

SEC.

SEC. 9

SEC. 10

SEC.

SEC.

SEC. 15

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC. 20

SEC.

SEC. 25

SEC. 30

SEC.

Private Ditch

T9N, -R27E.

*Little Lost Creek
about 20 miles from
mouth of main highway*

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 587

33-0041

THIS IS TO Certify that ROY PECK, of Howe, Idaho, is the owner of and using a certain water right, bearing date of priority of November 15, 1911, for 155 inches of the waters of WILLIAMS SPRINGS AND CEDAR RUN, in the County of Butte, State of Idaho, said water being decreed to Roy Hawley and Maude Hawley by decree of Judge Ralph W. Adair of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of

BLAINE COUNTY INVESTMENT CO., vs. ROBERT G. MAYS, et al,

said decree bearing date of March 4, 1927, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 9 in the County of Butte and State of Idaho, to-wit:

E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 4, Township 4 North, Range 29 East of Boise Meridian, S $\frac{1}{2}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34; NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3; Lot 2 and SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 29 East of Boise Meridian;

THAT THE SAID Decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, at Page 86

THAT THE SAID Applicant has become the owner of the said land and water right through deed dated April 2, 1929, Recorded in Butte County, June 6, 1929;

THAT NOW, UPON THE Application of ROY PECK, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 155 inches of the waters of WILLIAMS SPRINGS AND CEDAR RUN, upon the lands above described, is HEREBY ABANDONED, and the lands to be irrigated under such right and to which the water right hereby confirmed shall become appurtenant, by this Certificate, for irrigation and domestic purposes, are described as follows:

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 9; SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10; and W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 15; all in Township 9 North, Range 27 East of Boise Meridian,

situate, lying and being in the County of Butte, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

155 inches of the waters of Williams Springs and Cedar Run, with date of priority of November 15, 1911.

THAT THE WATER RIGHT, Hereby transferred has been diverted from the said WILLIAMS SPRINGS and CEDAR RUN at a point in the

NW $\frac{1}{4}$ of Section 11, Township 9 North, Range 27 East of Boise Meridian,

and conducted to the first above described lands through a private ditch and Little Lost River, and will hereafter be diverted from the mouth of Williams Springs and mouth of Cedar Run and will be conducted to the new place of use through a private ditch.

THAT THE RIGHT To the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the Laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho, to be affixed at Boise, Idaho, this 11th day of March, 1938.

R. W. FARIS
Commissioner of Reclamation

By

O. D. Becker

Supervisor of Water Distribution

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)
)
) ROY PECK, of Howe, Idaho,)
)
) For a Transfer of Water Right, in)
) Water District No. 9, County of Butte.)

ORDER GRANTING TRANSFER
NO. 587

WHEREAS, On the 31st day of January, 1938, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of ROY PECK, of Howe, Idaho, for a Transfer of Water Right came on regularly for hearing, pursuant to the published notice, in the 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 this transfer is necessary for a more beneficial use of the water, and that no one would be injured thereby;

NOW THEREFORE, IT IS HEREBY Ordered that the said application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued 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 seal of the Department of Reclamation of the State of Idaho, to be affixed, at Boise, Idaho, this 11th day of March, 1938.

R. W. FARIS
Commissioner of Reclamation

By

A. Becker
Supervisor of Water Distribution

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR BUTTE COUNTY.

33-B ✓
NUMBERED

THE BLAINE COUNTY INVESTMENT
COMPANY, a corporation,

Plaintiff,

vs

ROBERT G. MAYS, et al.,

Defendants.

D E C R E E

This matter having been referred to Honorable L. E. Glennon by an order of this court, made and entered on the 4th day of May, 1923, to take the testimony herein and to try all of the issues in said action, both of fact and law, and to report findings and judgment thereon, as required by law, and the said Referee having heard and considered said cause and having submitted a full and complete report thereon setting forth his findings of fact and conclusions of law, and the court having duly considered said report and the objections filed thereto, and having heard the arguments of counsel for the respective parties in support of their objections to said report, and given due consideration thereto, and the court having heretofore made an order approving and adopting the report of the Referee, and the court having heretofore made and filed findings of fact and conclusions of law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

I.

That all of the lands hereinafter described are arid in character and require artificial irrigation in order to produce profitable crops thereon.

II.

That the duty of water upon the several tracts of land herein described corresponds to the quantity of water awarded thereto, respectively, and the quantity of water herein awarded

Twenty-seven (27) East of the Boise Meridian, and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), the West half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirty-four (34), Township Nine (9) North of Range Twenty-seven (27), East of the Boise Meridian.

XI.

ESTATE OF D. B. HAWLEY, Deceased:

From Little Lost River: 280 inches, September 1, 1879 46.66
33 0036

Point of diversion:

From Little Lost River:

to be used upon and appurtenant to:

The Southwest Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southwest quarter of the Northeast quarter and the Northwest Quarter of Section Three, Township Five North, Range Twenty-nine East of the Boise Meridian.

XII.

MARIAN HAWLEY:

From Little Lost River:

40 inches, Priority September 1, 1879; 33 0037
40 inches, Priority March 14, 1891. 33 0038

Point of diversion:

From Little Lost River:

to be used and appurtenant to:

The Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section Three, Township Five North, Range Twenty-nine East of the Boise Meridian.

XIII.

ROY HAWLEY and MAUDE HAWLEY, husband and wife:

From Little Lost River:

80 inches, September 1, 1879; 33 0039
80 inches, June 1, 1891; 33 0040

Williams Springs and Cedar Run:

155 inches, November 15, 1911. 33 0041

Points of diversion:

From Little Lost River:

From Williams Springs and Cedar Run:

(the award from Williams Springs and Cedar Run being dependent upon said cross-complainants, and their successors in interest, delivering

m Little Lost River:

40 inches, Priority September 1, 1879;
40 inches, Priority March 14, 1891.

Point of diversion:

From Little Lost River:

to be used and appurtenant to:

The Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section Three, Township Five North, Range Twenty-nine East of the Boise Meridian.

XIII.

ROY HAWLEY and MAUDE HAWLEY, husband and wife:

From Little Lost River:

80 inches, September 1, 1879;
80 inches, June 1, 1891.

William Springs and Cedar Run:

155 inches, November 15, 1911. Trans # 587 37-004/

Points of diversion:

From Little Lost River:

From Williams Springs and Cedar Run:

(1) (the award from William Springs and Cedar Run being dependent upon said cross-complainants, and their successors in interest, delivering

6.

said water into the natural channel of Williams Creek, a tributary of Little Lost River, and shall be chargeable with transmission losses occurring in carrying said water down Williams Creek and Little Lost River to claimants' point of diversion to be used upon and appurtenant to:

The East half of the Northeast Quarter of Section Four, Township Four North, Range Twenty-nine East of the Boise Meridian; the South half of the Southwest quarter, the Southwest Quarter of the Southeast Quarter of Section Thirty-four, the Northwest quarter of the Northeast quarter of Section Three; Lot Two and the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter of Section Four, in Township Five North, Range Twenty-nine East of the Boise Meridian.

m Little Lost River:

40 inches, Priority September 1, 1879;
40 inches, Priority March 14, 1891.

Point of diversion:

From Little Lost River:

to be used and appurtenant to:

The Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section Three, Township Five North, Range Twenty-nine East of the Boise Meridian.

XIII.

ROY HAWLEY and MAUDE HAWLEY, husband and wife:

From Little Lost River:

80 inches, September 1, 1879;
80 inches, June 1, 1891.

William Springs and Cedar Run:

155 inches, November 15, 1911. Trans # 587

Points of diversion:

From Little Lost River:

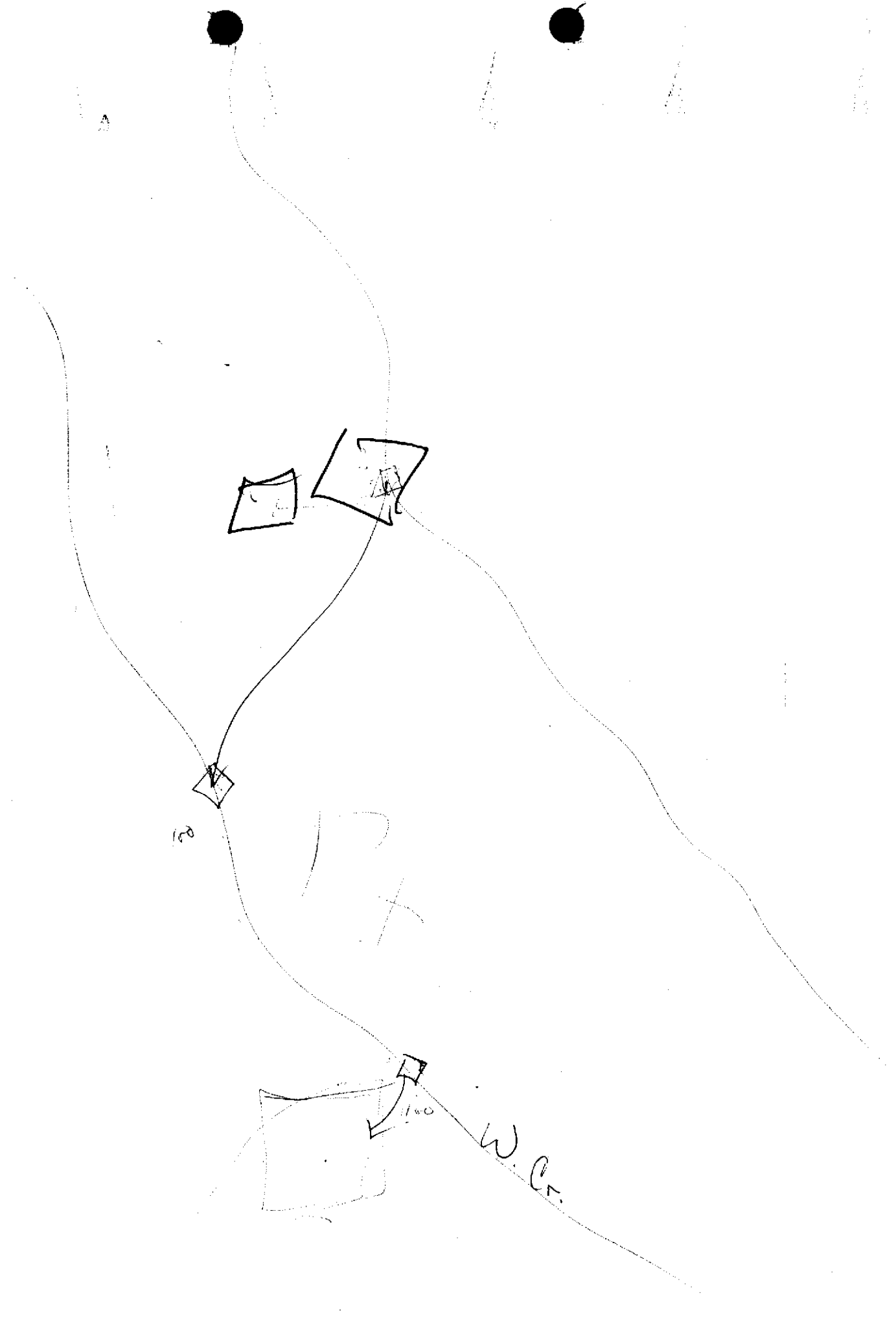
From Williams Springs and Cedar Run:

(the award from William Springs and Cedar Run being dependent upon said cross-complainants, and their successors in interest, delivering

6.

said water into the natural channel of Williams Creek, a tributary of Little lost River, and shall be chargeable with transmission losses occurring in carrying said water down Williams Creek and Little lost River to claimants' point of diversion to be used upon and appurtenant to:

The East half of the Northeast Quarter of Section Four, Township Four North, Range Twenty-nine East of the Boise Meridian; the South half of the Southwest quarter, the Southwest quarter of the Southeast Quarter of Section Thirty-four, the Northwest quarter of the Northeast quarter of Section Three; lot Two and the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter of Section Four, in Township Five North, Range Twenty-nine East of the Boise Meridian.



Transfer 587

March 14, 1938

Mr. Roy Peck
Howe, Idaho

Dear Mr. Peck:

I am herewith inclosing your Transfer of
Water Right Number 587, in accordance with your
application made on the 12th day of January, 1938.

I trust that you will find this trans-
fer in order.

Very truly yours,

Supervisor of Water Distribution

/mh
Inc.

RECORDED
INDEXED

Transfer 587

March 14, 1938

Mr. I. W. Boyer, Manager
Lost River Title Company
Arco, Idaho

Dear Mr. Boyer:

We are herewith inclosing a copy of the
Transfer of Water Right, Number 587, made out to
Roy Peck for 155 inches of the waters of Williams
Springs and Cedar Run. We are also inclosing a
receipt in the amount of one dollar (\$1.00), the
fee in connection with this transfer.

Very truly yours,

Supervisor of Water Distribution

/sh

Inc.

Microfilm

Transfer 587

March 12, 1938

Mr. N. W. Hansen

Howe, Idaho

Dear Mr. Hansen:

We are herewith inclosing a copy of the transfer issued to Roy Peck, of Howe, Idaho, for 155 inches of the waters of Williams Springs and Cedar Run.

You will please file this copy with the other transfers in your district.

Very truly yours,

Supervisor of Water Distribution

/mh
Inc

Transfer 587

March 1, 1938

Mr. I. W. Boyer, Manager
Lost River Title Company
Arco, Idaho

Dear Mr. Boyer:

I have been checking through our files and find that the application for transfer of Roy Peck is being held in abeyance until the department receives an affidavit of publication of the notice of transfer of water right. I believe this notice was published in the Arco Advertiser. If you will secure this notice, and forward it to the department, we will forthwith issue the transfer.

Very truly yours,

Deputy Commissioner of Reclamation

PBB:mh

RECORDED
INDEXED

Transfer pending

589

January 19, 1938

Mr. I. W. Boyer
Manager, Lost River Title Company
Arco, Idaho

Dear Mr. Boyer:

I have received the application for transfer of water right of Roy Peck, and have sent notice of publication to the Arco Advertiser.

I am now sending the abstract of title to the lands to which the water is to be transferred. The reason for the delay in sending this abstract is, that I was desirous of having a copy for our files and it was some time before I could have it made up.

I trust that this delay has not inconvenienced you too greatly.

Very truly yours,

Supervisor of Water Distribution

PHB:ash
Inc.

RECEIVED

Member of
AMERICAN ASSOCIATION OF TITLE MEN
IDAHO ASSOCIATION OF TITLE MEN

Lost River Title Company

Bonded Abstracters

ARCO, IDAHO

January 12th, 1938.

Paul H. Berg,
Supervisor of Water Distribution,
Department of Reclamation,
Boise, Idaho.

Gentlemen:

Enclosed find check for \$1.00 as fee in connection with the enclosed application for Transfer of Water Right, and also the Abstract of Title showing title in the name of Roy Peck. This application is made following the suggestion in your letter of Dec. 27, 1937.

Your special attention is called to the deed as shown in the enclosed Abstract at page 23. Mr Peck has been using this water on the lands to which this application requests transfer at all times since the execution of the said deed.

Mr Peck prefers that the hearing be held in Boise if it will be less expensive as he does not contemplate any objections.

As soon as your department are satisfied as to the title of water please return Abstract to us at Arco, Idaho, that we may make the other continuations that are requested in connection with a proposed loan on these premises.

Yours very truly

Lost River Title Co.

By

I. W. Boyer
Manager.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date January 14, 1938

Mr. A. B. Bottolfsen
Editor, Arco Advertiser
Arco, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for ^{two}~~four~~ consecutive weeks prior
to January 31, ^{hearing}~~proof~~, the date set for ~~proof~~, the expense of the publication to
be paid by the applicant, Roy Peck, Howe, Idaho,

to whom you should furnish proof of publication on or prior to the date set for ^{hearing}~~proof~~.

Please acknowledge receipt of this notice and furnish this office with a copy of the first
publication.

Very truly yours,

R. W. Faris

Commissioner of Reclamation

By

Supervisor of Water Distribution

No. 2383

ABSTRACT OF TITLE

to

The Following Described Real Estate in Butte County,
Idaho:

The East Half of the Southeast Quarter of Section Nine,
The Southwest Quarter of the Southwest Quarter of Sec-
tion Ten, And The West Half of the Northwest Quarter of
Section Fifteen, All In Township Nine North, Range
Twenty-Seven East Of The Boise Meridian.

BUTTE COUNTY was created by Act of the Legislature of
the State of Idaho, as shown by the Session Laws of the
State of Idaho, for the year 1917, Chapter 98. The
property as shown in this Abstract was formerly in Blaine
County, Idaho

Application No. A-58727
For purposes of identifica-
tion this gummed label should
be attached to your abstract
or title insurance report, as
the case may be, when forwarded
to The Federal Land Bank of
Spokane.

.....
. Application No. A-58727
. Applicant Roy Peck
. State Idaho.
.....

Compiled by
LOST RIVER TITLE COMPANY
Bonded Abstracters.

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and various forms

Entry No. 2

Aaron H. Williams.

Notice of Water Right

Dated June 25, 1900.

Recorded June 28, 1900,
Book 1 Water Locations, page 73.

TO

Acknowledged June 26, 1900,
Otto B. Fleischer, Justice of
the Peace, State of Idaho,
County of Blaine.

the public.

Recites in part:

Notice is hereby given: 1st. That Aaron H. Williams of Clyde, Idaho, hereby claims the use of the waters of Dry Creek to the extent of 3 1/4 cubic feet per second. 2d. That it is intended to divert said water at or near a point where a copy of this notice is posted, ... at the mouth of Dry Creek. 3d. That the purpose for which said water is intended to be used is irrigation purposes. 4th. It is intended to divert said water by means of a ditch. The general course of the proposed canal is southeasterly, the length of same about 15 miles. It is intended to use said water upon the following described land: N¹/₂ NW¹/₄, SW¹/₄ NW¹/₄, NW¹/₄ SW¹/₄ of Section 15, Township 9 North, Range 27 East... .

LOST RIVER TITLE COMPANY

Arco, Idaho

Deeds

Entry No. 3

The United States of America

Patent.

Dated March 23rd, 1901.

Recorded Feb. 2nd, 1926,
Book 2 of Patents, Page 340.

TO

Signed: By the President
William McKinley, By F. M.
McKean, Secretary, C. H.
Brush, Recorder of the Gen-
eral Land Office, Official
Seal.

Aaron H. Williams.

Give and Grant:

The North Half of the North West Quarter, the
Southwest Quarter of the Northwest Quarter and the Northwest Quarter
of the Southwest Quarter of Section Fifteen in Township Nine North
of Range twenty seven, East of the Boise Meridian, in Idaho, contain-
ing one hundred and sixty acres, according to the official Plat of the
Survey of the said Lands, returned to the General Land Office by the
Surveyor General

(with the usual reservations)

LOST RIVER TITLE COMPANY

Arco, Idaho

Deeds

Entry No. 4

The United States of America.

Patent

Dated June 2nd, 1904.

Recorded December 8, 1923,
Book 2 Patents, page 274.

TO

Signed: By the President:
T. Roosevelt, by F. M. McKean,
Secretary, C. H. Bush, Recorder
of the General Land Office.
Official Seal.

Aaron H. Williams.

Granted:

The South Half of the southwest quarter of
Section ten and the East half of the Southeast quarter of Sec-
tion nine in Township Nine North of Range twenty-seven East of
Boise Meridian in Idaho, containing one hundred and sixty acres
according to the official plat of the survey of the said land,
returned to the General Land Office by the Surveyor General.

(with the usual reservations)

LOST RIVER TITLE COMPANY

ARCO, IDAHO

Mortgage

Entry No. 5

Aaron H. Williams and
Elizabeth A. Williams, his wife,

Mortgage.

Dated November 2nd, 1901.

Recorded December 6th, 1901
Book 3 Mortgages, page 407

Acknowledged November 29, 1901,
D. B. Hawley, Justice of the
Peace, State of Idaho, County
of Fremont, wife examined sep-
arately.

TO

Certificate as to qualification
of Justice of Peace, Dec. 5th,
1901, by A. M. Carter, Clerk of
District Court of the Fifth Judi-
cial of the State of Idaho, for
Fremont County, Official Seal.

The American Mortgage Company of
Scotland, Limited, a corporation.

Consideration \$500.00

Grant, Bargain, Sell, and Convey:

North half of the northwest quarter (N2NW4), the
southwest quarter of the northwest quarter (SW4 NW4) and the northwest
quarter of the southwest quarter (NW4 SW4) of Section Fifteen (15) in
Township nine (9) North of Range Twenty-seven (27) east of the Boise Meri-
dian, containing 160 acres,

As a mortgage to secure payment of note of even date herewith,
due on the first day of December, 1904.

**Transcribed from Book "N" of Mortgages, page 198 of the
Blaine County records.

F L B 5

LOST RIVER TITLE COMPANY
Arco, Idaho

Releases and Various Forms

Entry No. 6

George H. Scithers

Affidavit.

dated March 1st, 1926.

TO

Recorded March 13, 1926,
Book 2 Miscellaneous, page 318

The Public

Acknowledged March 1st, 1926,
Scott Duncan, Notary Public,
State of Missouri, County of
Jackson, Notarial Seal.

Recites:

George H. Scithers, a resident of Kansas City, Missouri, and of lawful age, being duly sworn, deposeth that he was the attorney-in-fact for the American Mortgage Company of Scotland, of Edinburg, Scotland, from the year 1907, until that company was dissolved in the year 1922. That he had a record of the company's mortgages and particularly of one to Aaron H. Williams and Elizabeth A. Williams, his wife, dated November 2nd, 1901, recorded on December 6th, 1901, in the records of the County of Blaine, State of Idaho, in Book "N" of Mortgages, page 198 to secure payment of loan of \$500.00 that said sum and all interest due thereon was duly paid in December, 1908 by the borrowers to the said company, the affiant having been so advised by the Secretary of the said Company.

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and Various Forms

Entry No. 7

Perry Bassinger, C. H. Mulkey,
A. H. Williams, J. N. Wilde,
Wm. Bortel, Sr., and O. P.
Williams, parties of first part.

and

Blaine County Irrigation Company,
Limited, a corporation.

Articles of agreement.

Dated April 30th, 1912.

Recorded December 28, 1917,
Book 1 Miscellaneous, page 173

Acknowledgement
(not shown)

Recites in part:

Whereas: The first parties are the owners
of certain rights in and to the use of eleven hundred inches of the
waters of Dry Creek,

The second party is about to construct a pipe line

It is mutually understood that should said pipe line be aban-
doned at any time in the future by second party, the same may be there-
after maintained and operated by first parties; that upon completion
of said pipe line said Farmers Ditch will be abandoned and the cost of
maintainence thereof avoided by first parties,

F L B 7

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and various forms

Entry No. 8

IN THE PROBATE COURT OF BUTTE COUNTY, STATE OF IDAHO

In the Matter of the Estate	)	
	)	
of	)	DECREE OF FINAL DISTRIBUTION OF
	)	ESTATE
Aaron H. Williams, Deceased.	)	

RECITES IN PART:

ORDERED, ADJUDGED AND DECREED:

That the residue of the Estate of Aaron H. Williams, deceased,
- - - be and the same is hereby distributed as follows, to-wit: Robert
H. Williams, an undivided one-fifth interest, John C. Williams, an un-
divided one-fifth interest, Harold R. Williams, an undivided one-fifth interest
Stanley Williams, an undivided one-fifth interest, Agnes Williams, an undivi-
ded one-fifth interest.

The following is a particular description of said residue of said
estate referred to in this Decree and of which distribution is ordered, ad-
judged and decreed, to-wit:

East Half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) of Section Nine (9),
South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Ten (10), North Half
of Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$), Southwest Quarter of the Northwest Quarter
($SW\frac{1}{4}NW\frac{1}{4}$), Northwest Quarter of Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$) Section Fifteen
(15), all in Township Nine (9) North Range Twenty-Seven (27) East Boise Meri-
dian.

I. W. Boyer, Probate Judge

LOST RIVER TITLE COMPANY

Arco, Idaho

Mortgage

Entry No. 9

Harold R. Williams and Fern Williams, husband and wife,
John C. Williams and Ethel Williams, husband and wife,
Robert H. Williams, single,
Stanley Williams, single
and Agnes Williams, single.

TO

W. P. McWilliams.

Mortgage.

Dated February 2nd, 1926.

Recorded February 17, 1926,
Book 8 of Mortgages, page 294.

Acknowledged by various Notary Publics of various States, all of which appear to be regular with the Notarial Seals affixed.

Consideration \$2500.00

Grant, Bargain, Sell, and Convey:

East Half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$)
of Section Nine (9), South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of
Section Ten (10), North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$), South
west Quarter of Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$), Northwest Quarter of the
Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$), Section Fifteen (15), all in Township Nine
(9), North of Range Twenty-seven (27) East Boise Meridian, together
with 320 inches of decreed water right, date of priority of 1887 and
1891.

As a mortgage to secure payment of promissory note being
payable on the 2nd day of February A. D. 1928.

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and Various Forms

Entry No. 10

W. P. McWilliams

Marginal Release.

Dated December 22nd, 1928

TO

Stamped on Original Mortgage
December 22nd, 1928.

Harold R. Williams, etal.

Signature acknowledged by
I. W. Boyer, Recorder.

Recites:

I hereby certify that this mortgage and
the indebtedness secured thereby is fully paid, satisfied, and
discharged.

* * Stamped on Mortgage as shown in Book 8 of Mortgages,
page 294, as recorded February 17th, 1926, and shown in this Abstract
in the foregoing entry.

F. L. B. 10

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and Various Forms

Entry No. 11

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR BUTTE COUNTY.

The Blaine County Investment
Company, a corporation.
Plaintiff,

vs.

Robert G. Mays, et al.,
Defendants.

DECREE.

DATED March 4th, 1927.

Filed March 5th, 1927, in Book
1 of Orders & Decreed, page 425.

Signed: Ralph W. Adair,
District Judge.

ORDERED, ADJUDGED AND DECREED:

That the following named persons, parties to this action, are entitled to and are hereby awarded, respectively, the continued and uninterrupted flow for the uses herein designated, during the times herein specified, when needed and beneficially applied, of the waters of Little Lost River and its tributaries, the springs and streams herein named, upon the lands hereinafter specified, in the several amounts and with the dates of priority, and at their several points of diversion as follows:

XXIII.

ROY HAWLEY AND MAUDE HAWLEY, Husband and Wife,

From Williams Springs and Cedar Run: 155 inches, Nov. 15, 1911;
(the award from Williams Springs and Cedar Run being dependent upon said cross-complainants and their successors-in-interest, delivering said water into the natural channel of Williams Creek, a tributary of Little Lost River, and shall be chargeable with transmission losses occurring in

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and Various Forms

Entry No. 12

carrying said water down Williams Creek and Little Lost River to claimants' point of diversion) to be used and appurtenant to:

(lands specifically described, in Twp. 5 N., R. 29 E.B.M.)

XXVII.

ROBERT WILLIAMS, HAROLD WILLIAMS, STANLEY WILLIAMS and JOHN WILLIAMS, Heirs at law of A. H. Williams, Deceased:

From Little Lost River:	40 inches, April 1, 1887; 70 inches, June 1, 1891;
From Saw Mill Creek	50 inches, May 25, 1891;
From Dry Creek	160 inches, April 15, 1891;

Points of Diversion.

From Little Lost River: From Saw Mill Creek; At the mouth of said stream; From Dry Creek; At the Dry Creek Dam; to be used upon and appurtenant to: The South Half of the Southwest Quarter of Section Ten; The East Half of the Southeast Quarter of Section Nine, the North Half of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section Fifteen, Township Nine North, Range Twenty-seven East of the Boise Meridian.

(with others)

LOST RIVER TITLE COMPANY

Arco, Idaho

Deeds

Entry No. 13

Agnes Williams,
an unmarried woman

Warranty Deed.

Dated April 16th, 1927

Recorded April 25th, 1927
Book 8 of Deeds, page 342

TO

Acknowledge April 16, 1927
Ray P. Dyreng, Notary Public
State of Utah, County of San-
pete, Res.: Manti, Utah, Seal.

John C. Williams.

Consideration \$1.00

Grant, bargain, sell, convey and confirm:

An undivided one-fifth interest in and to
the East Half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) of Section Nine (9);
South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Ten (10);
North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$), Southwest Quarter of the
Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$), and the Northwest Quarter of the South-
west Quarter ($NW\frac{1}{4}SW\frac{1}{4}$) of Section Fifteen (15); all in Township Nine
(9) North, of Range Twenty-seven (27) East of the Boise Meridian.
Together with all ditch and water rights thereunto belonging or in
any way appertaining. Subject to all unpaid taxes and liens of
record.

LOST RIVER TITLE COMPANY

Arco, Idaho

Deeds

Entry No. 14

Robert H. Williams,
a bachelor, sometimes known
as Robert Williams

Warranty Deed.

Dated April 6th, 1927

Recorded April 25, 1927.
Book 8 of Deeds, page 343.

TO

Acknowledged April 6th, 1927.
I. W. Boyer, Notary Public
State of Idaho, County of Butte,
Res.; Arco, Idaho. Seal.

Harold R. Williams.

Consideration \$1.00

Grant, bargain, sell, convey and confirm:

An undivided one-fifth interest in and
to the East Half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) of Section Nine (9);
South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Ten (10);
North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$), the Southwest Quarter
of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$), and the Northwest Quarter of the
Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$) of Section Fifteen (15); all in Township
Nine (9) North of Range Twenty-seven (27) East of the Boise Meridian.
Together with all ditch and water rights thereunto belonging or in any
way appertaining. Subject to unpaid taxes and liens of record.

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and Various Forms

Entry No. 15

State of Idaho,
Department of Reclamation

Certificate of Water Right
Transferred Right No. 404

Dated June 27th, 1927

Recorded Sept. 17th, 1927
Book 2 Miscellaneous, page 367

TO

Harold R. Williams, et al.

Signed: Geo. N. Carter, Commis-
sioner of Reclamation. Seal.

This is to certify that Harold R. Williams and Fern Williams, husband and wife, and John C. Williams and Ethel Williams, husband and wife, have rights to the use of the waters of Little Lost River for irrigation and domestic purposes, and that such rights have been confirmed by decree, as follows:

From Little Lost River, 40 miners inches, April 1, 1887,
From Little Lost River, 70 miners inches, June 1, 1891,
From Sawmill Creek, 50 miners inches, May 25, 1891,
From Dry Creek, 160 miners inches, April 15, 1891.

That the waters above described were decreed to the following described lands to-wit:--East Half of the Southeast Quarter of Section Nine; South half of the southwest quarter of Section Ten. North Half of the Northwest Quarter and Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section Fifteen; all in Township Nine North, Range Twenty-seven East, Boise Meridian.

That upon application, . . . the said application having been granted, to a certain extent, the right to the use of 256 miner's inches -- the same being the four-fifth undivided interest of the water rights

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and Various Forms

Entry No. 16

enumerated in the foregoing - - of the waters of Little Lost River upon the lands above described, is hereby abandoned and the lands to be irrigated under such water rights and to which the said rights hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, are as shown in the following, limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amounts, to-wit:

From Little Lost River, 28 miners inches, priority, April 1, 1887,
From Little Lost River, 49 miners inches, priority, June 1, 1891,
From Sawmill Creek, 40 miners inches, priority, May 25, 1891,
From Dry Creek, 128 miners inches, priority, April 15, 1891,

(lands specifically described)

* * Attached to and filed in connection with this instrument is the order Granting Transfer, executed by the Commissioner of Reclamation.

LOST RIVER TITLE COMPANY

Arco, Idaho

Deeds

Entry No. 17

Aaron Stanley Williams,
sometimes known as Stanley
Williams, a single man.

Warranty Deed.

Dated January 2nd, 1928.

Recorded February 4, 1928
Book 9 of Deeds, page 598.

TO

Acknowledged January 21, 1928,
Taylor A. Bradley, Notary Public
for State of Montana, residing at
Armstead, Montana, Notarial Seal.

Harold R. Williams and
John C. Williams.

Consideration \$1.00

Grant, bargain, sell, convey and confirm:

An undivided one-fifth interest in and to the
East Half of the Southeast quarter ($E\frac{1}{2}SE\frac{1}{4}$) of Section Nine (9), South
Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Ten (10); North Half
of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$), the Southwest Quarter of the North-
west Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) and the Northwest Quarter of the Southwest Quarter
($NW\frac{1}{4}SW\frac{1}{4}$) of Section Fifteen (15), all in Township Nine (9) North of
Range Twenty-seven (27) East of the Boise Meridian, together with all
ditch and water rights thereunto belonging or in any way appertaining.

Subject to unpaid taxes and liens of record.

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and Various Forms

Entry No. 18

State of Idaho, Department
of Reclamation

Certificate of Water Right
Transferred Right No. 423

Dated May 2nd, 1928

TO

Recorded May 9th, 1928, Book 1
Water Locations, at page 104.

Harold R. Williams and
John C. Williams.

Signed: Geo. N. Carter, Commis-
sioner of Reclamation. Seal.

This is to certify that Harold R. Williams and John C. Wil-
liams, have the right to the use of the waters of Little Lost
River, Sawmill Creek and Dry Creek, for irrigation and domestic pur-
poses, said rights have been confirmed by decree
awarded as follows:

From Little Lost River, 40 miner's inches, April 1, 1887,
From Little Lost River, 70 miner's inches, June 1, 1891,
From Sawmill Creek, 50 miner's inches, May 25, 1891,
From Dry Creek, 160 miner's inches, April 15, 1891,

that the waters above described were decreed to the following described
lands, to-wit: East half of Southeast quarter of Section nine; South
half of Southwest Quarter of Section Ten; North Half of Northwest
Quarter and Southwest Quarter of Northwest Quarter and the Northwest
quarter of the Southwest quarter of Section fifteen; all in Township
Nine North, of Range Twenty-seven East, Boise Meridian.

That upon application, and said application having been
granted, the right to the use of 1.28 second feet, or 64 miner's inches,
of the waters of Little Lost River, Sawmill Creek and Dry Creek, upon

LOST RIVER TITLE COMPANY

Arco, Idaho

Leases and Various Forms

Entry No. 19

lands above described, is hereby abandoned and the lands to be irrigated under such water right and to which said rights hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are as shown in the following, limited at any given time to amounts actually needed and beneficially used for such purposes and shall not exceed the following amounts, to-wit:

From Little Lost River, 8 miners inches, priority April 1, 1887;
From Little Lost River, 14 miners inches, priority June 1, 1891;
From Sawmill Creek, 10 miners inches, priority, May 25, 1891;
From Dry Creek; 32 miners inches, priority April 15, 1891

(lands described specifically)

* * Attached to and filed in connection with this instrument is the order granting transfer, executed by the Commissioner of Reclamation.

LOST RIVER TITLE COMPANY

Arco, Idaho

Deeds

Entry No. 20

Harold R. Williams and Fern
Williams, husband and wife,
John C. Williams and Ethel E.
Williams, husband and wife.

Warranty Deed.

Dated April 11th, 1929.

Recorded May 27th, 1929
Book 8 of Deeds, page 586

Acknowledged May 8th, 1929 for
John & Ethel by M. M. Farmer,
Notary Public, State of Idaho,
County of Butte, Residing at
Blackfoot, Idaho. Seal.

TO

Acknowledged for Harold & Fern
May 3rd, 1929, by M. R. Straw,
Notary Public, State of Utah,
County of Utah, Res.; at Provo,
Notarial Seal affixed.

Roy Peck

Consideration \$500.00

Grant, bargain, sell, convey and confirm:

East Half of the Southeast Quarter of Section
Nine, Southwest Quarter of Southwest Quarter of Section Ten; the West
Half of the Northwest Quarter of Section Fifteen, Township Nine North,
Range Twenty-seven East of the Boise Meridian Together with all ditch
and water rights thereunto belonging or in any way appertaining.

LOST RIVER TITLE COMPANY

Arco, Idaho

Mortgage

Entry No. 21

Roy Peck and May Peck,
husband and wife.

Mortgage

Dated April 11th, 1929.

Recorded May 27th, 1929
Book 2 Mortgages, page 250

TO

Acknowledged April 22, 1929
I. W. Boyer, Clerk of the Dis-
trict Court, State of Idaho,
County of Butte, Official Seal.

Harold R. Williams.

Consideration \$500.00

Grant, Bargain, Sell, and Convey:

The East Half of the Southeast Quarter of
Section Nine, the Southwest Quarter of the Southwest Quarter of Sec-
tion Ten; all in Township Nine North, of Range Twenty-seven East of the
Boise Meridian. Together with all ditch and water rights thereunto
belonging or in any way appertaining.

To secure note of even date herewith, due on or before 10
years after date, with interest at 6% per annum.

LOST RIVER TITLE COMPANY

Arco, Idaho

Releases and Various Forms

Entry No. 22

Harold R. Williams

Marginal Release

Dated Sept. 5th, 1932.

TO

Stamped on Original record of
Mortgage as shown in Book 2 of
Mortgages, page 250.

Roy Peck and May Peck.

Signature acknowledged by
I. W. Boyer, Recorder.

Recites:

I hereby certify that this mortgage and the
indebtedness secured thereby is fully paid, satisfied and discharged.

LOST RIVER TITLE COMPANY

Arco, Idaho

Deeds

Entry No. 23

Roy Hawley and Maude M.
Hawley, husband and wife.

Warranty Deed.

Dated April 2nd, 1929.

Recorded June 6th, 1929.
Book 13 of Deeds, page 29.

TO

Acknowledged June 5, 1929.
Jo G. Martin, Notary Public,
State of Idaho, County of Butte.
Res.: Arco, Idaho. Seal

Roy Peck

Consideration: \$1,000.00

Grant, bargain, sell, convey and confirm:

155 inches of the waters of Williams Springs
and Cedar Run with date of priority of November 15, 1911, as decreed
to Roy Hawley and Maude Hawley, husband and wife, in that certain suit
entitled Blaine County Investment Company, a corporation, vs. Robert
G. Mays, et al., in the District Court of the Sixth Judicial District
of the State of Idaho, in and for the County of Butte, to be used upon
and become appurtenant to the West Half of the Northwest Quarter of Sec-
tion 15, Township 9 North, Range 27 E., B. M. By transfer through the
office of the Commissioner of Reclamation of the State of Idaho.

LOST RIVER TITLE COMPANY

Arco, Idaho

Mortgage

Entry No. 24

Roy Peck and May Peck,
husband and wife.

Mortgage.

Dated April 2nd, 1929.

Recorded November 13, 1929
Book 8 Mortgages, page 441.

TO

Acknowledged April 22, 1929
Jo G. Martin, Notary Public
State of Idaho, County of Butte
Res: Arco, Idaho. Seal.

Roy Hawley.

Consideration: \$1,000.00

Grant, bargain sell, and convey:

The West Half of the Northwest Quarter ($W\frac{1}{2}NW\frac{1}{4}$)
of Section 15, Twp. 9 North, Range 27 E., B. M., together with 155
inches of the waters of Williams Springs and Cedar Run with date of
priority of November 15, 1911 as decreed to Roy Hawley and Maude Hawley,
husband and wife, in that certain suit entitled Blaine County Invest-
ment Company, a corporation vs. Robert G. Mays, et al. In the District
Court of the Sixth Judicial District of the State of Idaho, in and for
the County of Butte.

As a mortgage to secure payment of 5 promissory notes of
even date herewith, for \$200.00 each, inst. at 6% per annum, payable
April 2nd, 1930, 1931, 1932, 1933, & 1934.

LOST RIVER TITLE COMPANY

Arco, Idaho

Liens and Leases, etc.

Entry No. 25

Josephine McCowen,
Tax Collector.

Delinquent Certificate.

Dated January 2nd, 1932

TO

Number 741

Butte County

Consideration \$57.66

SHOWS:

That taxes for the year 1931 were duly
and regularly assessed in the name of Roy Peck on the following
described lands, to-wit:

$E\frac{1}{2}$ of $SE\frac{1}{4}$ of Sec. 9, $SW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 10, & $W\frac{1}{2}$ $NW\frac{1}{4}$ of
Sec. 15, all in Twp. 9 N., Range 27 E. B. M., which taxes are now
unpaid and delinquent and a lien upon the within described property.

LOST RIVER TITLE COMPANY

Arco, Idaho

Liens and Leases, etc.

Entry No. 26

Josephine McCowen,
Tax Collector.

Delinquent Certificate

Dated January 2nd, 1933.

TO

Number 741

Butte County

Consideration \$66.91

SHOWS:

That taxes for the year 1932 were duly
and regularly assessed in the name of Roy Peck on the following
described property; to-wit:-

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 9, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 10, & W $\frac{1}{2}$ of NW $\frac{1}{4}$
of Sec. 15, all in Twp. 9 North, Range 27 E., B. M., which taxes
are now unpaid and delinquent and a lien upon the within described
property.

LOST RIVER TITLE COMPANY

Arco, Idaho

Liens and Leases, etc.

Entry No. 27

Josephine McCowen,
Tax Collector

Delinquent Certificate

Dated January 2nd, 1934.

TO

Number 800.

Butte County

Consideration \$68.22

SHOWS:

That taxes for the year 1933 were duly
and regularly assessed in the name of Roy Peck, on the following
described property, to-wit:--

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 9, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 10, & W $\frac{1}{2}$ of
NW $\frac{1}{4}$ of Sec. 15, all in Twp. 9 North, Range 27 E. B. M., which taxes
are now unpaid and delinquent and a lien upon the within described
property.

LOST RIVER TITLE COMPANY

Arco, Idaho

Liens and Leases, etc.

Entry No. 28

Josephine McCowen,
Tax Collector

Delinquent Certificate

Dated January 2nd, 1935.

TO

Number 760.

Butte County

Consideration: \$70.33

SHOWS:

That the taxes for the year 1934 were duly
and regularly assessed in the name of Roy Peck on the following des-
cribed property, to-wit:--

$E\frac{1}{2}$ of $SE\frac{1}{4}$ of Sec. 9, $SW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 10, & $W\frac{1}{2}$ of $NW\frac{1}{4}$
of Sec. 15, all in Twp. 9 North, of Range 27 E. B. M., which taxes
are now unpaid and delinquent and a lien upon the within described
property.

LOST RIVER TITLE COMPANY

Arco, Idaho

Liens and Leases, etc.

Entry No. 29

Josephine McCowan,
Tax Collector

Delinquent Certificate

Dated January 2nd, 1936

TO

Number 782

Butte County

Consideration \$55.60

SHOWS:

That taxes for the year 1935 were
duly and regularly assessed in the name of Roy Peck, on the
following described property, to-wit: --

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 9, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 10, &
W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 15, all in Twp. 9 North, Range 27 E., B. M.,
which taxes are now unpaid and delinquent and a lien upon the within
described property.

LOST RIVER TITLE COMPANY

Arco, Idaho

Liens and Leases, etc.

Entry No. 30

Josephine McCowen,
Tax Collector

Delinquent Certificate

Dated January 2nd, 1937.

TO

Number 799

Butte County

Consideration \$47.61

SHOWS:

That taxes for the year 1936 were
duly and regularly assessed in the name of Roy Peck, on the
following described property, to-wit: --

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 9, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 10, &
W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 15, all in Twp. 9 North, of Range 27 E. B. M.,
which taxes are now unpaid and delinquent and a lien upon the
within described property.

CERTIFICATE

STATE OF IDAHO)
 : ss.
County of Butte)

LOST RIVER TITLE CO., of the State of Idaho, licensed abstractor of titles in and for said County, does hereby certify that the foregoing entries numbered from one to Thirty (1 to 30) (both numbers inclusive), sets forth a full, true and correct abstract of all that appears on file or of record in the office of the County Recorder of said County and State of Idaho, referring to or in any manner affecting the title to that certain real estate situate in said County and particularly described as follows, to-wit:

The East Half of the Southeast Quarter of Section Nine, the Southwest Quarter of the Southwest Quarter of Section Ten, and the West Half of the Northwest Quarter of Section Fifteen, all in Twp. Nine North, of Range Twenty-seven East of the Boise Meridian.

THIS CERTIFICATE does not include chattel mortgages or water rights except as shown. That there are no delinquent general taxes against said premises which are not set forth in the foregoing abstract. (See entries No. 25 to 30, inclusive.)

AND FURTHER that no subsisting judgments appear upon the judgment dockets of the records of the DISTRICT COURT of the SIXTH JUDICIAL DISTRICT of the State of Idaho, in and for the County of Butte entered therein within five years last past against any of the parties named in the within abstract, affecting the title to said premises.

IN WITNESS WHEREOF, the said Lost River Title Co. has caused this certificate to be signed by its manager and its seal affixed hereto, on the 18th day of November, A. D., 1937, at 5:00 o'clock, P. M.

LOST RIVER TITLE COMPANY

(SEAL)

By I. W. Boyer, Manager

Notice of Proposed Transfer of Water Right

Notice is hereby given that Roy Peck of Howe,
Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 155 inches
 of the water of Williams Springs and Cedar Run

from the land upon which it is now used, i. e. E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 4, Township 4 North,
Range 29 East Boise Meridian, S $\frac{1}{2}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$, of Section 34; NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of
Section 3; Lot 2 & SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 29 E. B. M.
 to the following described tract E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 9; SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10; & W $\frac{1}{2}$ of
NW $\frac{1}{4}$ of Section 15; all in Township 9 North, Range 37 E. B. M.

And that, on the 31st. day of January, A. D.
1923, at 10:00 A. M.

before the Commissioner of Reclamation, 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. W. FARIS

Commissioner of Reclamation.

Affidavit of Publication

G. W. Vincent, foreman

I, ~~C. A. Bottelisen~~, publisher of The Arco Advertiser, a

weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated January 21,, 1938 and ending with the issue dated January 28,, 1938.

G. W. Vincent

Subscribed and sworn to before me this 7th

day of January, 1938.

Robert J. McLean

Notary Public.

Residence: Arco, Idaho.

My commission expires July 16, 1940.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Roy Peck of Howe, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 155 inches of the water of Williams Springs and Cedar Run from the land upon which it is now used, i. e. E $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4, Township 4 North, Range 29 East Boise Meridian, S $\frac{1}{4}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$, of Section 44; NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3; Lot 2 & SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 29 E. B. M. to the following described tract E $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9; SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10; & W $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15; all in Township 5 North, Range 37 E. B. M.

And that, on the 31st day of January, A. D. 1938, at 10:00 A. M. before the Commissioner of Reclamation, 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. W. FARIS,
Commissioner of Reclamation,
Commissioner of Reclamation.
(J 21-28-2t)

Application For Transfer of Water Right

STATE OF IDAHO

County of Butte } ss.

Roy Peck, being first duly sworn, deposes and says:

That his name is Roy Peck; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Howe, Idaho.

That he is the owner and using a certain water right, bearing date of priority of Nov. 15, 1911 for 155 in. cubic feet per second of the waters of Williams Springs and Cedar Run.

County of Butte, State of Idaho, decreed to Roy Hawley and Maude Hawley by decree of Judge, Ralph W. Adair of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of The Blaine County Investment Co. vs. Robert C. Mays, et al., said decree bearing date of March 4th, 1927, (or obtained by virtue of License No. issued by the State Engineer of the State of Idaho, dated, 19, bearing date of, 19) for the purpose of irrigating the following described lands situate, lying and being in Water District No. 9 in the County of Butte and State of Idaho, to-wit:

E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 4, Twp. 4 N. R. 29 E. B. M. S $\frac{1}{2}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 34; NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 3; Lot 2 & SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 4, Twp. 5 N. R. 29 E. B. M.

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. Deed dated April 2nd, 1929, Recorded Butte Co. June 6, 1929, 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 NW $\frac{1}{4}$ of Section Eleven, Township 9 N. Range 27 E., B. M., and conducted to the above described lands through private ditch and Little Lost River, as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 155 inches 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 Butte and State of Idaho, to-wit:

E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 9; SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 10; & W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 15; all in Twp. 9 North, Range 27 E. B. M.

That his reasons for desiring to make such transfer are as follows:
more beneficial use of water

That he intends to divert and convey said 155 inches ~~second feet~~ of water to the tract of land last above described in the following manner, to-wit: _____

from mouth of Cedar Run through private ditch.

Waters will not be mingled with Little Lost River and savings of loss will be made to applicant.

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statutes.

Roy Peck

Applicant.

Subscribed and sworn to before me this 5th day of January

A. D. 1938

W. G. Boyer
Notary Public for State of Idaho,
Residing at Arco, Idaho.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Williams Springs and Cedar Run

Where is the diversion point located? at mouth of Cedar Run canyon

Through what ditch is it now conducted? private ditch & Little Lost River

How much land is now irrigated by the water sought to be transferred? supplemental right for 360 acres.

Give the description: E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 4, Twp. 4 N. R. 29 E. B. M. S $\frac{1}{2}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 34; NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 3; Lot 2 & SW $\frac{1}{4}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. #4 Twp. 5 N. R. 29 E. B. M.

What is the total amount of water in inches, or second feet, dedicated to said land? 315 inches

What kind of crops are being raised? Hay, Grain & pasture.

How much water per acre is now required to irrigate said land? 1 inch per acre

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

Very little change as most of water is lost in transportation.

Give location of new point of diversion, if change is to be made Mouth of Williams Springs and mouth of Cedar Run.

Through what ditch will it be conducted after transfer? private ditch

How much water will be required per acre to irrigate the land to which this water is transferred?

1 inch per acre, but transmission losses will be much less.

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 none

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount, date and source none except proposed transfer.

Signed

Roy Peck

Applicant.

STATE OF IDAHO,

County of

ss.

and

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at

that he is user of water from, in Water District No.

County of, State of Idaho; that he has read or heard read the foregoing affidavit and petition of and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned:

Subscribed and sworn to before me this day of

A. D. 19.....

STATE OF IDAHO,

County of Butte

ss.

I, N. T. Hansen, Watermaster of Howe, Idaho,

Water District No. 9, County of Butte, State of Idaho, whose postoffice address is Howe, Idaho

have read or heard read the foregoing affidavit and petition of Roy Peck

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 Commissioner of Reclamation 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: -

By Eliminating a long transmission on a small stream a larger body of water is kept together and a higher duty of water will result.

Watermaster Dist. No. 9

Dated at Howe, Idaho, this 12 day of January, 1938

