

MICROFILMED

N

SEC. 2

SEC. 1

SEC. 6

SEC. 5

SEC.

SEC.

SEC. 11

SEC. 2

SEC. 7

SEC. 8

SEC.

SEC.

SEC. 14

SEC. 3

SEC.

SEC.

SEC.

SEC.



LONGBERRY SHAW  
DITCH

DITCH CREEK

MALTA

102 AC.

BLACK-lands from which  
ORANGE- " " " "

TP. 13 S., R. 6 E.  
TP. 13 S., R. 27 E.

BOWLING APPLICATION  
for  
TRANSFER

T-210

Mrs. Sarah J. Boulware  
Idaho, Cassia Co. Idaho

**MICROFILMED**

Township 13 South of Range 26 East  
of the Boise meridian.

Top of road lat. line  
Township 13 south of Range 2 7 East of the  
Basic meridian  
unrigged,

SEC. 3

SEC. 2

SEC. 7

SEC. 9

SEC. 2.

SEC. 4

SEC. 101

SEC. 11

SEC. 121

4.235

SEC. 8

SEC. 4

Perpendicular to line of travel

Valle

|    |                                 |
|----|---------------------------------|
| 2  | Cross hatched areas on sections |
| 6. | 38, R, 27 E, B, W               |
|    | indicate land now irrigated     |
|    | Cross hatched areas on          |
|    | sections 12 Township 13         |
|    | S, R 26 E, B, W indicate        |
|    | land to be irrigated.           |
|    | Red lines indicate ditahes      |

SEC. 76

SEC. 14

SEC. 73

SEC. 18

SEC. 17

SEC. 167

Range Line

SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK

See Right no.  
43-0088 →

superseded by  
Albion - Idaho Land  
Co. vs Adams decree  
dated 10-23-1928

S T A T E O F I D A H O

-----OFFICE OF STATE ENGINEER-----

CERTIFICATE NO. 210, AUTHORIZING TRANSFER OF WATER RIGHT.

WATER DISTRICT NO. 8C.

Permission is hereby granted Sarah Z. Boulware, of Malta, County of Cassia, State of Idaho, to transfer the use of three (3) inches of the waters of Cassia Creek, in Water District No. 8C, County of Cassia and State of Idaho, from the lands upon which it is now used, i. e., Lots 4 and 5, Section 6, Township 13 South, Range 27 East of the Boise Meridian, to the following described tract, to-wit: two and three-fourths ( $2 \frac{3}{4}$ ) acres, beginning at the southwest corner of the  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of Section 12, Township 13 South, Range 26 East of the Boise Meridian, thence east 40 rods, to the southeast corner of the property of School District No. 7, of Cassia County, State of Idaho, thence north 417.42 feet, thence east 391.29 feet, thence south 208.71 feet, thence west 208.71 feet, thence south 208.71 feet, thence west 182.58 feet, to the southeast corner of the property of School District No. 7, in Cassia County, State of Idaho; said water to be diverted ~~by means of a dam~~ across the channel of said Cassia creek, in the  $SE\frac{1}{4}$  of  $SE\frac{1}{4}$ , Sec. 11, T. 13 S., R. 26 E., B. M., thence through the "Townsbury" ditch.

The water right appurtenant to the above described lands was adjudged by decree, dated September 30, 1893, of C.O. Stockslager, Judge of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Cassia, in the case of J. M. Darby, et al, plaintiffs, vs. E. D. Jones, et al, defendants, with dates of priority as follows: 20 inches to date from March 31st, 1880, and 80 inches to date from April 30, 1882.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 16th day of October, 1917.

J. H. SMITH,

State Engineer.

(SEAL)

**MICROFILMED**

Verdict

In the District Court of the Fourth Judicial District of Idaho, in  
and for the County of Cassia.

.....  
J. M. Darby et al, )  
                    Defendants )  
                    V )  
E. D. Jones et al, )  
                    Plaintiffs.)  
;.....

This cause having been regularly called for trial before the Court,  
a jury having been expressly waived by all the parties hereto in open  
Court, Hawley & Reeves appeared for the plaintiffs and Messrs. J. C.  
Rogers, H. W. Smith, Albert Reed, F. E. Ensign, J. W. Ellen, and O. R.  
Hale appeared for the defendants, the defendant John Condit, by permis-  
sion of the Court appearing in his own behalf. And the Court having  
heard the proofs of the respective parties and considered the same,  
and the records and papers in the case, and the arguments and briefs of  
the respective Attorneys thereon, and it being agreed by each and all of  
the parties in open Court that the findings, decision, and judgement  
could be filed and entered in vacation and out of term time, if the  
Court so desired and the cause having been submitted to the Court for  
decision, the Court now finds the following facts:-

1st.

That each and every of the parties hereto both plaintiffs and  
defendants are, and were at the times mentioned in the pleadings herein,  
citizens of the United States.

2nd.

That the several tracts and parcels of land, belonging to and  
owned by the parties hereto, set forth and described in the several  
pleadings herein, and each and every thereof, belonging to either the  
plaintiffs or the defendants are situate in Cassia County Idaho and are  
arid in character and require the use of water artificially applied  
before they will produce profitable crops.

MICROFILMED

upon said land and since has used the same thereon continuously and during the irrigating season of each year for irrigating purposes.

That on the 30th day of April 1880 said plaintiff appropriated 20 inches more of the waters of said stream for use upon said land and by means of dams and ditches diverted said water and conducted it upon said land and since that time and continuously during the irrigating season of each year has used said water on said lands to irrigate and cultivate the same.

13th.

That on April 1st 1881 the plaintiff A. V. Caldwell his grantors and predecessors in interest were, since have been and said plaintiff now is the owner of, and in the possession and entitled to the possession of the east half of the south west quarter and lots 6 and 7 of section 6 township 13 south, range 27 east Boise Meridian, being 160 acres more or less of land. That on said 1st day of April 1881 said plaintiff his grantors and predecessors in interest appropriated 45 inches of the waters of said Cassia Creek for use upon said land and by means of dams and ditches diverted said water and conveyed it upon said land and since that time continuously and during the irrigating season of each year have used said water on said land to irrigate and cultivate the same.

That on the first day of April 1882 said plaintiff, his grantors and predecessors appropriated 40 inches more of the waters of said Cassia Creek for use upon said land and since said time continuously and during the irrigating season of each year have used said water on said land for the purpose of irrigating and cultivating the same.

14th.

That on the thirty first day of March 1880 the plaintiff Sarah Boulware was and now is the wife of plaintiff John Boulware and was, since has been and now is the owner and in the possession and entitled to the possession of lots 4 and 5 in section 6, township 13 south range 27 east Boise Meridian, being one hundred acres more or less of land.

MICROFILMED

That on said thirty first day of March 1880 said plaintiff appropriated 20 inches of the waters of Cassia Creek for the purpose of cultivating and irrigating her said land, and by means of dams and ditches diverted said water and conducted it on the said land and since that time continuously and during the irrigating season of each year has used said water on said land to irrigate and cultivate the same.

That on April 30th 1882 the said plaintiff further appropriated 80 inches of the waters more of said stream for like use on said land and since said date has continuously and during the irrigating season of each year used said water on said land for the purpose of cultivating and irrigating the same.

15th.

That the plaintiff Mrs. Jane Hitt was then and now is the wife of plaintiff J. B. Hitt and was on the 30th day of April 1883 the owner and in the possession and entitled to the possession and since then has been and now is such owner and so possessed of the north half of the south east quarter and the north half of the south west quarter of section 21, township 13 south, range 26th east Boise Meridian, being 160 acres in area.

That on said day said plaintiff appropriated 130 inches of the waters of said Cassia Creek for the purpose of irrigating and cultivating said lands and by means of dams and ditches diverted said water and conducted it upon said land and since that time has continuously during the irrigating season of each year used said water on said land for the purpose of irrigating and cultivating the same.

16th.

That on the 31st day of May 1881 the plaintiff C. S. Gamble was and since has been and now is the owner and in the possession and entitled to the possession of the northwest quarter of section 22, township 13 south range 26 east Boise Meridian.

That on said day said plaintiff appropriated 45 inches of the waters of said Cassia Creek for use upon said lands and by means of dams and ditches diverted said water and conducted it upon said lands.

That on April 1st 1882 plaintiff appropriated 15 inches more of

Oct. 20th, 1917.

Re: Certificate of Transfer 210.

Mrs. Sarah Z. Boulware,  
Malta, Idaho.

Dear Madam:

Enclosing herewith certificate of  
transfer issued to you, with receipt for  
fee.

Very truly yours,

J. H. SMITH,

State Engineer.

By\_\_\_\_\_.

Enc.: C. T.

CB:FM

MICROFILMED

T-210

PARAGRAPH 15 - A.

That the Plaintiff, Sarah Boulware, be and hereby is awarded the use and the right to the use of twenty (20) inches of the waters of Cassia Creek to date from March 31st. 1880, and of eighty (80) inches of the waters of said Creek to date from April 30th 1882, to be measured under a four inch pressure at the point of diversion, for the irrigation of the lands described in the Findings of Fact herein.

*The findings of fact are not recorded  
and the files can not be found.*

**MICROFILMED**

T-210

71 1015

Oct. 11, 1917.

Mrs. Sarah Boulware,  
Malta, Idaho.

Dear Madam:

Replying to yours of the 10th inst,  
would say that your certificate of transfer  
will be mailed to you as soon as the State  
Engineer returns to sign the same. This  
will probably be the first of next week.

Very truly yours,

---

Clerk.

CB:FM

MICROFILMED

T.210

~~CONFIDENTIAL~~

September 20, 1917.

Re: Certificate of Transfer.

Mrs. Sarah Z. Boulware,  
Malta, Idaho.

Dear Madam:

Upon receipt of statutory fee of One Dollar (\$1.00), certificate of transfer will be issued you for the waters of Cassia Creek.

Very truly yours,

J. H. Smith,

State Engineer.

By

CB/ld

MICROFILMED

T-210

STATE OF IDAHO,

County of

Cassia

ss.

I, Roy Gudmansen

Clerk of the District Court of the

Fourth

Judicial District of the State of Idaho, in and for the County

of Cassia

do hereby certify that the foregoing is a true and correct copy of the original

paragraph 15A in the Judgment J. M. Darby et al vs.  
 E. S. Jones et al duly recorded in book one of judgments page 4306  
 now on record in my office at Albion Idaho 459

Given under my hand and the seal of said court, this

29

day of

July

A. D. 1917

Roy Gudmansen

Clerk.

By

M. W. Snyder

Deputy.

T-210

MICROFILMED

J. H. SMITH.

STATE ENGINEER

FRED A. WILKIE

DEPUTY STATE ENGINEER

State of Idaho

Engineering Department

Boise

September 20, 1917.

Re: Certificate of Transfer.

Mrs. Sarah Z. Boulware,  
Malta, Idaho.

Dear Madam:

Upon receipt of statutory fee of One Dollar (\$1.00), certificate of transfer will be issued you for the waters of Cassia Creek.

Very truly yours,

J. H. Smith,

State Engineer.

By *CBW*

CB/MB

MICROFILMED

Mal. Idaho

10-10-17

Mrs. J. H. Smith

Dear Sir

Over ten days ago I sent you  
the one dollar due on the transfer mentioned in  
this letter for Waters of Cassia Creek. I have  
as yet not rec'd the transfer. Wish you would  
send it to me as soon as possible.

Yours Truly  
Mrs Sarah Boulware

RECEIVED

OCT 11 1917

T-210  
51-2015

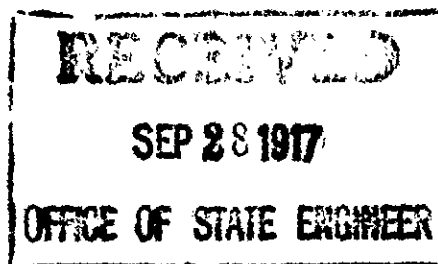
Malta Idaho 9-25-17  
J.H. Smith.

Dear Sir:-

I am sending one  
Dollar (\$1.00) fee due on  
certificate of transfer for water  
of Cassia creek

Many Thanks.

Mrs Sarah. Paulson



MICROFILMED

T-210

August  
Twenty Eight  
1917.

RECEIVED

Re: Application for Transfer of Water Right.

Sarah Z. Boulware,

Malta, Idaho.

Dear Madam:

In connection with your application for transfer of water right, this department has had an examination made on the ground and decision will be rendered as soon as possible. You will be notified as soon as this decision will be reached and there is nothing further required of you at present.

Very truly yours,

J.H. Smith,  
State Engineer,

By

H-bb.

T-210

THIS PAPER REACHES ALL PEOPLE OF THE GREAT RAFT RIVER COUNTRY - BEST ADVERTISING MEDIUM

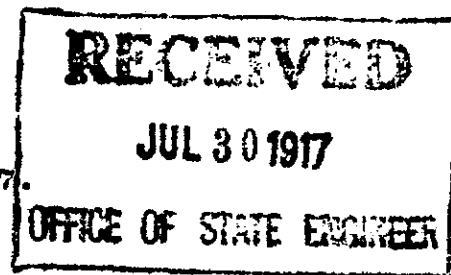
# The Inland Empire

— A WEEKLY NEWSPAPER —

F. E. GRISWOLD, PROPRIETOR

MALTA, IDAHO

July 27, 1917.



Mr. J. H. Smith, State Engineer,

Boise, Idaho,

Dear Sir:

Notice of Transfer of Water Right for Mrs. Sarah Z. Boulware of Malta, Idaho, received, and publication started in the issue of The Inland Empire on Wednesday, July 25th.

Very truly yours,

*F. E. Griswold*

**MICROFILMED**

T-210  
~~1-2-17~~

July 17, 1917.

Re Transfer.

Mrs. Sarah E. Boulware,  
Malta, Idaho.

Dear Madam:--

August 18th has been set as the date for the hearing  
in the matter of your application for transfer of water right and  
notice has today been mailed to the Inland Empire for publication.

Very truly yours,

J. H. SMITH,

State Engineer.

By \_\_\_\_\_

MICROFILMED

T-210

July 17, 1917.

Re Notice of transfer.

Inland Empire,  
Malta, Idaho.

Gentlemen:--

Am enclosing herewith notice of transfer of water right which please publish once a week for four consecutive weeks. The expense of the examination will be paid by Sarah A. Boukware, of Malta, to whom you should furnish proof of publication on or prior to August 18th.

Very truly yours,

J. H. SMITH,

State Engineer.

By \_\_\_\_\_

N

RECORDED

T-210

# Notice of Proposed Transfer of Water Right

Notice is hereby given that Sarah Z. Boulware of Malta  
Idaho, has applied to the State Engineer of the State of Idaho for a certificate  
 authorizing him to transfer the use of three (3) inches of the water of  
Cassia Creek,  
 from the land upon which it is now used, i. e. Lots 4 & 5, Sec. 6, T. 13 S., R. 27 E., B.M.

to the following described tract: approximately 2 3/4 acres in the town of Malta, lying  
next to and just east of the school house grounds, and more or less bounded by the  
~~unsubstantiated, and no other~~

And that, on the 18th day of August, A. D.  
 1917, at Malta, Idaho,  
State Engineer  
 before the ~~Water Commissioner of this Division~~, 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 certi-  
 ficate should not be issued authorizing such transfer.

Full details of the proposed transfer may be obtained from W. A. Ward  
 Watermaster of said stream.

**MICROFILMED**

J. H. Smith,

T-210  
~~5-20-18~~

J. H. SMITH,  
STATE ENGINEER  
FRED A. WILKIE,  
DEPUTY STATE ENGINEER

State of Idaho  
Engineering Department  
Boise

August  
Twenty Eight  
1917.

Re: Application for Transfer of Water Right.

Sarah Z. Boulware,

Malta, Idaho.

Dear Madam:

In connection with your application for transfer of water right, this department has had an examination made on the ground and decision will be rendered as soon as possible. You will be notified as soon as this decision will be reached and there is nothing further required of you at present.

Very truly yours,

J. H. Smith,  
State Engineer.

By

*R. J. Hamilton*

H-bb.

MICROFILMED

T-210  
~~4-25-15~~

*Mr. J. H. Smith*

Dear Sir: - In reply to this letter will say I was home the afternoon of the 18th of August and learned the deputy had been here and looked over both places. So any questions <sup>you</sup> want to ask me you can write me here. Would like to have my transfer as soon as convenient to you  
Yours Truly - Sarah Z. Boulware.

# Notice of Proposed Transfer of Water Right

Notice is hereby given that Sarah Z. Boulware of Malta Idaho, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer the use of three (3) inches of the water of Cassia Creek, from the land upon which it is now used, i. e. Lots 4 & 5, Sec. 6, T. 13 S., R. 27 E., B.M.

to the following described tract: approximately 2 3/4 acres in the town of Malta, lying next to and just east of the school house grounds, and more particularly described as follows:  
~~xxxxxx~~

And that, on the 18th day of August, A. D. 1917, at Malta, Idaho, before the State Engineer ~~xxxxxx~~, 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.

Full details of the proposed transfer may be obtained from W. A. Ward Watermaster of said stream. J. H. Smith,

## Affidavit of Publication

State of Idaho }  
County of Cassia } ss.

### NOTICE FOR PUBLICATION.

Notice of Proposed Transfer of Water Right  
Notice is hereby given that Sarah Z. Boulware of Malta Idaho, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer the use of 3 inches of the Water of Cassia Creek, from the land upon which it is now used, i. e. Lots 4 & 5, Sec. 6, T. 13 S., R. 27 E. B. M. to the following described tract: approximately 2 3/4 acres in the town of Malta, lying next to and just east of the school house grounds.

And that, on the 18th day of August, A. D. 1917, at Malta, Idaho, before the State 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.

Full details of the proposed transfer may be obtained from W. A. Ward, Watermaster, of said stream. J. H. Smith. 37-40 State Engineer

RECORDED

I, F. E. Griswold, Publisher, Foreman, of The Inland Empire, a weekly newspaper of general circulation, published once each week at Malta, Cassia County, Idaho, do solemnly swear that a copy of the notice attached hereto and which is made a part of this affidavit, and a part of the proof of publication, was published in said newspaper for 4 consecutive weeks commencing with the issue dated July 25th, 1917, and ending August 15th, 1917, that said notice was published in the regular and entire issue of every number and not any supplement thereof, and that said newspaper has been published for more than twenty-six consecutive weeks prior to date of first publication of said notice.

Subscribed and sworn to before me this August 17th, 1917.

F. E. Griswold  
Frank Ribett  
Notary Public, Cassia County, Idaho.  
My commission expires March 26  
1918

Archie H. H. H.  
1-210  
788  
1918

OFFICE OF STATE ENGINEER

BOISE, IDAHO.

August 23, 1917.

Re: Boulware Transfer,  
District No. 8 C.  
Cassia Creek--Cassia Co.

Mr. J. H. Smith,  
State Engineer.

Dear Sir:

In the matter of the above titled action, the hearing was set for August 18, 1917, at Malta, Idaho. The applicant was away, so that she was not questioned, and no one appeared to protest against the issuance of the transfer.

An examination of the lands affected disclosed the following:

The lands in Sec. 6, (see attached plat) comprising 102 acres, are all under cultivation, and one of the oldest ranches in the valley, with a decreed water right of 20 inches dating from March 31st, 1880, and 80 inches from April 30, 1882. It is desired, as stated in the application, to transfer three (3) inches of the 1880 right to a town lot, also owned by the applicant. This lot is in the village of Malta and comprises approximately 3 acres of land. Investigation showed that applicant has been using water for the irrigation of this land from the Lonsberry-Shaw ditch (see plat) for some three years, and owners of the ditch have never objected, as the lots are a part of the Shaw lands, and the lot-owners claim a right to the use of the water--which right has never been questioned by Shaw.

T-210  
~~SECRET~~

Shaw's priority dates back to 1883, so that applicant for transfer would gain 3 years in priority, were the transfer permitted. The applicant desires to conduct this 3 inches in the Lonsberry-Shaw ditch (see map), carrying the water about  $\frac{1}{2}$  mile to the lot. By mingling this 3 inches with Lonsberry right of 1880, applicant hopes to receive her entire amount at her land, thus saving any transportation losses.

Shaw's right, dating to 1883 was cut off on the 18th day of August, 1917.

Although no protest was offered against the transfer, Mr. Lonsberry probably will not allow applicant to use his ditch, unless her right of way is forced into same.

Respectfully,

*J. J. Jones*

RECEIVED

# Application for Transfer of Water Right

STATE OF IDAHO,

County of Cassia

} ss.

Sarah Z. Boulware, being first duly sworn, deposes and says:

That <sup>her</sup> ~~his~~ name is Sarah Z. Boulware; that <sup>he</sup> ~~she~~ is of lawful age, a citizen of the United States and of the State of Idaho, and that <sup>her</sup> ~~his~~ postoffice address is

Malta, Cassia County, Idaho

That <sup>he</sup> ~~she~~ is the owner and using a certain water right of 20 inches (4/10 Sec. ft) of the waters of Cassia Creek

County of Cassia, State of Idaho, decreed to her

by decree of Judge C. O. Stockslager, of the

Fourth Judicial District of the State of Idaho, in and for the County of Cassia

, in the case of J. M. Darby et al.

vs. E. D. Jones et al., said decree bearing date of September 30

1893 *with date of priority set at - March 31 - 1880*  
(or obtained by virtue of License No. \_\_\_\_\_, issued by the State Engineer

of the State of Idaho, dated \_\_\_\_\_), for the purpose of irrigating the

following described lands situate, lying and being in the County of Cassia and

State of Idaho, to-wit: Lots 4 and 5 <sup>Section 6</sup> Township 13 South of Range "27"

East of the Boise Meridian

\_\_\_\_\_ and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, to-wit:

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 at a point on the SE<sup>4</sup> NW<sup>4</sup> Section 12 - Township 13 South of R. 26 East - Boise Meridian and conducted to the above described lands through a ditch

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of three inches (3/50 Sec. ft) 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 Cassia and State of Idaho, to-wit: approximately 2 3/4 acres in the town of Malta, Cassia County, Idaho, lying next to and just East of the School house grounds and more particularly described as follows, to-wit:

Beginning at the Southwest corner of the Southwest quarter of the North-west quarter of Section twelve (12) Township thirteen (13) South of Range twenty-six (26) East of the Boise Meridian, thence East forty (40) rods to the South east corner of the property of School District No. seven (7) of Cassia County, State of Idaho, thence North four hundred, seventeen and forty-two one hundredths feet (417.42 ft.) -- thence East three hundred, ninety-one and twenty-nine one hundredths feet (391.29 ft.) -- thence South two hundred, eight and seventy-one one hundredths feet (208.71 ft.) -- thence West two hundred, eight and seventy-one one hundredths feet (208.71 ft.) -- thence South two hundred, eight and seventy-one one hundredths feet (208.71 ft.) -- thence West one hundred eighty-two and fifty-eight one hundredths feet (182.58 ft.) to the South East corner of the property of School District Number seven (7) <sup>Cassia County, Idaho</sup> said tract ~~containing~~ containing two and three quarters acres of land

MICROFILMED

# Application for Transfer of Water Right

STATE OF IDAHO,

County of Cassia

} ss.

Sarah Z. Boulware

, being first duly sworn, deposes and says:

That <sup>her</sup> ~~his~~ name is Sarah Z. Boulware; that <sup>her</sup> ~~he~~ is of lawful age, a citizen of the United States and of the State of Idaho, and that <sup>her</sup> ~~his~~ postoffice address isMalta, Cassia County, IdahoThat <sup>he</sup> ~~she~~ is the owner and using a certain water right of 20 inches (4/10 Sec. ft) of the waters of Cassia CreekCounty of Cassia, State of Idaho, decreed to herby decree of Judge C. O. StockslagerFourth Judicial District of the State of Idaho, in and for the County of Cassia, in the case of J. M. Darby et al.vs. E. D. Jones et al., said decree bearing date of September 301893with date of priority set at - March 31-1880(or obtained by virtue of License No.

, issued by the State Engineer of the State of Idaho, dated

following described lands situate, lying and being in the County of Cassia andState of Idaho, to-wit: Lots 4 and 5 Section 6 Township 13 South of Range "27East of the Boise Meridianand is the person (~~or the representative of the corporation~~) to whom such right so issued, ~~or has become the owner thereof in the following manner, in 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 at a point on the SE<sup>4</sup> NW<sup>4</sup>Section 12 - Township 13 South of R. 26 East - Boise Meridianand conducted to the above described lands through a ditch

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the ~~water right~~ water right

MIC

That ~~his~~ <sup>her</sup> reasons for desiring to make such transfer are as follows: That the last saidlands are her home upon which she has valuable improvements and apermanent residence and which cannot be properly tilled and beautifiedwithout a good water right, the growth of trees and shrubbery requiring an abundant supply of water and that she is willing to go that much short on the farm lands to secure water for the improvement of her home.

T-210/51-2015

That she intends to divert and convey said Three inches of water to the tract of land last above described in the following manner, to-wit: - To be diverted as it is now being diverted at a point and by means of a dam, across the channel of the said Cassia Creek, Cassia County, Idaho, on the SE 1/4 5 & 1/4 - Section 11 Township 13 south of Range 26 East of the Boise Meridian and thence to be conveyed by means of a ditch known as the "Lounsbury Ditch" to within 300 feet of the last described lands, then by means of a smaller ditch to and upon the last said lands - The said dam being about 40 feet in length and about 6 feet in height - made of rock and timber - the ditch being about 6 feet in width and 3 feet in depth and about 1/2 mile in length with heavy grade - and the lateral or smaller ditch taking water to the last said lands being about 3 feet in width and 2 ft in depth with a heavy grade (being an abandoned ditch which applicant can use), as set forth upon the map hereto attached; and

That no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Commissioner of the Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

Subscribed and sworn to before me this

5<sup>th</sup>

day of

July

A. D. 1917

Sarah J. Baulman

Frank Riblett  
Notary Public

STATE OF IDAHO,

County of Cassia } ss.

Charles S. Gamble, Jr. and Thomas Taylor, Jr.

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 Matta, Cassia Co. Idaho, that he is a user of water from Cassia Creek, County of Cassia, State of Idaho; that he has read or heard read the foregoing affidavit and petition of

Sarah J. Baulman, 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

5<sup>th</sup>

day of

July

A. D. 1917

Charles S. Gamble Jr  
Thomas Taylor Jr

Frank Riblett  
Notary Public

STATE OF IDAHO,

County of

Cassia

SS.

I,

W. A. Ward

Watermaster of

Cassia Creek

County of

Cassia

State of Idaho, whose postoffice address is

Elba

Cassia Co. Idaho

have read ~~or heard~~ read the foregoing affidavit and petition of

Sarah J. Boulware

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 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:

W. A. Ward

Watermaster.

Notice having been duly published for thirty days of the intention of the above named

to apply to the State Engineer of the State of Idaho for a certificate authorizing the transfer of water as set forth in this affidavit and petition herein, and an opportunity having been given to any and all persons opposing said transfer to present their objections in a public hearing before me at , on , according to the terms of said notice;

And it not appearing at said hearing that anyone would be materially injured by such transfer:

I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said applicant, authorizing the transfer as prayed for in his petition; or ~~(and it appearing at said hearing that the following injuries would be sustained by others if such transfer is permitted)~~

I hereby recommend that the State Engineer do ~~not~~ issue the certificate authorizing the transfer sought hereinabove.

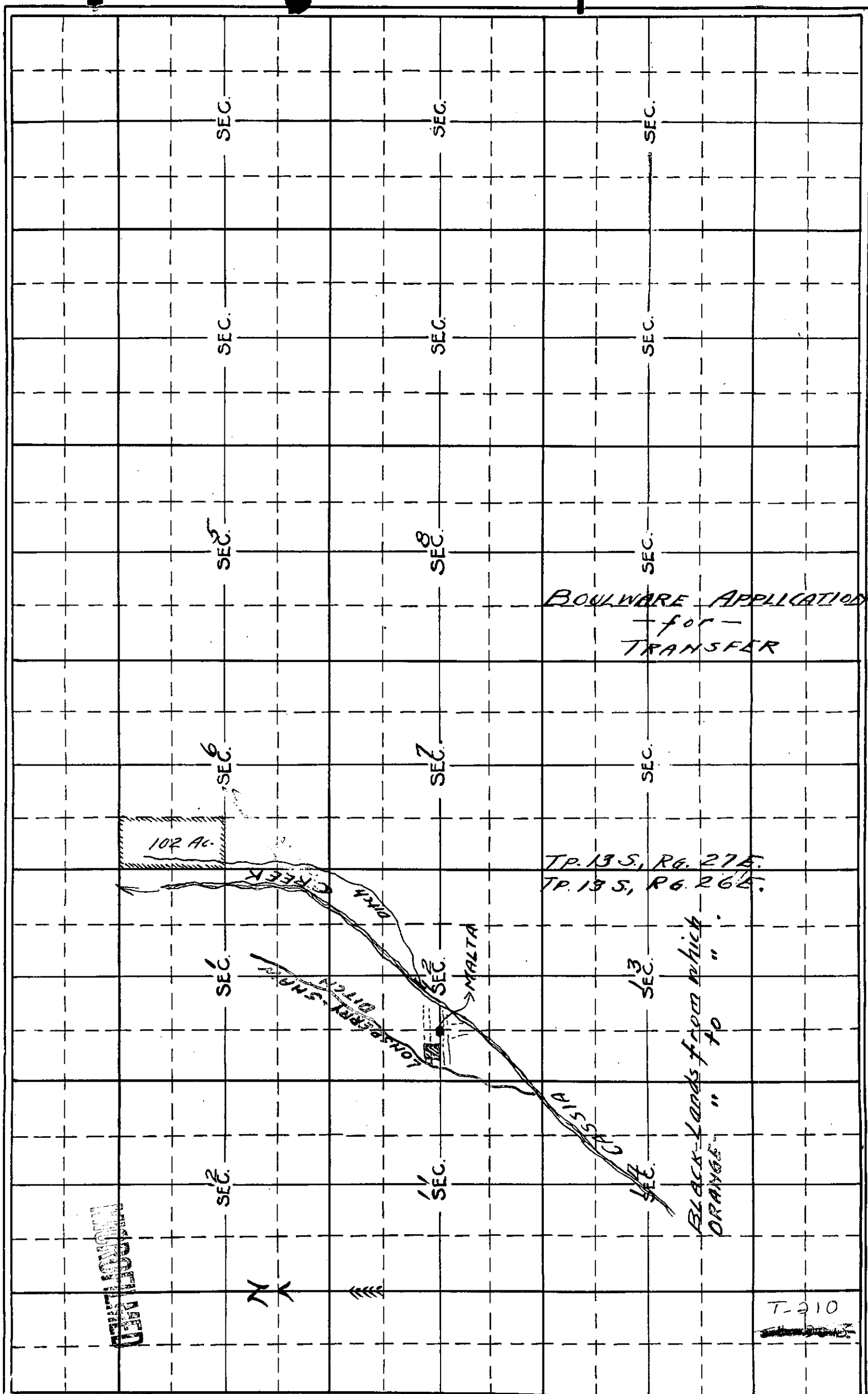
J. H. Wilcox

Deputy State Engineer  
Commissioner of Water Division No. 1

By

T-210

Name of Applicant



RECEIVED

Gravelly hill  
about 1300 ft high, 26 East  
of the above mentioned.

Stopped left of line  
standing 1.3 south of Range 2 7 East of the  
base individual  
being irrigated,

T-210

**SEC. 101**

SEC. 11

~~SEC. 12~~

SECRET

SECRET

SEC. 7

系

SEC. 42  
Andward point of Division  
road to be investigated

~~SEC. 701~~

SEC. 14

SEC. 75

SEC 70

SEC. 7

SEC. 10

Range line

|      |                              |                 |          |
|------|------------------------------|-----------------|----------|
| 20 - | Crash hatchling              | are on          | section  |
| 6 -  | 40' 30" R,                   | 2' 15" B, 30" W |          |
|      | indicate band now and with   |                 |          |
|      | crash hatchling are on my    |                 |          |
|      | section 12 - township 13     |                 |          |
| 21 - | R                            | 3, 30" W        | indicate |
|      | band of the spring at        |                 |          |
|      | Red lines indicate distances |                 |          |

Name of Applicant \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_