

c. Describe the lands and place of use to which the right will be transferred:

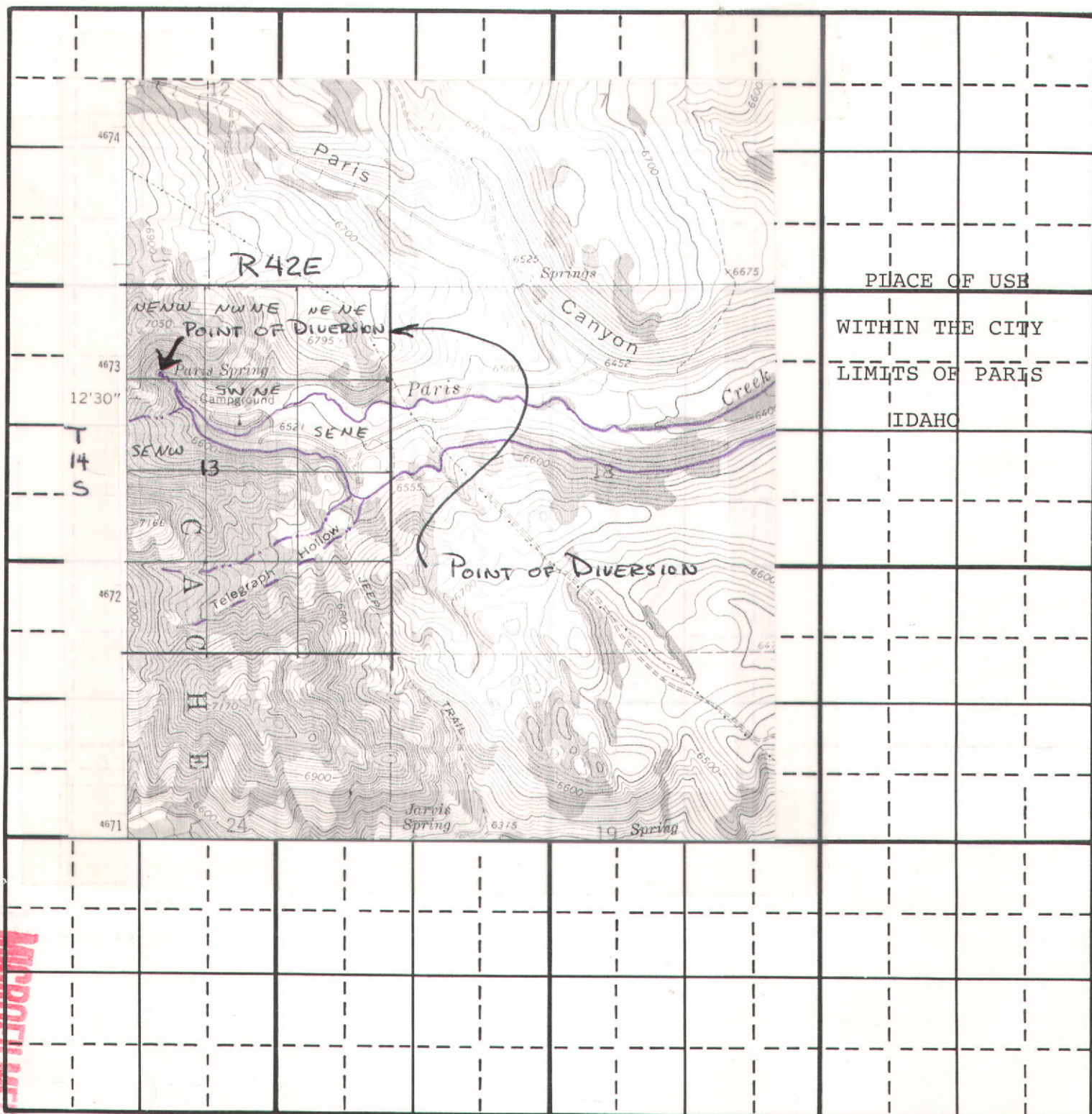
PLACE OF USE WITHIN THE CITY LIMITS OF PARIS IDAHO

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



Transfer No. 2965

Water Right No. 11-0074

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant City of Paris Phone 945-2253
Post Office address Paris, ID 83261

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. 11-0074 Decreed to Paris City, a municipal corporation
(Name)
in case of Pioneer Irr. & Manu. Co. vs Southfield Ditch & Canal Co.
dated in July 27, 1932 in Fifth Judicial Court County of Bear Lake
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water Paris Creek tributary to Bear River
4. Date of priority May 1, 1864
5. Water is used for the following purposes:
amount 2.38cfs for Municipal purposes from Jan. 1 to Dec. 31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. 2.38cfs cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10
Township 14S Range 43E, B.M., in Bear Lake County
Additional points of diversion, if any _____
8. Lands irrigated or place of use: USE WITHIN THE CITY LIMITS OF PARIS IDAHO

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

MICROFILMED

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above _____
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS.

MICROFILMED

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

1. General Information
- a. Amount of water to be diverted 2.38 c.f.s. &/or _____ acre feet
- b. Description of diverting works _____
- c. Describe the reasons for the proposed changes Change in point of diversion to reflect actual point of diversion.
2. Change in point of diversion
- Point of diversion ~~SW~~ NE ¼ ~~NE~~ NW ¼, Section 13 Township 14S
Range 42E, B.M., Bear Lake County
Additional points _____
3. Change in place of use NO CHANGE
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer None

c. Describe the lands and place of use to which the right will be transferred:

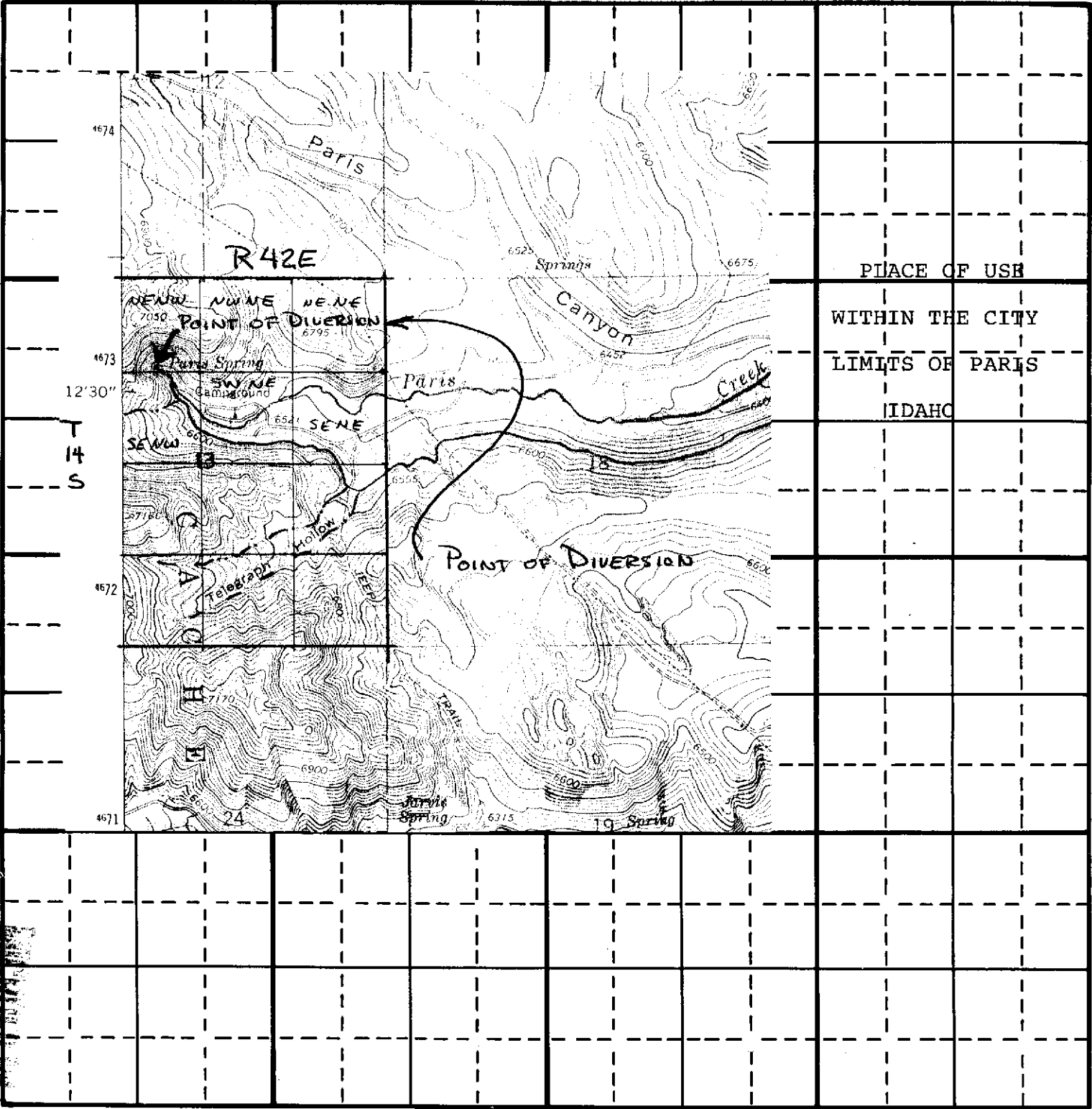
PLACE OF USE WITHIN THE CITY LIMITS OF PARIS IDAHO

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Joseph J. Conway
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of November, 1983

John D. Buckley
(Notary Public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

11-0074

This is to certify that I have examined Application for Transfer of Water Rights No. _____, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverging works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 11-E, Paris Creek.

Witness my hand this 6th day of April, 1984

D. Allen Taylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by *W* Date *11-15-83*
Prelim. check by *Kew* Fee *\$50.00*
Received by *BP* Date *11/15/83 #29735*
Published in *News Examiner*
Pub. dates *12/8 & 12/15/83*
Watermaster recommendation requested on _____
rec'd. *12-5-83*

Protest filed by _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for _____
by *John* approval _____ denial _____

DEC 22 1983

915

N^o 2474

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Bear Lake

Maria B. Nye

being duly sworn,

deposes and says:

That he is the *Publisher* of THE NEWS-EXAMINER, a weekly newspaper published at Montpelier, in the County of Bear Lake and State of Idaho; and said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Montpelier; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *2* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

.....*December 8*....., 19*83*, and endingwith the issue of *December 15*....., 19*83*.*Maria B. Nye*Fees, *\$ 20.63*Subscribed and sworn to before me this *20th* day.....*December*....., 19*83*.*Leanne Green*

Notary Public, Residing at Montpelier, Idaho

My Commission Expires *Lifetime*, 19.....

RECEIVED

JAN 6 1984

Department of Water Resources
Eastern District Office

LEGAL NO. 2474

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT

NO. 11-0074

Notice is hereby given that the City of Paris, Idaho has applied to the Department of Water Resources for a change in the point of diversion of the waters of Paris Creek tributary to Bear River. The right sought to be changed is evidenced by Decree NO. 11-0074 to Paris City in case of Pioneer Irr. & Manu. Co. vs. Southfield Ditch & Canal Co. dated in July 27, 1932 in Fifth Judicial District Court, Bear Lake County, and is recorded as follows:

AMOUNT: 2.38 cfs PRIORITY: 3/1/1864
POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10
T. 14S, R. 43E, B.M. Bear Lake County.

The water is used from Jan. 1 to Dec. 31 for municipal purposes within the city limits of Paris, Idaho.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, T. 14S, R. 42E, B.M. Bear Lake County.

Any protests against the above proposed change of water right must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before December 27, 1983.

A. KENNETH DUNN

Director

12-4, 12-15
33 LINES

MICROFILMED

STATE OF IDAHO, IN AND FOR THE COUNTY OF BEN. LAKE

POOR QUALITY ORIGINAL

PIONEER IRRIGATION AND MANUFACTURING
COMPANY, a corporation,

Plaintiff,

-VS-

SOUTHFIELD DITCH AND CANAL COMPANY, a corporation,
SOUTHFIELD IRRIGATION COMPANY, a corporation, PARIS
RELIER CANAL COMPANY, a corporation, DRY LAKE CANAL
COMPANY, a corporation, UTAH POWER AND LIGHT COMPANY,
a corporation, PARIS CITY, municipal corporation, J.
VIVIAN NYE, OTTO ROHNER, OAK B. BURESS, HENRY FUCHS,
EMIL GRANDY, PRICE LUMBER COMPANY, a corporation, PARIS
MILLING COMPANY, a corporation, L. FEHR, LESTER ALLRED
and WILLIAM CALDWELL, Mrs. J. W. COOK, MRS. W. G. HAYWARD,
DANIEL C. RICH, JACOB HESS, C. H. COOPER,

Defendants,

and

LOUIS W. BUDGE, CYRIL S. BUDGE, WILFORD W. BUDGE,
NEWELL R. BUDGE, TAFT P. BUDGE, EMILY M. RICH, FRANK
F. FOULGER, JESSE P. RICH, Executrix and Executors
of the Estate of Wm. L. Rich, deceased,

Substituted Defendants.

THIS CAUSE came further on to be heard before the
above entitled court upon the Amended Complaint of the plaintiff
and the Answers and amended cross-complaints of the respective
defendants and the Answers of the respective parties to the
various cross-complaints. Peterson & Clark and Leroy S. Young,
Attorneys at Law, appeared for and on behalf of the plaintiff,
Pioneer Irrigation and Manufacturing Company, a corporation,
D. E. Haddock, Attorney at Law, appeared for and on behalf of
Southfield Irrigation Company, J. Vivian Nye, Henry Fuchs, Emil
Grandy, Lester Allred, William Caldwell, and Southfield Ditch

RECORDED

EXHIBIT "A"

Cu. Ft. til June 1st.	20.88	22.88	26.88	30.88	34.88	38.88	42.88	46.88
Cu. Ft. til June 15th.	20.88	21.88	23.88	25.88	27.88	29.88	31.88	33.88
Cu. Ft. during summer	20.88	22.88	26.88	30.88	34.88	38.88	42.88	46.88

1. Pioneer Irrig. & Mfg. Co. 11 0066	9.00	9.00	9.00	10.21	11.42	12.63	13.84	15.04
2. Paris Relief Canal Co. 11 0067			3.00	4.50	6.00	7.00	8.00	8.17
3. Southfield D & C Co. (Lower) 11 0068	5.00	5.00	5.00	5.79	6.58	7.37	8.16	8.23
4. Southfield Irri. Co. (Upper So. field) 11 0069			1.00	1.50	2.00	3.00	4.00	4.00
5. Dry Lake Canal Company 11 0070	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
11 0071								
6. Wilford Budge 11 0072	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
7. Rich Estate et al. 11 0073	.75	.75	.75	.75	.75	.75	.75	.75
8. R. W. Caldwell 11 0074	.75	.75	.75	.75	.75	.75	.75	.75
9. Paris City 11 0075	2.38	2.38	2.38	2.38	2.38	2.38	2.38	2.38
10. Henry Fuchs 11 0076								1.68
11. Otto Rohner et al. 11 0077								
12. Emil Grandy 11 0078								
13. Lester Allred 11 0079								
14. Oak Burrus 11 0080								
15. Louis W. Budge et al.		2.00	2.00	2.00	2.00	2.00	2.00	2.00

MEADOW RIGHTS

11 0081							6.00	10.00
15a. Louis W. Budge et al. 11 0082								
16. Wm. L. Rich Estate 11 0083								6.00
17. Mark Sutton 11 0084								.8
18. Vivian Nye 11 0085								1.00
19. Dry Lake Canal Co.								

Also see pages 41742

Notes

Right No. 7 represents the following users of water on the north side of the creek channel to wit: J. W. Cook, Mrs. W. G. Hayward, Daniel C. Rich and E. L. Rich, and also certain users on the south side to wit; W. L. Rich, Jacob Hess and Mrs. C. H. Cooper, and Daniel C. Rich.

Right No. 11. This right is owned by Otto Rohner, J. Vivian Nye and Oak Burrus and is used on the upper lands.

Right No. 15. This right is owned by Louis W. Budge, Cyril S. Budge, Wilford W. Budge, Newell R. Budge and Taft P. Budge and the water is used on the lower lands.

POOR QUALITY ORIGINAL

68.45	68.09	72.09	81.09	85.09	88.34	91.34	91.68	91.68	95.76	98.76
69.65	69.19	63.19	69.69	73.69	76.94	79.94	80.78	81.73	85.86	87.36
69.65	60.29	54.29	58.29	62.29	65.54	68.54	69.88	71.88	75.96	75.96

13.94	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00
8.17	10.00	12.00	13.00	15.00	16.00	16.00	16.00	16.00	16.00	16.00
8.25	9.00	9.00	9.00	9.00	9.00	9.50	9.50	9.50	9.50	9.50
4.00	5.00	5.00	6.00	6.00	7.00	7.50	7.50	7.50	7.50	7.50
1.00	1.00	1.00	1.00	1.00	1.00	2.00	3.00	5.00	5.00	5.00
2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
.75	.75	.75	.75	.75	.75	.75	.75	.75	.75	.75
.75	.75	.75	.75	.75	.75	.75	.75	.75	.75	.75
2.38	2.38	2.38	2.38	2.38	2.38	2.38	2.38	2.38	2.38	2.38
2.41	2.00	3.16	3.16	3.67	2.67	2.00	2.00	2.00	2.00	2.00
	1.41	2.25	3.59	3.75	4.00	4.00	4.00	4.00	4.00	4.00
				.33	1.33	2.00	2.00	2.00	2.00	2.00
			.66	1.66	2.66	3.66	4.00	4.00	4.00	4.00
								4.08	4.08	
2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00	6.00	9.00
.8	.8	.8	.8	.8	.8	.8	.8	.8	.8	.8
1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
			5.00	5.00	5.00	5.00	4.00	2.00	2.00	2.00

Rights 15a, 16, 17, 18 and 19 shall be entitled to use the waters above specified until June 1st, of each year; that if demanded by other rights the said enumerated rights shall yield one-half of their said rights until June 15th., and on and after June 15th, of each year, said enumerated rights shall yield or give preference to the other rights.

MICROFILMED

April 6, 1984

RE: ~~Transfer~~ of Water Right No. 11-0074

City of Paris
Paris,
Idaho 83261

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2965). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: KEITH C. WILSON

1. Right number 11-0074 Applicant CITY OF PARIS, IDAHO
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

- OK ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- N/A ☐ Description of original point of diversion.
- N/A ☐ Description of original place of use.

5. Amount of land &/or water transferred:

- OK ☒ All of right.
- N/A ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- OK ☒ Check description of point(s) of diversion.
- OK ☒ Check description of place of use.
- OK ☒ Check map (shows p.d. and p.u. after transfer).
- OK ☐ Check for correct signature, notarization, and fee.
- OK ☒ Check proof of ownership of right &/or land from which water is transferred.
- OK ☒ Check for expansion in use of right. Comments NOPE

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

Right number(s) _____

OK ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 11-E - Paris Creek

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 12-5-83 Received on 12-23-83
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* Calc O/E, 05 (W.D. 11-E Paris Creek)

4. By Emmet Wilson Date Jan 16, 1984

RECEIVED
JAN 17 1984

Jan 3-14 84 use above condition

* All uses within Watermaster Districts require special conditions.

Department of Water Resources



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

December 28, 1983

RE: Claim to a Water Right No. 11-4301 ALLEMAN &/OR BEINZ
11-4300 BIENZ

Application for Transfer No. 11-0074 CITY OF PARIS

News Examiner
P.O. Box 278
Montpelier, ID 83254

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on December 8 and 15, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. _____

Department of Water Resources
Eastern District Office

RECOMMENDATION OF WATERMASTER

I, Wayne H. Nye, watermaster of Paris Creek,
of Water District No. 11-E, County of Bear Lake, State of Idaho,
whose address is 206 East 2nd South Paris, Idaho
have read the attached copy of the application for transfer of water right for City
of Paris, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: all conditions have been
met

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Paris, Idaho, this 20 day of December 1982.

Wayne H. Nye
(signature)

Please use reverse side if needed.

MICROFILMED

December 5, 1983

RE: Application for Transfer No. 11-0074 CITY OF PARIS

Wayne Nye, Watermaster
Water District No. 11-E
Paris, ID 83261

Dear Mr. Nye:

Please find enclosed a copy of the above referenced application and watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before December 27, 1983.

Thank you for your cooperation in this matter.

Sincerely,

BARBARA L. POWERS
Secretary

Enclosures

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 11-0074

Notice is hereby given that the City of Paris, Idaho has applied to the Department of Water Resources for a change in the point of diversion of the waters of Paris Creek tributary to Bear River. The right sought to be changed is evidenced by Decree No. 11-0074 to Paris City in case of Pioneer Irr. & Manu. Co. vs. Southfield Ditch & Canal Co. dated in July 27, 1932 in Fifth Judicial District Court, Bear Lake County, and is recorded as follows:

AMOUNT: 2.38 cfs

PRIORITY: 5/1/1864

POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, T. 14S, R. 43E, B.M.
Bear Lake County.

The water is used from Jan. 1 to Dec. 31 for municipal purposes within the city limits of Paris, Idaho.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, T. 14S, R. 42E, B.M. Bear Lake County.

Any protests against the above proposed change of water right must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before December 27, 1983.

A. KENNETH DUNN

Director

Published in the News Examiner on 12/8 & 12/15/83

LEGAL NO. 2474

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT

NO. 11-0074

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POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10
T. 14S, R. 43E, B.M. Bear Lake County.

The water is used from Jan. 1 to Dec. 31 for municipal purposes within the city limits of Paris, Idaho.

TO BE CHANGED AS FOLLOWS

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Any protests against the above proposed change of water right must be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before December 27, 1983.

A. KENNETH DUNN

Director

12-8, 12-15
33 LINES

October 21, 1983'

City of Paris
Paris,
Idaho 83261

Dear Sir:

Enclosed is an application for transfer of water right that was received by this office and a typed application for transfer compiled from the original transfer and the decree.

Please review the typed application for transfer, especially, item C2 and the map. According to the original transfer, the point 66 diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13; however, the original transfer also states that the point of diversion is at the head of the spring which could place the point 66 diversion either in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ or SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13.

To complete the application for transfer complete the map (item C5) by drawing an arrow to the approximate location 66 the point of diversion, sign in front of a notary public and return to this office with the appropriate \$50 filing fee. Upon receipt of the completed transfer, processing will begin.

Sincerely,

KEITH C. WIDSON Sr.
Sr. Resource Agent

KCW:jk

Enclosure