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Identification No

Transfer No. 111

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT

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

1. Name of Right Holder J. Marvin Prescott
Post office address Grace, Idaho
2. Right obtained by:
Don H. Bassett (11-0702)
a. Decree to John Meacham (11-0700) in Case of Utah Power & Light
(Name)
vs. Last Chance Canal, Dated 7-14-1920 in U.S. District Court of Idaho
(Name of Court)
Court. ~~XXXXXX~~ Eastern Division
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water (Middle Fork) Trout Creek tributary to Bear River
(Name of stream or source) 11-0700 - 2.7 cfs - 5/1/1871
4. Date of Priority _____ 11-0702 - 1.0 cfs - 5/1/1878
5. Amount of water a. 3.7 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from April 20 to November 1
(Month, Day) (Month, Day)
7. Original location of point of diversion is NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17,
Township 11S, Range 41E, B.M., in Caribou County;
Additional points of diversion, if any NW $\frac{1}{4}$, Sec. 20, T. 11S, R. 41E, B.M.
8. Lands presently irrigated or place of use:

[illegible]

Total number of acres presently irrigated 185

RECEIVED

9. If applicant was not the original holder of this right explain how it was acquired: _____
Through purchase of land to which right was appurtenant. _____

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 3.7 c.f.s. and/or _____ acre feet
- b. New point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 11S
_____, Range 41E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
Divert water into ditch then into concrete box located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16; which is the intake for a gravity sprinkler system
- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No X.
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
The gravity system indicated here was installed in 1967 and water diverted from the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16 since that time. The transfer is filed to get the change in point of diversion officially recorded.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? Yes
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

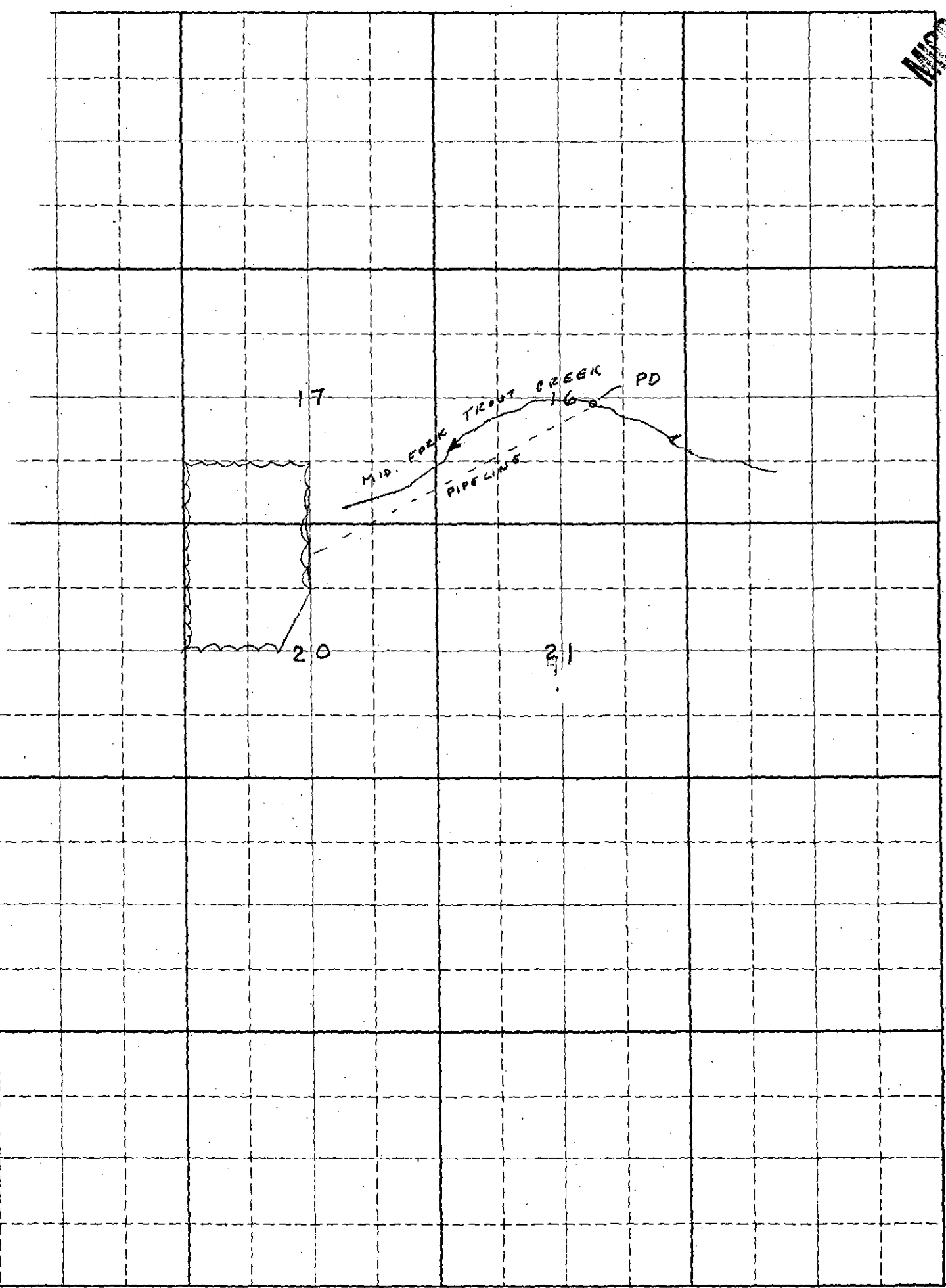
11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	
11S	41E	17											X	X					
"	"	20					X	X											
																	Total		135
"	"	20					X		X	X									50

Total number of acres to be irrigated 185

UNCLASSIFIED



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

b. Do you intend to make the transfer permanent? Yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

J. Marvin Prescott
(signature of applicant)

Subscribed and sworn to before me this 10th day of APRIL, 1975

Ronald D. Carson
(notary public)

My commission expires 2/14/78

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 11-0700/11-0702,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this 6 day of June, 19 75

R. Keith Higginson
R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

FOR DEPARTMENT USE ONLY

Received by MB Date 4-10-75

Protest filed by: _____ Date _____

Prelim. check by RDC Date 4/10/75

Fee received by MB Date 4-10-75 Fee \$ 30⁰⁰
4142

Approved for publication by MB Date 5-19-75

Published in Central Valley Dates 5-18-75

Hearing held _____

Watermaster Recommendation sent District Inactive

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 Rhinehart, 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

Range 41 East. The following parties are entitled to divert through the said ditch with priorities and in the amounts hereinbelow set forth:

358. *Hyrum Swensen:*
1871—May 1 .3 c.f.s. For the irrigation of 15 acres of land hereinabove set forth under his diversion from North Fork of Trout Creek.

359. *John Meacham:*
1871—May 1 2.7 c.f.s. For the irrigation of 135 acres in the South half of the Southwest quarter of Section 17, the North half of the Northwest quarter of Section 20, said Township and Range. Said water may also be diverted through a ditch diverting from said Middle Fork in the Southwest quarter of the Southwest quarter of Section 16, and/or through a ditch diverting from said Middle Fork in the Northeast quarter of the Northwest quarter of Section 20, said Township and Range.

The following parties are entitled to divert from said Middle Fork of Trout Creek through unnamed ditches with priorities and in the amounts hereinbelow set forth:

360. *Nels L. Sorensen:*
1887—May 1 .8 c.f.s. To be diverted through a ditch having its intake in the Northwest quarter of Section 20, Township 11 South, Range 41 East, B.M., for the irrigation of 40 acres in the West half of the Northeast quarter of Section 30, and the Southwest quarter of the Southeast quarter of Section 19, said Township and Range.

361. *Don H. Bassett:*
1878—May 1 1.0 c.f.s. To be diverted through a ditch diverting in the Northwest quarter of Section 20, said Township and Range, for the irrigation of 50 acres within the following described tract: Commencing at a point 19 rods East of the Northwest corner of the Southwest quarter of the Northeast quarter of Section 20, Township 11 South, Range 41 East, B.M., thence west 179 rods, thence South 62 rods and 3 feet; thence East 10 rods and 30 feet; thence South 18 rods and 30 feet; thence East 68 rods; thence South 30 feet; thence East 29 rods; thence in a Northeasterly direction about 86 rods to the place of beginning, containing 72 acres.

SEE CORRESPONDENCE IN FILE # 11-0700