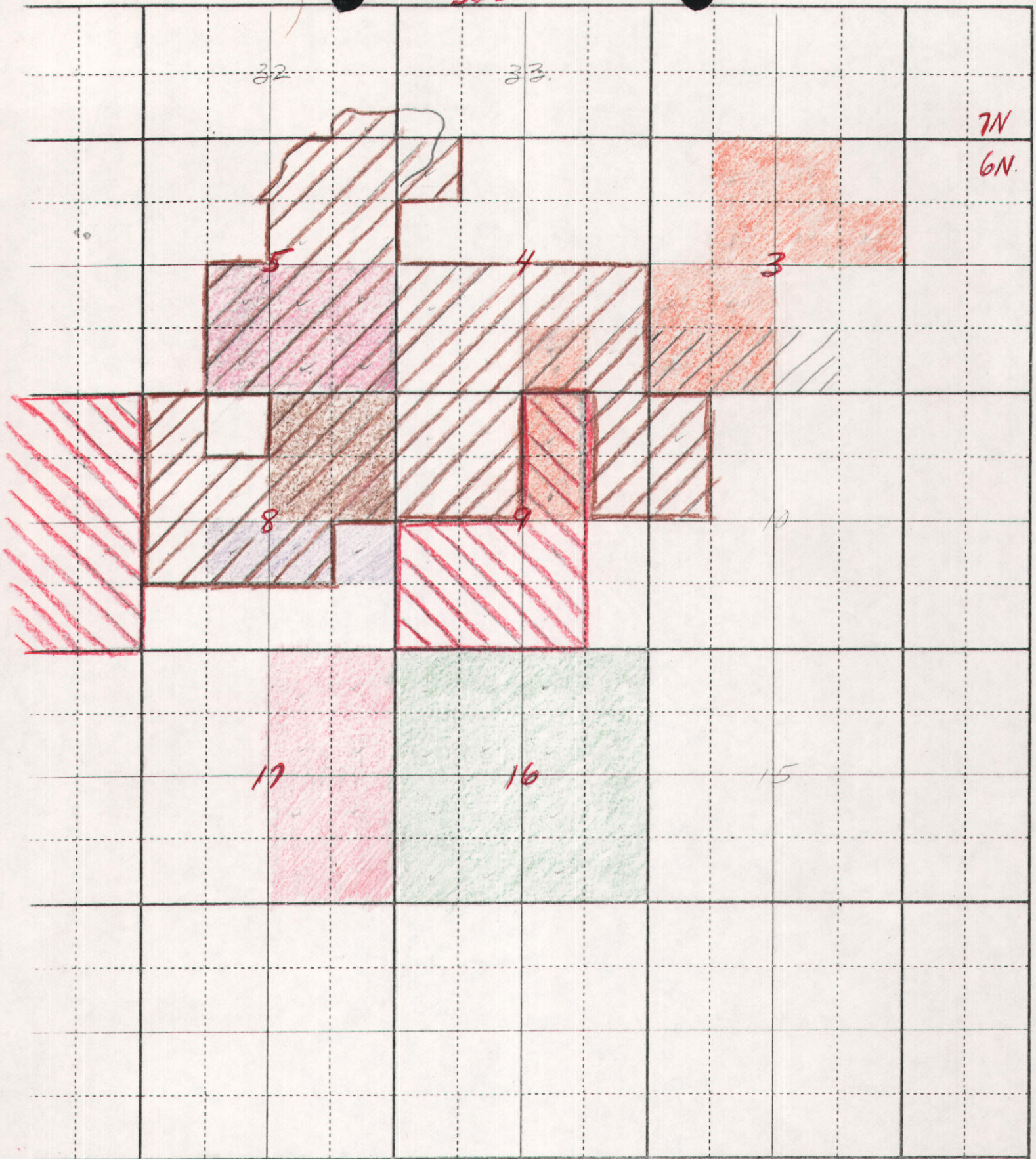




MICROFILMED

31-0336

32.50 c/s.

1,328 ac.

31-0037

50.0 c/s.

2,619 ac.

(full right not shown)

decree provides that together these two rights be allowed to develop up to 91.8 c/s.

IE: Only 1/3 of these two rights is intended to be transferred to the new place of use.

31-2289

3.2 c/s

160 ac.

31-2290

3.6 c/s

240 ac.

31-2297

6.0 c/s

340 ac.

31-2310

5.8 c/s.

290 ac.

31-2321

10.92 c/s

96 ac.

31-2317

8.08 c/s

498 ac.

10.90 c/s.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPROVED

AMENDED

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Dobson-Stewart Ranches for Jackett Canal Co. Phone 663-4339

Post office address % Art Dobson, Star Route, Hamer, Idaho 83425

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to Merritt M. Owsley (Name)
in case of Ernest Sauve vs W.H. Abbott, et.al.
dated Nov. 1, 1930 in District Court county of Bannock (Name of court)
- b. License No. issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
Dobson-Stewart Ranches purchased lands to which the water is appurtenant

3. Source of water Mud Lake tributary to Sinks

4. Date of priority Sept. 8, 1917

5. Water is used for the following purposes:
amount 3.0 cfs. for Irrigation purposes from May 1 to Nov. 1
amount for purposes from to
amount for purposes from to (month/day - both dates inclusive)

6. Total amount of water under right: a. 3.0 cfs. cubic feet per second &/or
b. acre feet per annum

7. Location of original point of diversion is NW ¼ of NW ¼ of Section 7
Township 6N Range 35E, B.M., in Jefferson County
Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	35E	7	X	X	X	X													

Total number of acres to be irrigated

9. Describe any other water rights used for the same purposes as described above See jackett transfer

applicant, omit part B).

Amount of water: a. _____ cubic feet per second

b. _____
acre feet per annum

_____ , B.M., _____

3. Place of use:

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted

3.0

C.F.S. &/or

acre feet

‘q

Point(s) of diversion MN

 $\frac{1}{4}$

~~MN~~

3 1/4, Section

~~Township 6N~~

Range 35E, B.M., Jefferson County

County

Additional points

SM 2 SM 2, Sec. 23.11.11.11. R. 35E

33, T. 7N

c.	Description of diverting works	Pumps and pipelines to Camas Creek

d. Describe the reasons for applying for a change in the point(s) of diversion

the land listed under this right. However, this water has been used by Jackett Canal

Co. for the last 30 years and Dobson-Stewart Ranches do not claim any interest in

rights.

2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

TWP	RNG	SEC	NE½	NW½	SW½	SE½	TOTAL
7N	35E	32					20.00
		33			1		1.00
6N	35E	3	1t 1 41.89	1t 2 41.68	40	40	560.03
		4			40	40	327.00
		5	1t 1 41.20	1t 2 38	40	40	399.20
		8	40	40	40	40	440.00
		9	40	40	40	40	400.00
		16	40	40	40	40	640.00
		17	40	40	40	40	320.00

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

WASH DC 20535

Remarks Jackett Canal Co. recently applied for transfer to make all of their water rights appurtenant to all company lands. This right was omitted from the original transfer application. This transfer has been initiated to include the omitted right.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Carol Barker
Senior Partner
(Signature of applicant)

Subscribed and sworn to before me this 9th day of July, 1980

[Signature]
(Notary public)

My commission expires 2/14/82

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0192

and said application is hereby APPROVED, subject to the following limitations and conditions:

Use of water under this transfer is subject to control by the watermaster of State Water District No. 31, Mud Lake and tributaries. Measuring devices and controlling works of a type approved by this Department must be permanently installed and maintained at the points of diversion from groundwater. The existing measuring methodology shall be maintained at the points of diversion/redirection from Camas Creek. Diversion of water authorized by this transfer when combined with other rights of the Jackett Canal Company shall not exceed 9321 acre feet per annum. The intent of this transfer is to record water delivery practices that have existed since 1965 - no change in delivery patterns is authorized. Any future transfer of this right will cause the remaining rights owned by Jackett Canal Company to revert back to their original acreage.

Witness my hand this 8th day of September, 1981

A. Allen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by *CU* Date *11/24/80* Fee *\$50.00*
Prelim. check by _____
Received by *CU* Date *11/25/80* #*16095*
Published in The Rigby Star
Pub. dates 12/4 & 12/11/1980
Watermaster recommendation requested on _____
rec'd. *1-19-81*
Recommended for _____
approval _____
denial _____
by *Jim Dyer*
Hearing held by _____
Date _____
Copies of protest forwarded by _____

Affidavit of Publication

THE RIGBY STAR

RECEIVED

JAN 23 1981

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

County of Jefferson

ss

**NOTICE OF PROPOSED
AMENDING OF
APPLICATION
FOR TRANSFER
NO. 31-0192**

Notice is hereby given that Application for Transfer No. 31-0192 in the name of Dobson-Stewart Ranches for Jackett Canal Co. was filed for the diversion of 3.0 cfs of water from Mud Lake tributary to sinks with the point of diversion within the NWNW, Sec. 3, T. 6N, R. 35E; SWSW, Sec. 23, T. 7N, R. 35E, Jefferson County to be used from May 1 to November 1 for irrigation purposes within the lands serviced by Jackett Canal Company.

The right holder now proposes to amend Application for Transfer No. 31-0192 changing the points of diversion to within the NWNW, Sec. 3, T. 6N, R. 35E; SWSW, Sec. 33, T. 7N, R. 35E, Jefferson County.

Any protest to the proposed amending of Application for Transfer No. 31-0192 must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before February 2, 1981.

C. Stephen Allred
Director

Published January 15 and 22,
1981

I, Marie B. Nye, do solemnly swear that I am the Publisher of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Fifteenth day of January, 19 81

and the last publication on the

Twenty-Second day of January, 19 81

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Marie B. Nye

Publisher

Subscribed in my presence and sworn to before me this Twenty-Second day of January, 19 81.

[SEAL]

Evelyn M. F. [Signature]

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19

Publication Fee: \$ 16.81

RECEIVED

DEC 19 1980

Department of Water Resources
Eastern District Office

Affidavit of Publication

THE RIGBY STAR

3) NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 31-0192

STATE OF IDAHO,

County of Jefferson

ss

Notice is hereby given that Dobson-Stewart Ranches for Jackett Canal Company has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of Mud Lake tributary to sinks. The right sought to be changed is evidenced by decree to Merritt M. Owsley in case of Ernest Sauve vs W. H. Abbott, et. al. dated November 1, 1930 in District Court, Bannock County and is recorded as follows:

AMOUNT: 3.0 CFS

PRIORITY: September 8, 1917

DECREED POINT OF DIVERSION: NWNW, Sec. 7, T. 6N, R. 35E, Jefferson Co.

The water is used to irrigate the NE 1/4, Sec. 7, T. 6N, R. 35E from May 1 to November 1:

TO BE CHANGED
AS FOLLOWS

The water will be diverted within the NWNW, Sec. 3, T. 6N, R. 35E and SWSW, Sec. 23, T. 7N, R. 35E, Jefferson County; to be used to irrigate lands serviced by the Jackett Canal Company.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before December 22, 1980.

C. STEPHEN ALLRED
Director

Published December 4, and
11, 1980

I, Marie B. Nye, do solemnly swear that I am the Publisher of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes Annotated Section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that at the times herein mentioned said publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for 2 consecutive issues thereof; first publication having been made on the

Fourth day of December, 19 80

and the last publication on the

Eleventh day of December, 19 80

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bonafide subscribers in Jefferson County.

Marie B. Nye

Publisher

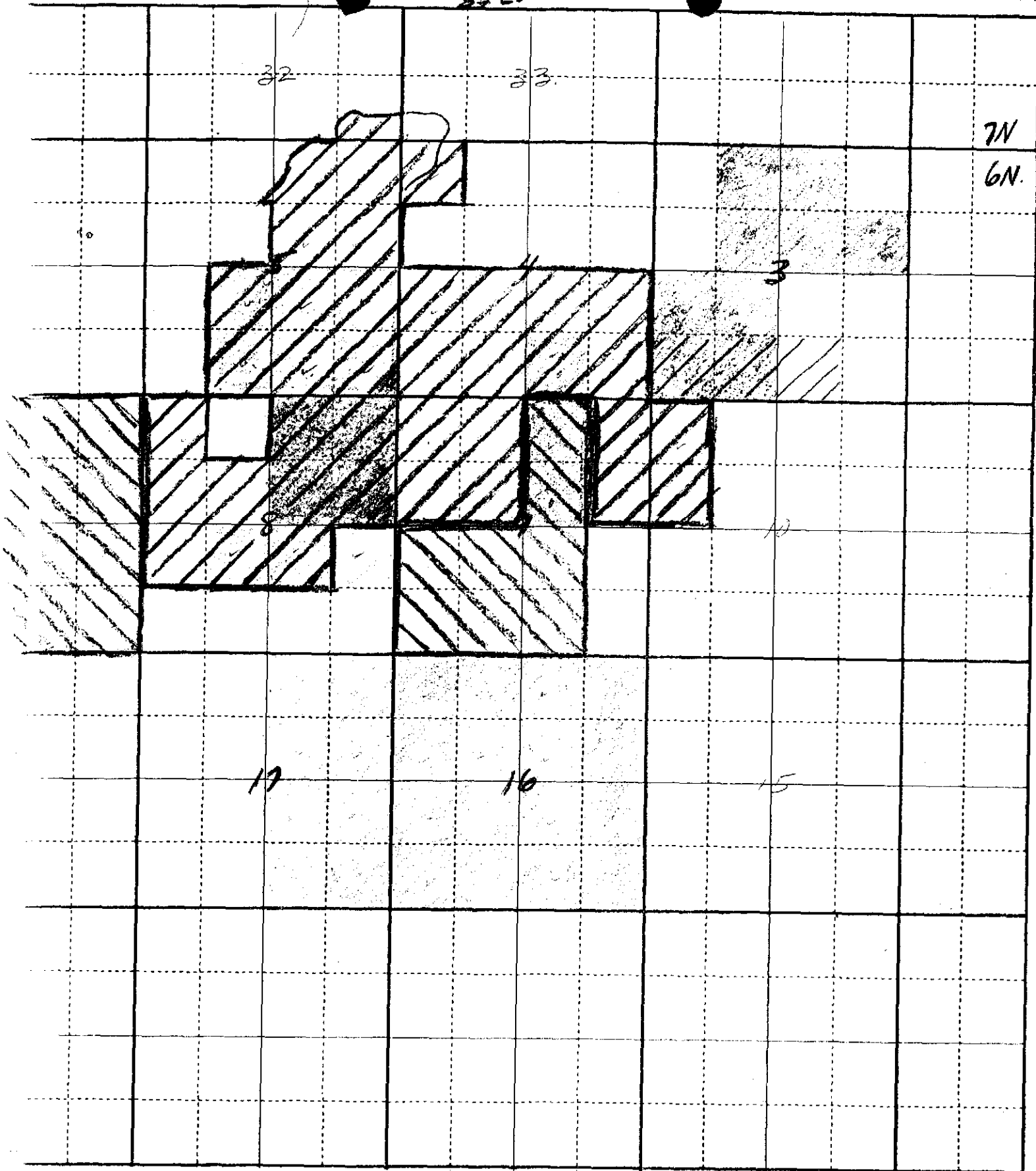
Subscribed in my presence and sworn to before me this Eleventh day of December, 19 80.
[SEAL]

Evelyn M. F. Taylor

Notary Public for the State of Idaho
Residence and P. O. Address, Rigby, Idaho.

My commission expires Life, 19

Publication Fee: \$ 20.91



# 31-2886	32.50 c/s.	1,328 ac. ? decree provided for 4,444 ac. less
# 31-0037	50.0 c/s.	2,619 ac. ? decree provided for 4,444 ac. less
(full right to mine)		to develop up to 91.8 c/s.
Only 1/3 of these two rights is intended to be transferred to the new place grade.		
# 31-2289	3.2 c/s	160 ac.
# 31-2290	3.6 c/s	240 ac.
# 31-2297	6.0 c/s	340 ac.
# 31-2310	5.8 c/s.	290 ac.
31-2321	1.92 c/s	95 ac.
31-2317	8.08 c/s	498 ac.
	1.90 c/s.	

WATER RIGHT NUMBER 31-0192

OWNER LAST NAME - OWSLEY

OWNER LAST NAME - DOBSON-STEWMART RANCHES

ADDRESS LINE 1 - C/O ART DOBSON

ADDRESS LINE 3 -

SOURCE - MUD LAKE

STAGE - DECREE

TOTAL DIV. VOLUME -

DIVERSION POINT -

FROM -

TO -

USE - IRRIGATION

USE - IRRIGATION

USE - IRRIGATION

FIRST NAME - MERRITT M.

ORIG OWNER - O

ORIG OWNER -

ADDRESS LINE 2 - STAR RT.

CITY - HAMER

TRIBUTARY OF - SINKS

PRIORITY - 09-08-1917

COUNTY - JEFFERSON

RIGHT BASIS -

TOTAL DIV. RATE -

3.0000 -CFS

PLACE OF USE -

PLACE OF USE -

PLACE OF USE -

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 35E SEC 04

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 35E SEC 05

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 35E SEC 08

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 35E SEC 09

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 35E SEC 16

USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 35E SEC 17

DECREE NAME - ERNEST SAUVE VS. W. H. ABBOTT, ET. AL.

REMARKS - TRANS. 2494.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

DATE - 11-01-1930

TOTAL ACRES

3,107

WRD417

WATER RIGHT NUMBER 31-0192 CONT.

WATER RIGHTS PROOF READING REPORT

06/19/84

PAGE 2

PROOF DUE -

PROOF MADE -

DIVERSION MEANS -

PERMIT/DENIED -

FLD EXAM -

COND. OF APPROVAL -

PUMPS & PIPELINES.

PROTESTED -

HEARING -

OLD NO. -

WATER RIGHT
DATA ENTRY LOG

[illegible]

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF IDAHO, EASTERN DIVISION

ERNEST SAUVE,

Plaintiff,

No. 635. -- In Equity

- vs -

D E C R E E

To W. H. Abbott, Fay Abbott, Mary C. Adels, Allen Almonda, 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, J. 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 Company, J. Blackburn, W. B. Boucher, Ray Bohney, 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-

6

Herritt W. Owsley

1912 - April 15

31 0191 ✓
7.0 c.f.s.

Source: Mud Lake

Point of Diversion: About one-half mile North of the Northeast Quarter of Section 12, Township 6 North, Range 34 East, B. M.

For use on the following described land, to-wit: The East Half of Section 12, Township 6 North, Range 34 East, B. M.; the West Half of SW $\frac{1}{4}$ of Section 7, Township 7 North, Range 35 East, B. M.

1917 - September 8

31 0192 ✓
3.0 c.f.s.

Source: Mud Lake.

Point of Diversion: A point common to the Northwest corner of Section 7, Township 6 North, Range 35 East, B. M., and the Northeast corner of Section 12, Township 6 North, Range 34 East, B. M.

For use on the following described land, to-wit: The Northeast Quarter of Section 7, Township 6 North, Range 35 East, B. M.

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Ernie

DATE 2-4-1981

TO Jim J.

SUBJECT This should be the last application for transfer concerning decreed rights for Gackett Canal Co. & Independent Canal Co. It is my understanding Phil Rassier has the previous applications, and it would probably be best if this one was also given to him for consideration in conjunction with them ~~others~~.

September 14, 1981

RE: Application for Transfer of Water Right No. 31-0192

Dobson-Stewart Ranches for Jackett Canal Co.
c/o Art Dobson
Star Route
Hamer, ID 83425

Dear Mr. Dobson:

Enclosed is a copy of your approved application for transfer of the above referenced water right (Transfer No. 2494). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., PEE,
Supervisor, Water Allocation Section

DRT:kw
Enclosure

UNRECORDED

May- please type the following conditions on the transfer

- 1) Use of water under this transfer is subject to control by the watermaster of Water District No. 31, Mud Lake and Tributaries.
- 2) Measuring devices and controlling works of a type approved by this Department must be permanently installed and maintained at the point of diversion from groundwater. The existing measuring methodology shall be maintained at the points of diversion/rediversion from Comas Creek.
- 3) Diversion of water authorized by this transfer when combined with other rights of the Jockett Canal Company shall not exceed 9321 acre-feet per annum.
- 4) The ^{intent}~~purpose~~ of this transfer is to record water delivery practices that have existed since 1965 - no change in delivery patterns is authorized.
- 5) Any future transfer of this right will cause the remaining rights owned by Jockett Canal Company to revert back to their original acreage.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JOHN K.

1. Right number _____ Applicant DOBSON - STEWART RANCHES
FOR JACKETT CANAL CO.
Dean Kofel.
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:
- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- (b) ☒ Description of original point of diversion.
- (c) ☒ Description of original place of use. Decree 31-0192
P.U. NE 1/4 Sec. 7 Merriam Owsley Co. 1955
P.D. NW 1/4 Sec. 7 S.O.F.S. 9-8-1917

5. Amount of land &/or water transferred:
- (a) ☒ All of right.
- (b) ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- (c) ☒ Check description of point(s) of diversion. - 2 pts - well & head of canal copy to SO 1/14
- (d) ☒ Check description of place of use. - Jackett Canal Company lands
see Remarks item 4
- (e) ☒ Check map (shows p.d. and p.u. after transfer). INCLUDED WITH THIS FORM.
- (f) ☒ Check for correct signature, notarization, and fee.
- (g) ☒ Check proof of ownership of right &/or land from which water is transferred.
- (h) ☒ Check for expansion in use of right. Comments _____

- (i) ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 31-0336, 31-0037, 31-2289, 31-2290, 31-2297, 31-2310, 31-2321, 31-2317

- (j) ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? (31)

FINAL PROCESSING REVIEW BY: 1/14/81

1. Watermaster recommendation requested on 1/28/80 Received on 1-19-81
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* 05(31, Mud lake) - change "Permit" to "Right" condition
SEE ATTACHED SHEET FOR SPECIAL CONDITIONS

4. By Jmi Date 8/19/81 Department of Water Resources

31-2056

N Pearl, L. A.

3 cfs

1912 proof

wrong

PD
Inc 6 SWSE

del name
6333

31-2332

NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$
OWSLEY

12 cfs

1854 prior

NW NE $\frac{1}{4}$ PD. wrong PD.

Sec 7, 12, 6, 5 (parts)

NE

31-2358

NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$
OWSLEY

prior 1952

14.5

Sec 12, 7, 6, 5

NE

31-4003

NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$
Furness

prior 1932

5 5 5

F

Ac - 2619

Sec 7 NE

31-2097

31-2345 ✓

2344 ✓

2343 ✓

2341 ✓

2342 ✓

2005

31-2175 Pearl

Identification No. _____

Transfer No. Amended 31-0192

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, _____, watermaster of Water Dist #31,
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
Jacket Canal Co., and to the best of my knowledge believe the
(name)
application to be true.

(A. I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

As Amended - by 31-0192

OR

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: _____

Dated at Dubois, Idaho, Idaho, this 16 day of January, 1981.

Donald W. Shenton
(Signature)

RECEIVED

JAN 19 1981

Department of Water Resources
Eastern District Office

MICROFILMED

January 14, 1981

RE: Amended Application for Transfer No. 31-0192
Dobson-Stewart Ranches for Jackett Canal Co.

Dean Kofoed
President, Jackett Canal Co.
Terreton, ID 83450

Dear Mr, Kofoed:

Attached herewith is Departmental Receipt No. 16135 in the amount of \$20.00
for amending the above referenced transfer.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

January 14, 1981

RE: Amended Application for Transfer of Water Right No. 31-0192

Don Shenton
Watermaster
Water District No. 31
Dubois, ID 83423

Dear Mr. Shenton:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before February 2, 1981.

Thank you for your cooperation in this matter.

Sincerely,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosures

NOTICE OF PROPOSED AMENDING OF APPLICATION FOR TRANSFER

NO. 31-0192

*paper
called
1/17/81*

Notice is hereby given that Application for Transfer No. 31-⁰¹⁹²~~0291~~ in the name of Dobson-Stewart Ranches for Jackett Canal Co. was filed for the diversion of 3.0 cfs of water from Mud Lake tributary to sinks with the point of diversion within the NWNW, Sec. 3, T. 6N, R. 35E; SWSW, Sec. 23, T. 7N, R. 35E, Jefferson County to be used from May 1 to November 1 for irrigation purposes within the lands serviced by Jackett Canal Company.

The right holder now proposes to amend Application for Transfer No. 31-0192 changing the points of diversion to within the NWNW, Sec. 3, T. 6N, R. 35E; SWSW, Sec. 33, T. 7N, R. 35E, Jefferson County.

Any protest to the proposed amending of Application for Transfer No. 31-0192 must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before February 2, 1981.

C. STEPHEN ALLRED

Director

Published in the Rigby Star 1/14 and 1/21/1981.

1981 JAN 21 10 00 AM

December 22, 1980

RE: Application for Transfer of Water Right No. 31-0192
Dobson-Stewart Ranches for Jackett Canal Co.

Dean Kofoed
President, Jackett Canal Co.
Tarreton, ID 83450

Dear Mr. Kofoed:

Following the advertisement of the application for transfer of water right No. 31-0192 in the name of Dobson Stewart Ranches for Jackett Canal Company, it was determined that one of the new proposed points of diversion was incorrectly identified on the application. This office has corresponded with Mr. Dobson concerning this error and the application has subsequently been amended. However, before the Department can proceed with advertising the amended application, the Department must receive the amendment fee of \$20.00. Mr. Dobson indicated that since this water was being conveyed to Jackett Canal Company that the Company had agreed to pay all filing fees in conjunction with this transfer. It is therefore hoped that the Canal Company will be able to submit this \$20.00 amendment fee at the earliest possible date so that we may proceed with the processing of the amended application for transfer.

Should you have any questions concerning this matter, please feel free to call or contact me at the Eastern Regional Office in Idaho Falls.

Respectfully submitted,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw

Identification No. _____

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Donald W. Shenton, watermaster of Mud Lake Board, Camas Beck
of Water District No. 31, County of Jefferson ~~CLARK~~, State of Idaho,
whose address is Box 33 Dubois, Idaho 83423,
have read the attached copy of the application for transfer of water right for
Jackett Canal Co., and to the best of my knowledge believe the
(name)
application to be true.

(A.) I hereby endorse Application for Transfer and recommend that the State
Reclamation Engineer approve the Transfer subject to the following conditions:

That the additional Point of Diversion
be changed to Read SW 1/4 SW 1/4 Sec 33
7N R35E

C, 10 b. on application OR IS IN ERROR

B. I do not endorse approval of this Application for Transfer as requested
for the following reasons: _____

Dated at Dubois, Idaho, this 9th day of Dec, 1980

Donald W. Shenton
(Signature)

RECEIVED

DEC 19 1980

Department of Water Resources
Eastern District Office

MICROFILMED

November 28, 1980

RE: Application for Transfer of Water Right No. 31-0192

Don Shenton
Watermaster
Dubois, ID 83423

Dear Mr. Shenton:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before December 22, 1980.

Thank you for your cooperation in this matter.

Very truly yours,

ERNEST CARLSEN
Sr. Resource Analyst

EC:kw
Enclosures

November 28, 1980

RE: Application for Transfer of Water Right No. 31-0192 - DOBSON-STEWART RANCHES
FOR JACKETT CANAL CO.r

Holden, ~~W~~Kidwell, Hahn & Crapo
Attn: Kent W. Foster
P. O. Box 129
Idaho Falls, ID 83401

Dear Mr. Foster:

Attached herewith is Departmental Receipt No. 16095 in the amount of \$50.00
for the above referenced application.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

NOVEMBER 26, 1980

The Risby Star
P. O. Box 37
Risby, Idaho 83442

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before DECEMBER 22, 1980.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOV 27 1980
RECEIVED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 31-0192

Notice is hereby given that Dobson-Stewart Ranches for Jackett Canal Company has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of Mud Lake tributary to sinks. The right sought to be changed is evidenced by decree to Merritt M. Owsley in case of Ernest Sauve vs W. H. Abbott, et. al. dated November 1, 1930 in District Court, Bannock County and is recorded as follows:

AMOUNT: 3.0 CFS

PRIORITY: September 8, 1917

DECREED POINT OF DIVERSION: NWNW, Sec. 7, T. 6N, R. 35E, Jefferson Co.

The water is used to irrigate the NE $\frac{1}{4}$, Sec. 7, T. 6N, R. 35E from May 1 to November 1.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NWNW, Sec. 3, T. 6N, R. 35E and SWSW, Sec. 23, T. 7N, R. 35E, Jefferson County; to be used to irrigate lands serviced by the Jackett Canal Company.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401 on or before December 22, 1980.

C. STEPHEN ALLRED

Director

Published in the Rigby Star 12/04 & 12/11/1980.

MICROFILMED

LAW OFFICES

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 129

IDAHO FALLS, IDAHO 83401

TELEPHONE 523-0620

AREA CODE 208

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)

WILLIAM S. HOLDEN
R. VERN KIDWELL
FRED J. HAHN
TERRY L. CRAPO
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
CURT R. THOMSEN
RANDALL K. BARTON
MICHAEL D. CRAPO
JAMES D. HOLMAN

November 20, 1980

Mr. Ronald D. Carlson
Department of Water Resources
150 Shoup Avenue
Idaho Falls, Idaho 83401

Dear Ron:

Pursuant to our telephone conversation, I am enclosing the Application for Transfer from Dobson-Stewart Ranches to Jackett Canal Company, and our check in the amount of \$50.00 for the filing fee.

Yours very truly,

Kent W. Foster
Kent W. Foster

KWF:jt

Encl.

RECEIVED

NOV 24 1980

Department of Water Resources
Eastern District Office

RECEIVED