

No Color
Documents
In File

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 Carl B. Jorgensen Phone 425-3953
Post office address Star Route, Bancroft, ID 83217

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to Thomas N. Ellis (Name)
in case of Utah Power & Light Co. vs Last Chance Canal Co.
dated 7/14/1920 in U. S. Dist. Court county of Caribou
(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
Purchased land.

3. Source of water N. Fork Trout Creek tributary to Bear River

4. Date of priority 5/1/1882

5. Water is used for the following purposes:
amount 2.2 cfs for irrigation purposes from April 20 to Sept. 30
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)

6. Total amount of water under right: a. 2.2 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of ---- $\frac{1}{4}$ of Section 10
Township 11S Range 41E, B.M., in Caribou 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 $\frac{1}{4}$	
11S	41E	9					X	X											
		4											X						
		5																X	
		8						X											

Total number of acres to be irrigated 110

9. Describe any other water rights used for the same purposes as described above Permit

No. 13-7095 1.60 cfs 80 acres

MICROFILMED

applicant, omit part B).

b. _____
acre feet per annum

Range _____, B.M., _____

|| || |

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

a. Amount of water to be

b. Point(s) of diversion NE

Range 41E, B.M., Caribou

Additional points

Increase efficiency of Irrigation system and properly de

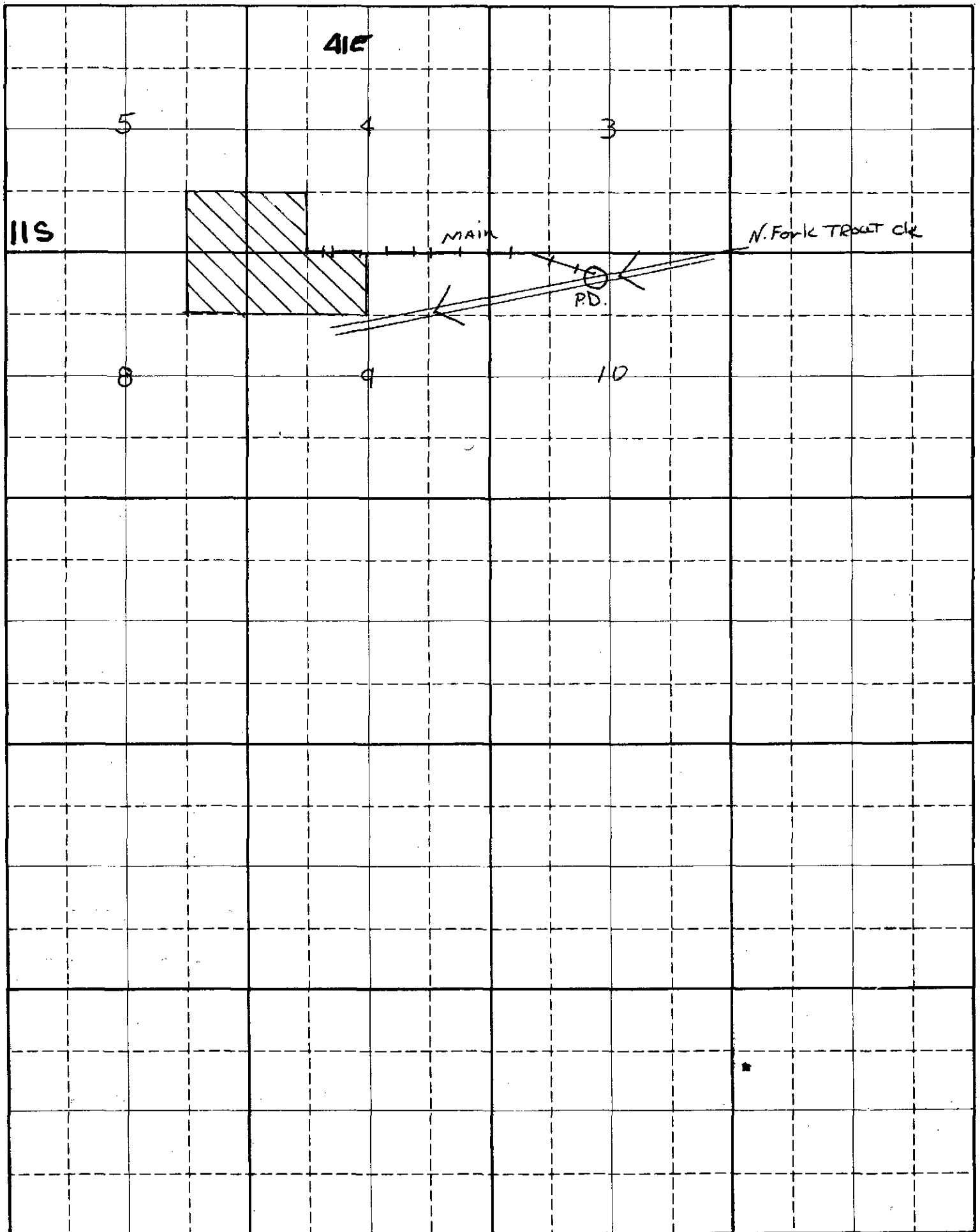
diversion omitted in original decree.

a. Describe the lands

[illegible]

Total number of acres to be irrigated	110
---------------------------------------	-----

3. 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.

WILSON

4.

Remarks The original decree allowed for irrigation of a subdivision that

has never been irrigated. This transfer represents the irrigated lands now

and at the time of the decree. This transfer will correct an administrative

error.

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.

(Signature of applicant)

Subscribed and sworn to before me this 16 day of MAY, 1980.

(Notary public)

My commission expires MAY 4, 1984

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 11-0670

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

1. 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.

2. Use of water under this right is subject to control by the watermaster of State

Water District No. 13P, North Fork Trout Creek.

Witness my hand this 25th day of February, 1986.

Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by BR.

Date 5/14/80

Fee \$35.

Prelim. check by JC.

Received by KC

Date 5/16/80 #14803

Published in Caribou County Sun

Pub. dates 6/5 & 6/12/80

Watermaster recommendation requested on

rec'd.

by Jim

Recommended for

approval

denial

Hearing held by

Date

Copies of protest forwarded by

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER	)	
NO. 2447 OF WATER RIGHT NO. 11-0670 IN	)	ORDER TO SHOW CAUSE
THE NAME OF CARL B. JORGENSEN	)	

WHEREAS, on May 16, 1980, Carl B. Jorgensen filed with the Department of Water Resources an application to transfer the point of diversion and place of use for decreed water right No. 11-0670. This right was originally decreed to Thomas N. Ellis in the case of Utah Power and Light Company vs Last Chance Canal Company dated July 14, 1920 and granted the diversion of 2.20 cubic feet per second from North Fork Trout Creek tributary to the Bear River in the NW1/4, Sec. 10, Twp. 11S, Rge. 41E for the irrigation of 110 acres in the N1/2NW1/4, Sec. 9, SW1/4SW1/4, Sec. 4, SE1/4SE1/4, Sec. 5, NW1/4NW1/4, Sec. 8, Twp. 11S, Rge. 41E; and,

WHEREAS, the applicant proposed to remove the water from the NW1/4NW1/4, Sec. 8, Twp. 11S, Rge. 41E and apply the water to the NE1/4NE1/4, Sec. 8, Twp. 11S, Rge. 41E; and,

WHEREAS, on August 1, 1980 the Department of Water Resources mailed a request to the applicant asking him to provide either evidence of ownership for the NW1/4NW1/4, Sec. 8, Twp. 11S, Rge. 41E from which the water will be removed or a disclaimer of ownership of the water right from the present owner of the property; and,

WHEREAS, no response was received from the applicant; and,

WHEREAS, on January 8, 1980, the Department sent a second request to

4410000000

the applicant asking him to provide either proof of ownership or a disclaimer from the owner of the NW1/4NW1/4, Sec. 8, TWP. 11S, Rge. 41E; and,

WHEREAS, on January 15, 1982, the applicant furnished a copy of part of a document entitled Contract of Sale between Mr. and Mrs. Merlin Peterson and Mr. and Mrs. Carl B. Jorgensen; and,

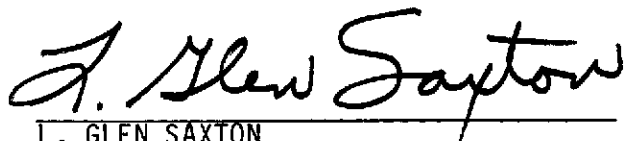
WHEREAS, the document failed to demonstrate ownership of the entire water right or the NW1/4NW1/4, Sec. 8, Twp. 11S, Rge. 41E; and,

WHEREAS, on October 2, 1985, the department again requested by letter that the applicant provide a land list showing the number of acres irrigated in each quarter-quarter along with a disclaimer from the current owner of the NW1/4NW1/4, Sec. 8, Twp. 11S, Rge. 41E describing that he has no interest in the water right; and,

WHEREAS, the applicant has not supplied the information necessary to allow the Department to approve the application for transfer;

THEREFORE, the applicant is hereby ordered to show cause on or before February 20, 1986 why Application for Transfer No. 2447 of water right No. 11-0670 should not be denied for failure of the applicant to provide the required information.

Dated this 26th day of December, 1985.


L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED
JAN 15 1982

Department of the Interior
Eastern District Office

CONTRACT FOR SALE

THIS CONTRACT Made and executed this 5th day of May, 1976, by and between Merlin R. Peterson and Ruth H. Peterson, husband and wife, of Grace, Caribou County, Idaho, hereinafter called Sellers, and Carl B. Jorgensen and Patricia Jorgensen, husband and wife, of Bancroft, Caribou County, Idaho, hereinafter called Buyers:-

WITNESSETH: That the Sellers, for and in consideration of the covenants and agreements on the part of the Buyers hereinafter contained, agree to sell and convey unto the Buyers, and the Buyers agree to buy, all that certain real estate located in Caribou County, Idaho, more particularly described as follows, to-wit:

Township 11 South, Range 41 East of the Boise Meridian.

Section 4: S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 5: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8: NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 9: N $\frac{1}{2}$ NW $\frac{1}{4}$

EXCEPT THEREFROM a tract on the East end of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, as now fenced, and containing approximately 7.9 acres.

Together with a pump, main line, 5 lines of sprinkler pipe and pipe trailer.

Together with 1/3 of the water of the North Fork of Trout Creek originating in Collins Canyon,

RECORDED

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

PUBLIC NOTICE

First Time
Published

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 11-0670

Notice is hereby given that Carl B. Jorgensen, Bancroft, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the North Fork of Trout Creek tributary to the Bear River. The right sought to be changed is evidenced by decree to Thomas N. Ellis in case of Utah Power and Light Co. vs. Last Chance Canal Co. dated 7-14-1920 in U.S. District Court, Caribou County and is recorded as follows:

AMOUNT: 2.2 cfs PRIORITY: May 1, 1882

DECREED POINT OF DIVERSION: NW $\frac{1}{4}$, Sec. 10, Twp. 11S, Rge. 41E, B.M., Caribou County.

The water is used to irrigate 110 acres from April 20 to Sept. 30 within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; Twp. 11S, Rge. 41E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10 Twp. 11S, Rge. 41E, B.M., Caribou County to be used to irrigate 110 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; Twp. 11S, Rge. 41E, 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 June 23, 1980.

C. STEPHEN ALLRED
Director

Published in the Caribou
County Sun, June 5 and 12, 1980.

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

5th day of

June, 1980

The date of the last publication

being the 12th day of

June, 1980

Subscribed and sworn to be-

fore me this 10th day

of July, 1980

Notary Public, residing
at Soda Springs, Idaho
(SEAL)

My Commission expires the

1st day of March

1984

RECEIVED

JUL 16 1980

Department of Water Resources
Eastern District Office

ok puc
7/16/80

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
336. <i>Hyrum Swensen:</i> 1871—May 1	1.1 c.f.s.	To be diverted from said North Fork through a ditch having its intake on the West side of the said North Fork near the Northwest corner of Section 17, Township 11 South, Range 41 East, B.M., for the irrigation of 55 acres of land in the North half of the Northeast quarter of Section 19, and the Southeast quarter of Section 18, said Township and Range.
337. <i>Joseph Olerenshaw:</i> 1900—May 1	0.1 c.f.s.	To be diverted from said North Fork through a ditch having its intake therefrom near the Northwest corner of Section 17, Township 11 South, Range 41 East, B.M., for the irrigation of 5 acres in the Northeast quarter of the Southeast quarter of Section 18, said Township and Range.
338. <i>Benjamin Clegg:</i> 1879—May 1 1885—May 1	2.9 c.f.s. 0.7 c.f.s.	To be diverted from said North Fork through a ditch having its intake therefrom in the Northwest quarter of Section 10, Township 11 South, Range 41 East, B.M., for irrigation of 180 acres in Lots 2, 3, and 4, and the South half of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 4, said Township and Range.
339. <i>Charles N. Ellis:</i> 1882—May 1	0.7 c.f.s.	To be diverted from said North Fork through a ditch diverting therefrom in the Northwest quarter of Section 10, Township 11 South, Range 41 East, for the irrigation of 35 acres in the <u>Southeast quarter of the Southwest quarter of Section 4</u> , said Township and Range.
340. <i>Thomas N. Ellis:</i> 1882—May 1	2.2 c.f.s.	To be diverted from said North Fork by means of the last above described ditch for the irrigation of 110 acres in the North half of the Northwest quarter of Section 9, the Southwest quarter of the Southwest quarter of Section 4, the Southeast quarter of the Southeast quarter of Section 5, and the Northwest quarter of the Northwest quarter of Section 8, said Township and Range.
341. <i>Esther N. Peterson:</i> (a) 1879—May 1	0.6 c.f.s.	To be diverted from said North Fork through a ditch having its intake there-

SENDER: Complete items 1, 2, 3 and 4.

your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
2. ☒ Restricted Delivery.

3. Article Addressed to:

Carl B. Jorgensen
Star Rt.
Bancroft, ID 83217

4. Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number:

33200

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee

X

6. Signature - Agent

X

7. Date of Delivery

1-18-86 JMM

8. Addressee's Address (ONLY if requested and fee paid)

11-0670 HC 72 B4 2410

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE \$300

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

RETURN

TO **RECEIVED**

(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

JAN 22 1986

(City, State, and ZIP Code)

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 26, 1986

RE: Transfer of Water Right No. 11-0670

Carl B. Jorgensen
Star Rt.
Bancroft, ID 83217

Dear Mr. Jorgensen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2447). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

REPRODUCED FROM
ORIGINAL FILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

copy
sent to
Boise 5/2

INITIAL REVIEW BY: J. C.

1. Right number 11-0670 Applicant _____

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 ¹⁸⁹² ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use ^{April 20 - Sept 30}

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). ^{6/23}

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 13-7095 (wastewater)

137095 different source - no conflict.

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) see above

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 13-P Inactive

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* 1) Measuring device 2) Watermaster control, W.D. 13P.

OIE, OS(13P)

4. By Ernest Carlson

Date Jan 20, 1982

JAN 25 1982

MICROFILMED

RECEIVED

RECEIVED

FEB 20 1986

Department of Water Resources

February 1, 1986

In the matter of application for transfer No. 2447 of water right No. 11-0670 in the name of Carl B. Jorgensen.

I, Steven L. Lutton, owner of NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 11S, Rge. 41E, have no objection to my water being moved to the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Twp 11S, Rge. 41E., and do hereby declare I have no interest in the water right.

Thank you,

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 17, 1986

CERTIFIED MAIL #33200

RE: Application for Transfer of Water Right No. 11-0670

Carl B. Jorgensen
Star Rt.
Bancroft, ID 83217

Dear Mr. Jorgensen:

Enclosed is an Order to Show Cause why the above referenced transfer application should not be denied.

Note that any information in response to this Order must be submitted by February 20, 1986. Please contact this office if you have any questions.

Sincerely,

Jim Johnson
JIM JOHNSON *by kw*
Water Rights Supervisor

JJ:sc

Enclosure

I hope this enclosure letter will be sufficient to take care of this transfer of water right.

Thank you,

MICROFILMED

Carl Jorgensen
HC 72, Box 2410
Bancroft, Idaho 83217

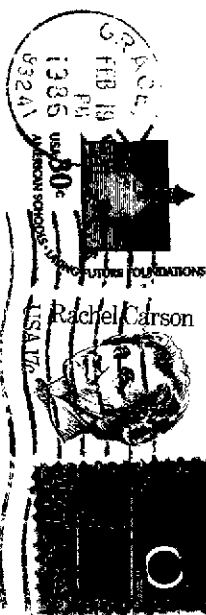


CERTIFIED

P 121 758 697

MAIL

Department of Water Resources
450 W. State Street
Statehouse
Boise, Idaho 83720



MICKSTIMEG

CONVERSATION MEMORANDUM

DATE 1-27-86

FILE 11-0670

NAME OF PARTY CARL JORGENSEN

EMPLOYEE JIM JOHNSON

RE: Mr Jorgensen called in reference to the
Order to Show Cause Order and asked
for clarification of what was required
of him.

AFTER INFORMING him of said
requirements he said he would
get the waiver from the Administrator
of the Bettini Estate and send it
to us.

RECEIVED
FILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 17, 1986

CERTIFIED MAIL #33200

RE: Application for Transfer of Water Right No. 11-0670

Carl B. Jorgensen
Star Rt.
Bancroft, ID 83217

Dear Mr. Jorgensen:

Enclosed is an Order to Show Cause why the above referenced transfer application should not be denied.

Note that any information in response to this Order must be submitted by February 20, 1986. Please contact this office if you have any questions.

Sincerely,

Jim Johnson
by kw

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

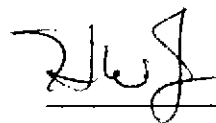
FROM HWT

DATE 11-5-85

TO Ernest.

SUBJECT Cancellation of Transf. applic.

As per my letter (see file) I am recommending that this applic. for trans be cancelled due to total lack of response. I do think we should keep this file in case we have the applicant come in & reapply.



SIGNATURE

October 2, 1985

Carl B. Jorgensen
Star Route
Bancroft, ID 83217

Dear Mr. Jorgensen:

This is to remind you that we still have not received the disclaimer from Louis Bitton and specific land list to complete your transfer application on right 11-0670 from the North Fork of Trout Creek. This process has been on-going for several years now and if no action is taken within thirty (30) days, I will interpret this to indicate you have no further interest. At this point I will recommend the application be cancelled.

Sincerely,

HAROLD W. JONES
Sr. Resource Agent

HWJ:cw

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM Ernest

DATE 8-27-84

TO Skip.

SUBJECT This application has been needing action for so long, I best take to handle it through mail. I am hoping that by fast delivering the application & disclaimer the applicant will put forth the effort to complete the application & get the disclaimer signed. Before you contact Mr. Jorgensen let's discuss the application.

1/ need an acreage land list - Get ^{ASCS} ~~less~~ Map + plot
2/ get disclaimer signed

SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

January 8, 1982

RECEIVED

JAN 15 1982

RE: Application for Transfer No. 11-0670

Department of Water Resources
Eastern District Office

Carl B. Jorgensen
Star Route
Bancroft, ID 83217

Dear Mr. Jorgensen:

In May, 1980, you filed the above captioned application with the Department to change the point of diversion and place of use for decreed right No. 11-0670 diverted from the North Fork Trout Creek. This was followed by a letter from the Department in August, 1980, requesting that you supply proof of ownership for the right; either in the form of a signed sales contract or warranty deed. We are still holding your application pending receipt of this requested information. Should you be unable to provide proof of ownership and are no longer interested in pursuing the application, simply sign the enclosed withdrawal request and return it to this office.

If we have not received any of the above mentioned items by January 25, 1982, we will initiate the necessary procedures for allowing the Department to implement final administrative action on your application.

Feel free to contact us if you have any questions concerning what is required as evidence of ownership for this water right.

Respectfully submitted,

Ernest Carlsen

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure

*Mr. Carlsen,
Enclosed find a partial
copy of our contract with
Merlin Peterson for purchase
of the land & water.*

*Thank you
Patricia Jorgensen*

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

January 8, 1982

RE: Application for Transfer No. 11-0670

Carl B. Jorgensen
Star Route
Bancroft, ID 83217

Dear Mr. Jorgensen:

In May, 1980, you filed the above captioned application with the Department to change the point of diversion and place of use for decreed right No. 11-0670 diverted from the North Fork Trout Creek. This was followed by a letter from the Department in August, 1980, requesting that you supply proof of ownership for the right; either in the form of a signed sales contract or warranty deed. We are still holding your application pending receipt of this requested information. Should you be unable to provide proof of ownership and are no longer interested in pursuing the application, simply sign the enclosed withdrawal request and return it to this office.

If we have not received any of the above mentioned items by January 25, 1982, we will initiate the necessary procedures for allowing the Department to implement final administrative action on your application.

Feel free to contact us if you have any questions concerning what is required as evidence of ownership for this water right.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 1, 1980

RE: Application for Transfer of Water Right No. 11-0670

Carl B. Jorgensen
Star Route
Bancroft, ID 83217

Dear Mr. Jorgensen:

Our Eastern Regional Office has completed the initial processing of your Application for Transfer of water on the North Fork Trout Creek. However, prior to recommending final action it will be necessary for you to provide evidence of ownership for the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Twp. 11S, Rge. 41E, B.M. or ownership of Water Right No. 11-0670. If you are in possession of a signed sales contract or warranty deed varifying either of these two items a copy should be sent to this office. If this is not the case, then it will be necessary for you to obtain written consent from the present owner of the above property, authorizing you to transfer the water right off of his land.

Since no further action will be taken on your application until evidence of ownership is varified, it is hoped you can give this matter your immediate attention. Feel free to call or contact me.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw

1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401
(208) 523-7186

CONVERSATION MEMORANDUM

DATE 7/25/1980FILE 11-0670NAME OF PARTY Caribou County AssessorEMPLOYEE Ernest Carlsen *ENC*RE: Proof of Ownership

During a telecon with Retta Barger of the Caribou County Assessor's Office, I was advised Mr. Louis Jr. Bitton is listed on their records as owning the NW¹₄NW¹₄, Section 8, Twp. 11S, Rge. 41E, B.M. Since the intent of Application for Transfer No. 11-0670 is to remove water from this parcel, it will be necessary for the applicant to provide proof of ownership for the right or obtain consent from Mr. Bitton allowing the applicant to proceed with the transfer.

MICROFILMED

July 16, 1980

RE: Application for Transfer No. 11-0670 JORGENSEN

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on June 5 and 12, 1980.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

June 24, 1980

RE: Application for Transfer No. 11-0670 JORGENSEN

Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on June 5 and 12, 1980.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

EW:Kw

RECEIVED
JUN 25 1980

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

MAY 29, 1980

Caribou County Sun
P. O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 23, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

RECEIVED
MAY 30 1980
IDaho Falls

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 11-0670

Notice is hereby given that Carl B. Jorgensen, Bancroft, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of the North Fork of Trout Creek tributary to the Bear River. The right sought to be changed is evidenced by decree to Thomas N. Ellis in case of Utah Power and Light Co. vs. Last Chance Canal Co. dated 7/14/1920 in U. S. District Court, Caribou County and is recorded as follows:

AMOUNT: 2.2 cfs

PRIORITY: May 1, 1882

DECREED POINT OF DIVERSION: NW $\frac{1}{4}$, Sec. 10, Twp. 11S, Rge. 41E, B.M., Caribou County.

The water is used to irrigate 110 acres from April 20 to Sept. 30 within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; Twp. 11S, Rge. 41E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10 Twp. 11S, Rge. 41E, B.M., Caribou County to be used to irrigate 110 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9; Twp. 11S, Rge. 41E, 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 June 23, 1980.

C. STEPHEN ALLRED

Director

Published in the Caribou County Sun 6/05 and 6/12/1980.