

Transfer No. 72638

Department of Water Resources
Eastern Region

USA acting through

Post Office address Idaho State Office, 1387 S Vinnell Way, Boise, ID 83709-1657

RECEIVED

APR 13 2005

Department of Water Resources
Eastern Region

Total Acres _____

72638

PART 1

6. General Information:

a. Description of diversion system New point of diversion will be a pump from pool
in the stream.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
X Yes X ^{was} 2/2/04 No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change to POU, only a change to points of diversion.

d. Remarks:
This is a stream restoration project for fish habitat.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

For the Director

72638

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Transfer No. 72638
Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 23-11295

Priority Date: 06/01/1882

Origin: Water Right

Basis: Decreed

Status: Active

Source: GARDEN CREEK

Tributary to: SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.12 CFS	27.0 AFA	
	Total Diversion	0.12 CFS		

Source and Point(s) of Diversion:

GARDEN CREEK	NWNESE	02N 42E	25	BONNEVILLE
GARDEN CREEK	SENWSE	02N 42E	25	BONNEVILLE

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 43E 30										1.9					3.2		5.1
02N 43E 31							.8			L 3					L 9		.8
							L 2										

Total Acres: 5.9

Conditions/Remarks:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11291, 23-11295, 23-11297, 23-11299, 23-11301.
2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11291, 23-11295, 23-11297, 23-11299.
4. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00042.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 72638
Receipt No. _____

Current Water Right No. 23-11295

6. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11295, 23-11297, 23-11299.

Documentation of Ownership of the Current Place of Use

See copy of MTP.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO - POD is moving from public land ~~to~~ private land

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Moves the POD from public to private which move the POD closer to the POU's. There should be no affect to the current POU's.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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Transfer No. 72638
Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 23-11297

Priority Date: 06/01/1888

Origin: Water Right

Basis: Decreed

Status: Active

Source: GARDEN CREEK

Tributary to: SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.12 CFS	27.0 AFA	
	Total Diversion	0.12 CFS		

Source and Point(s) of Diversion:

GARDEN CREEK NWNESE 02N 42E 25 BONNEVILLE

GARDEN CREEK SENWSE 02N 42E 25 BONNEVILLE

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 43E 30										1.9					3.2		5.1
02N 43E 31							.8			L 3					L 9		.8
							L 2										

Total Acres: 5.9

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11291, 23-11295, 23-11297, 23-11299.
2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11295, 23-11297, 23-11299.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11291, 23-11295, 23-11297, 23-11299, 23-11301.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 23-11297

6. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00043.

Documentation of Ownership of the Current Place of Use

see MTP

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO - POD is moving from public land to private land.

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

moves the POD from public to private which move the POD closer to the POU's - there should be no affect to the current POU's

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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Transfer No. 72638
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 23-11299

Priority Date: 06/30/1898

Origin: Water Right

Basis: Decreed

Status: Active

Source: GARDEN CREEK

Tributary to: SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.12 CFS	27.0 AFA	
Total Diversion		0.12 CFS		

Source and Point(s) of Diversion:

GARDEN CREEK NWNESE 02N 42E 25 BONNEVILLE

GARDEN CREEK SENWSE 02N 42E 25 BONNEVILLE

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 43E 30									1.9						3.2		5.1
02N 43E 31							.8		L 3						L 9		.8
							L 2										

Total Acres: 5.9

Conditions/Remarks:

1. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00049.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11295, 23-11297, 23-11299.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHTNOS.: 23-11291, 23-11295, 23-11297, 23-11299.
5. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 72638
Receipt No. _____

Current Water Right No. 23-11299

6. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11291, 23-11295, 23-11297, 23-11299, 23-11301.

Documentation of Ownership of the Current Place of Use

See copy of MTP

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

no - POD is moving from public land to private land

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

moves the POD from public to private which move the POD closer to the POUs - there should be no affect to the current Pous.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

no

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Transfer No. 72638
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 23-11301

Priority Date: 01/22/1916

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: GARDEN CREEK

Tributary to: SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/31	0.12 CFS	27.0 AFA	
Total Diversion		0.12 CFS		

Source and Point(s) of Diversion:

GARDEN CREEK SENWSE 02N 42E 25 BONNEVILLE

GARDEN CREEK NWNESE 02N 42E 25 BONNEVILLE

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 43E 30										1.9					3.2		5.1
02N 43E 31							.8			L 3					L 9		.8
							L 2										

Total Acres: 5.9

Conditions/Remarks:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHTNOS.: 23-11291, 23-11295, 23-11297, 23-11299.
- This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11291, 23-11295, 23-11297, 23-11299, 23-11301.
- THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-11243 (23-00105).

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IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 23-11301

Documentation of Ownership of the Current Place of Use

See copy of MTP

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

no - POD is moving from public land to private land.

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

moves the POD from public to private which move the POD closer to the POUs - there should be no affect to the current POUs.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

no

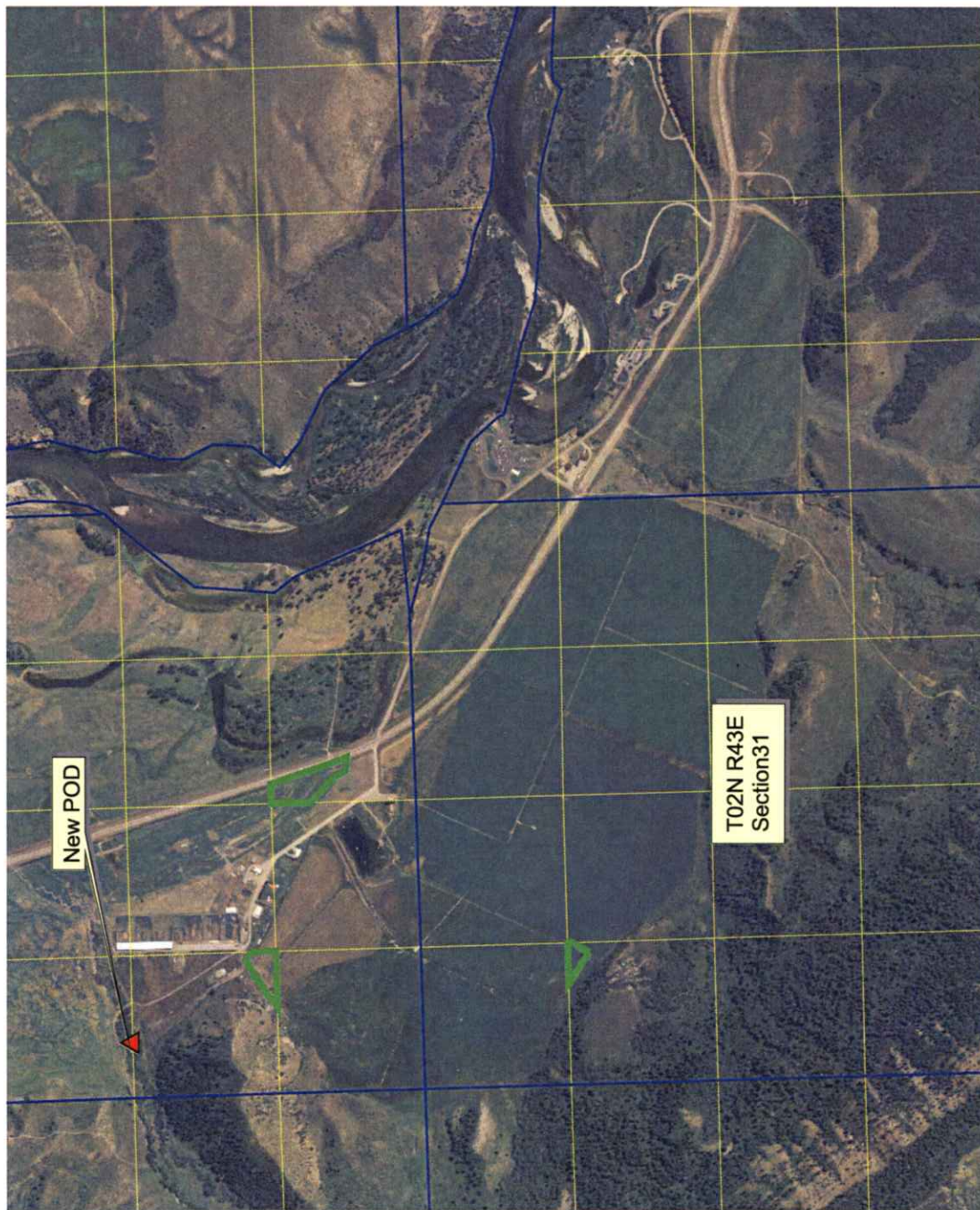
72638

72638

CVR/BLM/TU Transfer

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- Pod.shp
- 23-11295.shp
- Sections
- QQ



PART 3

3. CHANGES IN NATURE OF USE

1.

New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
NA			to _____
			to _____
2. Quantity and quality of return flows and location of discharge:
None
3. Describe effects on other water uses resulting from the proposed change:
This project should enhance any other water uses.

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 willful misrepresentations made in this application may result in voiding its approval.

U.S. Bureau of Land Management by:

Carol McGowan
Field Manager (Signature of Applicant)

Subscribed and sworn to before me this 21ST day of March, 2005
[Signature]
(Notary Public)

My commission expires Jan. 14, 2009

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 4 attachments
 Received by _____ Date _____ Protest filed by _____
 Prelim. Check by _____ Fee _____
 Received by SC Date 4/14/04 E030782
 Published in Post Register Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
 _____ received _____ by _____

Copy of transfer sent to lien holder _____

72838

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

BONNEVILLE COUNTY 019
LEARN FALLS DISTRICT SEC 15

MT PLAT

[illegible]

SO 11/17/1942 Open to Entry Subj to Sec 24.
Per SC 190 SO 11/5/1927
Sec 7: Lots 7, 8, 13

U.S. GOVERNMENT PRINTING OFFICE: 1964 O 612/1943 Open to Entry Subj. to Sec. 2.
 Form 5 CI 190 SO 11/5/1927
 Sec. 5. SUBV:

Sec 7: Lot 1

Sec 20: Lots 1, 4, 5, 6. SAME;
Sec 29: Lots 1, 3, 4, 5, 6
Sec 32: Lots 1, 2, 3

62075/11 02 001 13 5
PREF
ALW 6/27/1956177 0 0
NOTES 6/27/1956 234

Sec 6: SEISA
RWD 2/2/1954 Open to Entry Set 1 to Sec 2

Sec 6: Lots 3, 12, NE 35th

BLW 0 2/16/1954 Oper to Entry Subj to Sec

Sec 6: Lot B
Sec 7: Lots 9, 12, E, SE
Sec 10: Lots 6, 7, E, NE

SLW G 5/11/1950 Green to Entry Subj to Sec.
For S (1 190 SO 11/5/1927
C-12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 8

Sec 32: LOPS 6, 7, NEUSLI
Sec 33: LOPS 4, 5, SW, SE

completed 2/3/1962. All AF
 PLO 3033 5/12/1963 Not Burns A. 6-61 170

Sec 6: NE₁, E₁N₁, N₁SE₁, SE₁S₁

Sec 7: W₁NE₁, SE₁NE₁, SE₁S₁

Sec 12: NW₁SW₁, SE₁SW₁, SW₁SE₁

Sec 18: NE₁, NE₂SE₁
 Sec 19: E, SE₁
 Sec 20: NW₁NE₁, NE₁NW₁, S₁NW₁, N₁SW₁

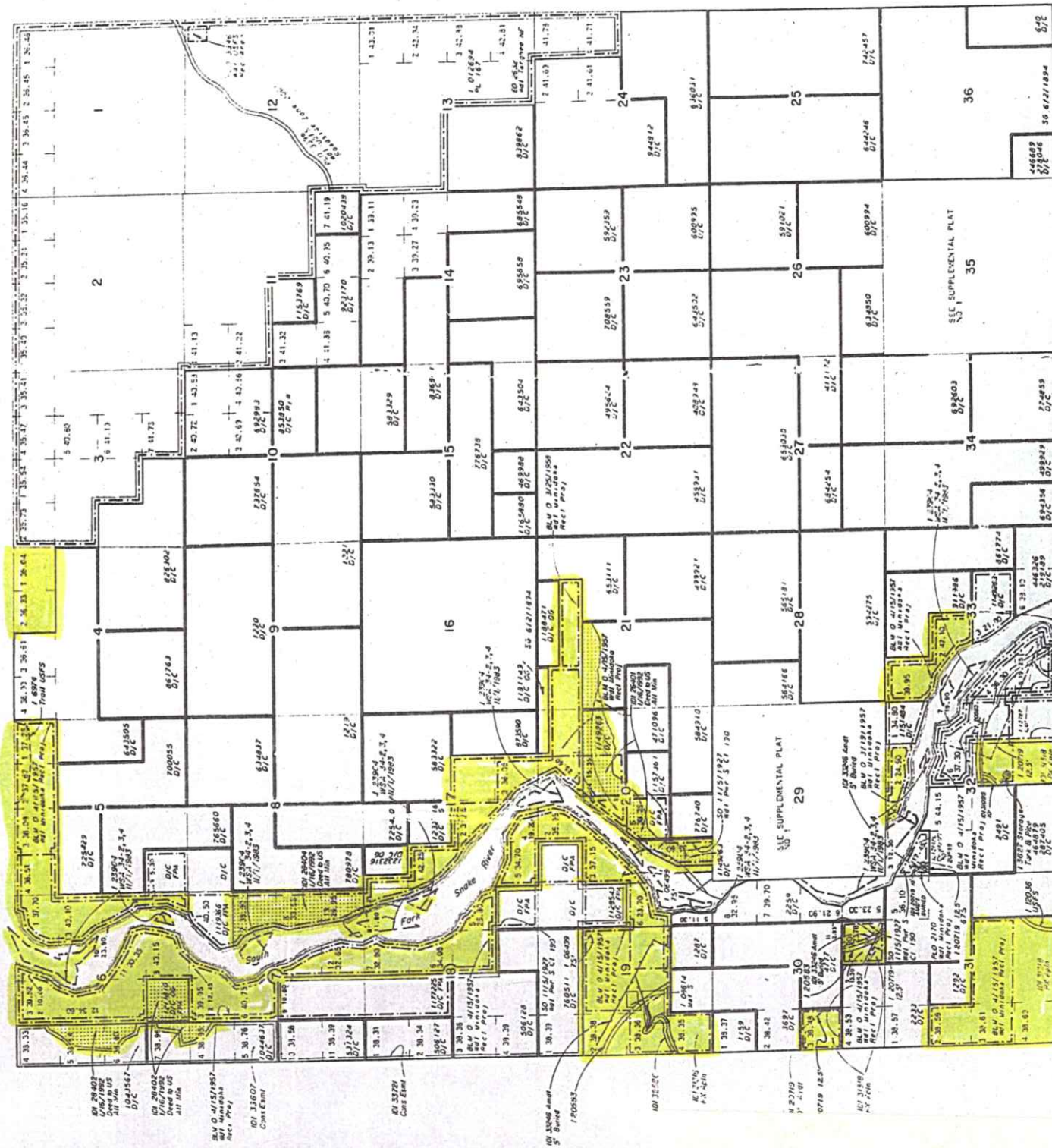
Sec 30: NE:NE; E:SE;
Sec 32: N:NE; SE:NE; N:
Sec 33: S:NW; N:SW; SE:SW;

(See Suppl No. 2)

MISCELLANEOUS DOCUMENTS.

[illegible]

41. 43° 27.44' N
107. 111° 20. 8



ANNALS OF THE ENTOMOLOGICAL SOCIETY OF AMERICA

1. What is the purpose of the study?

ATTACHMENT T 72638
1 OF 4

[illegible]

500

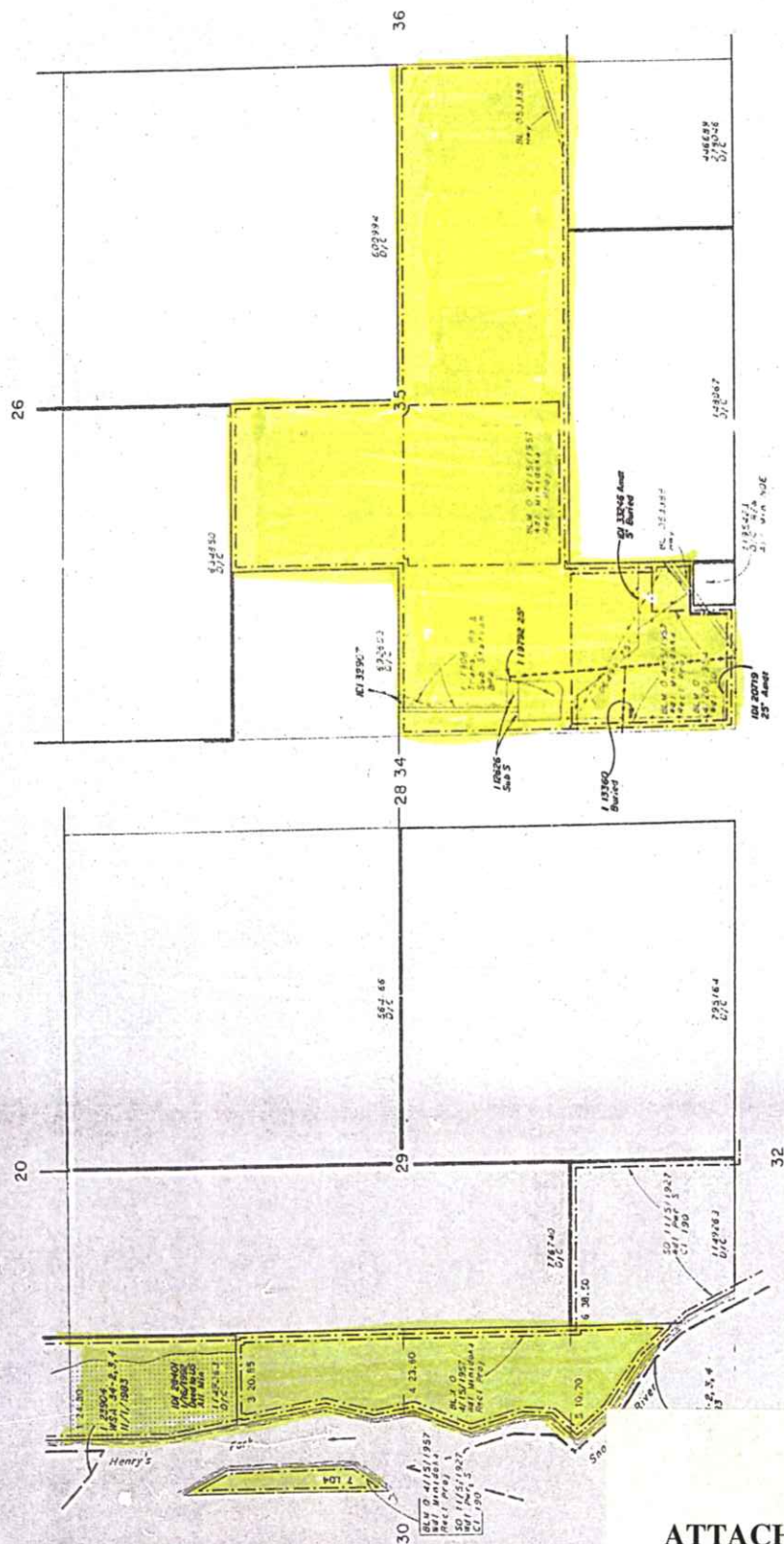
BONNEVILLE COUNTY 019
IDaho FALLS DISTRICT SEC 15

No. 1

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDSM T P
SUPPL Sec 29, 35[illegible]

CLO 0 6/18/1943 Open to Entry Subj. to Sec 24 FPA
Pur S Ct 130 SO 11/5/1927
Sec 29: Lora 1, 3, 4, 5, 6

PLO 3093 5/14/1963 Adl Burns Creek Re
unsurveyed islands in the Snake River
Sec 29: 3101



FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
SEP 20 2001	

USE PLATS: