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# Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Franklin } ss.  
JAMES JENSEN, President of Franklin  
Cub River Pumping Company

SS.

Cub River Pumping Company, being first duly sworn, deposes and says: That his postoffice address is Franklin; That he is the owner of and using a certain water right, bearing date of priority of A.D., 1892, for 5 cubic feet per second of the waters of Cub River, County of Franklin, State of Idaho, decreed to Franklin Cub River Canal Co., by decree of Judge Budge, of the 5th Judicial District of the State of Idaho, in and for the County of Oseida, in the case of Cub River Irrigation Company, Plaintiff vs. Franklin Cub Canal Co., et al., Defendant, said decree bearing date of January 26, 1906, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 5, in the County of Franklin, and State of Idaho, to-wit:

(Lands not described in decree)

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner:\_\_\_\_\_

by mesne conveyances

That said waters are now diverted from said stream in the \_\_\_\_\_ (not described by legal subdivisions in decree) \_\_\_\_\_<sup>1</sup>/<sub>4</sub> \_\_\_\_\_<sup>1</sup>/<sub>4</sub> of Sec. \_\_\_\_\_, Twp. \_\_\_\_\_, Range \_\_\_\_\_, and conducted to the above described lands through the \_\_\_\_\_ Company's \_\_\_\_\_ ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE 1/4 of NE 1/4, Sec. 30, Twp. 16 S., Range 40 EEM, and thereafter conduct same to the above described land through the Company's ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: The Franklin Cub River Pumping Company has abandoned its former gravity point of diversion and now diverts water by means of a pumping plant, located at the new point of diversion as described above

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

x James Green Affiant.

Subscribed and sworn to before me this 12 day of March, 1934

S. J. Handy  
Notary Public

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

**INFORMATION**