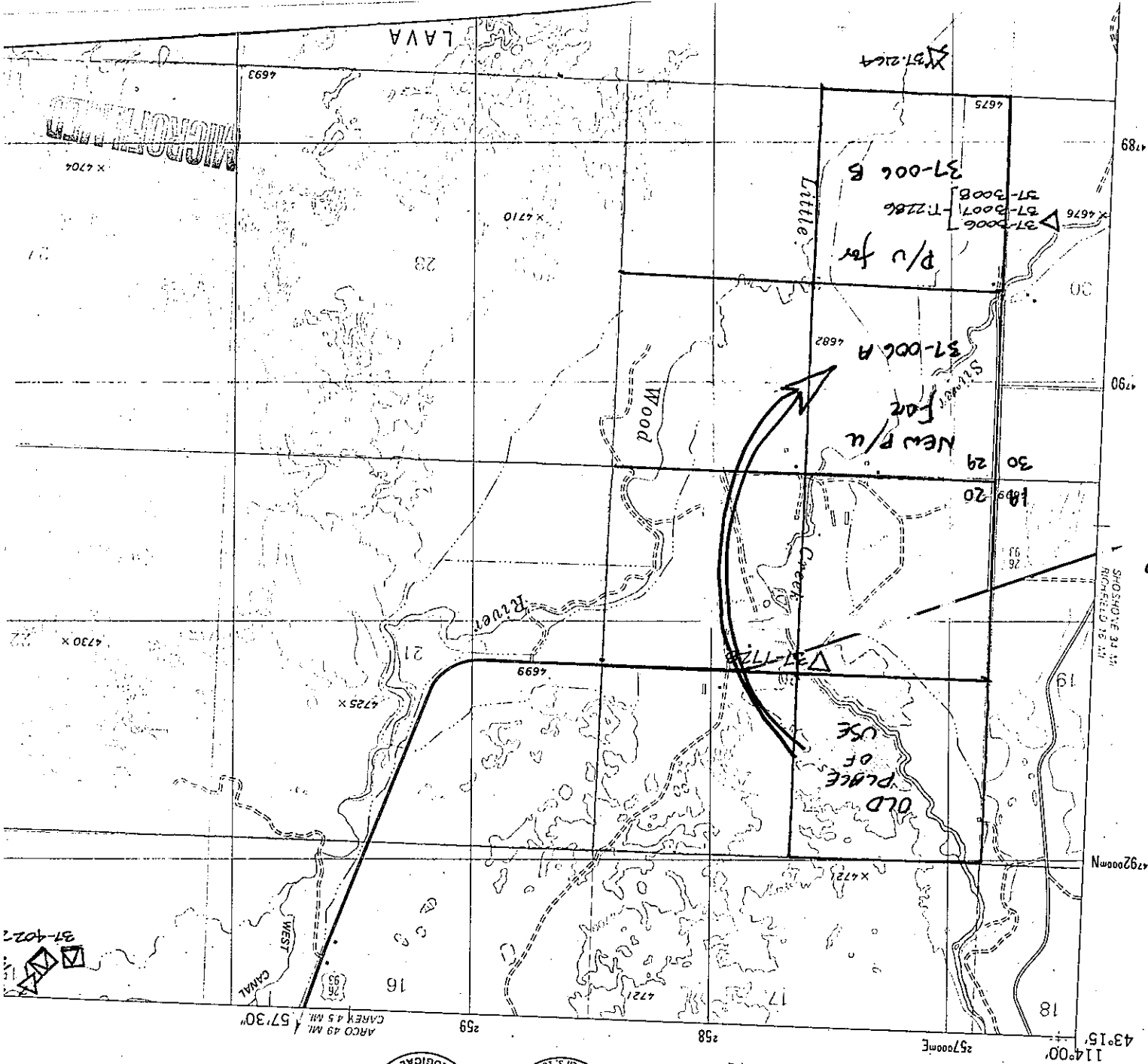
DRT:sc

221E

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



ARCO 4.9 MI. 57°30'N
CAREY 4.5 MI. 57°30'N



T25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: T. G. Blau

1. Right number 37-0006 R
37-0007 A
37-0008 A Applicant MOLYNEUX, A. W. &/OR MAXINE
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
- a. ☒ All of right. Pond A
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☐ Check proof of ownership of right &/or land from which water is transferred.
NO Proof except watermaster comments
- h. ☒ Check for expansion in use of right. Comments None
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
- j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 37m Little Wood R.

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 7/21/82 Received on 7/26/82
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

3. Conditions* Under contract of W.M. Dist 37m
less. Review of backlogs means of contract.

4. By ADM 05 (37m Little Wood R.) Date 8/30/82

RECEIVED

SEP 02 1982

* All uses within Watermaster Districts require special conditions.

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37M
P.O. Box T
Shoshone, Idaho 83352
886-2451



REID J. NEWBY
Watermaster

July 22, 1982

RECEIVED

JUL 26 1982

Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Department of Water Resources
Southern District Office

Attention: Jim Statton

Dear Jim: In Re: A.W. Molyneux WR # 37-0006A
37-0007A
37-0008A

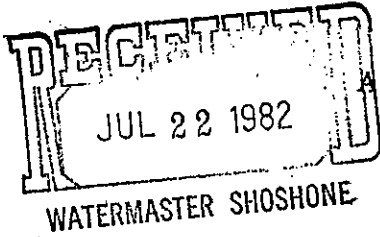
The Watermaster's records show that a portion of the S.C. Frost decree, priority dates of 5-1-1881, 4-1-1885 and 4-1-1887 water has been delivered to the head of the Molly 36-A headgate for lands that is appurtenant since prior to 1962.

Sincerely,

Reid J. Newby, Watermaster

RJN:bl

RECEIVED



APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0006A
37-0007A
37-0008A

RECOMMENDATION OF WATERMASTER

I, Reid J. Newby, watermaster of Little Wood River & Silver Creek
of Water District No. 37M, County of Blaine, State of Idaho,
whose address is Box T Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
A.W. Molyneux, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Shoshone, Idaho, this 22nd day of July 1983.

Reid J. Newby
(signature) Watermaster



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 21, 1982

Reid Newby
Watermaster District 37
Box T
Shoshone, Idaho 83352

Re: Application for Transfer of Water Right No. 37-0006A, 37-0007A, 37-0008A ✓
Application for Transfer of Water Right No. 37-0114

Dear Mr. Newby:

Enclosed is a copy of an Application for Transfer of a Water Right within your District, and Watermaster's Recommendation Form.

Section 42-222 of the Idaho Code requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form and return it to this office.

Processing of the application can be completed in 20 days, so your prompt response to this request will be appreciated.

If you have any questions about the application, please contact this office or the applicant.

Very truly yours,

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:
RECEIVED

July 21, 1982

Wood River Journal
P. O. Box 988
Hailey, Idaho 83333

Re: Notice of Proposed Change of Water Right - Molyneux -(37-0006A, 37-0007A,
(37-0008A
Notice of Proposed Change of Water Right - Baldwin - 37-0114

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-0006A
37-0007A
37-0008A

Notice is hereby given that A. W. &/or Maxine Molyneux of Bellevue, Idaho, has applied to the Department of Water Resources for a change of place of use from Silver Creek tributary to Little Wood River. The rights sought to be changed are evidenced by decree to Jacob Adams in case of S. C. Frost, et al vs Alturas Water Co., et al dated December 13, 1909 in Fourth District Court, county of Lincoln, and is recorded as follows:

A) 37-0006A

Amount: 1.5 cfs

Priority: May 1, 1881

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T2S, R21E, B.M., Blaine County.

The water is used for irrigation of 160 acres from April 1 to November 1 within the NW $\frac{1}{4}$, Sec. 20, T2S, R21E

B) 37-0007A

Amount: 1.25 cfs

Priority: April 1, 1885

Point of Diversion: Same as A)37-0006A

Place of Use: Same as A)37-0006A

C) 37-0008A

Amount: 0.30 cfs

Priority: April 1, 1887

Point of Diversion: Same as A)37-0006A

Place of Use: Same as A)37-0006A

TO BE CHANGED AS FOLLOWS:

Amount: 3.05 cfs

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29 (2 points); SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T2S, R21E

Place of Use: NW $\frac{1}{4}$, Sec. 29, T2S, R21E, for irrigation of 160 acres from April 1 to November 1

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before August 16, 1982.

23,

A. KENNETH DUNN
Director

Published in Wood River Journal on July 29 and August 5, 1982 & Aug 12.

4, 8/1/82

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 37-0006A
37-0007A
37-0008A**

NOTICE IS HEREBY GIVEN, That A.W. &/or Maxine Molyneux of Bellevue, Idaho, has applied to the Department of Water Resources for a change of Place of Use from Silver Creek tributary to Little Wood River. The rights sought to be changed are evidenced by decree to Jacob Adams in case of S.C. Frost, et al., vs. vs. Alturas Water Co., et al, dated December 13, 1909, in Fourth District Court, County of Lincoln, and is recorded as follows:

A) 37-0006A

Amount: 1.5 cfs

Priority Date: 05/01/1881

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T.2S., R.21E., B.M., Blaine County. The water is used for irrigation of 160 acres from April 1 to November 1 within the NW $\frac{1}{4}$, Sec. 20, T.2S., R.21E.

B) 37-0007A

Amount: 1.25 cfs

Priority Date: 05/1/1885 - 04

Point of Diversion:

Same as A) 37-0006A

Place of Use:

Same as A) 37-0006A.

C) 37-0008A

Amount: 0.30 cfs

Priority Date: April 1, 1887

Point of Diversion:

Same as A) 37-0006A

Place of Use:

Same as A) 37-0006A

TO BE CHANGED AS FOLLOWS:

Amount: 3.05 cfs

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29 (2 points); SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T.2S., R.21E.

Place of Use: NW $\frac{1}{4}$, Sec. 29, T.2S., R.21E., for irrigation of 160 acres from April 1 to November 1.

Any protest against approval of the above-proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before AUGUST 16, 1982.

A. KENNETH DUNN

Director

Publish: Wood River Journal--July 29 and August 5, 1982.

*Called correction
7/28/82*

INTER-DEPARTMENT MEMO — 1

FROM Jim Stanton

DATE 7-21-82

TO File

SUBJECT Application for Transfer, Bill Molyneux

I assisted Mr. Molyneux with filing of this transfer. As there is a change in place of use, I informed the applicant of the needed proof of ownership of the right.

RECEIVED
JUL 21 1982
FBI - NEW YORK



SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Allen

DATE

TO File

SUBJECT I phoned Dill Molynaux and told him of the problem with his lower water rights and he indicated he would see it to get it straightened out.

{ 0006
0007
0008

788-2552

Problem is that these rights appear to be described on wrong land in Frost Deed.

ADm

SIGNATURE

October 19, 1978

Re: Application for Transfer of Water Right No.'s 37-0006, 37-0007, 37-0008

Reid J. Newby
Watermaster, Dist. 37-M
Box T
Shoshone, Idaho 83352

Dear Mr. Newby:

Enclosed is a copy of Transfer No. 2286 for your records.

Sincerely,

Lois Rivers
Sr. Clerk

Enclosure

RECEIVED

October 18, 1978

Re: Transfer of Water Right No.'s 37-0006, 37-0007, 37-0008

Oris C. Durfee
Box 152
Carey, Idaho 83320

Dear Mr. Durfee:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2286). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:lr

Enclosure

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RECOMMENDEDCONDITIONS OF APPROVAL

- ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☒ Use of water under this ^{Transfer} permit is subject to control by the watermaster of State Water District No. 37-M, Little Wood River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J. P. Stanton

S.O.

- 1) 37-0006 (part)
 - 2) 37-0007 (part)
 - 3) 37-0008 (part)
1. Right number 2) 37-0007 (part) Applicant Oris C. Durfee
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
- ✓ a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- ✓ b. ☒ Description of original point of diversion.
- ✓ c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
- a. ☐ All of right.
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- ✓ g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- ✓ h. ☒ Check for expansion in use of right. Comments _____
- ✓ i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N/A
- ✓ j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 37-N

Advertising OK
8/3/78 ADM

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 8/4/78 smv Received on 8/8/78
- ✓ 2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* See Attached sheet

4. By Loren O. Palmer Date 10-10-78

OK S.S.

* All uses within Watermaster Districts require special conditions.

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RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-0006, 37-0007, 37-0008

AUG 8 1978

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Southern District Office

I, Reid J. Newby, watermaster of Silver Creek,
of Water District No. 37-M, County of Blaine & Lincoln, State of Idaho,
whose address is Box T Shoshone, Idaho
have read the attached copy of the application for transfer of water right for _____
Oris C. Durfee, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: That a measuring device be installed from the
river to a sump and that the pump be installed on the sump

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Shoshone, Idaho, this 7 day of August 19 78

(signature)

Reid J. Newby
watermaster

Please use reverse side if needed.

MICROFILMED

MEMORANDUM

FROM: Allen Merritt

DATE: August 7, 1978

TO: File

SUBJECT: Oris C. Durfee, Transfer of Water Right

On August 7, 1978, I talked with Reid Newby, Watermaster of Little Wood and Silver Creek area. Reid had reviewed the Application for Transfer of Mr. Durfee's and said that he will send in the recommendations of measuring devices, etc. Reid said at present, pump is located on the north side of Silver Creek and is being used to irrigate land in Section 30.

When Mr. Durfee first came into the office to make the application, he had originally planned to transfer all rights which included rights in Section 30. Upon checking these rights, we found a discrepancy in which a portion of the rights in Section 30 were appurtenant to lands which were owned by Mr. Jones. I told Mr. Durfee that to transfer these rights he must obtain a Quitclaim Deed from Mr. Jones so as to allow the transfer. Mr. Durfee said that he would to this. A few days later Mr. Durfee came into the office and said that he decided not to transfer the water rights in Section 30 and just transfer those in Section 29. At that time we completed the application for transfer.

Since talking with Reid, it seems obvious that Mr. Durfee may indeed continue to irrigate land in Section 30 with the new point of diversion. Mr. Durfee should apply for another transfer to do this.

This memo may be used for clarification at some future date.

ADM

MICROFILMED

FEDERAL FARM LOAN AMORTIZATION MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, That on this 13th day of July, 1955,

Oris C. Durfee and Dorothy Durfee, husband and wife,

hereinafter called the Mortgagors, hereby grant, bargain, sell, convey and mortgage to THE FEDERAL LAND BANK OF SPOKANE, a corporation organized and existing under the Federal Farm Loan Act as amended, with its principal place of business in the City of Spokane, County of Spokane, State of Washington, herein-

after called the Mortgagee, the following described real estate situate in the County of Blaine, State of Idaho, to wit:

The Southwest Quarter of Section Twenty-nine, Township Two South, Range Twenty-one East of the Boise Meridian.

Subject to existing rights of way for electric transmission lines, ditches, canals, and roads.

Together with all water rights, and rights in ditches, canals and laterals, and rights of way therefor, appurtenant to said premises or used in connection therewith now and/or at any time during the existence of this mortgage including (but not limited to) the following:

Right to use of decreed waters of Silver Creek as follows,- 75 miners inches with May 1, 1881 priority, 62.5 miners inches with April 1, 1885 priority, and 15 miners inches with April 1, 1887 priority,

RECEIVED

AUG 3 1978

Department of Water Resources
Southern District Office

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 3, 1978

Wood River Journal
P. O. Box 988
Hailey, ID 83333

Re: Transfer of Water Right - Oris C. Durfee

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:sm

Enc.

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Oris C. Durfee of Carey, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of Silver Creek. The rights sought to be changed is evidenced by Decree to Jacob Adams in case of S. C. Frost vs Alturas Water Co. dated 10/6/1909 in 4th. Judicial Court county of Blaine & Lincoln and are recorded as follows:

No. 37-0006 - Amount:	3.0cfs	Priority:	5/1/1881
No. 37-0007 - Amount:	2.5cfs	Priority:	4/1/1885
No. 37-0008 - Amount:	0.6cfs	Priority:	4/1/1887

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M., Blaine County.

The water is used for irrigation purposes of 320 acres within the SW $\frac{1}{4}$, Sec. 29; NW $\frac{1}{4}$, Sec. 20, Twp. 2S, Rge. 21E., B.M.

The portion of the right for which the change is requested is described as follows:

No. 37-0006 - Amount:	1.50 cfs
No. 37-0007 - Amount:	1.25cfs
No. 37-0008 - Amount:	0.30 cfs

Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M. Blaine County.

Place of use: 160 acres within the SW $\frac{1}{4}$, Sec. 29, Twp. 2S, Rge. 21E., B.M.

TO BE CHANGED AS FOLLOWS

The applicant proposes to divert 3.05 cfs within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, Twp. 2S, Rge. 21E., B.M., plus 2 points of diversion listed above. There is no change proposed in the use or place of use.

Any protest against the approval of the above proposed change of the water rights must be filed with the Idaho Department of Water Resources, 1041

UNRECORDED

Blue Lakes Blvd. North, Twin Falls, ID 83301, on or before August 28, 1978.

C. STEPHEN ALLRED

Director

Published in the Wood River Journal on 8/10 & 8/17/78.

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