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BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

43-0444

IN THE MATTER OF APPLICATION FOR TRANSFER OF)
)
 WATER RIGHT NO. 43-0030, etc. in the name of)
)
 CHARLES WARR, ET AL)
)

MEMORANDUM DECISION

AND ORDER

On November 27, 1974, Charles Warr, Oleen Warr, Melvin Warr, Tom Smith, Gary Fowles, Juan Tracey, Melba Hanks, Denton Whitaker, J. D. Hutchison, John Nye, Elmo Elison, Lano Elison, Jay Harper, John A. Pierce, and Cooperative Security Corporation filed an Application for Transfer of the following water rights decreed to Albion-Idaho Land Co., A. D. and Bula Pierce, and the International Mortgage Bank in the case of Albion-Idaho Land Co. -vs- Jobe Adams, dated October 18, 1928, in the U.S. District Court, County of Cassia:

43-0030 is for the diversion of 0.8 cfs of water with a priority of April 1, 1871, to be diverted during the entire irrigation season for the irrigation of land in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 13S, Rge. 27E, B.M.

43-0032 is for the diversion of 1.2 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 13S, Rge. 27E, B.M.

43-0443 is for the diversion of .093 cfs of water with a priority of April 1, 1871, to be diverted during the entire irrigation season for the irrigation of land in the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19; NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, Twp. 13S, Rge. 27E, B.M.

43-0253 is for the diversion of 4.5 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 3 & 4, Sec. 19; E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30, Twp. 13S, Rge. 27E, B.M.

43-0444 is for the diversion of .214 cfs of water with a priority of April 1, 1871, to be diverted during the entire irrigation season for the irrigation of land in the E $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 3 & 4, Sec. 19; E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30, Twp. 13S, Rge. 27E, B.M.

43-0255 is for the diversion of 2.651 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to October 1, for the irrigation of land in the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19; SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, Twp. 13S, Rge. 27E, B.M.

43-0164 is for the diversion of .5 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 30, to July 1, for the irrigation of land in the S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 8; NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 14S, Rge. 27E, B.M.

43-0165 is for the diversion of 3.2 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 30, to July 1, for the irrigation of land in the S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, S. 7;

NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 8; NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp. 14S, Rge. 27E, B.M.

- 43-0175 is for the diversion of .5 cfs of water with a priority of April 1, 1871, to be diverted during the entire irrigation season for the irrigation of land in the S₁SW₄SW₄, Sec. 5, NE₁NW₄, W₂NW₄NE₄, E₂SW₄NE₄, SE₄NE₄, SE₄, E₂SW₄, Sec. 6; NE₄NE₄, E₂NW₄NE₄, S₂NE₄, SE₄, Sec. 7; NW₄NW₄, S₂NW₄, SW₄, Sec. 8; NW₄, N₂SW₄, Sec. 17; NE₄NE₄, N₂SE₄NE₄, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0176 is for the diversion of 4.21 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the S₁SW₄SW₄, Sec. 5, NE₁NW₄, W₂NW₄NE₄, E₂SW₄NE₄, SE₄NE₄, SE₄, E₂SW₄, Sec. 6; NE₄NE₄, E₂NW₄NE₄, S₂NE₄, SE₄, Sec. 7; NW₄NW₄, S₂NW₄, SW₄, Sec. 8; NW₄, N₂SW₄, Sec. 17; NE₄NE₄, N₂SE₄NE₄, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0166 is for the diversion of 3.2 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the S₁SW₄SW₄, Sec. 5; NE₁NW₄, W₂NW₄NE₄, E₂SW₄NE₄, SE₄NE₄, SE₄, E₂SW₄, Sec. 6; NE₄NE₄, E₂NW₄NE₄, S₂NE₄, SE₄, Sec. 7; NW₄NW₄, S₂NW₄, SW₄, Sec. 8; NW₄, N₂SW₄, Sec. 17; NE₄NE₄, N₂SE₄NE₄, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0167 is for the diversion of 3.2 cfs of water with a priority of April 1, 1871, to be diverted during the period of April 1, to July 1, for the irrigation of land in the S₁SW₄SW₄, Sec. 5; NE₁NW₄, W₂NW₄NE₄, E₂SW₄NE₄, SE₄NE₄, SE₄, E₂SW₄, Sec. 6; NE₄NE₄, E₂NW₄NE₄, S₂NE₄, SE₄, Sec. 7; NW₄NW₄, S₂NW₄, SW₄, Sec. 8; NW₄, N₂SW₄, Sec. 17; NE₄NE₄, N₂SE₄NE₄, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0168 is for the diversion of 9.6 cfs of water with a priority of April 1, 1879, to be diverted within the period of July 1, to October 1, for the irrigation of land in the S₁SW₄SW₄, Sec. 5; NE₁NW₄, W₂NW₄NE₄, E₂SW₄NE₄, SE₄NE₄, SE₄, E₂SW₄, Sec. 6; NE₄NE₄, E₂NW₄NE₄, S₂NE₄, SE₄, Sec. 7; NW₄NW₄, S₂NW₄, SW₄, Sec. 8; NW₄, N₂SW₄, Sec. 17; NE₄NE₄, N₂SE₄NE₄, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0172 is for the diversion of 3.2 cfs of water with a priority of April 1, 1879, to be diverted during the period of April 1, to October 1, for the irrigation of land in the S₁SW₄SW₄, Sec. 5; NE₁NW₄, W₂NW₄NE₄, E₂SW₄NE₄, SE₄NE₄, SE₄, E₂SW₄, Sec. 6; NE₄NE₄, E₂NW₄NE₄, S₂NE₄, SE₄, Sec. 7; NW₄NW₄, S₂NW₄, SW₄, Sec. 8; NW₄, N₂SW₄, Sec. 17; NE₄NE₄, N₂SE₄NE₄, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0169a is for the diversion of 7.2 cfs of water with a priority of June 1, 1879, to be diverted during the period of April 1, to October 1, for the irrigation of land in the S₁SW₄SW₄, Sec. 5; NE₁NW₄, W₂NW₄NE₄, E₂SW₄NE₄, SE₄NE₄, SE₄, E₂SW₄, Sec. 6; NE₄NE₄, E₂NW₄NE₄, S₂NE₄, SE₄, Sec. 7; NW₄NW₄, S₂NW₄, SW₄, Sec. 8; NW₄, N₂SW₄, Sec. 17; NE₄NE₄, N₂SE₄NE₄, Sec. 18, Twp. 14S, Rge. 27E, B.M.
- 43-0169b is for the diversion of 5.6 cfs of water with a priority of June 1, 1879, to be diverted during the period of April 1, to October 1, for the irrigation of land in the W₂SW₄SE₄, Sec. 31, Twp. 13S, Rge. 27E, B.M., and the E₂NW₄NE₄, NE₄NE₄, W₂SW₄NE₄, W₂SE₄NW₄, Sec. 6; W₂NW₄NE₄, Sec. 7; S₂SE₄NE₄, Sec. 18; N₂SW₄SW₄, S₂NW₄SW₄, NE₄SW₄, N₂SE₄SW₄, Sec. 5; S₂NE₄NW₄, W₂NW₄SE₄, SW₄SE₄, Sec. 8; W₂NE₄, Sec. 17, Twp. 14S, Rge. 27E, B.M.
- 43-0170 is for the diversion of 2.4 cfs of water with a priority of April 1, 1881, to be diverted during the period of April 1, to October 1, for the irrigation of land in the W₂SW₄SE₄, Sec. 31, Twp. 13S, Rge. 27E, B.M., and the E₂NW₄NE₄, NE₄NE₄, W₂SW₄NE₄, W₂SE₄NW₄, Sec. 6; W₂NW₄NE₄, Sec. 7; S₂SE₄NE₄, Sec. 18; N₂SW₄SW₄, S₂NW₄SW₄, NE₄SW₄, N₂SE₄SW₄, Sec. 5; S₂NE₄NW₄, W₂NW₄SE₄, SW₄SE₄, Sec. 8; W₂NE₄, Sec. 17, Twp. 14S, Rge. 27E, B.M.
- 43-0173 is for the diversion of 6.4 cfs of water with a priority of April 1, 1882, to be diverted during the period of April 1, to October 1, for the irrigation of land in the W₂NW₄SE₄, E₂SW₄SE₄, SE₄SE₄, NE₄SE₄, Sec. 31, Twp. 13S, Rge. 27E, B.M., and in the S₂NW₄, N₂NW₄SW₄, S₂SE₄SW₄, Sec. 5; N₂NE₄NW₄, E₂NW₄SE₄, SE₄SE₄, Sec. 8; E₂

43-0171 is for the diversion of 10.0 cfs of water with a priority of March 1, 1883, to be diverted during the period of April 1, to October 1, for the irrigation of land in the W $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 30, Twp. 13S, Rge. 27E, B.M., and in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 13S, Rge. 26E, B.M.

The point of diversion for the above described rights is presently in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, Twp. 14S, Rge. 27E, B.M., which is requested changed by this transfer application to points within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7; NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 14S, Rge. 27E, B.M., Cassia County. Notice of this proposed transfer was published in the South Idaho Press, Burley, Idaho, on December 10, 1974, and December 17, 1974.

The Department received protest against approval of said application from Frank Olson and Dwayne D. Ward. Mr. Ward withdrew his protest on January 6, 1975. A hearing concerning this matter was held at Burley, Idaho, on February 14, 1975. At the hearing, the applicants were represented by their attorney, William A. Parsons, and the protestant was represented by his attorney, Lloyd Webb.

The issues raised at the hearing were whether the rights would be expanded by changing the season of use, and whether the change would injure the existing water rights.

Following the hearing, a field inspection of the proposed transfer was conducted by Department personnel with representatives of both the applicants and the protestant present.

Based upon the information in the file, the statements made at the hearing, the information obtained from the field inspection, and the Department's understanding of the law, the Director makes the following Findings of Fact, Conclusions of Law, and Order:

Findings of Fact

- (1) The applicants are the owners of the water rights requested transferred.
- (2) The applicants did not intend to apply for a change in the period of use set forth in the Albion-Idaho Land Company -vs- Jobe Adams decree for the rights included in the application for transfer, nor are they expanding the use of those rights or changing the season of use.
- (3) The protestant's wells are located up-gradient, in relation to the flow of the Raft River, from the points of diversion of the surface waters being transferred, and ground water levels in that area will not be affected by the changes in the points of diversion.
- (4) The transmission losses in the existing Raft River channel are high, therefore, the change of the points of diversion, and a more efficient delivery system will, in the case of each right, result in the net reduction of water lost.

Conclusions of Law

- (1) There will be no expansion of the rights sought to be transferred.

(2) There will be no injury to existing water rights since the protestant's wells are up-gradient from those of the applicant.

(3) The applicants are the owners of the rights sought to be transferred and are entitled to transfer the water as proposed.

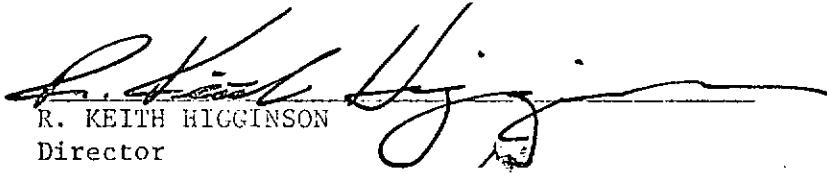
(4) The protest of Frank Olson is unfounded and must be rejected.

Order

IT IS, THEREFORE, ORDERED that the Application for Transfer No. 43-0030, 43-0032, 43-0443, 43-0253, 43-0444, 43-0255, 43-0164, 43-0165, 43-0175, 43-0176, 43-0166, 43-0167, 43-0168, 43-0172, 43-0169a, 43-0169b, 43-0170, 43-0173, 43-0171 is hereby APPROVED subject to the following conditions:

1. That measuring devices of the type approved by the Department be permanently installed and maintained as part of the diversion works.
2. That the season of use for each right transferred be limited to that set forth for that right by the decree.

Dated this 31 day of March, 1975.


R. KEITH HIGGINSON
Director

Identification No. _____

Transfer No. 43-0030, etc. #1544

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder (See Attached Form)
Post office address (See Attached Form)
2. Right obtained by:
- a. Decree to (See Attached Form) in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Raft Rivers & Tributaries tributary to Snake River
(Name of stream or source)
4. Date of Priority (See Attached Form)
5. Amount of water a. (See Attached Form) c.f.s. and/or
b. _____ acre feet/annum
"Allow season set forth by the decree"
6. Water is used for irrigation from March 15 to November 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is NE 1/4 SE 1/4 of Section 18,
Township 14S, Range 27E, B.M., in Cassia County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use: Same

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres presently irrigated _____

1. Name of Right HoldersAddress

1. Charles Warr	Malta, Idaho
2. Oleen Warr	"
3. Melvin Warr	"
4. Tom Smith	"
5. Gary Fowles	"
6. Juan Tracey	"
7. Melba Hanks	"
8. Denton Whitaker	"
9. J. D. Hutchison	"
10. John Nye	"
11. Elmo Elison	"
12. Lano Elison	"
13. Jay Harper	"
14. Cooperative Security Corporation	"
15. John A. Pierce	"

2. Right obtained by:

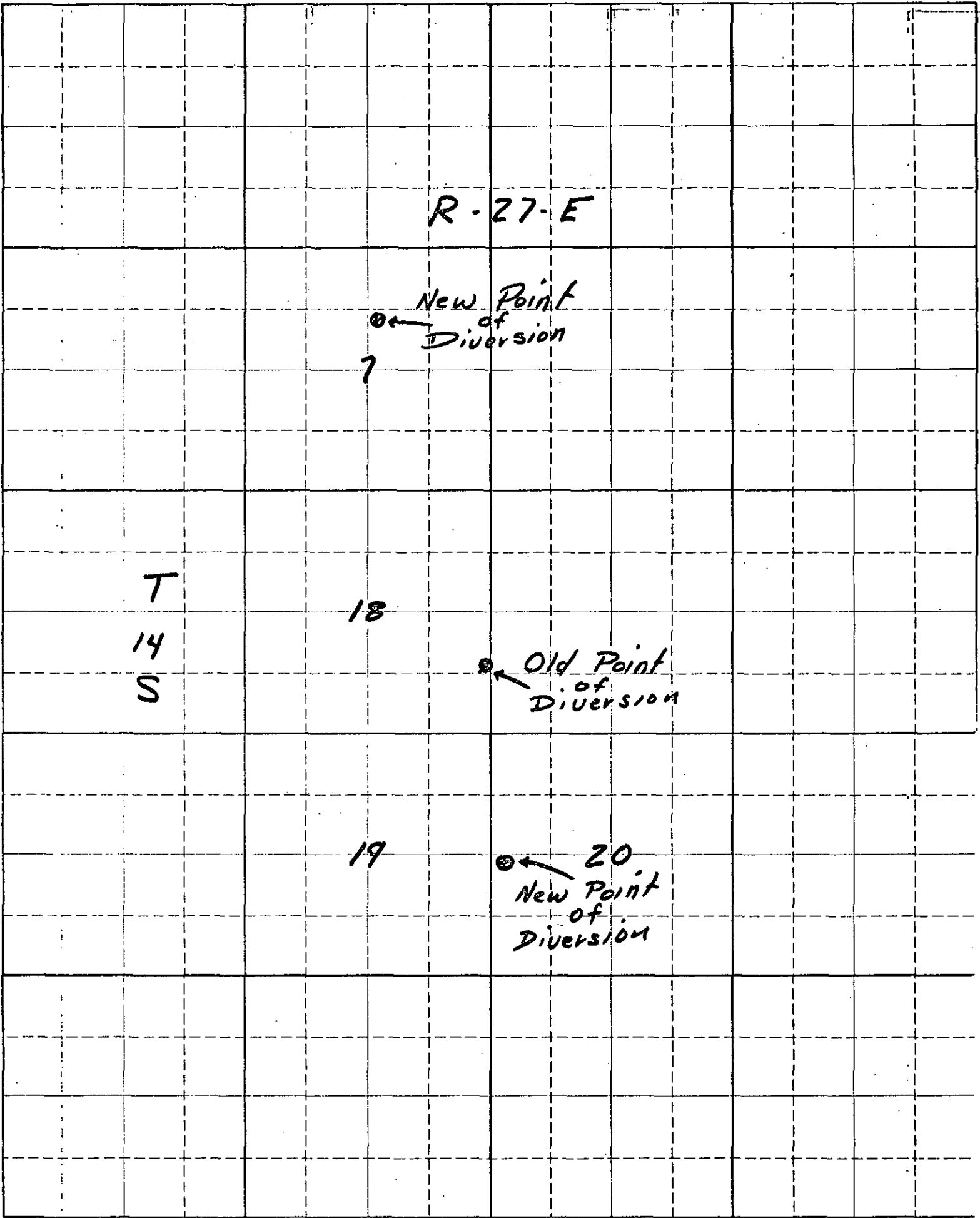
a. Decreed to Albion-Idaho Land Co., A. D. & Bula Pierce & International Mortgage Bank in Case of Albion-Idaho Land Co. vs. Jobe Adams, Dated October 18, 1928 in U. S. District Court, County of Cassia.

3. Source of Water: Raft Rivers & Tributaries tributary to Snake River.

4. Date of Priority:

<u>Ident. No.</u>	<u>Decreed Owner</u>	<u>C.F.S.</u>	<u>Priority</u>	<u>Land Description</u>
(A) 43-0030	Albion-Idaho Land Co. Trans. #544	.8	4-1-71	SW,NWSE,Sec. 19,NW, NWNE, Sec.30, T.13S,R.27E
(B) 43-0032	"	1.2	4-1-71	SW,NWSE,Sec. 19,NW, NWNE, Sec.30, T.13S,R.27E
(C) 43-0443	"	.093	4-1-71	SW,NWSE,Sec. 19,NW, NWNE, Sec.30, T.13S,R.27E
(D) 43-0253	A. D. & Bula Pierce	4.5	4-1-71	E $\frac{1}{2}$ SW, Lot 3 & 4, Sec. 19; E $\frac{1}{2}$ NW, Sec. 30, T.13S,R.27E
(E) 43-0442	"	.214	4-1-71	E $\frac{1}{2}$ SW, Lot 3 & 4, Sec. 19; E $\frac{1}{2}$ NW, Sec. 30, T.13S,R.27E
(F) 43-0255	"	2.651	4-1-71	E $\frac{1}{2}$ SW, Sec. 19; SWNW, NWNW, Sec. 30, T.13S, R.27E
(G) 43-0164	International Mort.Bank Trans. #665	.5	4-1-71	S $\frac{1}{2}$ SWSW,Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE, SENE, SE, E $\frac{1}{2}$ SW,6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ NE, SE,7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, N $\frac{1}{2}$ SW,17; NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R.27E, B.M.
(H) 43-0165	"	3.2	4-1-71	S $\frac{1}{2}$ SWSW, Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE, SENE, SE, E $\frac{1}{2}$ SW, 6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ NE, SE, 7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, N $\frac{1}{2}$ SW, 1 NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R.27E, B.M.
(I) 43-0175	"	.5	4-1-71	S $\frac{1}{2}$ SWSW, Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE, SENE, SE, E $\frac{1}{2}$ SW, 6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ NE, SE, 7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, N $\frac{1}{2}$ SW, 1 NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R.27E, B.M.
(J) 43-0176	"	4.21	4-1-71	S $\frac{1}{2}$ SWSW, Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE, SENE, SE, E $\frac{1}{2}$ SW, 6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ NE, SE, 7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, N $\frac{1}{2}$ SW,17 NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R.27E, B.M.

<u>Ident. No.</u>	<u>Decreed Owner</u>	<u>C.F.S.</u>	<u>Priority</u>	<u>Land Description</u>
(K) 43-0166	International Mort.Bank Trans. #665	3.2	4-1-71	S $\frac{1}{2}$ SWSW, Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE SENE, SE, E $\frac{1}{2}$ SW, 6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ N SE, 7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, W $\frac{1}{2}$ SW, 1 NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R.27E, B.M.
(L) 43-0167	"	3.2	4-1-71	S $\frac{1}{2}$ SWSW, Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE SENE, SE, E $\frac{1}{2}$ SW, 6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ N SE, 7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, W $\frac{1}{2}$ SW, 1 NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R.27E, B.M.
(M) 43-0168	"	9.6	4-1-79	S $\frac{1}{2}$ SWSW, Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE SENE, SE, E $\frac{1}{2}$ SW, 6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ N SE, 7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, W $\frac{1}{2}$ SW, 1 NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R.27E, B.M.
(N) 43-0172	"	3.2	4-1-79	S $\frac{1}{2}$ SWSW, Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE SENE, SE, E $\frac{1}{2}$ SW, 6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ N SE, 7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, W $\frac{1}{2}$ SW, 1 NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R. 27E, B.M.
(O) 43-0169a	"	7.2	6-1-79	S $\frac{1}{2}$ SWSW, Sec. 5, NENW, W $\frac{1}{2}$ NWNE, E $\frac{1}{2}$ SWNE SENE, SE, E $\frac{1}{2}$ SW, 6; NENE, E $\frac{1}{2}$ NWNE, S $\frac{1}{2}$ N SE, 7; NWNW, S $\frac{1}{2}$ NW, SW, 8; NW, W $\frac{1}{2}$ SW, 1 NENE, N $\frac{1}{2}$ SENE, 18, T.14S, R.27E, B.M.
(P) 43-0169b	"	5.6	6-1-79	W $\frac{1}{2}$ SWSE, 31; T.13S, R.27E, B.M. E $\frac{1}{2}$ NWNE NENE, W $\frac{1}{2}$ SWNE, W $\frac{1}{2}$ SENE, 6; W $\frac{1}{2}$ NWNE, 7; S $\frac{1}{2}$ SENE, 18; N $\frac{1}{2}$ SWSW, S $\frac{1}{2}$ NWSW, NESW, N $\frac{1}{2}$ SE 5; S $\frac{1}{2}$ NENW, W $\frac{1}{2}$ NWSE, SWSE, 8; W $\frac{1}{2}$ NE, 17 T.14S, R.27E, B.M.
(Q) 43-0170	"	2.4	4-1-81	W $\frac{1}{2}$ SWSE, 31; T.13S, R.27E, B.M. E $\frac{1}{2}$ NWNE NENE, W $\frac{1}{2}$ SWNE, W $\frac{1}{2}$ SENE, 6; W $\frac{1}{2}$ NWNE, 7; S $\frac{1}{2}$ SENE, 18; N $\frac{1}{2}$ SWSW, S $\frac{1}{2}$ NWSW, NESW, N $\frac{1}{2}$ SE SESW, 5; S $\frac{1}{2}$ NENW, W $\frac{1}{2}$ NWSE, SWSE, 8; W $\frac{1}{2}$ NE, 17; T.14S, R.27E, B.M.
(R) 43-0173	"	6.4	4-1-82	W $\frac{1}{2}$ NWSE, E $\frac{1}{2}$ SWSE, SESE, NESE, 31; T.13S R.27E, B.M., S $\frac{1}{2}$ NW, N $\frac{1}{2}$ NWSW, S $\frac{1}{2}$ SESW, 5 N $\frac{1}{2}$ NENW, E $\frac{1}{2}$ NWSE, SESE, 8; E $\frac{1}{2}$ NE, 17; E $\frac{1}{2}$ SENE, 6, T.14S, R.27E.
(S) 43-0171	"	10.0	3-1-83	W $\frac{1}{2}$, N $\frac{1}{2}$ NE, 31; S $\frac{1}{2}$ SW, 30; T.13S, R.27E B.M., E $\frac{1}{2}$ SESE, 25; T.13S, R.26E



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

2. If applicant was not the original holder of this right explain how it was acquired: By purchase of land

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 68.668 c.f.s. and/or -- acre feet

b. New point of diversion: SW 1/4 NE 1/4, Section 7, Township 14S
Range 27E, B.M. & NWSW, Sec. 20, T 14S, R 27E

c. Description of method of diversion and conveyance from new points of diversion: Concrete headgate with measuring devices

d. Is water to be conveyed to the lands previously irrigated? Yes X No

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

The old channel absorbs too much of the water in the creek.

The total amount can be delivered at both points of diversion.

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE Same

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
								SAME											

Total number of acres to be irrigated

See file no. 43-0030

for letters, etc.

concerning this
TRANSFER

MICROFILMED