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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 440

33-0029

THIS is to certify that James D. Little, of Howe, County of Butte, State of Idaho, has rights to the use of the waters of Little Lost River and Sawmill Creek, for irrigation and domestic purposes, and that said rights have been confirmed by decree of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Butte, in the case of Blaine County Investment Company, plaintiff, vs. Robert G. Mays, et al, defendants, Ralph W. Adair, District Judge, wherein water rights were awarded as follows:

From Little Lost River, 0.08 second feet,
priority, April 1, 1889;
From Little Lost River, 0.34 second feet,
priority, June 1, 1891;
From Sawmill Creek, 0.18 second feet,
priority, May 25, 1891;

That the waters above described were decreed to the following described lands, to-wit:

Lot 1, Section 5, Township 5 North, Range 29 East, Boise Meridian;

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho at Boise, in Book 5 of Decrees, pages 86 to 102.

That, upon the application of James D. Little for a transfer of water right, made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of 0.6 second feet of the waters of Little Lost River and Sawmill Creek upon the land above described is hereby abandoned and the lands to be irrigated under such rights and to which the water rights hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are described as follows, said water being limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amounts with the following dates of priority, to-wit:

0.08 second feet, dated April 1, 1889;
0.34 " " " June 1, 1891;
0.18 " " " May 25, 1891;

Southeast quarter (SE¹) Section 10, and Southwest quarter (SW¹) Section 11, Township 5 North, Range 29 East, Boise Meridian.

That the water rights to be transferred have heretofore been diverted in the NW¹SW¹, Section 32, Township 6 North, Range 29 East, Boise Meridian, and carried through the Little ditch, but will hereafter by virtue of this certificate be diverted in the SE¹SE¹, Section 4, Township 5 North, Range 29 East, Boise Meridian, and carried through the Wilde Lateral.

That no right to the use of water on the lands last above described exists at the date of this certificate except as herein stated, and that the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 15th day of March, 1929.

(SEAL)

GEO. N. CARTER
Commissioner of Reclamation

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. PAYS, 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

1.

From Saw Mill Creek: At the mouth of said stream.

to be used upon and appurtenant to:

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

IX

OTTO G. WILDE and ANNA WILDE, husband and wife;

From Little Lost River: 80 inches, April 1, 1881; 4 inches, April 1, 1889; 17 inches, June 1, 1891;
From Saw Mill Creek; 9 inches, May 25, 1891.

Point of diversion:

From Little Lost River:

to be used upon and appurtenant to:

Lot One (1) of Section Five (5), Township Five (5) North of Range Twenty-nine (29) East of Boise Meridian, containing 46.20 acres; also the East half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) of Section Four (4), in Township Five (5) North of Range Twenty-nine (29) East of the Boise Meridian; the West half of the Southeast quarter ($W\frac{1}{2}SE\frac{1}{4}$) of Section Four (4), Township Five (5) North of Range Twenty-nine (29) E. B. M., except a small tract of approximately five to ten acres, located in the southwest corner of the eighty acre tract.

X

LITTLE LOST RIVER LAND & LIVESTOCK COMPANY, a corporation,
CHARLES HOLLAND and ELLEN HOLLAND, husband and wife,
CLARENCE HOLLAND and MABEL HOLLAND, husband and wife:

From Little Lost River: 560 inches, September 1, 1879; 240 inches, June 1, 1891; 280 inches, June 1, 1905;
From Spring Creek: 150 inches, May 1, 1880;
From Badger Creek: 80 inches, March 6, 1907.

Points of diversion:

From Little Lost River:

From Spring Creek:

From Badger Creek:

to be used upon and appurtenant to:

The North half ($N\frac{1}{2}$) of Section Two (2), the East half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$) of Section Three (3), Township Five (5) North of Range Twenty-nine (29) East of the Boise Meridian; also the South half ($S\frac{1}{2}$) of Section Two (2), and the East half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) of Section Three (3), Township Five (5) North of Range Twenty-nine (29) East of the Boise Meridian; also Lots Two (2), Three (3), Four (4) and the Southeast Quarter ($SE\frac{1}{4}$) and South half of the Northwest quarter ($S\frac{1}{2}NW\frac{1}{4}$), the South half of the Northeast Quarter ($S\frac{1}{2}NE\frac{1}{4}$) the Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$) of Section Three (3), and the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$) of Section Two (2), and the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}NW\frac{1}{4}$) of Section Eleven (11), Township Eight (8) North of Range