

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Laird, James	4.44		31-0121
591	Laird, James	3.64	0.80	31-0121A















S T A T E O F I D A H O DEPARTMENT OF RECLAMATION Certificate of Water Right Transferred Right Number 591

THIS IS TO Certify that JAMES LAIRD, of Idaho Falls, Idaho, in the owner of and using a certain water right, bearing date of priority of September 10, 1892, for 3.64 cubic feet per second of the waters of DRY CREEK, in the County of Clark, said water being decreed to said James Laird by decree of Judge Charles C. Cavanah of the District Court of the United States for the District of Idaho, Eastern Division, in the case of

EARNEST SAUVE

vs- W. H. ABBOTT et al

said decree bearing date of November 1, 1930, for the purpose of irrigating the following described lands, situate, lying and being in Water District Number 66, in the County of Clark and State of Ideho, to-wit:

Commencing at the Southeast corner of Section 28, ownship 10 North, Range 36 East; thence North along the section line to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 28; thence West 1262; thence South 8015! East to intersect the South section line of said Section 28; thence East 1009 to the place of beginning,excepting therefrom the following described land; Starting from a point where join the corners of Section 21, 22, 27, and 28 of Township 10 North, Range 36 East, B. M., Idaho, (bears North 0°37' West); running South on the dividing line between Sections 27 and 28, 1243 feet to place of beginning; thence South 89°23' West, 805 feet; thence 0°37' South 212.5 feet; thence North 89°23' East 805 feet; thence 0° 37' North 212.5 feet to place of beginning; containing (after excluding said exception) 103.46 acres. Also Tract 4. Commencing t the Northwest corner of the Southeast Cuarter of the Northwest Quarter of Section 28, Township 10 North, Sange 36 East, B. M., (designated as point No. 1); thence East 23' South 974 feet (designated as Point No. 2); thence South 30 East 247 feet (designated as Point No. 3); thence East 67 feet (designated as Point No. 4); thence South 50 West 193 feet (designated as Point No. 5); thence South 770 West 147 feet (designated as point No. 6); thence South 4015! West 515 feet (designated as Point No. 7); thence South 10 East 324 Feet (designated as Point No.8); thence South 85015 West 839 feet (designated as Point 9); thence North 26' West 1384 feet to the place of beginning, -- containing 27.8 acres. Also Tract No. 5. Commencing at the Northeast corner of Section 33, Township 10 North, Range 36 East, B. M., running thence South on the section line 1320 feet; thence West 940 feet; thence North 8015' West to intersect the section line between said Sections 33 nd 28; thence East 1009 feet to the place of beginning, containing 29.53 acres.

THAT THE SAID DECREE has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, at Page 535.

THAT THE SAID applicant has become the owner of the said land and water right by the decree of said court.

THAT NOW, UPON THE application of JAMES LAIRD of Idaho Falls, Idaho, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 3.64 cubic feet per second of the waters of DHY CREEK, upon the lands above described, is HERKHY ARANDONED 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 demostic purposes, are described as follows:

Southwest quarter of Section 21, Township 10 North, Range 36 East, B. M., and the North half of the Northwest quarter, Section 28, Township 10 North, Range 36 East, B. M.,

situate, lying and being in the County of Clark, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

5.64 cubic feet per second of the waters of Dry Creek, with date of priority of September 10, 1892

THAT THE WATER RICHT, hereby transferred, has been diverted from the said Dry Creek at points in the

Southeast quarter of the Northwest quarter and also in the Northeast quarter of the Southwest quarter of Section 21, Township 10 North, Range 36 East, B. M.,

and conducted to the lands first described herein through the Laird ditches, and will hereafter be diverted from the same points and conducted to the new place of use through the same ditches.

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 seal of the Department of Reclamation of the State of Idaho to be affixed at Boise, Idaho, this 26th day of July, 1938.

R. W. FARIS.

Commissioner of Reclamation

Decker By O. D. BECKER

Supervisor of Water Distribution

STATE OF IDAHO DEPARTMENT OF RECLAMATION

In the Matter of the Application of

JAMES LAIRD, of Idaho Falls, Idaho.

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

ORDER GRANTING TRANSFER

NO. 591

WHEREAS, On the 12th day of July, 1938, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of JAMES LAIRD, of Idaho Falls, Idaho, for a Transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in the due and statutory form; and

WHEREAS, No protest has been filed against the application and the evidence filed by the applicant, with the application, shows that this transfer is necessary for a more beneficial use of the water, and that no one would 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 be issued 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 seal of the Department of Reclamation of the State of Idaho, to be affixed, at Boise, Idaho, this 26th day of July, 1938.

R. W. FARIS, Commissioner of Reclamation

By Supervisor of Water Distribution

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

Activities there is no will be provided by the contract of

ERNEST SAUVE,

Plaintiff,

No. 635. -- In Equity

- VB -

DECREE

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. Beckmer, Laura E. Beckmer, 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 Binard 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 Bohney, R. T. Boatman, Mary Nicholas Boyd, Frank Boe, Charles E. Brosic, E. L. Browning, Adna E. Bramwell Afton Bradshaw, Thereas Brinkmann, Lottie Burcham, G. F. Burcham, KathJames Laird

1392 - September 10 1 4.44 c.f.s.

1894 - Fay 1 2.75 c.f.s.

1910 + May 2 1.6 c.f.s.

Trans, No. 591 -8191892-3.6+cfs

Source; Prylimek (otherwise known as Boaver Crock).

Points of Diversion: (1) A point on the west side of the main channel of Bry Creek about 10 rads South of the Northeast comer of Tract 4 described below. (2) Fituate on the West side of the main channel of Dry Creek at a point about 9 rods North of the point where the main East-and-West street of the Village of Dubois crosses said creek, said point being about a half rile North of the Morth line of Tract 4, desoribed below, and being about the center of the Village of Dubois, and opposite the point where the G.S.L. Railroad Company diverts and pumps water from said stream at (5) Situate on the this time. Most side of the main channel of Dry Creek, approximately threefourths of one mile North of the Northmast corner of Tract 4, desoribed below.

For use on the following described land, to-wit:

Tract 1. The Sorthwest Quarter of the Northwest Quarter of Section 27 Township 10 North, Mange 36 East.

Tract 2. The Northeast quarter of the Northeast Quarter of Section 20, township and range aforessid, containing 40.4 ecres.

tract 3. Commencing at the Souther it corner of Section 23, township and range aforesaid; thence North along the section line to the Northeast, corner of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of said Section 28; thence Test 1262; thence Couth 8-18! hast to intersect the Couth section line of said Section 28; thence East 1008! to the place

of beginning, -- excepting therefrom the following described lands Starting from a point where join the corners of Sections 21, 22, 27, and 28 of Township 10 Sorth, Range 36 ast. F. G., Idaho, (bears forth O'SV! West); running South on the dividing line between Sections 27 and 28 1248 feet to place of beginning, thomas South 89°23' West. 805 fact; thence 0'37' South 818.5 feet; thence North 89°23' hast 806 fost: thouse 0°37' Forth 212.5 feet to place of beginning; containing (after excluding said exception) 105.46 Agres.

Commencing at the Worth-Tract 4. west corner of the Southeast Quarter of the Korthwest Guarter of Section 28, Township 10 Borth, Range 30 hast, . M., (designated us Point No. (1); thence East 23 South 974 feet (designated as Point No. 2); thougo Nouth 50' hast 247 feet (designated as Foint No. 3); thence Rest 87 feet (designated de Point No. 4); thence South 80 West 193 feet (designated as Point Bo. 5); thence South 77° Rest 147 feet (designated as Point No. 6); thence South 4°18' West 515 feet (design neted as Foint No. 7); thence South 10' Hast 324 foot (designated as Point No. 8); thence South 85*15' West 639 foot (doulgmated on Foint 9); thence North 26' West 1384 feet to the place of beginning, -- contuining 27.8 acres.

Truct 5. Commencing at the Northcast corner of Section 33, Township
10 North, Hange 26 hast. B. M., running thence South on the section
line 1320 feet; thence West 940
feet; thence North 8415 West to
intersect the section line between #
said Sections 32 and 28; thence
hast 1009 feet to the place of beginning, -- containing 29.52 seres.

Truck 6. The South Helf of the Northwest Quarter of Section 33,



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Market Miles

James Laird

(continued)

Township 10 North, Bange 36 Bast, B. M., and a tract described by metes and bounds as follows: Comp monoing at the Horthwest corner of the Bouth Half of the Northwest Quarter of Section 33, Township and Range aforesaid; thence Morth on section line 937 feet; themee last 3111 feet to intersect the public roadway; thence in a Southeasterly direction slong the Sect. line of seid public roadway to intersect the Youth line of the Worthwest Quarter of the Korthesst Quarter of Section 35; thence West 3224 feet to the place of beginning containing 155.18 acres.

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August 1, 1938

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GRANT SOULE Village Attorney Dubois, Idaho

Dear Mr. Soule:

We have your letter of July 29, in which you enclose Cortificate of Transfer of James Laird, which Mr. Laird sent to you.

We have sent Mr. Laird a corrected copy of the third sheet, which he no doubt will turn over to you. We are herewith enclosing the first two sheets of the transfer which you will please attach to the corrected sheet sent to Mr. Laird.

We have also sent Mr. Henninger, watermaster of Water District No. 66, a corrected sheet. We wish to thank you for sending Mr. Laird's transfer to us for correction.

Yours very truly,

R. W. FARIS, Commissioner of Reclamation

By O. D. HECKER, Supervisor of Water Distribution

ODB/ci

MICROFILMED

GRANT W SOULE
LAWYER
DUBOIS, IDAHO

JUL 30 1938
Department on the motion

July 29, 1938.

Department of Reclamation,
State House,
Boise, Idaho.
Dear sir:-

Yesterday I wrote you with regard to the Certificate of Transfer of the James Laird water right to the Village of Dubois. I have today received from Mr. James Laird the Certificate of transfer which you sent him. I am mailing it to you herewith, for the event of your wishing to correct it. I see from the letter which you sent Mr. James Laird, that you also sent a copy to Mr. Elvin Henninger. I shall not be so presumtuous as to go to Mr. Henninger and ask him to return his copy to you. You will of course write him to recall the copy, if you wish to correct same.

Truly indeed.

Grant House



July 29, 1938

Krama. 5th

RIVIN W. HEMMINGER Vetermester Dubois, Idaho

Deer Mr. Hearinger:

Several days ago you received a Certificate of Transfer, No. 591, in which James Laird is making transfer of water right.

We have been notified of several egrors in the above mentioned certificate and are herewith sending you a corrected copy of the last page thereof. Please return the original to us and accept the enclosed in its place.

Yours very truly,

R. W. FARIS, Counterioner of Reclamation

By O. D. ERCKER. Supervisor of Water Distribution

ODB/e1 Enc.

MICROFILMED

Shows ?

July 29, 1938

JAMES LAIRD 1265 Canal Street Idaho Falls, Idaho

Dear Mr. Laird:

Several days ago you received a Certificate of Transfer, No. 591, in which you were granted the right to transfer your water right.

We have been notified of several errors in the above-mentioned certificate and are herewith sending you a corrected copy of the last page thereof. Please return the original to us and accept the enclosed in its place.

Yours very truly,

R. W. FARIS, Commissioner of Reclamation

By O. D. BECKER, Supersisor of Water Distribution

ODB/ci

MURITIMED

GRANT W SOULE

LAWYER

DUBOIS, IDAHO

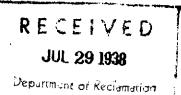
July 28, 1938.

Department of Reclamation,

State House.

Boise, Idaho.

Dear sirs; -



I have your letter of July 26th in which you enclose Certificate of Transfer in the James Laird water right. May I suggest that there is one place in which I think there is substantial room for improvement. As to the points of diversion and the ditches there is a little confusion as to the singular and plural senses. I shall write in this letter the way it appeals to me to be a little the clearer, underlining my insertions.

"That the water right, hereby transferred has been diverted from the said Dry Creek at a point in the

Southeast quarter of the northwest quarter, and also at a poont in the Northeast quarter of Southwest quarter, in section 21, Township 10 North, Range 36 East, Boise Meridian, Idaho.

and conducted to the lands first described herein through the Laird ditches, and will hereafter be diverted from the same points and conducted to the new place of use through the same ditches.

I am returning the Certificate to you herewith that you may correct the same, if you so choose. If you "do not choose", I shall pass the matter up to the Village Board to do about the matter as they like.

Yours very respectfully.

Grant W Soul

< may 2 591

July 29, 1938

GRAMP W. SOULE Village Attorney Dubois, Idaho

Dear Mr. Soule:

We are in receipt of your letter of July 28, in which you enclose the certificate of transfer of James Laird.

We appreciate your suggestions as to making several changes in the certificate and you will find herewith enclosed corrected copy of Certificate No. 591. We are also sending corrected copies of this certificate to Mr. Henninger, watermaster of District No. 66 and to Mr. James Laird.

We trust that you will now find the certificate in good order.

Yours very truly.

R. V. FARIS. Commissioner of Reclamation

By O. D. BECKER, Supervisor of Water Distribution

ODB/c1 Enc.

MICBUEII MED

July 26, 1938

W. Transfer

Mr. James Daird 1265 Canal Street Idaho Falls, Idaho

Dear Sire

Inclosed you will find Certificate of Transfer of Water Right, Number 591, in which you transfer 3.64 cubic feet per second of the waters of Dry Creek.

We are sending a copy of this transfer to Elvin W. Henninger, Watermaster District 66, and to Grant W. Soule, Village Attorney, Dubois, Idaho.

Very truly yours,

R. W. FARIS, Commissioner of Reclamation

By Supervisor of Water Distribution

/mh Inc.

Michael Land

July 26, 1938

Grant W. Soule Village Attorney Dubois, Idaho

Dear Mr. Soule:

Inclosed you will find Certificate of Transfer of Water Right, Number 591, from James Laird to the Village of Dubois.

We are also forwarding copies of this transfer to Elvin W. Henninger, Watermaster District 66, and Mr. James Laird.

You will also find inclosed receipt number 16679 in the amount of one dollar (\$1.00) which is the fee this department charges for making the above numbered transfer.

We trust that you will find everything in order.

Very truly yours.

R. W. FARIS, Commissioner of Reclamation

By Supervisor of Mater Distribution

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ODB:mh



July 16, 1938

Grant W. Sould Village Attorney Dubois, Idaho

Dear Mr. Soule:

We have your letter of July 14, regarding transfer of water right from James Laird to Village of Dubois.

This department has, as yet, not received Affidavit of Pulication of Proposed Transfer of Water Right, nor has the fee of one dellar (\$1.00), charged by the department in connection with this transfer, been received. When we are in receipt of the above mentioned, Certificate of Transfer will be issued.

We will advise you of the date of Transfer, as soon as, it is completed.

Very truly yours,

R. W. FARIS, Commissioner of Reclamation

By Supervisor of Water Distribution

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ODB:mh

GRANT W SOULE

LAWYER

DUBOIS, IDAHO

July 14, 1938.

Department of Reclammation,

State House.

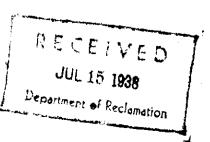
Boise, Idaho.

Dear sirs: -

When you issue the Certificate authorizing the transfer of the James Laird water right to the Village of Dubois, kindly inform me the date of the certificate.

Very truly yours.

Village Attorney.



STATE OF IDAHO DEPARTMENT OF RECLAMATION BOISE, IDAHO

Date June 27, 1938	Date	June	27,	1938	
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Clark Gounty Enterprise Banner Debois, Idahe

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Enclosed you will find notice for publication once a week for to to July 12, 1938, the date set for proof; the expense of the publication to be paid by the applicant, James Laird, 1265 Genal Street, Ideho Pelle, Ideho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS, Commissioner of Reclamation

By Supervisor of Water Distribution

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that James Laird of Idaho Falls, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificae authorizing him to transfer the use of 3.64 cubic feet per second of the water of Dry Oreek from the land upon which it is now used, i. e. Commencing at the Southeast corner of Section 28, Township 10 North, Range 36 east: thence North along the section line to the Northeast Corner of the Southeast Quarter of the Northeast Quarter of said Section 28; thence West 1262; thence South 8°15' East to intersect the thence West 1262'; South section line of said Section 28; thence East 1009' to the place of beginning,-excepting therefrom the following described land; Starting from a point where join the corners of Section 21, 22 27 and 28 of Township 10 North, Range 36 East, B. M., Idaho, (bears North 0°37' West); running South on the dividing line beween Sections 27 and 28, 1248 feet to place of beginning; thence South 89°23' West, 805 feet; thence 0°37' South 212.5 feet; thence North 89°23' East 805 feet; thence 0°37' 212,5 feet North to p_tlace of beginning; containing (after excluding said excepton) 103,46 acres. Also Tract 4. Commencing at the Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 28, Town. ship 10 North, Range 36 East, B. M., (designated as point No. 1); thence East 23' South 974 feet (designated as Point No. 2); thence South 30' East 247 feet (designated as Point No. 3); thence East 67 feet (designated as Point No. 4); thence South 5° West 193 feet (designated as Point No. 5); thence South 77° West 147 feet (designated as Point No. 6); thence South 4° 15' West 515 feet (designated as Point No. 7); thence South 10' East 324 feet (designated as Point No. 8); thence South 85°15' West 839 feet(designated as Point 9); thence North 26' West 1384 feet to the place of beginning,—containing 27.8 acres. Also tract No. 5. Commencing at the Northeast corner of Section 33, Township 10 North, Range 36 East, B. M., run ning thence South on the section line 1320 feet; thence West 940 feet; thence North 8015' West to intersect the section line beween said Sections 33 and 28; thence East 1009 feet to the place of beginning, containing 29.53 acres, to the following described tract Southwest Quarter of Section 21, Township 10 North, Range 36, East, B. M., and the North Half of the Northwest Quarter, Section 28, Township 10 North, Range 36 East, B. M.

And that, on the 12th day of July, A. D., 1938, at 10:00 A. M., at Boise, Idaho before the Commissioner of Reclamation, 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.

R. W. FARIS. Commissioner of Reclamation Pub. June 30, July 7

Affidavit of Publication

STATE OF IDAHO ss. AFFIDAVIT OF PUBLICATION first duly sworn depose and say, that I am the printer of the CLARK COUNTY ENTERPRISE-BANNER, a newspaper printed and published weekly at Dubois, Clark County, Idaho; and I do solemnly swear that the Natice Thopased Transfer which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and

secutive issues, the first publication having been made on the 3oth day of June 1938, and the last publication having been made on the

not in any supplement thereof, for con-

7th day of July 1938

Further that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication, and that it has been continuously and uninterruptedly published in said county during a period of seventyeight consecutive weeks, prior to the first publication of the said notice.

M. a Fourberry

Subscribed and sworn to before me this

Notary Public.

My commission expires 44/19 1939

GRANT W SOULE

LAWYER

DUBOIS, IDAHO

July 22, 1928.

Department of Reclamation,

State House,

Boise, Idah.

Dear sirs; -

Enclosed is the affidavit of publication of notice in the transfer of water right from Mr. James Laird to the Village of Dubois. Also enclosed is check of \$\psi^1.00\$ for transfer.

Kindly inform me of the date of the your certificate of transfer.

Truly

Grant H Soule





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July 18, 1938

H. R. Harn Dubois, Idaho

Dear Mr. Harn:

We have your letter of July 15 regarding the James Laird transfer of water right.

To date, we have not received the Affidavit of Publication of Notice of Proposed Transfer of Water Right, of the above mentioned transfer, nor has the fee of one dollar (\$1.00) charged by this department in connection with this water right been received. Upon receipt of the above mentioned, we will issue a Certificate.

Very truly yours,

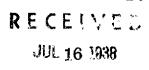
R. W. FARIS, Commissioner of Reclamation

By Supervisor of Water Distribution

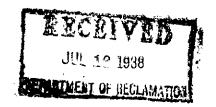
ODB:mh

Village of Dubois

Clark County, Idaho July 15, 1938



Department of the musical



Department of Reclamation Boise, Idaho

Re: James Laird transfer of water right.

Gentlemen:

We understand that a certificate will be issued to the Village of Dubois showing the transfer to the new place of use, and we are very anxious to get this certificate at the earliest possible date.

It is impossible for us to make a settlement with Mr. Laird until this certificate is issued, and your immediate assistance will be greatly appreciated.

Yours very truly,

Treasurer

H. R. Harn ls

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COPY OF WESTERN UNION TELEGRAM

Den 2-91

JULY 13, 1938

H. R. HARN DUBOIS, IDAHO

RETEL NO PROTEST ENTERED AGAINST JAMES LAIRD TRANSFER.

PAUL H. BERG
DEPUTY COMMISSIONER OF RECLAMATION

COLLEGE

MICROFILMED

This, is, a full-rate Telegram or Cable, gram unless its described by a suitable ool above or presing the address.

WESTERN UNION (34).

NEWCOMB CARLTON CHAIRMAN OF THE BOARD J. C. WILLEVER FIRST VICE-PRESIDENT

1201

SYMBOLS

DL = Day Letter

NL=Night Letter

LC=Deferred Cable

NLT=Cable Night Letter

Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination Received at 919 Main Street, Boise, Idaho. Always

KHA101 9/11=XC =DUBOIS IDA 13 1005A

R. B. WHITE

1938 JUL 13 AM 10 37

R W FARRIS=

COMMISSIONER OF RECLAMATION BOISE IDA=

ADVISE BY WESTERNUNION WHETHER ANY PROTESTS MADE JAMES LAND

TRANSFER APPLICATION=

H R HARN.

MICROFILMED

Village of Dubois

Clark County, Idaho

June 24, 1938

Re: Transfer James Laired to City of Aut

Mr. O. D. Becker Department of Reclamation Boise, Idaho

Dear Otto:

With reference to your letter of the 22nd instant, we surely appreciate the interest of Mr. Faris in the matter of financing the Spencer-Dubois By-pass on Beaver Creek.

It is impossible for us to make a decision, however, without more information, and we know of no reason why the transfer cannot be made at this time. We want to pay Mr. Laird and close this deal and cannot do so until we know just where we stand.

If the transfer would have no effect on the financing. there is no reason for delay. We can use Mr. Laird's 1822 in addition to any other water saving we might make or that we might acquire by reason of the By-pass.

Please write us fully as to what method of financing Mr. Faris has in mind. We appreciate that it is rather difficult to explain this matter by correspondence.

Please let us have a reply immediately so that the publication may go ahead if we deem it advisable.

Yours very truly.

H. R. Harn ls

GRANT W SOULE

LAWYER

DUBOIS, IDAHO

June 12, 1938.

RECEIVED
JUN 13 1938
Department of Referration

Department of Reclamation,

State House,

Boise, Idaho.

Dear sirs; -

Enclosed is an application for transfer of use of water by James Laird dated June 10th 1938, which he wishes filed and action taken thereon.

Very truly yours.

Grant Woodle

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that James Laird of Idaho Falls, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 3.64 cubic feet per second of the water of Dry Creek from the land upon which it is now used, i. e. Commencing at the Southeast corner of Section 28, Township 10 North, Range 36 East; thence North along the secti n line to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 28: thence West 1262'; thence South 8015' East to intersect the South section line of said section 28; thence East 1009' to the place of beginning, -excepting therefrom the following described land; Starting from a point where join the corners of Section 21, 22, 27, and 28 of Township 10 North, Range 36 East, B. M., Idamo, (bears North 0 37 West); running South on the dividing line between Sections 27 and 28, 1248 feet to place of beginning; thence South 89023 West, 805 feet; thence 0 37 South 212.5 feet; thence North 89°23' East 805 feet; thence 0° 37' North 212.5 feet to place of beginning; containing (after excluding said exception) 103.46 acres. Also Tract 4. Commencing at the Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 28, Township 10 North, Range 36 East, B. M., (designated as point No. 1); thence East 23' South 974 feet (designated as Point No. 2); thence South 30' East 247 feet (designated as Point No. 3); thence East 67 feet (designated as Point No. 4); thence South 50 West 193 feet (designated as Point No. 5); thence South 770 West 147 feet (designated as point No. 6); thence South 4015 West 515 feet (designated as Point No. 7); thence South 10' East 324 feet (designated as Point No. 8); thence south 85015 West 839 feet (designated as Point 9); thence North 26' West 1384 feet to the place of beginning, -containing 27.8 acres. Also tract No. 5. Commencing at the Northeast corner of Section 33, Township loworth, Range 36 Rest, B. M., running thence South on the section line 1320 feet; thence West 940 feet; thence North 8015! West to intersect the eaction line between said Sections 33 and 28; thence East 1009 feet to the place of beginning, containing 29.53 acres. to the following described dract Southwest Quarter of Section 21, Township 10 North, Range 36, Rest, B. M., and the North Half of the Northwest Quarter, Section 28, Township 10 North, Range 36 East, B. M.

And that, on the 12th day of July, A. D., 1938, at 10:00 A. M., at Boise, Ideho before the Commissioner of Reclamation, 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.

R. W. FARIS, Commissioner of Reclamation

Application For Transfer of Water Kight

STATE OF IDAHO,
County of Clark
James Laird , being first duly sworn, deposes and says:
That his name is James Laird; that he is of lawful age, a citizen
of the United States and of the State of Idaho, and that his postoffice address is 1265 Canal
Street, Idaho Falls, Idaho,
That he is the owner and using a certain water right, bearing date of priority of
for 3.64 cubic feet per second of the waters of Dry Creek (or Beaver Creek)
County of Clark , State of Idaho, decreed to Said James Laird
by decree of Judge, Charles C. Cavanah District Court of the United States of the Judge, Charles C. Cavanah of the Judge District Court of the United States
States for the District of Idaho, Eastern Division in the case of Earnest Sauve
vs. W. H. Abbott, et al, being case No. 635 in equity
(or obtained by virtue of License No, issued by the State Engineer 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 and State of Idaho, to-wit: as is described
upon the two attached sheets of paper, and particularly identified as tracts numbered 3, 4, and 5.

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JAMES	LA	IRD			3,64	. 1	i di
1892 V		Sep	tember	10	4.44	c.f.s.	Son
1894	-	May	1		2.75	c.f.s.	Po
1910	-	May	2		1,6		of de the "of

Source: Dry Creek (otherwise known astBeaver Creek) and of the state o

Points of Diversion was the Apoint on the West side of the main channel of Dry Creek about 10 rads South of the Northeast Corner of Tract 4 described belows (2) Situate on the West side of the main channel of Dry Creek at a point about 9 rods North eftthe point where the main East-and West street of the Village of Dubois crosses said creek, said point being about a half mile North of the North line of Tract 4 described below, and being about a fall mile North of the North line of Tract 4 described below, and being about a fall was the content of the North line of Tract 4 described below, and being about a fall was the content of the North line of Tract 4 described below, and being about a fall was the content of the North line of Tract 4 described below, and being about a fall of the Dibeles of Tract 4 described below, and being about a fall and the Dibeles of Tract 4 described below.

center of the Village of Dubois, and opposite the point where the o.S.L. Railfoad Company diverts and pumps water from said stream at this time. (3) Situate on the totast side of the main channel of of Dry Creek, approximately three-fourths of one mile North of the theretheast corner of Tract A design of the critical below.

For use on the following described land, to-wit:

Tractor. The Northwest Quarter of Settion 27, Township 10 North, Range 36 East,

Tract 2. The Northeast Cuarter of

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 66 in the County of Clark and State of Idaho, to-wit: as is described upon the two attached sheets of paper, and particularly identified as tracts numbered 3, 4, and 5.

JAMES LAIRD

3,64

September 10

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(Costation of) c.f.s. Source: Dry Oreek to Condition Corolle Trast Beaver Creek) as at Conditional Corolle To Conditional Conditional Conditions of the Conditional C Source: Dry Creek (otherwise known

c.f.s. GoPoints of Diversion and the Control of Dry Creek, about 10 rods South of the Northeast Corner of Tract 4 described belower (2) Situate on Cantrol of Cantrol the West side Soft the main channel Cof Dry Creek at a point about 9 rods and the main East-and West street of the Village

Fast-and West street of the Village of Dubois crosses said creek, said point being about a malf mile North tonit the roll below, and being about the scenter of the Village of Dubois, said opposite the point where the pumps water from said stream at this time. (3) Situate on the East side of the main channel of Dry Creek, approximately three-Dry Creek, approximately threefourths of one mile North of the
Northeast corner of Tract 4, described below.

For use on the following described fand, to with the constant with

Tractor. OThe Morthwest Quarter of the Northwest Quarter of Section 27, Confidence communications and confident,

Tract 2. The Nontheast Quarter of ::Tract.2.:The Nontheast Quarter of ::the:Northeast:Quarter:of Section 28, Townshipland-Range aforesaid, conotaining 40.4 acres.

Tract 3. Commencing at the Southeast corner of Section 28, Township and E Tract 3. Range aforesaid; thence North along the section line to the Northeast corner of the Southest Quarter of the Northeast Quarter of said Section 28; thence West 1262; thence easouth 8°15' East to intersect the South section line of said Section 28; thence East 1009! to the place of beginning, --excepting therefrom the following described land; Starting from a point where join the corners of Section 21, 22, 27, and 28 of Township 10 North, Range and 28 of Township 10 North, Range 36 East, B.M., Idaho, (bears North 0°37' West); running South on the dividing line between Sections 27 and 28, 1248 feet to place of beginning; thence South 89°23' West, 805 feet; thence 0°37' South 212.5 feet; thence North 89023! East 805 feet; thence 0°37! North 212.5 feet to place of beginning; containing (after excluding said exception) 103.46 acres.

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Tract 4. Commencing at the Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 28, Township 10 North, Range 36 East, B.M., (designated as Point No. 1); thence East 23' o an South 974 feet (designated as Point No. 2); thence South 30' East 247 feet (designated as Point No. 3); thence East 67 feet (designated as Point No. 4); thence South 5° West 193 feet (designated as Point No. 5); thence South 77° West 147 feet

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Tract 5. Commencing at the Northeast corner of Section 33. Township
10 North, Range 36 East, B.M., running thence South on the section
line 1320 feet; thence West 940.
feet; thence North 8 15 West to Copyreation and the topy of the confidence intersect the section line between said Sections 33 and 28; thence East 1009 feet to the place of beginning, -- containing 29.53 acres.

> Tract 6. The South Half of the Northwest Quarter of Section 33, Township 10 North, Range 36 East, B.M., and a tract described by metes and bounds as follows: Commencing at the Northwest corner of the South Half of the Northwest Quarter of Section 33, Township and Range aforesaid; thence North on section line 987 feet; thence East 3111 feet to intersect the public roadway; thence in a South-easterly direction along the West line of said public roadway to intersect the South line of the Northwest Quarter of the Northeast Quarter of Section 33; thence West 3224 feet to the place of beginning, --containing 153.18 acres.

No. 63

and is the person (or representative of
the corporation)-to whom such right so issued, or has become the owner thereof in the following man-
ner, i. e. by decree of said court
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 places described in the above attached sheets of paper and map following which designates diversions in Section 21. Township 10 North, Range 36 East. B. M., and con-
ducted to the above described lands through ditches of earth.
as per map herewith and of this affidavit made a part;
That affiant and petitioner desires to abandon the use of 3.64 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:
within the limits of the Village of Dubois as per the recorded plats
thereof on file in the office of the County Recorder of Clark County,
Idaho, and through the same points of diversion as they now exist and olev
That his reasons for desiring to make such transfer are as follows: that he is selling his
land and water rights; and because in recent years shortage of water has
made it impracticable to try to hold his land and water rights as they
now exist.

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Tract 4. Commencing at the Northwest corner of the Southeast Cuarter of the Northwest Cuarter of Section 28, Township 10 North, Section 28, Township 10 North, as Foint No. 1); thence East 25, Scuth 974 feet (designated as Point Seat (designated as Point Ho. 2); thence South 30; East 247 feet (designated as Point No. 4); thence Scuth 50 West 193 feet (designated as Point No. 5); thence Scuth 770 West 147 feet Scuth 4915; West 515 feet (designated as Point No. 8); thence South 85015; West No. 8); thence South 85015; West 400. 8); thence South 85015; West thonce North 26; West 1384 feet the the place of beginning,--een-

to the place of beginning, --containing 27.8 acrea.

Tract 5. Commencing at the Northegast corner of Section 35. Township 10 North, Range 35 East, D.M., rundaing thence Scuth on the section 11nc 1320 feet; thence West 940 feet; thence North 8019; West to intersect the section line between said Sections 35 and 28; thence East 1009 feet to the place of beginning, -- containing 29.53 acres.

Tract C. The South Falf of the Mortiwest Quarter of Section 33, Township 10 North, Range 36 East, E.M., and a tract described by mates and bounds as follows: Com

as set forth upon the map herewith; and that no one will be injured by such transfer. WHEREFOR, Affant and Petitioner prays that the Commissioner of Reclamation of the State on Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provision of Rockenfords retained and the proper certificate authorizing such transfer, in accordance with the provision of Rockenfords retained and the Commissioner of Reclamation of the State of Rockenfords retained and the Commissioner of the Idaho Cook Applicant Applicant Commissioner of the Idaho Cook Applicant Cook Applica	as set forth upon the map berewith; and that no one will be injured by such transfer. WHEREFOR, Affiant and Potitioner prays that the Commissioner of Reclamation of the State of Idaho issue to bim the proper certificate authorizing such transfer, in accordance with the provisions of Sarian-20082 Affiant and Fortificate authorizing such transfer, in accordance with the provisions of Sarian-20082 Affiant and the provisions of Sarian-20082 Affiant and the provisions of Sarian-20082 Affiant and the provision of the Control of Sarian-20082 Affiant and Applicant Applicant with a stream is the water disorted Dry Creek. Is smallings known as Pearer Orec Where it the Sarian is the water disorted Dry Creek. Is smallings known as Pearer Orec Where it the Sarian provision before the sariant of the Sarian and Saria	•	t and convey said 3.64 second feet of water to the trace
as set forth apon the map herewith; and that no one will be injured by such transfer. WHEREFOR, Affiant and Petitioner prays that the Commissioner of Redamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provision of Emiliary States and Commissioner of the Idaho Social Annotated and Emiliary States and Commissioner of the Idaho Social Annotated Commissioner of Idaho Social Annotated Commissioner o	as set forth upon the map herewith; and that no one will be injured by such transfer. WHEREFOR Affiant and Pelitioner 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 Northern 1983 within thicker (Rechark Market X 1-216 of the Idaho 1996 Annotated A	·	
as set forth upon the map berewith; and that no one will be injured by such transfer. WHEREFOR, 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 Station 1882 in Industry 18	as set forth upon the map herewith; and that no one will be injured by such transfer. WHEREFOR, 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 Mariban 1882 at the first proper certificate authorizing such transfer, in accordance with the provisions of Mariban 1882 at the proper certificate authorizing and transfer in accordance with the provisions of Mariban 1882 at the proper certificate authorizing and the proper certificate authorized proper	diversion as they no	w exist, and as set forth above
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as set forth upon the map berewith; and that no one will be injured by such transfer. WHEREFOR, 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 provision of SERIKANASSE MINIMARIANASSE REMINEX. 41-216 of the Idaho Golf Annotated Series and Se	WHEREFOR, 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 Santkan 2682 xalxing which have been accordance with the provisions of Santkan 2682 xalxing which have been accordance with the provisions of Santkan 2682 xalxing which have been according to the Idaho Cook Amplicant Assurer with the control of the Idaho Cook Amplicant Assurer with the control of the Idaho Cook Amplicant Assurer with the control of the Idaho Cook Amplicant Subscribed with the Idaho Cook Amplicant Assurer with the Idaho Cook Amplicant Assurer with the Idaho Cook Amplicant Cook Amplicant Idaho Cook Amplicant Cook Idaho Cook Amplicant Cook Idaho Cook Amplicant Cook Idaho	·	<u> </u>
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Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provision of England 2002 Annotated Annotate	Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Extinuo 2082 xaritum obtahox Campwick Extinuex 41-216 of the Idaho Cooff Annota ted Angelicant and Campus Applicant and Campus Applicant and Campus Applicant Ap		
Applicant Subscribed and sworn to before me this. Applicant App	Subscribed and sworn to before me this. Applicant Subscribed and sworn to before me this. Applicant Applic		
Applicant Assuberibed and sworn to before me this. AD . 1958. APPLICANT WHEL ANSWER THE FOLLOWING QUESTIONS: APPLICANT WHEL ANSWER THE FOLLOWING QUESTIONS: Prom what stream is the water diverted Pry Creek. (some times, known as Beaver Ore In the SEA of NFA. & NEW of SFA, both in Sec. 21, T. 10 Nr. R. 36 E.B. Where is the diversion bont located? Through what ditch is it now conducted? The Laiged ditches How much land is now irrigated by the water sought to be transferred? 160.79 Clive the description. As is described upon the two above attached sheets of in this application, but confined only to treats 3, 4, and 5. What is the total amount of water in inches, or second feet, dedicated to said land? 3.64 a.f.s. as is more fully set out in this application. See attacement marked (x) What kind of crops are being raised. Saifal 28. How much water per acre is now required to irrigate said land? Tree I to 2 inches What will be the effect on the land now irrigated, if the use of water on it is discontinued? It will go to grazing land. Give location of new point of diversion, if change is to be made No change is to be made for the land to which this water is transferred a full inch or more, - in many places 2 inches as ground is gravelly Do you claim any other water right for the land from which you seek to abandon the use of this water? If so, give amount, date and source. Dry Greek I cor. Beaver Greek) Is there now any other water right for the land from which you seek to abandon the use of this water? If so, give amount, date and source. Dry Greek I cor. Beaver Greek) Is there now any other water right for the land to which you seek to abandon the use of this water? If so, give amount, date and source. Dry Greek I cor. Beaver	Subscribed and aworn to before me this day of June A D. 1958. **APPLICANT WHEL ANSWER THE FOLLOWING UPSTICES** APPLICANT WHEL ANSWER THE FOLLOWING UPSTICES** Prom what stream is the water diverted? Dry. Orgek. (sometimes. known as Beaver Org. In the SE** of NM*, & HEZ of SM*, both in Sec. 21, 7, 10 N*, R. 36 B.E. Where is the diversion pinel located? Through what ditch is it now conducted? The Laired ditches How much land is now irrigated by the water sought to be transferred? 150.75 Give the description: AS 18 described upon the two above attaches breats of p in this application, but confined only to tracts 3. 4, and 5. What is the total amount of water in inches, or second feet, dedicated to said land? 3.64 9.f.s. as is more fully set out in this application. See statement marked (x) What kind of crops are being raised. Sitalfa. How much water per acre is now required to irrigate said land? from 1 to 2 inghes What will be the effect on the land now irrigated, if the use of water on it is discontinued? It will go to grazing land. Give location of new point of diversion, if change is to be made No 9hange is to be made for the land on the land now irrigated is the land to which this water is transferred? a full inch or more, in many places 2 inches as ground is growelly Do you claim any other water right for the land from which you seek to shaudon the use of this water? 1,55 o.f.s. of May 1, 1894 tright, now in process of transfer. If so give amount, date and source. Dry. Oree4. or. Beaver Oreek) Is there now any other water right for the land from which you seek to shaudon the use of this water with a for the land to which you seek to make this transfer? H so, give amount, date and source. Dry. Oree4. or. Beaver Oreek) Is there now any other water right for the land to which you seek to make this transfer? H so, give amount, date and source. Dry. Oree4. or. Beaver Oreek) Is there now any other water right for the land to which you seek to make this transfer? H so, give amount, date and source.		-
Applicant AD 1938. **Subscribed and sworn to before me this.** AD 1938. **ADELICANT WILL ANSWER THE FOLLOWING ULESTIONS: **Prom what streams it he water diverted DPLY Cress.**. Is smettlans. known as Beaver Over the SEA 'OF RWA. A NEW of SWA, both in Sec. 21, T. 10 Mr. R. 36 E. 2. Where is the diversion point located? The Laird ditches How much land is now irrigated by the water sought to be transferred? 1807.79 Give the description: AS is described upon the two above attached sheets of in this application, but confined only to tracts 3, 4, and 5. What is the total amount of water in inches, or second feet, dedicated to said land? 3.54 a.f.s. as is more fully set out in this application. See statement marked (x) What kind of crops are being raised. slights.** How much water per acre is now required to irrigate said land? from 1 to 2 inches What will be the effect on the land now irrigated, if the use of water on it is discontinued? It will go to grazing land. Give location of new point of diversion, if change is to be made No change is to be made to grazing land. Give location of new point of diversion, if change is to be made No change is to be made a full inch or more, - in many places 2 inches as ground is gavelly Do you claim any other water right for the land from which you seek to abandon the use of this water? 1,55 c.f.s. of May 1, 1694 right, now in process of transferr. Is there now any other water right for the land from which you seek to make this transferred a full inch or more, - in many places 2 inches as ground is gavelly Do you claim any other water right for the land from which you seek to abandon the use of this water? 1, 25 c.f.s. of May 1, 1694 right, now in process of transfer. It still go to grazing the beauty places 2 inches as ground is gavelly Do you claim any other water right for the land to which you seek to abandon the use of this water? 1, 25 c.f.s. of May 1, 1894; to C. Beaver of Creek) Is there now any other water right for the land from which you seek to abandon	Applicant Subscribed and sworn to before me this. A D 1938. A D 1938. A PERICANT WILL ANSWER THE FOLLOWING GUESTIONS: APPLICANT WILL ANSWER THE FOLLOWING GUESTIONS: Through what streams it we water diverted PDY, Creek, is constituens, known as Beards. Ore in the SB\$ of NW4. A NET of SW4, both in Sec. 21. T. 10 Nr. R. 36 E.B. Where it the diversion point located? Through what ditch is it now conducted? The Laird ditches How much land is now irrigated by the water scught to be transferred? 160.75 Give the description: as is described upon the two above attaches better of pin this application, but confirmed only to treats j. 4, and j. What is the total amount of water in inches, or second feet, dedicated to said land? J.64.a.f.s. as is more fully set out in this application, see statement marked (x) what kind of crops are being raised. Alfalfa. How much water per are is mow required to irrigate said land? from I to 2 inghes What will be the effect on the land now irrigated, if the use of water on it is discontinued? It will go to grazing land. Give location of new point of diversion, if change is to be made EQ Change is to be made a full inch or more, in many places 2 inches as ground is gavelly Do you claim any other water right for the land from which you seek to abandon the use of this water? I so, give amount, date and source. Pure J. Creek. Low-Descret Creek). Is there now any other water right for the land from which you seek to abandon the use of this water? I so, give amount, date and source. Pure J. Creek L. Creek. Is there now any other water right for the land from which you seek to abandon the use of this water? I so, give amount, date and source. Pure J. Creek L. 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. Pure J. Creek L. Creek. (x) I, the said James Isird, have deered wary the balance of 1.05 cubic feet per second of my decreed water right for the land to my decreed water right for water and th	ode Section estima est	x Campile & Skitutex x 41-216 of the Idaho Code Annotate
Subscribed and sworn to before me this. A D. 1958. **Subscribed and sworn to before me this. A D. 1958. **APPLICANT WHEL ANSWER THE FOLLOWING UESTIONS: From what stream is the water diverted Dry Creek, is ometimes. known as Beaver Ore in the SE2 of RH2, & IEE2 of SH2, both in Sec. 21, T. 10 k. R. 30 E.S. Where is the diverted point boated? The Leied ditches How much land is now irrigated by the vater sought to be transferred? 150.19 Give the description: as 1s described upon the two shows attached kneets of in this application, but confined only to tracts 3, 4, and 5. What is the total amount of water in inches, or second feet, dedicated to said land? 3.64 o.f.s. as is more fully set out in this application. See statement marked (x) What kind of crops are being raised. 2.16128. How much water per acre is now required to irrigate said land? Itom I to 2 inghes What will be the effect on the land now irrigated, if the use of water on it is discontinued? It will go to grazing land. Give location of new point of diversion, if change is to be made Eo change is to be made for land to which this water is transferred a full inph or more. In many places 2 inches as ground is gavelly Do you claim any other water right for the land from which you seek to abandon the use of this water? I so, first and of the gave and source. Progress of transfer. Is there now any other water right for the land from which you seek to abandon the use of this water? I so, give amount, date and source. Progress of the progress of transfer. (x) I, the said James Leird, have deceded sway the balance of 2, and 6 together with all of my decreed water right of 1.6 cubic with. BO cubic feet per second of my decreed water right of the land of my decreed water right of the progress of t	Subscribed and sworn to before me this. A D 1958 APPLICANT WELL ANSWER THE FOLLOWING GUESTIONS: From what arease is the water diverted Dry. Creek. (sometimes, known as Beaver Crein the SER- of Myl. 4 MEZ of SW2, both in Sec. 21, T. 10 My. R. 36 Myl. Where is the diversion point located of Sw2, both in Sec. 21, T. 10 My. R. 36 Myl. Where is the diversion point located of Sw2, both in Sec. 21, T. 10 Myl. R. 36 Myl. Where is the diversion point located of Sw2, both in Sec. 21, T. 10 Myl. R. 36 Myl. Through what ditch is it now conducted? The Laire ditches How much land is now irrigated by the water sought to be transferred? 160.75 Give the description: As is described upon the two above attaches kneets of pin this application, but confined only to tracts 3. 4, and 5. What is the total amount of water in inches, or second feet, dedicated to said land? 3.64.9.1.8, as is more failly set out in this application. See attaches threated (x) What kind of crops are being raised. 3161.28 How much water per acre is now required to irrigate said land? from 1 to 2 inches What will be the effect on the land now irrigated, if the use of water on it is discontinued? It will go to grazing land. Give location of new point of diversion, if change is to be made No change is to be made for	and the second s	
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STATE OF IDAHO,
County of Clark ss.
Wm a, Patt and C. A. Hjort
being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citi-
zen of the United States and of the State of Idaho, residing at Dulans classifands pence
that he is a user of water from Dry Creek or Beaver Creekin Water District No. 66
County of Clark , State of Idaho; that he has read or heard read the foregoing affidavit and
petition of James Laird 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 trans-
fer therein petitioned.
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Ca C Host
and the last
Subscribed and sworn to before me this day of June
M. Thomas
CLECK OF DISTRICT COURT CLARK COUNTY, IDAHO
A TOP OF THE PARTY
DEPUTY
The state of the s
STATE OF IDAHO,
County of Clark ss.
I, Elvin W. Henninger , Watermaster of Water District No. 66
Water District No, County of Clark State of Idaho, whose postoffice address
is Dubois. Idaho, have read or heard read the foregoing affidavit and petition
of James Laird 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: The transfer to the Village
of Dubois would put the water right to better use and be in the in-
terest of the greater number of people and make for more intensive use
of the water as well as a more economical use as it covers land nearer the point of diversion of the ditches.
Watermaster Dist No. 66
Dated at Dubois , Idaho, this / O day of June , 1938
Dated at Dubois , Idaho, this day of June , 1938

Scale: 2 Inches—1 Mile. Draw Map in Ink.