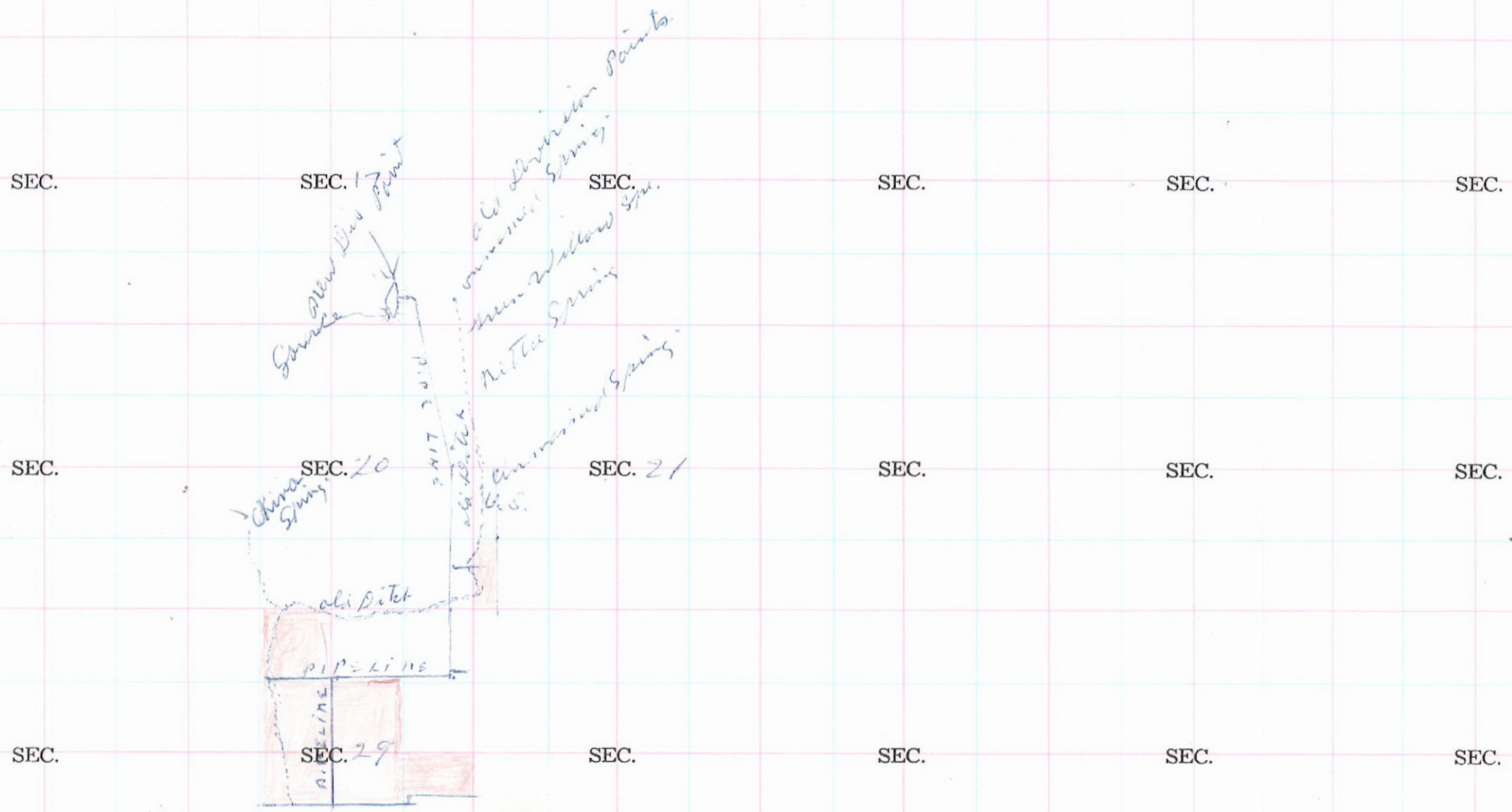


Name of Applicant **Howell A. Elmore**



MICROFILMED

Scale: 2 Inches—1 Mile. Draw Map in Ink.

PUBLIC NOTICE

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Lowell A. Ellsmore of Route 1, P.O. Box 91, Grace, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of the following:

ATTACHMENT NO. 1. Entry 230. **Original Right** — Source: China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20,

T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M. Also SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 2. Entry 231. **Original Right** — Source: China Springs; Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 3. Entry 233. **Original Right** — Source: China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 4 Entry

234. **Original Right** — Source: Green Willow Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Green Willow Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 5. Entry 236. **Original Right** — Source: Nettie Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Nettie Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 6. Entry 238. **Original Right** — Source: 28, 1895; Quantity: 0.2 c.f.s.;

Unnamed springs; Priority: June Point of Diversion: SE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Unnamed springs); Priority: June 28, 1895; Quantity: 0.2 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

And that on the 15th day of April, 1968, at 10:30 a.m., at 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.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Caribou County Sun on March 28, 1968, and April 4, 1968.

RECEIVED
APR 5 1968
Department of Reclamation

Affidavit of Publication

County of Caribou } ss.
State of Idaho

V. E. Lansberry

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 Two..... successive weekly issues thereof, the date of the first publication

being the 28th..... day

of March....., 1968.

The date of the last publication

being the 4th..... day of

April....., 1968.

X V.E. Lansberry

Subscribed and sworn to be

for me this 4th.... day

of April....., 1968.

Davis J. Lansberry

Notary Public, residing at
Soda Springs, Idaho.

(SEAL)

My Commission expires the

27 day of Oct....

1970..

Lowell A. Ellsmore

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

TRANSFER OF WATER RIGHT
TRANSFERRED RIGHT NO. 1101

THIS IS TO CERTIFY, That Lowell A. Elsmore of R.F.D. #1, P. O. Box 91, Grace, Idaho, is the owner of and using a certain water right as follows: 3.8 cubic feet per second of the waters of China Springs, Green Willow Springs, Nettie Springs, and unnamed springs, said water being obtained by virtue of a decree granted to Ethel H. Elsmore, John W. Harris, and F. W. Harris, by decree of Judge Dietrich of the U. S. District Court, Eastern Division Judicial District of the State of Idaho, in and for the County of Caribou, in the case of:

UTAH POWER & LIGHT COMPANY

VS

LAST CHANCE CANAL CO., LTD., 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 District No. 5, County of Caribou and State of Idaho, to-wit:

~~XXXXXXX~~ ^{D-446 6/13/28}
SW $\frac{1}{4}$ SW $\frac{1}{4}$, ~~SE $\frac{1}{4}$ SW $\frac{1}{4}$~~ Sec. 21; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

That said water is now diverted from said springs through the Hansen & Elsmore Ditch at the following described points:

NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

And that now upon the application of Lowell A. Elsmore for the transfer of 3.8 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 3.8 cubic feet per second of the waters of these springs upon the above described lands is hereby abandoned and the lands hereafter to be irrigated under such right and to which the right shall become appurtenant by this Certificate are described as follows, to-wit:

~~XXXXXXX~~ ^{D-446 6/13/28}
SW $\frac{1}{4}$ SW $\frac{1}{4}$, ~~SE $\frac{1}{4}$ SW $\frac{1}{4}$~~ Sec. 21; SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

That said water is to be limited at any given time to an amount actually beneficially used for such purposes and shall not exceed the following amount, to-wit:

3.8 cubic feet per second of the waters of Black Canyon Springs with a priority of June 28, 1895;

And the water right hereby transferred will hereafter be conducted to the last described lands through a pipeline at the following described point:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

That the right to the use of the water aforesaid hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)
Lowell A. Elsmore)
of)
R.F.D. #1, Box 91)
Grace, Idaho)
For a Transfer of Water Right in the)
County of Caribou, State of Idaho;)

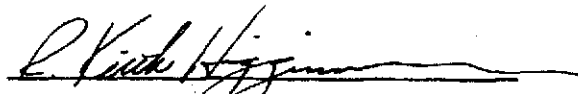
ORDER GRANTING TRANSFER
NO. 1101

WHEREAS, On the 15th day of April, 1968, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Lowell A. Elsmore of Grace, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the 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 the water will be put to a higher and more efficient beneficial use and no one will be injured thereby;

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer 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 14 day of May, 1968.

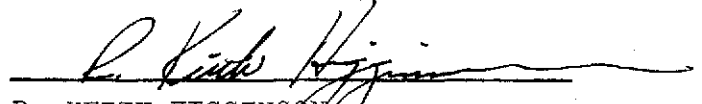

R. KEITH HIGGINSON
State Reclamation Engineer

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This Certificate is issued subject to the following conditions:

- 1) A permanent control valve be installed and maintained for use of the watermaster in regulating the distribution of the springs.
- 2) A permanent flow meter be installed and maintained for use of the watermaster in regulating the distribution of the springs.

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 14th day of May, 1968.


R. KEITH HIGGINSON
State Reclamation Engineer

MICROFILMED

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RECEIVED
MAR 14 1923
DEC 20 1927

Application For Transfer of Water Right

Department of Reclamation

Department of Reclamation

STATE OF IDAHO

County of Caribou

ss.

Lowell A. Elsmore

being first duly sworn, deposes and says:

That his name is Lowell A. Elsmore; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

R.F.D. #1, P. O. Box 91, Grace, Idaho

See Attachments 1,2,3,4,5, & 6

That he is the owner and using a certain water right, bearing date of priority of 19...
for 3.8 cubic feet per second of the waters of See Attachments 1,2,3,4,5, & 6

County of Caribou, State of Idaho, decreed to Ethel H. Elsmore, John W. Harris and/
by decree of Judge Dietrich of the U.S. District Court, Eastern Division
Judicial District of the State of

Idaho, in and for the county of Caribou, in the case of Utah Power & Light Company

vs. Last Chance Canal Co., Ltd. et al, said decree bearing date of July 14, 1920

(or obtained by virtue of License No. issued by the State Department of Reclamation of
the State of Idaho, dated October 2, 1911, bearing date of August 31, 1908)

for the purpose of irrigating the following described lands situate, lying and being in Water District
No. 5 in the County of Caribou and State of Idaho, to-wit:

See Attachments 1,2,3,4,5, & 6

and is the person (or representative of
the corporation) to whom such right so issued, or has become the owner thereof in the following man-
ner, i.e.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the See Attachments 1,2,3,4,5, & 6 of
Section Township Range B. M., and con-
ducted to the above described lands through a ditch (Hansen & Elsmore)
as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.8 cubic feet per second
of said water upon the above described land, and to convey and use same upon the following tract,
situate, lying and being in the County of Caribou and State of Idaho, to-wit:

See Attachments 1,2,3,4,5, & 6

That reasons for desiring to make such transfer are as follows: Description of place of use of
part of the water involved is in error in the Dietrich decree. There will be no actual
change of place in use, but the land description involved should be amended to correct
same, and to fit the facts of past use. For example, No. 231 calls for 70 acres in the
W $\frac{1}{2}$ SW $\frac{1}{4}$, but should be the E $\frac{1}{2}$ NW $\frac{1}{4}$, sec. 29. The W $\frac{1}{2}$ SW $\frac{1}{4}$ is a high mountain and is still
U.S. Land.

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That he intends to divert and convey said 3.8 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:
By pipeline and sprinkler system.

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.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in SE 1/4 of SE 1/4 of Section 17, Township 10 S, Range 40 E, B.M. and thereafter conduct same to the above described land through the pipeline ditch, as per map appended.

That his reasons for desiring to make such change are as follows: To enable applicant to convert to a gravity flow sprinkler system to irrigate.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Lowell A. Elsmore
Applicant.

Subscribed and sworn to before me this DEC 18 1967 day of 19

[Signature]
Notary Public.

GRACE, IDAHO

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Water is diverted from several springs, at present time, all being tributary of Bear River.

Where is the diversion point located? SE 1/4 SE 1/4, sec. 17, NW 1/4 SW 1/4, NE 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4, sec. 20, T. 10 S, R. 40 E, B.M.

Through what ditch is it now conducted? Hansen and Elsmore Ditch

How much land is now irrigated by the water sought to be transferred? 160 Acres

Give the description: T. 10 S, R. 40 E, B.M.; sec. 21, SW 1/4 SW 1/4, 10 Acres; sec. 29, NE 1/4 NW 1/4, 30 Acres; SE 1/4 NW 1/4, 40 acres; SW 1/4 NE 1/4, 30 Acres; NE 1/4 SW 1/4, 15 Acres; NW 1/4 SE 1/4, 30 Acres, NE 1/4 SW 1/4, 5 Acres.

NOTE: Use of the sprinkler system would enable applicant to cover more of each legal subdivision, approximately 200 acres, total.

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DEC 20 1937
Department of Reclamation
Department of Reclamation

ATTACHMENT NO. 1

Entry 230

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To

Source: (China Springs) -----(Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in: E $\frac{1}{2}$ NW $\frac{1}{4}$ - -SW $\frac{1}{4}$ NE $\frac{1}{4}$ -NE $\frac{1}{4}$ SW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29 T. 10 S, R. 40 E, B.M. Also SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21
10 S, R 40 E, B.M. (200 Acres total)

(This water has never been used in N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 29.)

MICROFILMED

ATTACHMENT NO. 2

Entry 231

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 1.4 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 70 acres (total) located in W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S,
R. 40 E, B.M.

To Be Changed To

Source: China Springs (Black Canyon Springs)

1895--June 28

Quantity: 1.4 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 70 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; E $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 29 T 10 S. R, 40 E, B.M.
(200 Acres total)

(This water has never been used in W $\frac{1}{2}$ SW $\frac{1}{4}$).

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ATTACHMENT NO. 3

Entry 233

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, T. 10 S,
R. 40 E, B.M.

To Be Changed To

Source: China Springs (Black Canyon Springs).

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{2}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T. 10 S. R. 40 E, B.M.
(200 Acres total)

(This water has not been used in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29)

ATTACHMENT NO. 4

Entry 234

Original Right

Source: Green Willow Springs

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To:

Source: Green Willow Springs (Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$;
SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T. 10 S, R. 40 E, B.M.

(200 Acres Total)

(This water has not been used in N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 29)

ATTACHMENT NO. 5

Entry 236

Original Right

Source: Nettie Springs

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To

Source: Nettie Springs (Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 E $\frac{1}{2}$ NW $\frac{1}{4}$;

SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T 10 S R 40 E' B.M.

(200 Acres in Total)

(This water has not been used in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 29)

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ATTACHMENT NO. 6

Entry 238

Original Right

Source: Unnamed springs

Priority: 1895--June 28

Quantity: 0.2 c.f.s.

Point of Diversion: SE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 10 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To

Source: Unnamed springs (Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.2. c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 10 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 21; E $\frac{1}{2}$ NW $\frac{1}{4}$;

SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T 10 S R 40 E. B.M.

(200 Acres total)

(This water has not been used in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 29)

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What is the total amount of water in inches, or second feet, dedicated to said land? 3.8
What kind of crops are being raised? Hay and grain
How much water per acre is now required to irrigate said land? About 1.2 inches
What will be the effect on the land now irrigated, if the use of water on it is discontinued? Actually,
there will be no discontinuation of irrigation of land presently irrigated. Errors
in description of land in the Dietrick Decree should be corrected to reflect actual usage.
Give location of new point of diversion, if change is to be made. SE¹/₄SE¹/₄, sec. 17, T. 10 S, R. 40 E, B.M.
Through what ditch will it be conducted after transfer? Through a pipeline
How much water will be required per acre to irrigate the land to which this water is transferred?.....
Approximately 1 inch per acre, through a sprinkler system, should be sufficient.
Do you claim any other water right for the land from which you seek to abandon the use of this water?
If so, give amount, date and source.....
Is there any other water right for the land to which you seek to make this transfer? If so, give amount,
date and source. No

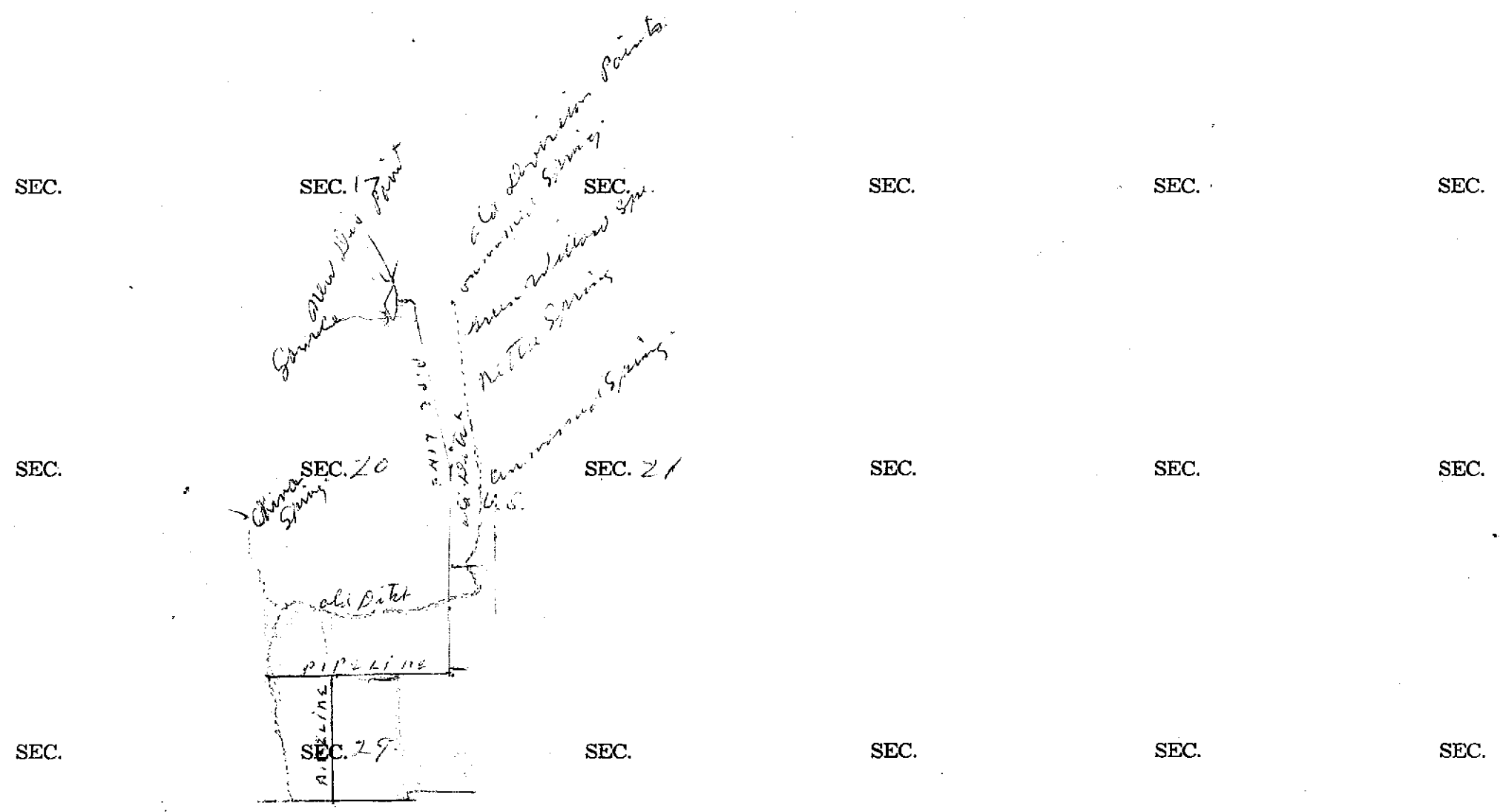
Signed Lowell E. Elsmore
Applicant.

STATE OF IDAHO, }
County of Caribou } ss.

I, Russell D. Stoker, Watermaster of Bear River
Water District No. 5, County of Caribou, State of Idaho, whose postoffice address
is Soda Springs, Idaho, have read or heard read the foregoing affidavit and petition
of Lowell Elsmore, and, of my own knowledge, believe the same to be true
as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of
transfer prayed for) for the following reasons: Approved provided that a means of measurement
and control be installed at the head of the Pipe Line.

Watermaster, District No. 5

X Russell D. Stoker
Dated at Soda Springs, Idaho, this 7th day of March, 1968.



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,

v.

The East 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
226. <i>Leland S. Williams and Geo. A. L. Williams:</i> 1878—May 1	0.1 c.f.s.	Said water to be diverted from said Soda Creek through a ditch diverting therefrom in the Southwest quarter of Southwest quarter Section 6, Township 9 South, Range 42 E., B. M., for the irrigation of 5 acres of land in the Southwest quarter of the Southwest quarter of said Section 6.
227. <i>Abraham C. Anderson, Jessie P. Anderson, David Anderson, Nels Anderson:</i> 1891—June 1	0.3 c.f.s.	To be diverted from said Soda Creek at a point 200 yards below the intake of the Farmers Land & Irrigation Company's canal in the Northwest quarter of the Northeast quarter of Section 12, Township 9 South, Range 41 East, B. M., for the irrigation of 32 acres of land in the Southwest quarter of said Section 12.

SECOND CREEK

228. <i>Arthur Collins:</i> 1891—June 1	0.3 c.f.s.	To be diverted from said Second Creek through a ditch diverting therefrom about 15 rods North of the North line of the Northwest quarter of Section 11, Township 9 South, Range 41 East, B. M., for the irrigation of 80 acres in the Northwest quarter and the South half of the North half of the Southwest quarter of Section 11, said Township and Range.
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COWHAVEN SPRINGS

In the Northeast quarter of the Southeast quarter of Section 20, Township 10 South, Range 40 East, B. M.

229. <i>Percy G. Turner:</i> 1890—May 1	1.0 c.f.s.	To be diverted at the said springs for the irrigation of 50 acres of land in the Southeast quarter of the Southwest quarter, and the Southwest quarter of the Southeast quarter of Section 20, Township 10 South, Range 40 East.
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CHINA SPRINGS

In the Northwest quarter of the Southwest quarter of Section 20, Township 10 South, Range 40 East, B. M.

230. <i>Ethel H. Ellsmore:</i> 1895—June 28	0.6 c.f.s.	To be diverted from said springs for the irrigation of 30 acres of land in the East
--	------------	---

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

half of the Northwest quarter and the North half of the Northeast quarter of Section 29, and the Southwest quarter of the Southwest quarter of Section 21, Township 10 South, Range 40 East, B. M.

Trans 4/1101
231. John W. Harris:
1895—June 28

1.4 c.f.s.

To be diverted from said springs for the irrigation of 70 acres of land in the West half of the Southwest quarter of Section 29, Township 10 South, Range 40 East, B. M.

Trans 4/1102
232. Joseph Hansen:
1895—June 28

0.3 c.f.s.

To be diverted from said springs for the irrigation of 15 acres of land in the South half of the Northeast quarter of Section 29, Township 10 South, Range 40 East, B. M.

Trans 4/1101
233. Frank W. Harris (successor in
interest to Alex Harris):
1895—June 28

0.6 c.f.s.

To be diverted from said springs for the irrigation of 30 acres of land in the North half of the Northwest quarter of Section 29, Township 10 South, Range 40 East, B. M.

GREEN WILLOW SPRINGS

In the Northeast quarter of Section 20, Township 10 South, Range 40 East, B. M.

Trans 4/1101
234. Ethel H. Ellsmore:
1895—June 28

0.5 c.f.s.

To be diverted from said springs for the irrigation of 25 acres of land in the East half of the Northwest quarter, and the North half of the Northeast quarter, of Section 29, and the Southwest quarter of the Southwest quarter of Section 21, Township 10 South, Range 40 East, B. M.

Trans 4/1102
235. Joseph Hansen:
1895—June 28

0.3 c.f.s.

To be diverted from said springs for the irrigation of 15 acres of land in the South half of the Northeast quarter of Section 29, Township 10 South, Range 40 East.

NETTIE SPRINGS

In the Northeast quarter of Section 20, Township 10 South, Range 40 East, B. M.

Trans 4/1101
236. Ethel H. Ellsmore:
1895—June 28

0.5 c.f.s.

To be diverted from said springs for the irrigation of 25 acres of land in the East half of the Northwest quarter, and the North half of the Northeast quarter of Sec-

MICROFILMED

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

tion 29, and the Southwest quarter of the Southwest quarter of Section 21, Township 10 South, Range 40 East, B. M.

Trans 1102
237. *Joseph Hansen:*
1895—June 28

0.3 c.f.s.

To be diverted from said springs for the irrigation of 15 acres of land in the South half of the Northeast quarter of Section 29, Township 10 South, Range 40 East, B. M.

UNNAMED SPRINGS

In the Southeast quarter of Section 20, Township 10 South, Range 40 East, B. M.

Trans 1101
238. *Ethel H. Ellsmore:*
1895—June 28

0.2 c.f.s.

To be diverted from said springs for the irrigation of 10 acres of land hereinabove described under China Springs.

Trans 1102
239. *Joseph Hansen:*
1895—June 28

0.1 c.f.s.

To be diverted from said springs for the irrigation of 5 acres of land hereinabove described under China Springs.

DENSMORE CREEK

Trans 1101
240. *William Larkins and Dora Larkins:*
1882—May 1

1.4 c.f.s.

To be diverted from said creek in the Southwest quarter of the Southeast quarter of Section 6, Township 11 South, Range 40 East, B. M., for the irrigation of 70 acres of land in said Section 6.

Trans 1101
241. *George M. Smith and Mary E. Smith:*
1900—May 1

1.2 c.f.s.

To be diverted from said creek in the Northwest quarter of the Northeast quarter of Section 2, Township 11 South, Range 39 East, B. M., for the irrigation of 60 acres of land in the Southeast quarter of Section 1, said Township and Range.

BEAVER DAM CREEK

A tributary of Densmore Creek.

Trans 1101
242. *Ethel H. Ellsmore:*
1882—May 1

0.5 c.f.s.

For the irrigation of 25 acres of land in the Southeast quarter of the Northwest quarter, and the Northeast quarter of the Southwest quarter of Section 32, Township 10 South, Range 40 East, B. M.

Trans 1101
243. *William Larkins and Dora Larkins:*
1882—May 1

1.3 c.f.s.

For the irrigation of 65 acres of land in the Southeast quarter of Section 6, and the Northwest quarter of the Southwest quar-

RECEIVED
DEC 20 1967
Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Caribou

SS.

Lowell A. Elsmore

being first duly sworn, deposes and says:

That his name is Lowell A. Elsmore; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

R.F.D. #1, P. O. Box 91, Grace, Idaho

See Attachments 1,2,3,4,5, & 6

That he is the owner and using a certain water right, bearing date of priority of 1908, for 3.8 cubic feet per second of the waters of

See Attachments 1,2,3,4,5, & 6

F. W. Harris

County of Caribou, State of Idaho, decreed to Ethel H. Elsmore, John W. Harris and/ by decree of Judge Dietrich of the U.S. District Court, Eastern Division

Judicial District of the State of

Idaho, in and for the county of Caribou, in the case of Utah Power & Light Company

vs. Last Chance Canal Co., Ltd. et al, said decree bearing date of July 14, 1920

(or obtained by virtue of License No. issued by the State Department of Reclamation of the State of Idaho, dated October 2, 1911, bearing date of August 31, 1908)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 5 in the County of Caribou and State of Idaho, to-wit:

See Attachments 1,2,3,4,5, & 6

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the See Attachments 1,2,3,4,5, & 6 of Section Township Range B. M., and con-

ducted to the above described lands through a ditch (Hansen & Elsmore)

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.8 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Caribou and State of Idaho, to-wit:

See Attachments 1,2,3,4,5, & 6

That reasons for desiring to make such transfer are as follows: Description of place of use of part of the water involved is in error in the Dietrich decree. There will be no actual change of place in use, but the land description involved should be amended to correct same, and to fit the facts of past use. For example, No. 231 calls for 70 acres in the W $\frac{1}{2}$ SW $\frac{1}{4}$, but should be the E $\frac{1}{2}$ NW $\frac{1}{4}$, sec. 29. The W $\frac{1}{2}$ SW $\frac{1}{4}$ is a high mountain and is still

That he intends to divert and convey said 3.8 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:
By pipeline and sprinkler system.

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.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in SE 1/4 of SE 1/4 of Section 17, Township 10 S, Range 40 E, B.M. and thereafter conduct same to the above described land through the pipeline ditch, as per map appended.

That his reasons for desiring to make such change are as follows: To enable applicant to convert to a gravity flow sprinkler system to irrigate.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Lowell A. Elmore
Applicant.

Subscribed and sworn to before me this DEC 18 1967 day of 19

[Signature]
Notary Public.
GRACE, IDAHO

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Water is diverted from several springs, at present time, all being tributary of Bear River.

Where is the diversion point located? SE 1/4 SE 1/4, sec. 17, NW 1/4 SW 1/4, NE 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4, sec. 20, T. 10 S, R. 40 E, B.M.

Through what ditch is it now conducted? Hansen and Elmore Ditch

How much land is now irrigated by the water sought to be transferred? 160 Acres

Give the description: T. 10 S, R. 40 E, B.M.; sec. 21, SW 1/4 SW 1/4, 10 Acres; sec. 29, NE 1/4 NW 1/4, 30 Acres; SE 1/4 NW 1/4, 40 acres; SW 1/4 NE 1/4, 30 Acres; NE 1/4 SW 1/4, 15 Acres; NW 1/4 SE 1/4, 30 Acres, NE 1/4 SW 1/4, 5 Acres.

MICROFILMED Use of the sprinkler system would enable applicant to cover more of each subdivision, approximately 200 acres, total.

What is the total amount of water in inches, or second feet, dedicated to said land?.....3.8.....
What kind of crops are being raised?..... Hay and grain
How much water per acre is now required to irrigate said land?..... About 1.2 inches
What will be the effect on the land now irrigated, if the use of water on it is discontinued?..... Actually,
there will be no discontinuation of irrigation of land presently irrigated. Errors
in description of land in the Dietrick Decree should be corrected to reflect actual usage.
Give location of new point of diversion, if change is to be made. SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 17, T. 10 S, R. 40 E, B.M.
Through what ditch will it be conducted after transfer?..... Through a pipeline
How much water will be required per acre to irrigate the land to which this water is transferred?.....
Approximately 1 inch per acre, through a sprinkler system, should be sufficient.....
Do you claim any other water right for the land from which you seek to abandon the use of this water?
If so, give amount, date and source.....
Is there any other water right for the land to which you seek to make this transfer? If so, give amount,
date and source..... No

Signed

Lawell A. Ekmore
Applicant.

STATE OF IDAHO,

County of Caribou

ss.

I, Russell D. Stoker, Watermaster of

Water District No., County of, State of Idaho, whose postoffice address
is, have read or heard read the foregoing affidavit and petition
of, and, of my own knowledge, believe the same to be true
as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of
transfer prayed for) for the following reasons:

Watermaster, District No.

Dated at, Idaho, this day of, 19

MICROFILMED

ATTACHMENT NO. 1

RECEIVED
DEC 28 1967
Department of Reclamation

Entry 230

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To

Source: China Springs -----(Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in: E $\frac{1}{2}$ NW $\frac{1}{4}$ - -SW $\frac{1}{4}$ NE $\frac{1}{4}$ -NE $\frac{1}{4}$ S7 $\frac{1}{2}$
N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29 T. 10 S, R. 40 E, B.M. Also SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21
T. 10 S, R. 40 E, B.M. (200 Acres total)

(This water has never been used in N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 29.)

MICROFILMED

ATTACHMENT NO. 2

Entry 231

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 1.4 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 70 acres (total) located in W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S,
R. 40 E, B.M.

To Be Changed To

Source: China Springs (Black Canyon Springs)

1895--June 28

Quantity: 1.4 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 70 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; E $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ & N $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 T 10 S, R. 40 E, B.M.
(200 Acres total)

(This water has never been used in W $\frac{1}{2}$ SW $\frac{1}{4}$).

MICROFILMED

ATTACHMENT NO. 3

Entry 233

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, T. 10 S,
R. 40 E, B.M.

To Be Changed To

Source: China Springs (Black Canyon Springs).

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T. 10 S. R. 40 E, B.M.
(200 Acres total)

(This water has not been used in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29)

ATTACHMENT NO. 4

Entry 234

Original Right

Source: Green Willow Springs

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To:

Source: Green Willow Springs (Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in: SW $\frac{1}{4}$ S $\frac{1}{2}$ W $\frac{1}{4}$ Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$;

SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ S $\frac{1}{2}$ W $\frac{1}{4}$ Sec. 29 T. 10 S, R. 40 E, B.M.

(200 Acres Total)

(This water has not been used in N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 29)

ATTACHMENT NO. 5

Entry 236

Original Right

Source: Nettie Springs

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To

Source: Nettie Springs (Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in: SW $\frac{1}{4}$ S $\frac{1}{2}$ W $\frac{1}{4}$ Sec. 21 E $\frac{1}{2}$ N $\frac{1}{2}$ W $\frac{1}{4}$;
SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ S $\frac{1}{2}$ W $\frac{1}{4}$ Sec. 29 T 10 S R 40 E B.M.
(200 Acres in Total)

(This water has not been used in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 29)

MICROFILMED

ATTACHMENT NO. 6

Entry 238

Original Right

Source: Unnamed springs

Priority: 1895--June 28

Quantity: 0.2 c.f.s.

Point of Diversion: SE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 10 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To

Source: Unnamed springs (Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.2 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 10 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 21; E $\frac{1}{2}$ NW $\frac{1}{4}$;

SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T 10 S R 40 E. P.M.

(200 Acres total)

(This water has not been used in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 29)

MICROFILMED

RECEIVED
DEC 20 1967
Department of Reclamation

Application For Transfer of Water Right

STATE OF IDAHO

County of Caribou

ss.

Lowell A. Elsmore

, being first duly sworn, deposes and says:

That his name is Lowell A. Elsmore; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

R.F.D. #1, P. O. Box 91, Grace, Idaho

See Attachments 1,2,3,4,5, & 6

That he is the owner and using a certain water right, bearing date of priority of 193.8 for 3.8 cubic feet per second of the waters of

See Attachments 1,2,3,4,5, & 6

County of Caribou, State of Idaho, decreed to Ethel H. Elsmore, John W. Harris and/ by decree of Judge Dietrich of the U.S. District Court, Eastern Division Judicial District of the State of

Idaho, in and for the county of Caribou, in the case of Utah Power & Light Company vs. Last Chance Canal Co., Ltd. et al, said decree bearing date of July 14, 1920

(or obtained by virtue of License No. , issued by the State Department of Reclamation of the State of Idaho, dated October 2, 1911, bearing date of August 31, 1908)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 5 in the County of Caribou and State of Idaho, to-wit:

See Attachments 1,2,3,4,5, & 6

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e.

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the See Attachments 1,2,3,4,5, & 6 of Section , Township , Range , B. M., and conducted to the above described lands through a ditch (Hansen & Elsmore)

as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 3.8 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Caribou and State of Idaho, to-wit:

See Attachments 1,2,3,4,5, & 6

That reasons for desiring to make such transfer are as follows: Description of place of use of part of the water involved is in error in the Dietrich decree. There will be no actual change of place in use, but the land description involved should be amended to correct same, and to fit the facts of past use. For example, No. 231 calls for 70 acres in the W₂SW₄, but should be the E₁SW₄, sec. 29. The W₂SW₄ is a high mountain and is still U.S. Land.

MICROFILMED

That he intends to divert and convey said 3.8 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:
By pipeline and sprinkler system.

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.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in SE 1/4 of SE 1/4 of Section 17, Township 10 S, Range 40 E, B.M. and thereafter conduct same to the above described land through the pipeline ditch, as per map appended.

That his reasons for desiring to make such change are as follows: To enable applicant to convert to a gravity flow sprinkler system to irrigate.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Lawell A. Colman
Applicant.

Subscribed and sworn to before me this DEC 18 1967 day of 19.

[Signature]
Notary Public.

GRACE, IDAHO

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Water is diverted from several springs, at present time, all being tributary of Bear River.

Where is the diversion point located? SE 1/4 SE 1/4, sec. 17, NW 1/4 SW 1/4, NE 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4, sec. 20, T. 10 S, R. 40 E, B.M.

Through what ditch is it now conducted? Hansen and Elsmore Ditch

How much land is now irrigated by the water sought to be transferred? 160 Acres

Give the description: T. 10 S, R. 40 E, B.M.; sec. 21, SW 1/4 SW 1/4, 10 Acres; sec. 29, NE 1/4 NW 1/4, 30 Acres; SE 1/4 NW 1/4, 40 acres; SW 1/4 NE 1/4, 30 Acres; NE 1/4 SW 1/4, 15 Acres; NW 1/4 SE 1/4, 30 Acres, NE 1/4 SW 1/4, 5 Acres.

NOTE: Use of the sprinkler system would enable applicant to cover more of each subdivision, approximately 200 acres, total.

MICROFILMED

What is the total amount of water in inches, or second feet, dedicated to said land?.....3.8.....
What kind of crops are being raised?.....Hay and grain.....
How much water per acre is now required to irrigate said land?.....About 1.2 inches.....
What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....Actually,
there will be no discontinuation of irrigation of land presently irrigated. Errors
in description of land in the Dietrick Decree should be corrected to reflect actual usage.
Give location of new point of diversion, if change is to be made.....SE 1/4 sec. 17, T. 10 S, R. 40 E, B.M.
Through what ditch will it be conducted after transfer?.....Through a pipeline.....
How much water will be required per acre to irrigate the land to which this water is transferred?.....
Approximately 1 inch per acre, through a sprinkler system, should be sufficient.....
Do you claim any other water right for the land from which you seek to abandon the use of this water?
If so, give amount, date and source.....
Is there any other water right for the land to which you seek to make this transfer? If so, give amount,
date and source.....No.....

Signed

Lawell A. Egan
Applicant.

STATE OF IDAHO,

County of.....Caribou.....

} ss.

I, Russell D. Stoker, Watermaster of.....

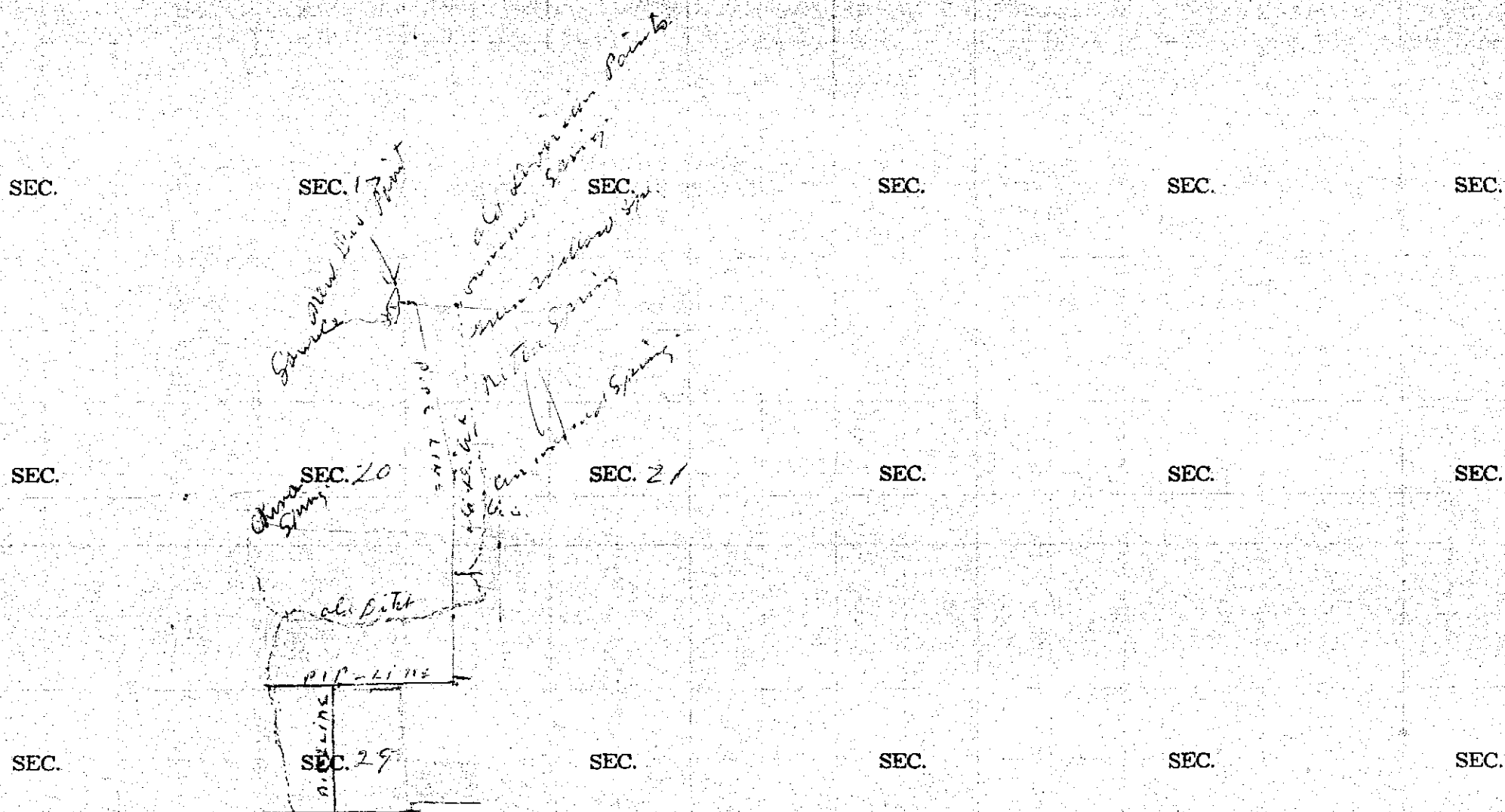
Water District No....., County of....., State of Idaho, whose postoffice address
is....., have read or heard read the foregoing affidavit and petition
of....., and, of my own knowledge, believe the same to be true
as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of
transfer prayed for) for the following reasons:.....
.....
.....
.....

Watermaster, District No.....

Dated at....., Idaho, this..... day of....., 19.....

MICROFILMED

Name of Applicant.....LOWELL A. Elsmore.....



Scale: 2 Inches—1 Mile. Draw Map in Ink.

MAP FILMED

RECEIVED

DEC 22 1967

Department of Reclamation

ATTACHMENT NO. 1

Entry 230

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

*Ellenore
(1-0-5-37)*

To Be Changed To

Source: China Springs -----(Black Canyon Springs) ?

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in: E $\frac{1}{2}$ NW $\frac{1}{4}$ - -SW $\frac{1}{4}$ NE $\frac{1}{4}$ -NE $\frac{1}{4}$ SW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 29 T. 10 S, R. 40 E, B.M. Also SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21
T. 10 S, R. 40 E, B.M. (200 Acres total)

(This water has never been used in N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 29.)

MICROFILMED

ATTACHMENT NO. 2

Entry 231

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 1.4 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 70 acres (total) located in W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S,
R. 40 E, B.M.

To Be Changed To

Source: China Springs (Black Canyon Springs) ?

1895--June 28

Quantity: 1.4 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 70 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; E $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ & N $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 T 10 S. R. 40 E, B.M.
(200 Acres total)

(This water has never been used in W $\frac{1}{2}$ SW $\frac{1}{4}$).

ATTACHMENT NO. 3

Entry 233

Original Right

Source: China Springs

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S,
R. 40 E, B.M.

To Be Changed To

Source: China Springs (Black Canyon Springs). ¹

Priority: 1895--June 28

Quantity: 0.6 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 30 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{2}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T. 10 S. R. 40 E, B.M.
(200 Acres total)

(This water has not been used in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 29)

11-0541
MICROFILMED

ATTACHMENT NO. 4

Entry 234

Original Right

Source: Green Willow Springs

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To:

Source: Green Willow Springs (Black Canyon Springs) ?

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$;
SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T. 10 S, R. 40 E, B.M.

(200 Acres Total)

(This water has not been used in N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 29)

MICROFILMED

ATTACHMENT NO. 5

Entry 236

Original Right

Source: Nettie Springs

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

Edmond
11-05-44
To Be Changed To

Source: Nettie Springs (Black Canyon Springs) ?

Priority: 1895--June 28

Quantity: 0.5 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 25 acres (total) located in: SW $\frac{1}{2}$ S $\frac{1}{2}$ Sec. 21 E $\frac{1}{2}$ NW $\frac{1}{4}$;

SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ S $\frac{1}{2}$ Sec. 29 T 10 S R 40 E B.M.

(200 Acres in Total)

(This water has not been used in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 29)

MICROFILMED

ATTACHMENT NO. 6

Entry 238

Original Right

Source: Unnamed springs

Priority: 1895--June 28

Quantity: 0.2 c.f.s.

Point of Diversion: SE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.

Lands: 10 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To

Source: Unnamed springs (Black Canyon Springs)

Priority: 1895--June 28

Quantity: 0.2 c.f.s.

Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.

Lands: 10 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 21; E $\frac{1}{2}$ NW $\frac{1}{4}$;

SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T 10 S R 40 E. P.M.

(200 Acres total)

(This water has not been used in the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 29)

Elmore
11-0546
MICROFILMED

PUBLIC NOTICE

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Lowell A. Ellsmore of Route 1, P.O. Box 91, Grace, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of the following:

ATTACHMENT NO. 1. Entry 230. Original Right — Source: China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M. Also SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 2. Entry 231. Original Right — Source: China Springs; Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 3. Entry 233. Original Right — Source: China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 4. Entry 234. Original Right — Source: Green Willow Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Green Willow Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

234. Original Right — Source: Green Willow Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Green Willow Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 5. Entry 236. Original Right — Source: Nettie Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Nettie Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 6. Entry 238. Original Right — Source: Unnamed springs; Priority: June 28, 1895; Quantity: 0.2 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Unnamed springs); Priority: June 28, 1895; Quantity: 0.2 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

And that on the 15th day of April, 1968, at 10:30 a.m., at 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.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Caribou County Sun on March 28, 1968, and April 4, 1968.

RECEIVED
APR 5 1968
Department of Reclamation

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

V. E. Lansberry

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 Two..... successive weekly issues thereof, the date of the first publication

being the ...28th..... day

of March....., 1968.

The date of the last publication

being the ...4th..... day of

.....April....., 1968.

X *V. E. Lansberry*

Subscribed and sworn to be

fore me this ...4th.... day

of ...April....., 1968.

Harold L. Lansberry

Notary Public, residing at Soda Springs, Idaho.

(SEAL)

My Commission expires the

27. day of ...Oct....

1970..

Lowell A. Ellsmore

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
1101	Lowell A. Elsmore ~~Ralph W. Hansen~~	0.6	o	11-0538A

MICROFILMED

June 14, 1968

Re: Transfer No. 1101

Lowell A. Elsmore
R.F.D. #1, Box 91
Grace, Idaho 83241

Dear Mr. Elsmore:

Enclosed please find your corrected Certificate of Transfer and Order Granting Transfer together with departmental receipt No. 850 for \$1.00 and our letter to you of May 15, 1968.

We are sorry for this inconvenience to you and thank you for your cooperation.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: Certificate of Transfer
Order Granting Transfer
Our letter of 5-15-68
Receipt for \$1.00

UNRECORDED

May 31, 1968

Re: Transfer No. 1101
Lowell A. Elsmore

Lowell A. Elsmore
R.F.D. #1, Box 91
Grace, Idaho 83241

Dear Mr. Elsmore:

Pursuant to your letter of May 22, 1968, we are requesting that the Certificate of Transfer No. 1101 and Order Granting Transfer No. 1101 sent to you May 15, 1968, be returned to this office for correction.

Please return the Certificate and Order promptly so that this problem can be corrected. Thank you for bringing the error to our attention.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

UNRECORDED

Grace Idaho
May 22 1968

RECEIVED

MAY 24 1968

Department of Reclamation

DEPARTMENT OF RECLAMATION
Donald W. McEldowney

Dear sir:-

In regard to the transfer of water right No. 1101
issued to me May 14 1968;

Thanks very much for getting the job done- However I must point out that there is one error there on. It is the land in section 21 You have it listed as the SE $\frac{1}{4}$ SE $\frac{1}{4}$ It should be the SW $\frac{1}{4}$ of the said section 21; I think if you will check the application you will find the error in copying it off.

I shall correct my copy could you please correct the records there.

Thanks for your trouble

Truly yours

Lowell A. Elsmore

Lowell A. Elsmore

R F D # 1 Box 91

Grace Idaho

83241

MICROFILMED

May 15, 1968

C
Re: Transfer No. 1101
Lowell A. Elsmore

O
Lowell A. Elsmore
R.F.D. #1, Box 91
Grace, Idaho

Dear Mr. Elsmore:

P
Enclosed please find Certificate of Transfer No. 1101 and
Order Granting Transfer No. 1101.

Also enclosed is Departmental Receipt No. 850 in the amount
of \$1.00 covering the fees.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

Y
DWM:dj

Enclosures (3)

MICROFILMED

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

May 1, 1968

Re: Application for Transfer
Lowell A. Elsmore

RECEIVED
MAY 7 1968

Department of Reclamation

Lowell A. Elsmore
R.F.D. #1, Box 91
Grace, Idaho 83241

Dear Mr. Elsmore:

Your application for transfer of water right has been advertised and the protest period is up. Therefore, as soon as we receive a \$1.00 recording fee, the Certificate can be issued.

Please remit promptly.

Very truly yours,

Donald W. McEldowney

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Dear Sirs! -

Enclosed \$1.00 for the fee ask for.

Please let me know as soon as it is issued. - Do I get a copy?

Very Truly Yours.

Lowell A. Elsmore

MICROFILMED

May 1, 1968

C
O
P
Y

Re: Application for Transfer
Lowell A. Elsmore

Lowell A. Elsmore
R.F.D. #1, Box 91
Grace, Idaho 83241

Dear Mr. Elsmore:

Your application for transfer of water right has been advertised and the protest period is up. Therefore, as soon as we receive a \$1.00 recording fee, the Certificate can be issued.

Please remit promptly.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

MICROFILMED

March 21, 1968

C
O
P
Y
Re: Application for Transfer

Lowell A. Elsmore
R.F.D. #1, P. O. Box 91
Grace, Idaho

Dear Mr. Elsmore:

We have mailed the notice of proposed transfer of water right to the Caribou County Sun, Soda Springs, Idaho, to be published once a week for two consecutive weekly issues, March 28 and April 4, 1968.

Please furnish the Department of Reclamation with an affidavit of publication on or prior to April 15, 1968.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

RECEIVED

March 21, 1968

Re: Application for Transfer Notice
Lowell A. Elsmore

Caribou County Sun
Soda Springs, Idaho 83276

Gentlemen:

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

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

The expense of the publication is to be paid by Lowell A. Elsmore, R.F.D. #1, P. O. Box 91, Grace, Idaho, to whom you should furnish an affidavit of publication on or prior to April 15, 1968.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

MICROFILMED

MAR 2

Department of

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Lowell A. Edsmore of Route 1, P.O. Box 91, Grace, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of the following:

ATTACHMENT NO. 1. Entry

230. Original Right — Source:

China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source:

Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M. Also SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 2. Entry

231. Original Right — Source:

China Springs; Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source:

Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 3. Entry

233. Original Right — Source:

China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source:

Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 4. Entry

234. Original Right — Source:

Green Willow Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source:

Black Canyon Springs (Green Willow Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 5. Entry

236. Original Right — Source:

Nettie Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source:

Black Canyon Springs (Nettie Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 6. Entry

238. Original Right — Source:

Unnamed springs; Priority: June 28, 1895; Quantity: 0.2 c.f.s.; Point of Diversion: SE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source:

China Springs; Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 3. Entry 233. Original Right — Source: China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 4. Entry 234. Original Right — Source: Green Willow Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Green Willow Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 5. Entry 236. Original Right — Source: Nettie Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Nettie Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 6. Entry 238. Original Right — Source: Unnamed springs; Priority: June 28, 1895; Quantity: 0.2 c.f.s.; Point of Diversion: SE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To — Source: Black Canyon Springs (Unnamed springs); Priority: June 28, 1895; Quantity: 0.2 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

And that on the 15th day of April, 1968, at 10:30 a.m., at 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.

R. KEITH HIGGINSON
State Reclamation
Engineer

Published in the Caribou County Sun on March 28, 1968, and April 4, 1968.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Lowell A. Elsmore of Route 1, P. O. Box 91, Grace, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion of the following:

ATTACHMENT NO. 1. Entry 230. Original Right - Source: China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To - Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M. Also SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M. ~~XXXXXX~~
Same

ATTACHMENT NO. 2. Entry 231. Original Right - Source: China Springs; Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To - Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 1.4 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 70 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M. ~~XXXXXXXXXXXX~~

ATTACHMENT NO. 3. Entry 233. Original Right - Source: China Springs; Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To - Source: Black Canyon Springs (China Springs); Priority: June 28, 1895; Quantity: 0.6 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 30 acres (total) located in: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 4. Entry 234. Original Right - Source: Green Willow Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

To Be Changed To - Source: Black Canyon Springs (Green Willow Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

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ATTACHMENT NO. 5. Entry 236. Original Right - Source: Nettie Springs; Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To - Source: Black Canyon Springs (Nettie Springs); Priority: June 28, 1895; Quantity: 0.5 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 25 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

ATTACHMENT NO. 6. Entry 238. Original Right - Source: Unnamed springs; Priority: June 28, 1895; Quantity: 0.2 c.f.s.; Point of Diversion: SE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 10 S, R. 40 E, B.M.

To Be Changed To - Source: Black Canyon Springs (Unnamed springs); Priority: June 28, 1895; Quantity: 0.2 c.f.s.; Point of Diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 40 E, B.M.; Lands: 10 acres (total) located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T. 10 S, R. 40 E, B.M.

And that on the 15th day of April, 1968, at 10:30 a.m., at 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.



R. KEITH HIGGINSON
State Reclamation Engineer

MICROFILMED

HIGHWAYS
MUNICIPAL
CONSTRUCTION
SURVEYING
IRRIGATION WATER
MEASUREMENT
DAMS

R. D. STOKER AND ASSOCIATES

CONSULTING ENGINEERS
279 East Third North - P. O. Box 726
SODA SPRINGS, IDAHO 83276

March 7, 1968



RECEIVED

TELEPHONE 547-3463
(Area Code 208)

MAR 8 1968

Department of Reclamation

Re: Transfer of Water Rights-
Lowell Elsmore and Ralph Hansen

Department of Reclamation
107 Statehouse
Boise, Idaho

Attn: Mr. Dean R. Reynolds

Dear Mr. Reynolds:

Enclosed are the two above Transfer of Water Rights which I have signed.

As we discussed in Keith's office while I was in Boise about February 1; and as I discussed with Keith in Montpelier last week, the new point of diversion through a pipe line should have a means of measurement and a control so that only the amount of water they are entitled to will be diverted. This is especially true in light of the 1917 priority date of the two c.f.s. of Hansen's water, as we discussed. You will note that I have made this comment on the two forms.

Yours very truly,

Russell D. Stoker
Russell D. Stoker, P. E.
Watermaster, District No. 5

NOT RECORDED

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 18, 1968

Russell Stoker, Watermaster
P. O. Box 726
Soda Springs, Idaho 83276

SUBJECT: Lowell Elsmore Transfer & Ralph Hansen Transfer

Dear Mr. Stoker:

It is important that the Department of Reclamation have your comments concerning the following. Enclosed please find copies of two separate applications for transfer.

We request your review of each attachment as a separate transfer action and request that you submit answers to the following, concerning each attachment, as well as any other information of interest.

1. By changing the point of diversion, does the source change, or is the source found at both points of diversion? (Note the map)
2. Would the transfer interfere with or injure other rights?
3. Under "To be transferred to": Are the grounds now or have they previously been irrigated by the quantity decreed? Note: Attachment #1, Ralph Hansen Transfer, Water License #12112 - This transfer will not be approved as it expands the original right.
4. Are there duplicate points of diversion between Mr. Ralph Hansen's transfer and Mr. Lowell Elsmore's transfer, or are they possibly different?

Your assistance is appreciated.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj

Enc: Copies of transfers

MICROFILMED

Revised Form 4
Bureau Form 7126
BUREAU SPRING
83276
547 3463

Grace Idaho
Dec. 16 1967.

Department of Reclamation
Boise Idaho;

Re; Application for Transfer

Mr Donald W. McEldowney
Water rights Clerk

Dear Sir;-

As you study the things I have written on the attached
to this application, you may have many questions. I hope that
this will act as a partial explanation;-

1.- Since the group of springs are referred to by the people
around here as the "Black Canyon Springs". I have inserted this
name for the new diversion supply- This name includes the old
springs as well as the new ones tho they are not mentioned/the

Decree book. We are the only ones to divert water from the Canyon.

2.- I have listed all the land where on this water has been
or is to be used; also noted the total acres I think I may be
able to irrigate with good management of the Water.

3.- I have noted the land described in error on the old
record in the decree book.

I hope that this will help you to understand this deal;
The total water adds up to 3.8 c.f.s. or as I understand that
equals 190 inches of water. If I can spread it over 200 acres
in this gravel based land I will have to be on the ball all the
time.

If I can be of more assistance in this matter please let me
know by return mail as the vendor is ready for his money.

Yours Very Truly

Lowell A Elsmore

Lowell A Elsmore

RECEIVED

DEC 20 1967

Department of Reclamation

UNRECORDED