

No Color
Documents
In File

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

land situated in Sections 29 and 30, said Township and Range.

~~11-0277~~ 13-0971 20. Riverdale-Preston Irrigation Co.:
~~11-0278~~ 1883—June 10 3 c.f.s.
1902—June 10 6½ c.f.s.

TRANS # 1973
13-0972

Said water to be diverted from the main channel of Bear River at a point 20 rods Northeasterly from the Southeast corner of the Northeast quarter of the Northeast quarter of Section 29, Township 14 South, Range 40 East, B.B.M., and to be used for the irrigation of 615 acres of land in Sections 29 and 31, Township 14 South, Range 40 East, Section 36, Township 14 South, Range 39 East, and Section 1, Township 15 South, Range 39 East, B.B.M.

~~11-0279~~ 21. Riverdale Irrigating Company:
1882—May 1 13 c.f.s.

13-0973

Said water to be diverted from Bear River in the Northeast quarter of Section 31, Township 14 South, Range 40 East, B.B.M., and to be used for irrigating 800 acres of land in Sections 34, 35 and 36, Township 14 South, Range 39 East, and Sections 1, 2 and 3, Township 15 South, Range 39 East, B.B.M.

~~11-0280~~ 22. West Cache Irrigation Company:
1899—Sept. 12 186 c.f.s.

13-0974

Said water to be diverted from Bear River at a point 700 feet North and 42°33' West of a point 43 feet East of the Southeast corner of the Southwest quarter of Section 25, Township 14 South, Range 39 East, B.B.M., and to be used for the irrigation of 14,832 acres in Sections 19, 20, 29 and 30, Township 15 South, Range 39 East, Sections 4, 5, 17, 19, 20, 29 and 30, Township 16 South, Range 39 East, B.B.M., Sections 35 and 34, Township 15 North, Range 1 West, S.L.B.&M., Sections 3, 4, 9, 10, 11, 15, 16, 21, 22, 23, 25, 26, 27, 28, 33, 34, 35 and 36, Township 14 North, Range 1 West, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, Township 13 North, Range 1 West, Sections 5, 6, 7, 8, 18, 19 and 30, Township 13 North, Range 1 East, Sections 1, 2, 3, 4, 11 and 12, Township 12 North, Range 1 West, S.L.B.&M.

~~11-0281~~ 23. Battle Creek Irrigation Company:
1883—July 10 5 c.f.s.

13-0975

Said water to be diverted from Bear River at the point of diversion of the West Cache Irrigation Company last above described, and conveyed through said canal of the West Cache Irrigation Company to a point

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
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	Riverdale - Preston Irrigation Co.	3.0 cfs		11-0277
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205 (pd change)	Riverdale - Preston Irrigation Co.	3.0 cfs	n/a	11-0277
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1973 (pd change)	Riverdale - Preston Irrigation Co.	3.0 cfs	n/a	11-0277
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T
R
A
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S

Transfer No. 1973
Application No. 11-0277/11-0278

APPROVED

Name of applicant Riverdale - Preston Irrigation Co. Phone 852-1985
Post office address Rt. #2 Preston, Idaho 83263

A. DESCRIPTION OF RIGHT AS RECORDED

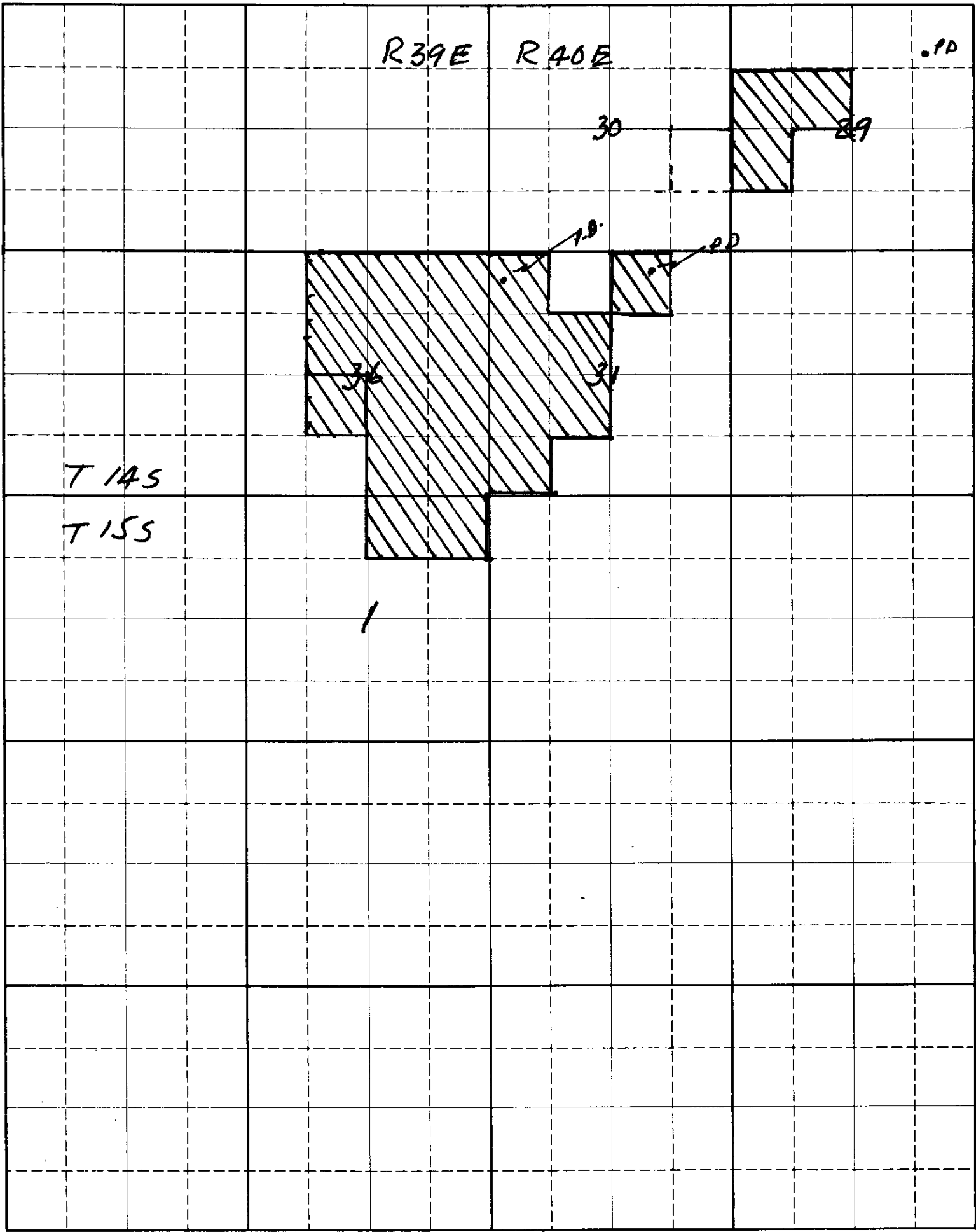
1. Right evidenced by:
- a. Decree to Riverdale - Preston Irrigation Co.
(Name)
in case of Utah Power & Light Co. vs Last Chance Canal Co.
dated July 14, 1920 in U.S. Dist. Court Eastern Division county of Bannock
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- 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 _____
3. Source of water Bear River tributary to Great Basin
4. Date of priority 3cfs June 10, 1883 6.5cfs June 10, 1902
5. Water is used for the following purposes:
- 0277 amount 3.0 c.f.s. for Irrigation purposes from April 1 to Oct. 31
- 0278 amount 6.5 c.f.s. for Irrigation purposes from April 1 to Oct. 31
- amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. 9.5 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29
Township 14 South Range 40 East, B.M., in Franklin County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated

615 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 The Canal Company is installing a sprinkler system to irrigate approximately 365 acres. The balance will still be irrigated by gravity flood irrigation.

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.

President Raymond M. Mace
Secretary Raymond M. Mace
(Signature of applicant)

Subscribed and sworn to before me this 2 day of April, 1976
My commission expires Lifetime
Steph. A. Mace
(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 11-0277/11-0278, and said application is hereby APPROVED
1. Approval of said application is subject to the following limitations and conditions:
A measuring device of a type approved by this Department be permanently installed and maintained as part of the diverting works.
2. Denial of said application is for the following reasons:

Witness my hand this 17 day of May, 19 76

R. Keith Higginson
Director

FOR DEPARTMENT USE ONLY

Received by W. J. Date 4-25-76
Prelim. check by W. J. Fee \$30.00
Received by W. J. Date 4-25-76
Published in Queen City # 15124
Pub. dates Apr. 15 + 22, 1976
Watermaster recommendation requested on 4-12-76
by Frank Stuber rec'd. 20 D 11
Recommended for approval by DRT
Hearing held by Date
Copies of protest forwarded by denial

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the *Co. publisher* of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

April 15, 19*76* and ending with the issue of *April 22*, 19*76*

Wayne D. Bell

Fee \$ *24.79*

Subscribed and sworn to before me this *3* day of *May*, 19*76*.

Delann M. Liddes

Notary Public, Residing at Preston, Idaho

My Commission Expires *March*, 19*78*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 11-0277/11-0278

Notice is hereby given that Riverdale-Preston Irrigation Co., Preston, Idaho, has applied to the Department of Water Resources for a change in the points of diversion and places of use of the waters of Bear River tributary to Great Basin. The right sought to be changed are evidenced by decree to Riverdale-Preston Irrigation Co., in case of Utah Power and Light Co. -vs- Last Chance Canal Co., dated July 14, 1920 in U. S. District Court Eastern Division, County of Bannock and recorded as follows:

No. 11-0277 AMOUNT: 3.00 cfs. PRIORITY: June 10, 1883.

DECREED POINT OF DIVERSION NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, B.M., Franklin County.

No. 11-0278 AMOUNT: 6.50 cfs PRIORITY: June 10, 1902.

DECREED POINT OF DIVERSION NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, B.M., Franklin County.

The water is used to irrigate 615 acres in Sec. 29, Sec. 31, T. 14S, R. 40E, Sec. 36, T. 14S, R. 39E; and Sec. 1, T. 15S, R. 39E B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 14S, R. 40E, B.M., and used to irrigate 615 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14S, R. 39E, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 1, T. 15S, R. 39E, B.M. Any protest against approval of the above proposed change of water right must be filed with the Idaho Department to Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before May 3, 1976.

R. KEITH HIGGINSON
Director

Legal No. 128 published April 15 and April 22, 1976.

COPY

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Riverdale Preston Irrigation Company
of Preston, Idaho

For a Change of Point of Diversion on Bear
River in Water District No. 5, Franklin
County, Idaho.

ORDER GRANTING CHANGE
OF POINT OF DIVERSION

No. 205

WHEREAS, On the 21st day of September, 1949, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, the application of the Riverdale Preston Irrigation Company of Preston, Idaho, for a change of point of diversion on Bear River came on regularly for hearing, pursuant to published notice, in due and statutory form and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that more economical use of the water will be obtained by such change, and that no other water user 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 Change of Point of Diversion 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 24th day of May, 1950.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer.

RECORDED

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF CHANGE OF POINT OF DIVERSION OF DECREED WATER RIGHTS.

No. 205.

THIS IS TO CERTIFY THAT THE RIVERDALE PRESTON IRRIGATION COMPANY, of Preston, Idaho, is the owner of and using a certain water right for three (3) cubic feet per second of the waters of Bear River, with priority of June 10, 1883 and also of six and one-half ($6\frac{1}{2}$) cubic feet per second of the waters of Bear River with priority of June 10, 1902, said water being decreed to said Riverdale Preston Irrigation Company by Judge Frank S. Dietrich of the District Court of the United States for the District of Idaho, Eastern Division, in the case of

UTAH POWER AND LIGHT COMPANY,
Plaintiff,

vs.

LAST CHANCE CANAL CO., et al
Defendants.

said decree bearing date of July 14, 1920, and being appurtenant to the following described lands, to-wit:

1415 acres located in Sections
29 and 31, Township 14 South,
Range 40 East, B.M., Sections
34, 35, and 36, Township 14
South, Range 39 East, B.M.,
Sections 1, 2, and 3, Township
15 South, Range 39 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 4 of Decrees, beginning at Page 502.

And that now, upon the application of the Riverdale Preston Irrigation Company, of Preston, Idaho, for a Certificate of Change of Point of Diversion for 9 cubic feet per second of the waters of Bear River, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change such point of diversion is HEREBY GRANTED.

That said change of point of diversion shall not modify in effect said decreed water right, or place of use. 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 amount, to-wit:

3 cubic feet per second with Priority of June 10, 1883.

6 cubic feet per second with Priority of June 10, 1902.

That said water right is appurtenant to the lands above described.

That the water right above described has heretofore been diverted from Bear River with point of diversion in the NE $\frac{1}{4}$ Section 31, Township 14 South, Range 40 East, B.M. through the Riverdale Preston Ditch.

MAILED
JUN 14 1920

That the water right above described will hereafter be diverted from Bear River with point of diversion in the SW¹/₄ SE¹/₄ Section 31, Township 14 South, Range 40 East, B.M. through the same ditch.

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 24th day of May, 1950.

Mark R Kulp

MARK R. KULP
State Reclamation Engineer

RECEIVED
MAY 25 1950
BOISE, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Franklin

Don E. Smith

, being duly sworn,

deposes and says:

That he is the *Publisher* of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Sept. 8, 19*49*, and ending with the issue of *Sept. 15*, 19*49*.
Don E. Smith

Fees, \$*5.55*

Subscribed and sworn to before me this *24th* day of *January*, 19*50*.
Ed Larsen

Notary Public, Residing at Preston, Idaho

My Commission Expires *May 13*, 19*50*.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Riverdale Preston Irrigation company, of Preston, Idaho, has

applied to the state reclamation engineer of the state of Idaho for a certificate authorizing them to change the point of diversion of the waters of Bear river, as follows: Amount: 9.0 cubic feet per second, point of diversion: NE ¼, Section 31, Township 14 S, Range 40 E. Place of Use: Sec. 29 & 31, Twp. 14 SR. 40 E. Sec. 36, T. 14 SR. 9 E. Sec. 1, T. 15 SR. 39 E., Sec. 34-35 & 36 T. 14 SR. 39 E. Sec. 1-2 & 3 T. 15 SR. 39 E.

Transfer to

Point of diversion: SW ¼ SE ¼, Section 31, Township 14 S., Range 40 E. place of Use: No change.

And that on the 21 day of September, 1949 at 10 o'clock AM., at Room 107, State House, Boise, Idaho, before the state reclamation engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

Mark R. Kulp
State Reclamation Engineer
36-37c

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Franklin

ss.

Ben A. Meek

being first duly sworn, deposes and says: That his postoffice address is Preston, Idaho; That he is the owner of and using

a certain water right, bearing date of priority of June 10 1883, 19 , for 3 c.f.s.
cubic feet per second of the waters of Bear River June 10 1902 6 1/2 c.f.s.

County of Franklin, State of Idaho, decreed to Riverdale Preston Irri. Co.
by decree of Judge F.S. Deitrich, of the U.S. District Court Judicial District of
the State of Idaho, in and for the County of Franklin, in the case of Utah Power
and Light Co. vs. Last Chance Canal Co. et.al. said decree bearing date of

July 14 1920, for the purpose of irrigating the following described lands, situate, lying
and being in Water Dist. No. 5, in the County of Franklin, and State of Idaho,
to-wit: 615 ac. in Sec. 29-31 T.14 S R 40 E., Sec. 36 T.14 S R 39 E.
Sec. 1 T.15 S R 39 E., Sec. 34-35-36 T.14 S R 39 E., Sec. 1-2-3 T.15 S R 39 E.
Total Ac. 1415 Ad.

That he is the person (or representative of the corporation) to whom such right was issued, (or has be-
come the owner thereof in the following manner: Election as President of the
Riverdale Preston Irri. Co.

That said waters are now diverted from said stream in the N.E. 1/4 of Sec. 31,
Twp. 14 S, Range 40 E., and conducted to the above described lands through the Riverdale
Preston Ditch ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described
to a point located in S.W. 1/4 of S.E. 1/4, Sec. 31, Twp. 14 S, Range 40 E.,
and thereafter conduct same to the above described land through the Riverdale Preston Ditch
as per map above referred to: For 9 c.f.s. of the above noted right by pumping
to their original ditch.

That his reasons for desiring to make such change are as follows: Pump instalation to avoid
side hill canal which is troublesome and expensive to maintain

That no one will be injured by such change and that such change will be made at affiant's own risk.

Subscribed and sworn to before me this 2 day of August, 1949.

Riverdale Preston Irrigation Co.
By Ben A. Meek, Affiant.
[Signature]
Notary Public

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant
should secure written consent of other owners or users to removal from its original carrier and
file such consent with this affidavit.

I, E.J. Baird, have thoroughly inspected the above application
and am familiar with their difficulties, and know of no reason
for refusing this application.

E.J. Baird
Watermaster Dist. 5 Idaho

MICROFILMED

In Equity No. 203

**In the District Court of the United States
for the District of Idaho, Eastern Division**

UTAH POWER & LIGHT COMPANY, a Corporation, *Plaintiff*,

vs.

The Last Chance Canal Company, Limited; The Tanner Canal Company, Limited; The Central Canal Company, The North Extension Canal Company, Limited; West Branch Canal Company, Limited; The Turner Canal Company, Limited; The East Branch Canal Company, The Bench Canal, and Budge Land & Live Stock Company, Limited, corporations; W. H. Larkins, Jas. Ellsmore, Geo. Hogan, Lewis S. Pond and Alex Harris as Trustees of the Gentile Valley Irrigation Company, Limited, late a corporation; The Thatcher Irrigation Company, Limited, a corporation; Nathan D. Thatcher, J. A. Folkman, Milton Robbins and Geo. M. Smith, as Trustees of Thatcher Canal & Power Company, Limited, late a corporation; Nelson Ditch Company, a corporation; A. J. Nielson, B. R. Meek, Henry McCuen, C. S. Burton and Eli Fosgreen, as Trustees of Riverdale-Preston Irrigation Company, late a corporation; The Riverdale Irrigating Company, Nielson-Meek Company and West-Cache Irrigation Company, corporations; E. P. Johnson, Albert Johnson, Hyrum Johnson, Geo. D. Anderson, Joseph T. Pond, Frank W. Harris, A. C. Bosen, Hyrum J. Smith, John E. Hill, Melvin Green, Robert L. Smith, Charles Westerburg, Peter Westerburg and David P. Evans.

Horace Howard, Henry Rhinchart, Harvey W. Higley, James Monroe (or Munro), Nellie Simmons, John Baird, William Monroe (or Munro), Orrin Monroe (or Munro), Charles Monroe (or Munro), Charles Foster, Hyrum Foster, Mary Baird, John Woodall (or J. D. Woodall), George Ellis, Skinner Irrigation Company, a corporation; Heber Crane, Fred Bartschi, Charles Bartschi, David Chugg, Phillip Chugg, Fred Stauffer, William Williams, Sr. (or William Morgan Williams), William Williams, Jr. (or William Mormon Williams), Oliver Williams, E. M. Lindsay, Georgetown Irrigation Company, a corporation, and Thomas Freeman.

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

land situated in Sections 29 and 30, said Township and Range.

11 0277 20. *Riverdale-Preston Irrigation Co.:*
1883—June 10 3 c.f.s.
11 0278 1902—June 10 6½ c.f.s.

Said water to be diverted from the main channel of Bear River at a point 20 rods Northeasterly from the Southeast corner of the Northeast quarter of the Northeast quarter of Section 29, Township 14 South, Range 40 East, B.B.M., and to be used for the irrigation of 615 acres of land in Sections 29 and 31, Township 14 South, Range 40 East, Section 36, Township 14 South, Range 39 East, and Section 1, Township 15 South, Range 39 East, B.B.M.

11 0279 21. *Riverdale Irrigating Company:*
1882—May 1 13 c.f.s.

Said water to be diverted from Bear River in the Northeast quarter of Section 31, Township 14 South, Range 40 East, B.B.M., and to be used for irrigating 800 acres of land in Sections 34, 35 and 36, Township 14 South, Range 39 East, and Sections 1, 2 and 3, Township 15 South, Range 39 East, B.B.M.

11 0280 22. *West Cache Irrigation Company:*
1899—Sept. 12 186 c.f.s.

Said water to be diverted from Bear River at a point 700 feet North and 42°33' West of a point 43 feet East of the Southeast corner of the Southwest quarter of Section 25, Township 14 South, Range 39 East, B.B.M., and to be used for the irrigation of 14,832 acres in Sections 19, 20, 29 and 30, Township 15 South, Range 39 East, Sections 4, 5, 17, 19, 20, 29 and 30, Township 16 South, Range 39 East, B.B.M., Sections 35 and 34, Township 15 North, Range 1 West, S.L.B.&M., Sections 3, 4, 9, 10, 11, 15, 16, 21, 22, 23, 25, 26, 27, 28, 33, 34, 35 and 36, Township 14 North, Range 1 West, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, Township 13 North, Range 1 West, Sections 5, 6, 7, 8, 18, 19 and 30, Township 13 North, Range 1 East, Sections 1, 2, 3, 4, 11 and 12, Township 12 North, Range 1 West, S.L.B.&M.

11 0281 23. *Battle Creek Irrigation Company:*
1883—July 10 5 c.f.s.

Said water to be diverted from Bear River at the point of diversion of the West Cache Irrigation Company last above described, and conveyed through said canal of the West Cache Irrigation Company to a point

Water Right Number - 11-00277

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
00/00/0000 15 EASTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.0

+ - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

GEN SEE RIGHT NO. 13-00971

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - 08/08/86 05/21/88 CONVERT 08/01/89 CURTIS 10/14/92 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -

WRS808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/28/98 14:31:50
Page 2

Water right number - 11-00277

Prefix Translation: WATER RIGHT

+ ~ ~ ~ ~ ~ Water Rights Dates and Flags Area ~ ~ ~ ~ ~ +

Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

November 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Pete Peterson
Watermaster, W.D. 11
2483 Riverdale Road
Preston, ID 83263

**RE: DECREEED RIGHT NOS. 11-00277 AND 11-00278 IN THE NAME OF
RIVERDALE-PRESTON IRRIGATION CO.**

Dear Mr. Peterson:

On November 24, 1997, you called me and requested the information for the above two referenced water rights. My review of department files shows the following:

Ident. No:	11-00277 - 3.0 cfs and 11-00278 - 6.5 cfs Total 9.5 cfs
Owner:	Riverdale - Preston Irrigation Co.
Priority:	June 10, 1883 (11-00277) June 10, 1902 (11-00278)
Source:	Bear River
Pt of div:	NENE Section 29, T14S, R40E, B.M. NWNE & NWNW Section 31, T14S, R40E, B.M.
Place of use:	T14S, R39E, B.M. Sec. 36 NENE - 37 NWNE - 20 SWNE - 5 SENE - 40 NENW - 22 SENE - 40 NESW - 40 SE1/4 - 160 T14S, R40E, B.M. Sec. 29 SWNW - 30 SENE - 2 NWSW - 28 Sec. 31 NWNE - 8 NWNW - 10 SWNW - 40 SENE - 26 NESW - 8 NWSW - 40 SWSW - 17

T15S, R39E, B.M.

Sec. 1

NENE - 12

NWNE - 30

TOTAL 615 acres

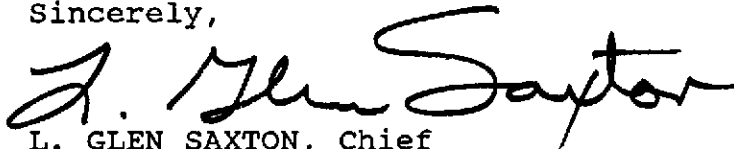
Conditions of Approval: A measuring device of a type approved by this department be permanently installed and maintained as part of the diverting works.

Remarks: The rights described above are authorized by transfer No. 1973 approved by the department on May 17, 1976.

During your phone call, you indicated that you owned all or part of the water rights and were contemplating filing an application for transfer to make a changes in connection with the rights. If the elements of the rights as described above do not correctly describe the present use of the rights, a transfer needs to be filed. Enclosed for your use is an application for transfer form and instructions.

If you have questions, please feel free to contact me or our office in Idaho Falls at phone (208) 525-7171.

Sincerely,



L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 3

c: IDWR - E. Region

May 18, 1976

Re: Transfer Nos. 11-0277/11-0278

Riverdale - Preston Irrigation Co.
Rt. #2
Preston, ID 83263

Gentlemen:

Enclosed is a copy of your approved Application for Transfer Nos. 11-0277/11-0278. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enc.

MICROFILMED

May 3, 1976

RE: Application for Transfer No. 11-0277/11-0278 RIVERDALE-PRESTON

Preston Citizen
Box 472
Preston, Idaho 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on April 15 and April 22, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

cc: IDWR - State Office

RECEIVED
MAY 10 1976

April 12, 1976

RE: Application for Transfer No. 11-0277/11-0278 RIVERDALE-PRESTON

Mr. Russell D. Stoker, Watermaster
Water District No. 11
Box 726
Soda Springs, Idaho 83276

Dear Mr. Stoker:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before May 3, 1976.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures

11-0277-11-0278

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 11-0277/11-0278

RECOMMENDATION OF WATERMASTER

RECEIVED

APR 30 1976

Department of Water Resources
Eastern District Office

I, Russell D. Stoker, watermaster of Bear River,
of Water District No. 11, County of Franklin, State of Idaho,
whose address is Box 726, Soda Springs, Idaho 83276
have read the attached copy of the application for transfer of water right for Riverdale
Preston Irrigation Co., 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 Soda Springs, Idaho, this 29 th day of April 19 76.

Russell D. Stoker
(signature)

Please use reverse side if needed.

April 12, 1976

RE: Application for Transfer No. 11-0277/11-0278 RIVERDALE-PRESTON

Mr. Russell D. Stoker, Watermaster
Water District No. 11
Box 726
Soda Springs, Idaho 83276

Dear Mr. Stoker:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before May 3, 1976.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosures

APR 15 1976

April 8, 1976

RE: Application for Transfer No. 11-0277/11-0278 RIVERDALE-PRESTON

Preston Citizen
Bo 472
Preston, Idaho 83263

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 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.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor, Eastern Region

Bill submitted 5-06-76 by CW

RDC:CW

Enc: Legal Notice (1)

11-0277/11-0278
RIVERDALE-PRESTON
MAY 10 1976

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 11-0277/11-0278

Notice is hereby given that Riverdale-Preston Irrigation Co., Preston, Idaho, has applied to the Department of Water Resources for a change in the points of diversion and places of use of the waters of Bear River tributary to Great Basin. The rights sought to be changed are evidenced by decree to Riverdale-Preston Irrigation Co., in case of Utah Power and Light Co. -vs- Last Chance Canal Co., dated July 14, 1920 in U.S. District Court Eastern Division, County of Bannock and recorded as follows:

No. 11-0277	AMOUNT: 3.00 cfs	PRIORITY: June 10, 1883
	DECREED POINT OF DIVERSION:	NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, B.M., Franklin County.
No. 11-0278	AMOUNT: 6.50 cfs	PRIORITY: June 10, 1902
	DECREED POINT OF DIVERSION:	NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, B.M., Franklin County.

The water is used to irrigate 615 acres in Sec. 29, Sec. 31, T. 14S, R. 40E, Sec. 36, T. 14S, R. 39E; and Sec. 1, T. 15S, R. 39E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 14S, R. 40E B.M., and used to irrigate 615 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 14S, R. 40E, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 14S, R. 39E, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 1, T. 15S, R. 39E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before May 3, 1976.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho, on April 15 and April 22, 1976

APR 22 1976
me-8
me-8

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source BEAR RIVER

Name

Riverside Crestone
Trig.

2. Right Being Transferred

Right No.

11-0277/11-0278a. ☒ Decree

Transfer No.

11-☐ License☒ Useb. ☒ Priorityc. ☐ Location - Original P. D.NW 1/4 NW 1/4 SEC 28 IN ABSTRACTd. ☐ " - Original P. U.e. ☒ " - New P.D.f. OK " - New P.U.g. OK Amount☒ All☐ Part3. ☒ Proof of Ownership of Right — NEEDED

Comment _____

4. NO Expansion of Right

Comment _____

5. ☒ Map6. ☒ Signature7. ☒ Fee8. Watermaster's Comments REQUESTED

9. Comments _____

10. Initial Review by RDCDate 4/6/76

11. Recommended Action

☐ Approve☐ Deny☒ Conditions MEASURING DEEP

By

RDC

Date

5/6/76Copy
Master

May 25, 1950

Mr. Ben A. Meek, President
Riverdale-Preston Irr. Company
Preston, Idaho

Dear Mr. Meek:

We enclose Certificate authorizing change of point of diversion of nine (9) cubic feet per second of water from Bear River, together with Departmental Receipt No. 22359 for the \$1.00 recording fee.

A copy of this Certificate has been sent to Mr. E. J. Baird, Watermaster, for his information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh
Enc.

CC: Mr. E. J. Baird.

RECORDED
INDEXED

April 4, 1950

Mr. Ben A. Meek, President
Riverdale Preston Irrigation Co.
Preston, Idaho

Dear Mr. Meek:

We are still holding the application of the Riverdale Preston Irrigation Company for change of point of diversion, dated August 2, 1949.

We have written you twice, advising that no protests were received and that upon receipt of the Affidavit of Publication in the Preston Citizen and a recording fee of \$1.00, a Certificate would be issued authorizing such change of point of diversion.

May we ask that you give this matter your prompt attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

RECORDED



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

December 22, 1949

Mr. Ben A. Meek, President
Riverdale Preston Irrigation Co.
Preston, Idaho

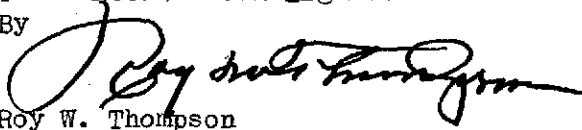
Dear Mr. Meek:

On October 26, 1949, we informed you that no protest had been submitted in connection with your application for change of point of diversion of water right from Bear River and that upon receipt of the Affidavit of Publication in the Preston Citizen and the \$1.00 recording fee, a Certificate authorizing the change would be issued.

We have had no reply to this letter and we are again bringing it to your attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By


Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

Dollar Bill Enclosed

1698681726

MICROFILMED

October 26, 1949

Mr. Ben A. Meek, President
Riverdale Preston Irrigation Co.
Preston, Idaho

Dear Mr. Meek:

There have been no protests in connection with your application to change point of diversion of water right from Bear River.

Therefore, upon receipt of the Affidavit of Publication which the Preston Citizen was instructed to send you and the \$1.00 recording fee, a Certificate authorizing such change will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date August 29, 1949

**The Preston Citizen,
Preston, Idaho.**

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to **September 21, 1949** the date set for the hearing, the expense of the publication to be paid by the applicant, **Riverdale Preston Irrig. Co. Ben A. Meek, Pres. Preston, Idaho.**

to whom you should furnish proof of publication on or prior to the date set for the hearing.

Please acknowledge receipt of this notice, and furnish this department with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By **Roy. W. Thompson**
Supervisor of Water Distribution.

Notice Of Proposed Transfer Of Water Right

Notice is hereby given that Riverdale Preston Irrigation Company,
of Preston, Idaho, has applied to the State Reclamation Engineer
of the State of Idaho for a certificate authorizing ~~them~~ to change the point of diversion
~~and/or place of use~~ of the waters of Bear River,
as follows: Amount: 9.0 Cubic feet per second,
Point of diversion: NE 1/4, Section 31, Township 14.S,
Range 40.E. Place of Use:
615 acres in Sec. 29 & 31, Twp. 14.S, R. 40.E. Sec. 36, T. 14.S R. 9.E.
Sec. 1, T. 15.S R. 39.E., Sec. 34- 35 & 36 T. 14 S. R. 39.E. Sec. 1-2-3
T. 15.S.R.39.E.

Transfer to

Point of diversion: SW 1/4 SE 1/4, Section 31, Township 14.S,
Range 40 E. Place of Use: No. change,

And that on the 21 day of September, 1949
at 10 o'clock A M., at Room 107, State House, Boise, Idaho.

before the State Reclamation Engineer, or his authorized agent, the opportunity will be
given to any and all persons to appear and present, for his consideration any reason or rea-
sons why a certificate should not be issued authorizing such transfer.

MARK. R. KULP.

State Reclamation Engineer.



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 23, 1949



Mr. E. J. Baird, Watermaster
Water District No. 5
Soda Springs, Idaho

Dear Mr. Baird:

We are in receipt of an Affidavit for Change of Point of Diversion of Decreed Water Right in the name of the Riverdale Preston Irrigation Company, requesting the change of point of diversion of 3 second feet of June 10, 1883, and $6\frac{1}{2}$ second feet, June 10, 1902, making a total of $9\frac{1}{2}$ second feet.

Same Affidavit is requesting the change of point of diversion of only 9 second feet. Kindly let us know if this is correct or if it is a typographical error or does the Company really wish to transfer 9.5 second feet.

Will with-hold publication of notice to the newspaper until we hear from you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

[Signature]
Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

*9 c.f.s. Transfer Change
9.5 " Retains at original diversion*