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SEC.

SEC.

32

33

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Ditch No. 2

New point of diversion
Decreed point
of diversion

Tupper Creek

Ditch No. 1

MICROFILMED

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
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	Robbins, Mrs. Frank	1.5		31-0219
881	Jones, RuLon H.	1.5	0	31-0219A

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

RULON H. JONES
of
RIGBY, IDAHO

ORDER GRANTING TRANSFER

NO. 881

For a Transfer of Water Right, in
Water District No. 66 Clark County,
Idaho.)

WHEREAS, On the 15th day of October, 1956, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of RULON H. JONES of Rigby, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the publication, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will 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 to be issued to 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 official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of February, A. D. 1957.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 881

THIS IS TO CERTIFY That RULON H. JONES of Rigby, Idaho, is the owner of and using a certain water right from Tuffey Creek (sometimes known as Tupper Creek) and Long Creek, a tributary to Beaver Creek in the amount of 1.5 cubic feet per second bearing date of priority of June 1, 1898, said water being decreed to Mrs. Frank Robbins, by Judge Charles C. Cavanah of the United States District Court, Judicial District of the State of Idaho, in and for the County of Clark, in the case of

ERNEST SAUVE,

Plaintiff,

vs.

W. H. ABBOTT, ET AL.,

Defendants,

Said decree bearing date of November 1, 1930, and being appurtenant to the following described lands, to-wit:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ N $\frac{1}{2}$, Section 33, Twp. 14 N., Range 36 E. B. M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees beginning at Page 535 thereof.

That said RULON H. JONES has become the owner of said water by means conveyance.

And that now, upon the application of Rulon H. Jones of Rigby, Idaho, for the transfer of 1.5 cubic feet per second of the waters of Tuffey Creek (sometimes known as Tupper Creek) and Long Creek, made before the State Reclamation Engineer of the State of Idaho, and having been granted the right to the use of 1.5 cubic feet per second of the waters of Tuffey Creek and Long Creek upon the above described lands 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, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; Twp. 14 N., R. 36 E.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

1.5 cubic feet per second bearing priority
date of June 1, 1898.

That the water right hereby transferred has heretofore been conducted from Tuffey Creek and Long Creek to the first above described lands through private ditch with point of diversion in the

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Twp. 14 N., Range 36 E., B. M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through private ditch with point of diversion located in the

NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Twp. 14 N., Range 36 E., B. M.

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 official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of February, A. D. 1957.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

RULON H. JONES
of
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NO. 881

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Water District No. 66 Clark County,)
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NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer to be issued to the applicant herein, as provided by the laws of the State of Idaho.

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION

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ERNEST SAUVE,

Plaintiff,

vs.

W. H. ABBOTT, ET AL.,

Defendants,

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N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Twp. 14 N., Range 36 E. B. M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees beginning at Page 535 thereof.

That said RULON H. JONES has become the owner of said water by means conveyance.

And that now, upon the application of Rulon H. Jones of Rigby, Idaho, for the transfer of 1.5 cubic feet per second of the waters of Tuffey Creek (sometimes known as Tupper Creek) and Long Creek, made before the State Reclamation Engineer of the State of Idaho, and having been granted the right to the use of 1.5 cubic feet per second of the waters of Tuffey Creek and Long Creek upon the above described lands 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, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; Twp. 14 N., R. 36 E.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

1.5 cubic feet per second bearing priority
date of June 1, 1898.

That the water right hereby transferred has heretofore been conducted from Taffey Creek and Long Creek to the first above described lands through private ditch with point of diversion in the

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Twp. 14 N., Range 36 E., B. M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through private ditch with point of diversion located in the

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MARK R. KULP
State Reclamation Engineer

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MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

RULON H. JONES)
of)
RIGBY, IDAHO)

ORDER GRANTING TRANSFER

NO. 881

For a Transfer of Water Right, in)
Water District No. 66, Clark County,)
Idaho.)

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WHEREAS, No protest has been filed against the publication, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will 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 to be issued to 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 official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of February, A. D. 1957.

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MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 881

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ERNEST SAUVE,

Plaintiff,

vs.

W. H. ABBOTT, ET AL.,

Defendants,

Said decree bearing date of November 1, 1930, and being appurtenant to the following described lands, to-wit:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ M $\frac{1}{4}$, Section 33, Twp. 14 N., Range 36 E. B. M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees beginning at Page 535 thereof.

That said RULON H. JONES has become the owner of said water by means conveyance.

And that now, upon the application of Rulon H. Jones of Rigby, Idaho, for the transfer of 1.5 cubic feet per second of the waters of Tuffey Creek (sometimes known as Tupper Creek) and Long Creek, made before the State Reclamation Engineer of the State of Idaho, and having been granted the right to the use of 1.5 cubic feet per second of the waters of Tuffey Creek and Long Creek upon the above described lands 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, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; Twp. 14 N., R. 36 E.

That the said water is to be limited at anygiven time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

1.5 cubic feet per second bearing priority
date of June 1, 1898.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

RULON H. JONES
of
RIGBY, IDAHO)

ORDER GRANTING TRANSFER

NO. 881

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Mark R. Kulp

MARK R. KULP

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 881

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ERNEST SAUVE,

Plaintiff,

vs.

W. H. ABBOTT, ET AL.,

Defendants,

Said decree bearing date of November 1, 1930, and being appurtenant to the following described lands, to-wit:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ N $\frac{1}{2}$, Section 33, Twp. 14 N., Range 36 E. B. M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees beginning at Page 535 thereof.

That said RULON H. JONES has become the owner of said water by means conveyances.

And that now, upon the application of Rulon H. Jones of Rigby, Idaho, for the transfer of 1.5 cubic feet per second of the waters of Tuffey Creek (sometimes known as Tupper Creek) and Long Creek, made before the State Reclamation Engineer of the State of Idaho, and having been granted the right to the use of 1.5 cubic feet per second of the waters of Tuffey Creek and Long Creek upon the above described lands 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, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; Twp. 14 N., R. 36 E.

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

1.5 cubic feet per second bearing priority
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NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Twp. 14 N., Range 36 E., B. M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through private ditch with point of diversion located in the

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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 official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of February, A. D. 1957.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

508 ✓

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF IDAHO, EASTERN DIVISION

ERNEST SAUVE,

Plaintiff,

No. 632. -- In Equity

- vs -

DECREE

To W. H. Abbott, Fay Abbott, Mary C. Adels, Allen Almonde, G. B. Allen, Allen & Harn, a co-partnership, consisting of G. B. Allen and H. R. Harn; Wm. A. Andrews, Joseph Andrasen, Anderson Bros. Bank, a corporation; Gerret Auldhouse (sometimes known as Gerret Oldhouse); Clausen Auldhouse (sometimes known as Clausen Oldhouse), William Axline, Ernest Bauerle, Edward C. Barnes, May L. Barnes, Lovisa Barney, Arthur J. Barber, Charles Bartlett, Ambrose J. Beckner, Laura E. Beckner, William Beck, David Bethune, Lloyd Bennett, Gus E. Brauer, Administrator of the Estate of Annie J. Bennett, deceased; A. W. Belnap, C. W. Belnap, The Bennett Investment Company, Limited, a corporation; Gussie Binnard, Burka Binnard, Horace L. Birch, Binnard Ranch Company, a corporation; B. Binnard, Sarah Binnard and E. F. Mobley, Trustees for Binnard Ranch Company, a defunct corporation; Charles O. Rickman, as Trustee in Bankruptcy of Binnard Ranch Company, a corporation; Oscar A. Johanneson, as Receiver of Binnard Ranch Company, a corporation; Heber J. Blackburn, W. B. Boucher, Ray Bohnay, R. T. Boatman, Mary Nicholas Boyd, Frank Boe, Charles E. Brosic, E. L. Browning, Adna E. Bramwell, Afton Bradshaw, Theresa Brinkmann, Lottie Burcham, G. F. Burcham, Kath-

Mrs. Frank Robbins

1896 - May 15

31 218
0.8 c.f.s.

Source: Kodock Creek, a tributary of Beaver Creek.

Point of Diversion: In the Southeast quarter of the Northeast Quarter of Section 29, Township 14 North, Range 36 East, B. E.

For use on the lands hereinafter described.

1896 - June 1

31 218
1.5 c.f.s.

Source: Tuffey Creek (sometimes known as Tupper Creek), a tributary of Beaver Creek.

Point of Diversion: In the Northwest Quarter of the Northwest Quarter of Section 22, Township 14 North, Range 36 East, B. E.

For use on the following described land, to-wit: The North Half of the Southwest Quarter, the Southeast Quarter of the Northwest Quarter, and the Southwest Quarter of the Northeast Quarter, of Section 33, Township 14 North, Range 36 East, B. E.

Trans 881

100
MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho, Sept. 25, 1957 No. 8782

RECEIVED FROM B. H. Thomas of Dubois, Idaho \$ 1 00
One and 00/100 DOLLARS

FOR

Carey Act Trust Fund	- - -	\$	
Application for Permit No.	- - -	\$	
Proofs	- - - - -	\$	
Certified Copy	- - -	\$	
Recording Fee	- - -	\$	<u>1 00</u>
Certificate	- - - - -	\$	
TOTAL	- - -	\$	<u>1 00</u>

Mark R. Kulp
State Reclamation Engineer

By Edna P. Rutledge

unc-702
B. H. THOMAS

CLERK OF BOARD OF COUNTY COMMISSIONERS
EX-OFFICIO AUDITOR AND RECORDER
CLERK OF THE DISTRICT COURT
CLARK COUNTY
DUBOIS, IDAHO

RECEIVED
JAN 10 1957
Department of Reclamation

January 7, 1957

Department of Reclamation
Boise, Idaho

Attention: Mr. Roy W. Thompson, Office Manager

Re: Transfer of Water Right of Rulon H. Jones

Dear Mr. Thompson:

As requested in your letter of January 3rd I am enclosing
\$1.00 in currency to cover the recording fee on the above transfer.

Please forward the Certificate of Transfer at your convenience.

With best of wishes for the New Year, I am

Yours very truly



B. H. Thomas

cc. to Rulon H. Jones
Route #1
Rigby, Idaho

RECEIVED
JAN 10 1957
DEPARTMENT OF RECLAMATION

January 3, 1957

Re: Transfer of Water Right
Ruland H. Jones

Mr. B. H. Thomas, Clerk
Board of County Commissioners
Clark County
Debois, Idaho

Dear Mr. Thomas:

Relative to the Transfer of Water Right, in the name of Ruland H. Jones, everything is in readiness so that we can process the transfer, however, there is a one dollar recording fee that Mr. Jones should send in at his first opportunity.

We will get the Certificate of Transfer out within the next few days.

Wishing you a Happy New Year, I am,

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:nls

February 19, 1957

RE: Transfer of Water Right No. 881

Mr. Rulon H. Jones
Rigby, Idaho

Dear Mr. Jones:

Enclosed herewith is the Certificate of Water Right
transferring the water from Tupper Creek and Long Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:vem

Encl.

cc. Loy H. Johnson
Watermaster Dist. # 66
Dubois, Idaho

RECEIVED
FEB 21 1957

B. H. THOMAS
CLERK OF BOARD OF COUNTY COMMISSIONERS
EX-OFFICIO AUDITOR AND RECORDER
CLERK OF THE DISTRICT COURT
CLARK COUNTY
DUBOIS, IDAHO

December 28, 1956

RECEIVED
DEC 31 1956
Department of Reclamation

State Department of Reclamation
State House
Boise, Idaho

Attention: Mr. Roy W. Thompson, Office Manager

Dear Mr. Thompson:

Reference is made to Application for Transfer for Water Right of Rulon H. Jones and your letter to me under date September 25, 1956.

The Notice for Proposed Transfer of Water Right covering this application was published in the Clark County Enterprise on September 28th and October 5, 1956 and I am enclosing herewith proof of publication thereof. Mr. Jones has paid the Clark County Enterprise for this publication.

Mr. Jones was just in the office and advised me had not received certificate of transfer and asked what I write you concerning same.

Please give this your immediate attention and advise me when we can expect the transfer certificate.

Yours very truly


B. H. Thomas

BHT:baw

cc: Mr. Rulon H. Jones
Rt. #1
Rigby, Idaho

RECEIVED

Proof Of Publication

RECEIVED
DEC 31 1956

Department of Reclamation

STATE OF IDAHO }
County of Clark }

Lowell L. Leek 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 Notice of Transfer
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 28th day of

September, 1956 and the last

publication having been made on the 5th

day of October, 1956.

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

Lowell L. Leek

SUBSCRIBED AND SWORN TO before me this

28th day of December, A. D., 1956.

[Signature]

Clerk of the District Court, Clark County,
Idaho My commission expires 19.

Legal Notice

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Ru-
lon H. Jones, of Rt. 1, Rigby, Ida-
ho, has applied to the State Rec-
lamation Engineer of the State of
Idaho for a certificate authorizing
him to change the point of diver-
sion and place of use of the waters
of Tuffy and Long Creeks, as fol-
lows: Amount: 1.5 cubic feet per
second. Priority: June 1, 1898.
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 22, Township 14, N., Range
36 E. B. M. Place of Use: N $\frac{1}{2}$
SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Twp.
14, N. Range 36, E.

To Be Transferred To:

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 21, Township 14, N., Range
36, E. B. M. Place of Use: N $\frac{1}{2}$
NE $\frac{1}{4}$ Section 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec-
tion 21, Twp. 14, N. Range 36 E.

And that on the 14th day of Oc-
tober, 1956, at 10 o'clock A. M.,
at Room 107, State House, Boise,
Idaho, before the State Reclama-
tion Engineer, or his authorized
agent, the opportunity will be giv-
en to any and all persons to ap-
pear and present, for his consid-
eration any reason or reasons why
a certificate should not be issued
authorizing such transfer.

MARK R. KULP,
State Reclamation Engineer.

September 25, 1956

Mr. B. H. Thomas
Clerk
Board of County Commissioners
Dubois, Idaho

RE: Transfer of Water Right
Roland H. Jones

We wish to acknowledge receipt of application of transfer of water right in the name of Roland H. Jones.

Publication Notice has been sent to the Clark County Enterprise for publication for two weeks Notice. Date of hearing is set for October 14, after that date if there are no protests against the issuance of the transfer, Transfer Certificate will be issued.

Very truly yours

MARK R. KUIP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vm

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Clark County Enterprise
Dubois, Idaho.

Date: Sept. 24, 1956

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to **October 14, 1956** the date set for hearing, the expense of the publication to be paid by the applicant, **Rulon H. Jones,** of **Rt 1, Rigby, Idaho.**, to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK. R. KULP.

State Reclamation Engineer
By

Supervisor of Water Distribution,

RECEIVED
OCT 1 1956
CLARK COUNTY ENTERPRISE
DUBOIS, IDAHO

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Rulon H. Jones, of
Rt. 1, Rigby, Idaho, has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing Him to change the point of diversion
and/~~at~~ place of use of the waters of Tuffy and Long Creeks, as follows:
Amount: 1.5 cubic feet per second. Priority: June 1, 1898
Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 14.N, Range 36.E, B. M.
Place of Use: N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33, Twp. 14.N. Range 36.E

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 14.N, Range 36.E, B. M.
Place of Use: N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Twp. 14.N. Range 36.E

And that on the 14 day of October, 1956, at 10 o'clock A M.,
at Room 107, State House, Boise Idaho before the State Reclamation 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.

MARK. R. KULP.
State Reclamation Engineer

RECORDED
INDEXED
OCT 15 1956

B. H. THOMAS

CLERK OF BOARD OF COUNTY COMMISSIONERS
EX-OFFICIO AUDITOR AND RECORDER
CLERK OF THE DISTRICT COURT
CLARK COUNTY
DUBOIS, IDAHO

RECEIVED
SEP 21 1956
Department of Reclamation

September 19, 1956

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

I am enclosing herewith Application for Transfer of Water Right of Rulon H. Jones effecting waters of Water District No. 66.

Please examine this application and if more information is needed, or if there is a fee for filing it, let me know.

We will appreciate it if you will take immediate action to effect the transfer.

Yours very truly



B. H. Thomas

encl.

Application for Transfer of Water Right

RECEIVED
SEP 21 1956

STATE OF IDAHO,

County of Clark

ss.

701-3-10-333-

Department of Reclamation

Rulon H. Jones

, being first duly sworn, deposes and says:

That his name is Rulon H. Jones; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Route #1, Rigby, Idaho

That he is the owner and using a certain water right, bearing date of priority of June 1 ~~1898~~ 1898 for 1.5 cubic feet per second of the waters of Taffey Creek (sometimes known as Tupper Creek) & Long Creek, a tributary to Beaver Creek

County of Clark, State of Idaho, decreed to Mrs. Frank Robbins

by decree of Judge Charles C. Cavanah of the United States District Court District of the State of Idaho, in and for the County of _____, in the case of Ernest Sauve, Plaintiff

vs. W. H. Abbott, et al, Defendants, said decree bearing date of November 1, 1930

(or obtained by virtue of License No. _____, issued by the State Engineer or the Commissioner of Reclamation of the State of Idaho, dated _____, 19____, bearing date of priority

of _____, 19____) for the purpose of irrigating the following described lands situate, lying and being in water District No. 66 in the County of Clark & Jefferson and State of Idaho, to-wit:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 14 North, Range 36 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.

By deed dates May 29, 1947, Recorded in Book of Deeds 13, at page 216 records of Clark County, Idaho

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 $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 14 North, Range 36 E., B. M., and conducted to the above described lands through Ditch No. 1, (See Map)

as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 1.5 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 Clark and State of Idaho, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 14 North, Range 36 E., B. M.

That his reasons for desiring to make such transfer are as follows: The applicant is the owner of the last above described land and said water can be put to better use on said land without the loss by reason of the long ditch to the first above described land.

That he intends to divert and convey said 1.5 second feet of water to the tract of land last above described in the following manner, to-wit: By diversion from said creek in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 14 North, Range 36 E., B. M.

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.

Rulon H. Jones
Applicant.

Subscribed and sworn to before me this 9th day of August
A. D. 1956

Arthur D. Jones
Clerk of the District Court, Clark County, Idaho

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water now diverted? Tuffy Creek, (sometimes known as Tupper Creek & Long Creek)

Where is the diversion point now located? NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 14 North, Range 36 E., B. M.

Through what ditch is it now conducted? Ditch No. 1 (See Map)

How much land is now irrigated by the water sought to be transferred? 15 acres

Give the description: Part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 14 North, Range 36 E., B. M.

What is the total amount of water in inches, or second feet, dedicated to said land? 2.3 S. F.

What kind of crops are being raised? Mature Meadow Hay

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

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

it will used for pasture

Give location of new point of diversion, if change is to be made NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 14 North, Range 36 E., B. M.

Through what ditch will it be conducted after transfer? Ditch No. 2, (See Map)

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

One inch per acre

Do you claim any other water right for the land from which you seek to abandon the use of this water? Yes

If so, give amount, date and source. 8 S. F. May 15, 1896, Modock Creek, a tributary to Beaver Creek

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. No

Signed Rulon H. Jones
Applicant.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

20

21

22

SEC.

SEC.

SEC.

29

28

SEC.

SEC.

SEC.

32

33

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Ditch No. 2

Ditch No. 1

New Point of Diversion

Decreed point of diversion

Tupper Creek

STATE OF IDAHO,

County of Clark

SS.

Ed. House

and Wm. M. Clark

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 Hamer, Idaho and Lorenzo, Idaho that he is a user of water from Modoc Creek a tributary to Bever Creek, in Water District No. 66 County of Clark, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Rulon H. Jones 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.

Ed House

Wm. M. Clark

Subscribed and sworn to before me this 21st day of August

A. D. 19 56

B. H. Thomas

B. H. Thomas, Clerk of the District Court,
Clark County, Idaho

STATE OF IDAHO,

County of Clark

SS.

I, Loy H. Johnson, Watermaster of Mud Lake & Tributaries

Water District No. 66, County of Clark & / Jefferson, State of Idaho, whose postoffice address

is Dubois, Idaho, have read or heard read the foregoing affidavit and petition

of Rulon H. Jones, 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:

Loy H. Johnson

Watermaster Dist. No. 66

Dated at Dubois, Idaho, Idaho, this 9th day of August, 19 56