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Documents
In File

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

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

APPROVED

1. Name of Right Holder Ray Sanders
- Post office address Hamer, Idaho 83425
2. Right obtained by:
- a. Decree to Chetwin Smith in Case of Ernest Sauve
- vs. W. H. Abbott, et al, (Name) Dated Nov. 1, 1930 in U. S. District Court, Eastern Div. (Name of Court)
- Court. County of Bannock
- b. License No. issued by the State of Idaho, Department of Reclamation.
3. Source of water Ching Creek tributary to Camas Creek
- (Name of stream or source)
4. Date of Priority August 9, 1911
5. Amount of water a. 3.2 c.f.s. and/or
- b. acre feet/annum
6. Water is used for Irrigation from April 1 to November 1
- (Month, Day) (Month, Day)
7. Original location of point of diversion is SW 1/4 SW 1/4 of Section 21
- Township 13N, Range 39E, B.M., in Clark County;
- Additional points of diversion, if any

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13N	39E	33		40	40		40			40									160

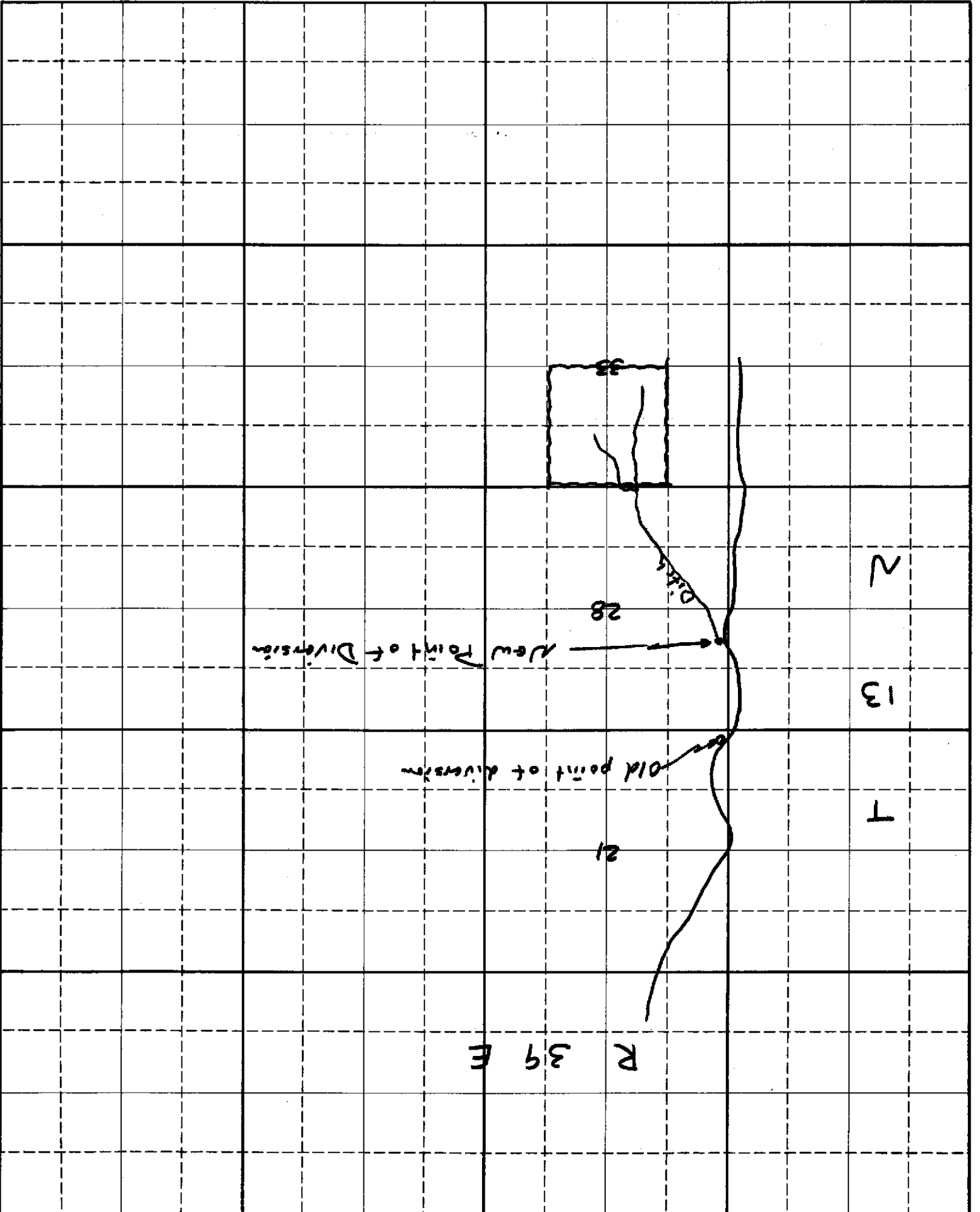
Total number of acres presently irrigated 160

CENTROID

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MAY 19 1964

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



9. If applicant was not the original holder of this right explain how it was acquired: _____
Purchased in 1954 from Smith Kent _____

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 3.2 c.f.s. and/or _____ acre feet
- b. New point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 13N
_____, Range 39E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
Wooden check in creek with Calco Screwgate Headgate to open ditch.

- 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:
Creek channel changed by flood water over the years. New point of diversion
more feasible location.

- 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 NO CHANGE

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

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

Total number of acres to be irrigated _____

b. Do you intend to make the transfer permanent?
c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Ray J. Davis
(signature of applicant)
day of OCTOBER 9th, 1974
Donald D. Colby
(notary public)

My commission expires 2/19/78

**ACTION OF DIRECTOR, DEPT. OF WATER RESOURCES
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0235
APPROVED
and said application is hereby

1. Approval of said application is subject to the following limitations and conditions:
A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons:

Witness my hand this 19 day of November, 1974.

R. Keith Higginson
R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

FOR DEPARTMENT USE ONLY

Received by MB Date 10-9-74

Prelim. check by Jay Date 10/9/74

Fee received by MB Date 10-9-74 Fee \$ 30.00
13012

Approved for publication by MB Date 10/29/74
Published in Engineering Abstracts Oct 17+24, 1974

Hearing held _____

Watermaster Recommendation sent MB 10-10-74
MB #31

Proof of Publication

RECEIVED
OCT 29 1974

Department of Water Resources
Eastern District Office

STATE OF IDAHO }
County of Clark }

ss.

John A. Porter being
first duly sworn, deposes and says that he is the
printer of THE CLARK COUNTY
ENTERPRISE, a weekly newspaper published in
Dubois, Clark County, in the State of Idaho. That

the change of water right,
a true copy of which is hereto attached was pub-
lished in THE CLARK COUNTY ENTERPRISE for

two consecutive weeks, first publication

having been made on the 17 day of

October, 19 74 and the last

publication having been made on the 24

day of October, 19 74.

That said paper has been continuously and
uninterruptedly published in said county during
a period of seventy-eight consecutive weeks
prior to the first publication of said notice or
advertisement, and is a newspaper within the
meaning of the laws of Idaho.

SUBSCRIBED AND SWORN TO before me
this 25 day of October, A. D. 19 74

Roger D. Porter
Notary Public.

My commission expires 8-5, 19 77.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 31-0235

Notice is hereby given that Ray
Sanders, Hamer, Idaho, has applied to
the Department of Water Resources
for a change of the point of diversion of
the waters of Ching Creek tributary to
Camas Creek. The right sought to be
changed is evidenced by decree to
Chetwin Smith in case of Ernest Sauve
-vs- W. H. Abbott, et al, dated
11/1/1930 in U.S. District Court, East-
ern Division, Bannock County and is
recorded as follows:

AMOUNT: 3.2 cfs
PRIORITY: August 9, 1911
DECREE POINT OF DIVERSION:
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 13N, R. 39E,
B.M., Clark County
The water is used to irrigate 160
acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 33, T. 13N, R. 39E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 13N, R. 39E,
B.M., Clark County.

Any protest against approval of the
above proposed change of water right
must be filed with the Idaho Depart-
ment of Water Resources, 1515 Lin-
coln Road, Idaho Falls, Idaho 83401,
on or before November 4, 1974.

R. KEITH HIGGINSON
Director

Published in the Enterprise-Citizen,
Rexburg, Idaho, on October 17 and
October 24, 1974.

RECORDED
INDEXED

November 20, 1974

Re: ^{TRANSFER} Permit No. 31-0235

Mr. Ray Sanders
Hamer,
Idaho 83425

Dear Mr. Sanders:

Enclosed is a copy of your approved Application for Transfer No. 31-0235. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your Transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

cc: Donald H. Shenton, Watermaster
Box 33
Dubois, Idaho 83423

RECEIVED

INTER-DEPARTMENT MEMO — 1

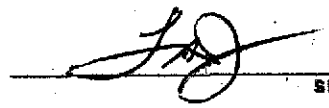
FROM Loy Johnson

TO Bob Fleenor *ok DF*

SUBJECT APPLICATION FOR TRANSFER NO. 31-0235

I recommend that the above subject application be approved to the condition that a measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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SIGNATURE

Chetwin Smith

1911 - August 9

Ray Sanders

31 0235

3.2 c.f.s. Source: Ching Creek, a tributary
of Canas Creek.

Point of Diversion: In the South-
west Quarter of the Southwest Quar-
ter of Section 21, Township 13
North, Range 39 East, B.M.

For use on the following described
land, to-wit: The East Half of the
Northwest Quarter, and the West Half
of the Northeast Quarter of Section
33, Township 13 North, Range 39
East, B.M.

No. 123

*checked
11/4/74 JHJ*

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

OCT 24 1974

NO. 31-0235

Department of Water Resources
Eastern District Office

RECOMMENDATION OF WATERMASTER

I, DONALD W. SHENTON, watermaster of CAMAS Creek + Mud, Lake
of Water District No. 31, County of CLARK, State of Idaho,
whose address is Box 33 Dubois, Idaho
have read the attached copy of the application for transfer of water right for _____
Ray Sander, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: NONE

OR

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

Dated at Dubois, Idaho, this 23 day of October 1974

Donald W. Shenton
(signature)

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~~XXXXXXXXXXXXXXXXXXXX~~ RESOURCES

October 11, 1974

Re: Application for Transfer: 31-0235 Sanders

Enterprise-Citizen
Box 7
Rexburg, ID 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

Bill submitted 10-29-74 by Ad

RDC:MB

Enc: Legal Notice (1)

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 31-0235

Notice is hereby given that Ray Sanders, Hamer, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of Ching Creek tributary of Camas Creek. The right sought to be changed is evidenced by decree to Chetwin Smith in case of Ernest Sauve -vs- W. H. Abbott, et al, dated 11/1/1930 in U. S. District Court, Eastern Division, Bannock County and is recorded as follows:

AMOUNT: 3.2 cfs

PRIORITY: August 9, 1911

DECREED POINT OF DIVERSION: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 13N, R. 39E, B.M.,
Clark County;

The water is used to irrigate 160 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 33, T. 13N, R. 39E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 13N, R. 39E, B.M.,
Clark County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401, on or before November 4, 1974.

R. KEITH HIGGINSON

Director

Published in the Enterprise-Citizen, Rexburg, Idaho, on October 17 and October 24, 1974.

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CB-A
CB-A

XXXXXXXXXXXXXXXXXXXXX RESOURCES

October 10, 1974

Re: Application for Transfer No. 31-0235

Mr. Donald Shenton, Watermaster
Water District No. 31
Dubois, Idaho 83423

Dear Mr. Shenton:

Enclosed please find a copy of the above referenced application and a Recommendation of Watermaster form. Please complete the form and return it to this office on or before November 4, 1974.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Acting District Engineer

RDC:MB

Enclosures

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