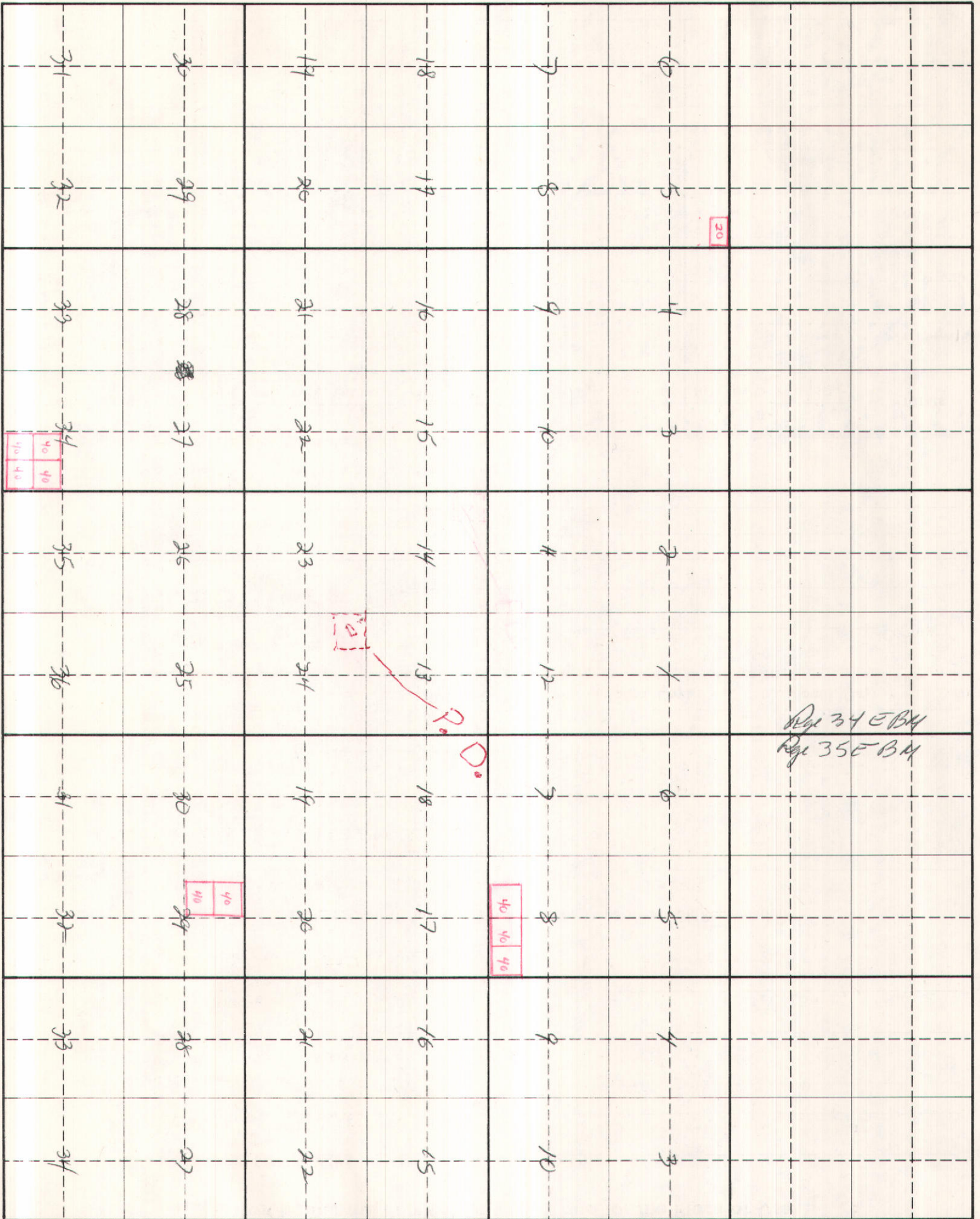


Top 60.



Rpt 34 EBH
Rpt 35 EBH

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

△ Point of Diversion
■ Land to be irrigated

MICROFILMED

RECEIVED

Affidavit of Publication

THE RIGBY STAR

MAR 8 1971

Department of Water Administration

STATE OF IDAHO
County of Jefferson

ss.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Nos. 31-0168, 31-0169, 31-0065 and
31-0006

Notice is hereby given that Owsley Canal Company of Terretton, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Mud Lake. The right sought to be changed is evidenced by a Decree in the case of Sauve vs. Abbott and is recorded as follows

No. 31-0168 — Amount: 1.60 c.f.s.
Priority: October 3, 1910 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 Twp. 7 N., Rge. 34 E., B.M. Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7N., R. 34 EBM.

No. 31-0169 — Amount: 1.60 c.f.s.
Priority: December 10, 1917 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7N., R. 34 EBM. Place of Use SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7N., R. 34 E., B.M.

No. 31-0065 — Amount: 3.0 c.f.s.

Priority: October 3, 1910 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7N., R. 34 EBM. Place of Use: SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29; SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 7N., R. 34 EBM.

No. 31-006 — Amount: 1.40 c.f.s.
Priority: December 10, 1917 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7N., R. 34 EBM Place of Use: N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29 T. 7N., R. 34 E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: 7.60 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp. 6N. Rge. 34 E., BM
The water will be used for irrigation purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5; SE $\frac{1}{4}$ Sec. 34, Twp. 6 N., Rge. 34 E., B.M.; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8; E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 29, Twp. 6 N., Rge. 35 E., B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before March 22, 1971.

R. KEITH HGGINSON
Director

Published in The Rigby Star, Rigby, Idaho on March 4 and March 11,

1971. 76628, 1971 & 76629, 1971

I, Hope B. Jones, do solemnly swear that I am the printer 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 said attached notice, advertisement or 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

Two Consecutive issues thereof; first publication having been made on the

25th day of February, 1971

and the last publication on the

4th day of March, 1971

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 bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this 4th

day of March, 1971
(SEAL)

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

My commission expires _____, 19____

Publication Fee: \$_____

MY COMMISSION EXPIRES JULY 15, 1973

FILED

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
--------------	------	------------------	-------------------	--------------

	Nordstrom, Carl	1.6		31-0168
1658	Owsley Canal Company	1.6	0	31-0168A

R

E

E

S

N

A

R

THE TOLSON

Identification No. 31-0168
Transfer No. 1458

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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

APPROVED

1. Name of Right Holder Owsley Canal Company
Post office address Terreton, Idaho
2. Right obtained by:
a. Decree to See Attachment in Case of Sauve
(Name)
vs. Abbott, Dated 1930 in U.S. District Court, Idaho
Eastern Division (Name of Court)
Court. County of Jefferson
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Mud Lake tributary to sinks
(Name of stream or source)
4. Date of Priority See Attachment
5. Amount of water a. See Attachment c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for irrigation from May 1 to Nov. 1
See Attachment (Month, Day) (Month, Day)
7. Original location of point of diversion is / 1/4 of Section _____,
Township _____, Range _____, B.M., in _____ County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:
SEE ATTACHMENT

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

Total number of acres presently irrigated _____

9. If applicant was not the original holder of this right explain how it was acquired:_____

by purchase

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 7.60 c.f.s. and/or _____ acre feet

b. New point of diversion: NW ¼ NW ¼, Section 24, Township 6N
_____, Range 34E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: existing
diversion, pumping plant, and main canal

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

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

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

Purchased water to place on lands within project that have no water at
present.

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

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

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

11. CHANGE IN PLACE OF USE

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

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	8											40				40	40	120
6N	35E	29					40			40									80
6N	34E	5	20																20
6N	34E	34												40	40	40	40		160

Total number of acres to be irrigated 380

RECEIVED

Watermaster Recommendation sent December 17, 1970

Received by _____ Date 12-17-70
Prelim. check by *WAG* Date 12-17-70
Fee received by _____ Date 12/17/70 Fee \$ 20.00
Approved for publication by _____
Published in *The Right Star* Dates *after 21 + 28*
Wednesday March 14 + 11
Hearing held _____

FOR DEPARTMENT USE ONLY

Witness my hand this 30th day of April 1971
[Signature]
Deputy Director
State Reclamation/Engineer

1. Approval of said application is subject to the following limitations and conditions:
2. Denial of said application is for the following reasons:
This is to certify that I have examined Application for Transfer of Water Rights No. 31-0168/1658 and said application is hereby APPROVED

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

APPROVED

My commission expires January 5, 1971
Subscribed and sworn to before me this 14th day of December 1970
[Signature]
(signature of applicant)
[Signature]
(notary public)

risk. The information contained in this application is true to the best of my knowledge.
I hereby assert that no one will be injured by such transfer and that the change will be made at my own
e. Indicate on the above plat the new land to be irrigated and the point of diversion.
d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: none
c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans: yes
b. Do you intend to make the transfer permanent? yes

ATTACHMENT: Owsley Canal Co. Transfer Application

Decree Suave v.s. Abbott

Right #88, page 124

Carl Nordstrom 31-0168 1.60 c.f.s. Priority - October 3, 1910
Carl Nordstrom 31-0169 1.60 c.f.s. Priority - December 10, 1917

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 7N, R. 34E

Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 7N, R. 34E

Right #35, page 59

John Hansen 31-0065 3.00 c.f.s. Priority - October 3, 1910

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 7N, R. 34E

Place of Use: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 7N, R. 34E

Right #2, page 21

W. H. Abbott 31-0006 1.40 c.f.s. Priority - December 10, 1917

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 7N, R. 34E

Place of Use: N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 7N, R. 34E

Affidavit of Publication

THE RIGBY STAR

STATE OF IDAHO
County of Jefferson

ss.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Nos. 31-0168, 31-0169, 31-0065 and
31-0006

Notice is hereby given that Owsley Canal Company of Terreton, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Mud Lake. The right sought to be changed is evidenced by a Decree in the case of Saue vs. Abbott and is recorded as follows

No. 31-0168 — Amount: 1.60 c.f.s.
Priority: October 3, 1910 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 Twp. 7 N., Rge. 34 E., B.M. Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7N., R. 34 EBM.

No. 31-0169 — Amount: 1.60 c.f.s.
Priority: December 10, 1917 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7N., R. 34 EBM. Place of Use SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7N., R. 34 E., B.M.

No. 31-0065 — Amount: 3.0 c.f.s.

Priority: October 3, 1910 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7N., R. 34 EBM. Place of Use: SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29; SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 7N., R. 34 EBM.

No. 31-006 — Amount: 1.40 c.f.s.
Priority: December 10, 1917 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7N., R. 34 EBM Place of Use: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29 T. 7N., R. 34 E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: 7.60 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp. 6N. Rge. 34 E., BM

The water will be used for irrigation purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5; SE $\frac{1}{4}$ Sec. 34, Twp. 6 N., Rge. 34 E., B.M.; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8; E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 29, Twp. 6 N., Rge. 35 E., B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before March 22, 1971.

R. KEITH HGGINSON

Director

Published in The Rigby Star, Rigby, Idaho, March 11, 1971.

I, Hope B. Jones, do solemnly swear that I am the printer 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 said attached notice, advertisement or 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

~~Two~~ Consecutive issues thereof; first publication having been made on the

25th day of February, 1971

and the last publication on the

4th day of March, 1971

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 bona fide subscribers in Jefferson County.

Subscribed in my presence and sworn to before me this

day of
(SEAL)

March, 1971

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

My commission expires _____, 19____

Publication Fee: \$-----

MY COMMISSION EXPIRES JULY 15, 1973

QUIT CLAIM DEED

THIS INDENTURE, made the _____ day of November in the year of our Lord, one thousand nine hundred and seventy, between MRS. FRED STALEY

_____ of the County of Jefferson and State of Idaho,
the party _____ of the first part, and OWSLEY CANAL COMPANY, a corporation

_____ of the County of Jefferson and State of Idaho,
part Y _____ of the second part.

WITNESSETH: That the said part Y _____ of the first part, for and in consideration of the sum of ONE AND NO/100 (\$1.00) -- DOLLARS, lawful money of the United States of America, to her in hand paid by the said part Y _____ of the second part, the receipt whereof is hereby acknowledged, do es by these presents demise, release and forever quit claim unto the said part Y _____ of the second part, and to its ^{successors} ~~heirs~~ and assigns all the certain lot _____, piece _____, or parcel _____ of land situate, lying and being in the County of Jefferson and State of Idaho, and bounded and described as follows, to-wit:

Decreed water rights as follows:

1.6 c.f.s. to W. H. Abbott, priority date August 3, 1910

1.4 c.f.s. to W. H. Abbott, priority date December 10, 1917

The above described water rights were decreed in the case Sauve vs. Abbott in the year 1930, in the United States District Court for the District of Idaho, Eastern Division, from the waters of Mud Lake, Jefferson County, Idaho.

Microfilm No. 156538

3 Day November 1970

At 12:25 O'clock P. M.

Otto R. Lemmon

Jefferson Co Recorder

Fee 2.00 Deputy

Recorded At Request of

Walter Spelman

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident, unto the said part Y _____ of the second part and to its ^{successors} ~~heirs~~ and assigns forever.

IN WITNESS WHEREOF, the said part Y _____ of the first part _____ hereunto set s. her hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

Mrs. Fred Staley (SEAL)

(SEAL)

(SEAL)

(SEAL)

RECORDED

STATE OF IDAHO,
County of Jefferson } ss.

I DO HEREBY CERTIFY,

on this 30 day of November in the year 1970, before me
the undersigned, a notary public
in and for said County and State, personally appeared Mrs. Fred Staley

known to me to be the person whose name is subscribed to the within and foregoing
instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,
the day and year in this certificate first above written.

John W. Smith
Notary Public.

Residing at P. A. Terrillson Delco

My Commission expires 3-3, 1973

No. _____

QUIT CLAIM DEED

TO

Dated _____, 19____

Recorded at the request of

_____, 19____

minutes past _____ o'clock

M., in Record _____ of

County of _____

State of Idaho.

Recorder.

By _____ Deputy Recorder.

DEED RECORD

THIS INDENTURE, made this 19th day of August, 1970,
between RANDALL E. BARNEY and DAWNELLA BARNEY, his wife,
of Montevieu, County of Jefferson, State of Idaho,
the parties of the first part and OWSLEY CANAL COMPANY, a corporation
County of Jefferson, State of Idaho, the party of the second part,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of
One and no/100-----Dollars
lawful money of the United States of America
to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged,
do es by these presents remise, release and forever QUITCLAIM, unto the said party of the second
part, and to its heirs and assigns, forever, all the following described real estate, situated in
~~JEFFERSON~~ County of Jefferson, State of Idaho.
to-wit:

Decreed water rights as follows:

- 3.0 c.f.s - Decreed to John Hansen -- Priority date Oct. 3, 1910
- 1.6 c.f.s - Decreed to Carl Nordstrom - Priority date Oct. 3, 1910
- 1.6 c.f.s - Decreed to Carl Nordstrom - Priority date Dec. 10, 1917

The above described water rights were decreed in the case
Sauve vs. Abbott in the year 1930, in the United States District
Court for the District of Idaho, Eastern Division, from the
waters of Mud Lake, Jefferson County, Idaho.

Microfilm No. 156088
15 Day October 1970
At 9:10 O'clock A M
This is Common
Jefferson Co Recorder
Fee 2.00 Deputy
Recorded At Request of
J. L. Smith

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belong-
ing or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues
and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto
the said party of the second part, and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands
and seals the day and year first above written.

Executed and Delivered in the Presence of

Randall E. Barney [SEAL]
Randall E. Barney [SEAL]
Dawnella Barney [SEAL]
Dawnella Barney [SEAL]

No. _____
QUITCLAIM DEED

TO _____

Dated _____, 19____

STATE OF IDAHO,

County of _____ ss.

I hereby certify that this instrument
was filed for record at request of _____

at _____ minutes past _____
o'clock _____ M., this _____ day of _____

office, and duly entered in Book _____
of _____
at page _____.

Ex-Officio Recorder.

By _____ Deputy.

Fees, \$ _____

Mail to _____

Art Paper Printing - Boise

STATE OF IDAHO,

County of Madison

ss.

On this 22nd day of July, 1970, before me
the undersigned _____, a Notary Public in and for said State, personally appeared
Randall E. Barney and Dawnella Barney
known to me to be the person whose name _____ are subscribed to the within instrument, and acknowledged
to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year in this certificate first above written.

Notary Public for the State of Idaho,
Residing at Rexburg, Idaho.

May 3, 1971

Re: Transfer Nos: 31-0169/1658
31-0168/1658
31-0065/1658
31-0006/1658

Mr. Donald W. Shenton
Watermaster, District # 66
Post Office Box # 33
Dubois, Idaho 83423

Dear Mr. Shenton:

Please find enclosed a copy of each of the above referenced APPROVED applications for transfer.

Very truly yours,

Bobby D. Fleenor
Assistant Director

BDF:CM

Enclosures

1

May 3, 1971

Re: Transfer Nos. 31-0168/1658
31-0169/1658
31-0065/1658
31-0006/1658

Owsley Canal Company
Terreton,
Idaho 83450

Gentlemen:

Please find enclosed a copy of each of the above referenced APPROVED applications for transfer.

Very truly yours,

Bobby D. Fleenor
Assistant Director

BDF:CM

Enclosures

100-111111-111111

February 9, 1971

Re: Transfer of Water Right Applications 1657 and 1658

C
The Rigby Star
P.O. Box 37
Rigby, Idaho 83442

Dear Sirs:

P
As of this date, we have not received the certified bill or affidavit of publication concerning the above numbered transfer applications. These were to have been published in your January 21 and 28, 1971 issue. We would appreciate receiving the above as soon as possible.

Y
Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh



February 19, 1971

Re: Transfer of Water Right Application 1658

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

Dear Sirs:

Upon examination of the affidavit of publication, which you submitted concerning the above numbered transfer application, we note that several errors were made. We are enclosing a copy of the legal notice as it was submitted to you for publication and also a copy of the affidavit of publication indicating how it was published. Please note the three check marks on the affidavit of publication indicating where the errors were made. As we did not receive a tear sheet for proofing prior to publication of this notice, we request that you republish this notice, at your expense, for two consecutive weeks on March 4 and 11, 1971. Because of this readvertising, the date for protests will have to be changed from February 8, 1971 to March 22, 1971. We have indicated this change on the copy of the legal notice enclosed. We would appreciate it, if you would submit a tear sheet prior to publishing this notice in order that we may check it and eliminate any further delay in this matter. We would also appreciate receiving the affidavit of publication as soon after the last day of publication as possible.

We will withhold payment of the certified bill, dated February 1, 1971, until we have received the affidavit of publication indicating that this notice was advertised correctly as requested.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF/kh

Enclosures

11-1-71

Affidavit of Publication

THE RIGBY STAR

FEB 18 1971

Department of Water Administration

STATE OF IDAHO
County of Jefferson

ss.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Nos. 31-0168, 31-0169, 31-0065
& 31-0006

Notice is hereby given that Owsley Canal Company of Terreton Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Mud Lake. The right sought to be changed is evidenced by a Decree in the case of Sauve vs. Abbott and is recorded as follows:

No. 31-0168—Amount: 1.60 c.f.s. Priority: October 3, 1910.

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, Twp. 7 N., Rge. 34 E., B.M.

Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7 N., R. 34 EBM

No. 31-0169—Amount: 1.60 c.f.s. Priority: December 10, 1917

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7 N., R. 34 EBM.

Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7 N., R. 34 EBM

No. 31-0065—Amount 3.0 c.f.s. Priority: October 3, 1910

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22 T. 7 N., R. 34 EBM

Place of Use: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, T. 7 N., D. 34 EBM

No. 31-0006—Amount: 1.40 c.f.s. Priority: December 10, 1917

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29 T. 7 N., R. 34 E.B.M.

Place of Use: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28 T; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29 T. 7 N., R. 34 EBM.

TO BE CHANGED AS FOLLOWS

Amount: 7.60 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp. 6 N., Rge. 34 E., B.M.

The water will be used for irrigation purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5; SE $\frac{1}{4}$ Sec. 34, Twp. 6 N., Rge. 34 E., B.M.; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8; E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 29, Twp. 6 N., Rge. 35 E., B.M.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before February 8, 1971.

R. KEITH HIGGINS

Director

Published in The Rigby Star, Rigby Idaho on Jan. 21-28, 1971.

I, Hope B. Jones, do solemnly swear that I am the printer 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 said attached notice, advertisement or 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

~~100~~ Consecutive issues thereof; first publication having been made on the

31st day of January, 1971

and the last publication on the

28th day of January, 1971

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 a least two hundred bona fide subscribers in Jefferson County.

Subscribed in my presence and sworn to before me this 4th

day of February, 1971

(SEAL)

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

My commission expires _____, 19____

Publication Fee: \$_____

MY COMMISSION EXPIRES JULY 15, 1972

To be reacknowledged
March 4 and 11, 1971

January 8, 1971

Re: Applications for Transfer Nos. 1658 & 1657

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

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosure

Bill submitted 2-18-71 By K.H.

ORIGINAL

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS. 31-0168, 31-0169, 31-0065 & 31-0006

Notice is hereby given that Owsley Canal Company of Terreston, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Mud Lake. The right sought to be changed is evidenced by a Decree in the case of Sauve vs. Abbott and is recorded as follows:

- No. 31-0168 - Amount: 1.60 c.f.s. Priority: October 3, 1910
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, Twp. 7 N.,
Rge. 34 E., B.M.
Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T. 7 N., R. 34 EBM
- No. 31-0169 - Amount: 1.60 c.f.s. Priority: December 10, 1917
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7 N., R. 34 EBM
Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 29, T. 7 N., R. 34 E., B.M.
- No. 31-0065 - Amount: 3.0 c.f.s. Priority: October 3, 1910
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7 N., R. 34 EBM
Place of Use: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29; SW $\frac{1}{4}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28, T. 7 N., R. 34 EBM
- No. 31-0006 - Amount: 1.40 c.f.s. Priority: December 10, 1917
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22, T. 7 N., R. 34 EBM
Place of Use: N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29
T. 7 N., R. 34 E., B.M.

TO BE CHANGED AS FOLLOWS

Amount: 7.60 c.f.s.

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp. 6 N., Rge. 34 E., B.M.

The water will be used for irrigation purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5; SE $\frac{1}{4}$ Sec. 34, Twp. 6 N., Rge. 34 E., B.M.; SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 8; E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 29, Twp. 6 N., Rge. 35 E., B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before February 8, 1971.

R. KEITH HIGGINSON
Director

Published in the The Rigby Star, Rigby, Idaho on January 21st and January 28, 1971.

Readvertised
3-4 & 3-11

December 23, 1970

Owsley Canal Company
Terreton, Idaho 83450

Gentlemen:

Returned herewith is Departmental Receipt No. 5432 in the amount of
\$20.00 for Transfer of Water Right

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

RECEIVED
DEC 24 1970
FBI - BUTTE

Identification No. _____

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

RECOMMENDATION OF WATERMASTER

I, Donald W. Shenton, watermaster of MUD LAKE,
of Water District No. #66, 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
Rosley 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:

NONE

OR

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

Dated at Dec. 14, Idaho, this 14th day of Dec., 1970

Donald W. Shenton
(Signature)