

William N. Miller

1884 - March 1 ✓ 3.1 c.f.s.

Trans #622- 3.1 cfs

34 0032

To be diverted from Antelope Creek through private ditches having their points of diversion on the land constituting the place of use of the water, or through a ditch used jointly with the U.S. Forest Service, having its point of diversion in Section 23, unsurveyed, Township 4 North, Range 23 East B.M. for the irrigation of the following described land, to-wit:

H. E. Survey No. 170, embracing a portion of Township 4 North, Range 23 East B.M., more particularly described as follows:

Beginning at Corner No. 1 identical with corner to Sections 13 and 24 in Township 4 North, Range 23 East B. M. and Sections 18 and 19 in Township 4 North, Range 24 East B.M.; Thence South, 6 minutes East, 14.62 chains; thence south 49 degrees 48 minutes west 18.75 chains; thence south 71 degrees 29 minutes West 27.75 chains; thence North 1 degree 26 minutes East 15.44 chains; Thence North 89 degrees 33 minutes West 5.02 chains; thence North 40 minutes East 12.89 chains; thence North 43 degrees 3 minutes East 16.83 chains; thence North 72 degrees 51 minutes east 35.16 chains; thence South 6 minutes East 15.54 chains to place of beginning, containing 153.90 acres.

NO. 588

Moore School District

1896 - June 1 ✓ 0.12 c.f.s.

34 10000

To be diverted from Big Lost River through the Moore Canal, having its point of diversion in the Southeast quarter of Section 4, Township 5 North, Range 26 East B.M., for the irrigation of the following described land, to-wit:

Tax Numbers 17 and 52, of Section 28, Township 5 North, Range 26 East B.M., as shown on the Butte County Records.

NO. 589

MICROFILMED

**NOTICE OF PROPOSED
TRANSFER OF WATER
RIGHT**

Affidavit of Publication

State of Idaho, }
County of Custer, } ss.

I, J. C. Schleppegrell, Jr., Publisher,

of the MACKAY MINER, a weekly newspaper of General Circulation published weekly at Mackay, Idaho, continuously since February 16, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated April 8, 1941, 19____, and ending with the issue dated April 10, 1941, 19____.

J. C. Schleppegrell, Jr.
Subscribed and sworn to before me this 10th day of April, 1941.

A. M. Carr

Notary Public.

Notice is hereby given that, Joseph F. Keele of Grouse, Idaho has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 3.1 cubic feet per second of the water of Antelope creek.

FROM THE LAND UPON WHICH IT IS NOW USED, I. E. NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9; N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 8 and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8 laying South of a straight line drawn beginning at a point on the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 feet South of the NW corner thereof and running thence southeasterly to a point on the East line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 feet North of the SE corner thereof. All in township 4 North Range 24 E. B. M.

TO THE FOLLOWING DESCRIBED TRACT. H. E. Survey No. 170 embracing a portion of Township 4 North, Range 23 East B. M., more particularly described as follows: Beginning at Corner No. 1 identical with corner to Sections 13 and 24 in T. 4 North Range, 23 E. B. M., and Sections 18 and 19 in Twp. 4 North, Rge. 24 E. B. M.; thence South 6 minutes 11.63 seconds West 27.75 chains; thence North 1 degree 26 minutes East 15.44 chains; thence North 89 degrees 33 minutes West 5.02 chains; thence North 40 minutes East 1.289 chains; thence North 43 degrees 3 minutes East 16.83 chains; thence North 72 degrees 51 minutes East 35.16 chains; thence South 6 minutes East 15.54 chains to place of beginning, containing 153.90 acres.

And that, on the 14th day of April, A. D. 1941, at 2:00 p.m. in office of Commissioner of Reclamation, 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.

E. V. Berg
Commissioner of Reclamation

Affidavit of Publication

I, G. W. Vincent, Foreman of The Arco Advertiser,
a weekly newspaper of general circulation, published weekly at
Arco, Idaho, since March, 1909, do solemnly swear that a copy
of the notice, as per clipping attached, was published weekly in
the regular and entire issue of said newspaper, and not in any
supplement thereof, for 2 consecutive weeks,
commencing with the issue dated April 4, 1941
and ending with the issue dated April 11, 1941

Subscribed and sworn to before me this 20th
day of April, 1941

Residence: Arco, Idaho.

My commission expires July 16, 1944

Notary Public

Notary Public residing at Arco, Idaho

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Joseph F. Keele of Grouse, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 3.1 cubic feet per second of the water of Antelope Creek from the land upon which it is now used, i. e. NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9; N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 8 and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8 laying South of a straight line drawn beginning at a point on the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 feet South of the NW corner thereof and running thence southeasterly to a point on the East line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 feet North of the SE corner thereof. All in Township 4 North, Range 24 E. B. M. to the following described tract, H. E. Survey No. 170 embracing a portion of Township 4 North, Range 23 East B. M., more particularly described as follows: Beginning at Corner No. 1 identical with corner to Section 13 and 24 in T. 4 North, Rge. 23 E. B. M., and Sections 18 and 19 in Twp. 4 North, Rge. 24 E. B. M.; thence South 6 minutes East, 14.62 chains; thence south 49 degrees 29 minutes West 27.75 chains; thence North 1 degree 26 minutes East 15.44 chains; thence North 89 degrees 33 minutes West 5.02 chains; thence North 40 minutes East 1.289 chains; thence North 43 degrees 3 minutes East 16.83 chains; thence

North 72 degrees 51 minutes East 35.16 chains; thence South 6 minutes East 15.54 chains to place of beginning, containing 153.90 acres.

And that, on the 14th day of April, A. D. 1941, at 2:00 P. M. in the office of Commissioner of Reclamation, State House, 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.

E. V. BERG,
Commissioner of Reclamation
(A4-11-2t)

MICROFILMED

STATE OF IDAHO,

County of Butte

SS.

Moses A. Jensen and Thay Waddoups

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Moore, Idaho

that he is user of water from Antelope Creek, in Water District No. 27

County of Butte & Custer, State of Idaho; that he has read or heard read the foregoing affidavit and

petition of Joseph F. Keele and is familiar with its allegations and with the water

right and lands therein mentioned and described and is not in any way interested in either, nor in any

way related to said petitioner; that the statements and allegations therein made are true of his own

knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer

therein petitioned.

Moses A. Jensen
Thay Waddoups

Subscribed and sworn to before me this 11th day of December

A. D. 19 40

W. J. Lamm
Notary Public, residence, Arco,
Idaho

STATE OF IDAHO,

County of Butte

SS.

I, Thay Waddoups, Watermaster of Moore

Water District No. 27, County of Butte, State of Idaho, whose postoffice address

is Moore, Ida., have read or heard read the foregoing affidavit and petition

of Joseph F. Keele, 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: approval

with a 5% shunk for water loss
if issuance made by me before
beginning of

Watermaster Dist. No. 27

Dated at ARCO, Idaho, this 15th day of March, 19 41

Name of Applicant

Joseph T. Keale

47-24 E. B. M.

47-23 E. B. M.

with

SEC. 13

SEC.

SEC. 13

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC. 19

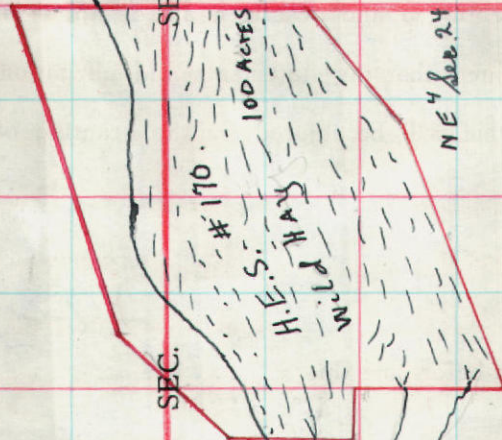
SEC.

SEC. 24

SEC.

SEC. 23

SEC.



NE 1/4 of Sec. 23.

NW 1/4 of Sec. 23

SE 1/4 of Sec. 24.

SW 1/4 of Sec. 24

SE 1/4 of Sec. 23.

SW 1/4 of Sec. 23.

Scale 4 in to 1 mile.

North

Joseph Keele.

-23 E B.M.

County Township

47N-24EB.M. Range

N



South

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Miller, Wm. N.	3.1		34-0932
622	Keele, Joseph F.	3.1	0	34-0932A

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
TRANSFERRED RIGHT NO. 622

- - - - -

THIS IS TO CERTIFY That Joseph F. Keels of Grouse, Counties of Custer and Butte, State of Idaho, has a right to the use of the waters described as 3.1 cubic feet per second dated March 1, 1884 of the waters of ANTELOPE CREEK, decreed to William N. Miller, by Judge E. S. Farrington, of the United States District Court, District of Idaho, Eastern Division, in the case of

UTAH CONSTRUCTION COMPANY

vs.

JOHN F. ABBOTT ET AL,
Dated, October 21, 1925

being appurtenant to H. E. Survey No. 170, embracing a portion of Township 4 North, Range 23 East B. M., more particularly described as follows: Beginning at Corner No. 1 identical with corner to Sections 13 and 24, in Township 4 North, Range 23 East B. M., and Sections 18 and 19 in Township 4 North, Range 24 East B. M.; thence south, 6 minutes east, 14.62 chains; thence south 49 degrees 48 minutes west 18.75 chains; thence south 71 degrees 29 minutes west 27.75 chains; thence North 1 degree 26 minutes East 15.44 chains; thence North 89 degrees 33 minutes West 5.02 chains; thence North 40 minutes East 12.89 chains; thence North 43 degrees 3 minutes East 16.83 chains; thence North 72 degrees 51 minutes east 35.16 chains; thence South 0 minutes East 15.54 chains to place of beginning, containing 153.90 acres, situate, lying and being in Custer and Butte Counties, Idaho.

THAT 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 104.

THAT NOW UPON the application of Joseph F. Keels, of Grouse, Idaho, for a transfer of 3.1 cubic feet per second of water right made before the Commissioner of Reclamation of the State of Idaho, from the above described lands and the said application having been granted, the right to the use of 3.1 cubic feet per second of the waters of ANTELOPE CREEK upon the above described land for the reason that his home is on said land, and that the land upon which said water is now used for irrigation has considerable more rock and gravel in soil than Sections 8 and 9 to which said water is sought to be transferred, and the crops growing thereon wild hay, while on applicants land in said sections 8 and 9 to which said water is sought to be transferred, applicant has growing thereon 180 acres of alfalfa and 20 acres of wild hay, besides wild pasture, which said land is more profitable for growing alfalfa and grain than said land situated in H. E. Survey No. 170; that by reason of the priority of the said 1884 water right over 1891 water right applicant can in drouth years get a longer irrigation season and more water for the irrigation of his alfalfa crops on land in Sections 8 and 9 than he now does, and thereby raise more profitable crops thereon; that on account of drouth years applicants alfalfa grown of said land in Sections 8 and 9, the past several years, have been a partial failure, and whereas, the 1884 priority right would under similar conditions furnished sufficient water to have matured said crops, are hereby described as follows:

NW¹/₄SW¹/₄, Section 9, N²SE¹/₄, NE¹/₄SW¹/₄, SE¹/₄NW¹/₄, S¹/₄NE¹/₄, Section 8 and all that part of the NW¹/₄NE¹/₄ of Section 8 lying south of a straight line drawn beginning at a

point on the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 feet south of the northwest corner thereof and running thence southeasterly to a point on the East line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, 20 feet North of the southeast corner thereof, all in Township 4 North, Range 24 East B. M.

THAT THE WATER has heretofore been conveyed to the place of use from Antelope Creek through private ditches having their points of diversion on the land constituting the place of use of the water, or through a ditch used jointly with the U. S. Forest Service, having its point of diversion in Section 23, unsurveyed, Township 4, Range 24 East B. M., and will hereafter be diverted from Antelope Creek through private ditches having their point of diversion in the SW $\frac{1}{4}$ of Section 18, Township 4 North, Range 24 East B. M.

THAT THE SAID WATER RIGHT is to be limited at any given time to an amount actually needed and used for beneficial purposes and shall not exceed the following amount:

3.1 cubic feet per second
Dated, March 1, 1884.

THAT THE RIGHT TO THE WATER AFORESAID, hereby confirmed, is restricted to the lands and 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 30th day of April, 1941

E. V. BERG
Commissioner of Reclamation



By: R. E. POELL
Supervisor of Water Distribution

IN EQUITY NO. 222

DECREE

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

THE UTAH CONSTRUCTION COMPANY, a corporation, Plaintiff,

vs.

John F. Abbott, William Adams, A. P. Adair, Esther L. Adair (successor in interest of A. P. Adair, Eugene A. Aern, Andreas Aikele (or A. Aiken), Calvin S. Allen, Frank A. Allen, Gladys Allen, L. C. Allen, Richard Roe Alson, George L. Ambrose, Charles B. Anderson, Francis G. Anderson (or Francis C. Anderson, F. Gus Anderson (or F. G. Anderson or Gus Anderson,) H. W. Anderson, Hyrum Anderson, James E. Anderson, Jas. Earl Anderson, J. L. Anderson, James P. Anderson, Josephine Anderson, J. Wesley Anderson, Jos. W. Anderson (or J. W. Anderson), N. A. Anderson, Niels R. Anderson, Peter C. Anderson (or P. C. Anderson), S. W. Anderson, W. W. Anderson, Louis Andreason (or Lewis Andreson), H. W. Angelo (or Wallace Angelo), Frank Anthony, Marie L. Anthony, Arco Townsite Company, an unincorporated Association; Eleazer Asay, Ernest W. Asay, Emma M. Ashton, Margaretta S. Askew, Anna Atha (or Annie Atha), Ivan J. Atwood, J. H. Augustine.

Mrs. Hannah Babcock (or Mrs. Alberm Babcock, A. Rowley Babcock (or R. Babcock), William Babcock (now deceased), Jacob F. Baird, Bank of Nyssa, an Oregon Banking corporation; John L. Bardsley, Josie Bardsley, Jerome K. Bartlett (or J. K. Bartlett), A. H. Bascom, E. W. Bascom, Pete Basick, Harlow Bassett (or H. Bassett), Clara M. Bate, J. M. Bate (or Joseph M. Bate), Ralph Bate, E. J. Bates, Leslie Bates, Erin Beal (or Aron Beal) or C. Beal, Eldon E. Beck; J. W. Beck and John Doe (or John Pingree) and Richard Roe (or F. S. Lack,) as statutory trustees of Beck Land/Livestock Company, a defunct Idaho Corporation; William Beck, Beck Land and Livestock Company, an Idaho corporation; A. W. Bell, Lee Bell, John C. Bell, J. L. Bell, George Bennett (or George Bennetts), James Bennetts, F. S. Bernard, John Bernard (successor in part to New World Life Insurance Company); Gus Bertsch, Agnes T. Best (or Agnes Best), Harold C. Best (or Harold Best), Alexander Beverland, Francis Beverland (successor in interest of James Beverland), George Beverland, Effie Beverland (or Mrs. George Beverland), James Beverland, as executor of the estate of Charles Beverland, deceased; James Beverland, Joana Beverland, Henry Bews (or Harry Bews), Peter Bidegain, Lota C. Billings, Elizabeth Bills, John L. Bills, Norman Bills, Ole Bills, Albert F. Bischoff (or A. F. Bischoff), Lewis A. Bitton (or John Doe Britton), Wina Bitton (or Tina Britton), B. Bjornson (or B. Bjornsen), Blackfoot City National Bank, an Idaho Banking corporation (successor in interest to Heber G. Johnson); Charles H. Black, Mary E. Black, Nils S. Bladh (successor in interest of Ole Bills), John L. Blosser (or John L. Blasser), Henry Blattner, Lulu E. Bliss, Phillip R. Bliss, Arthur L. Bodine, John J. Bodine, Oscar Bodine, William T. Bodine, Joseph A. Boillin, Rhoda Boling, Rachael Boone, Wm. A. Boone, David S. Boyack (or D. Boycock or David D. Boycock, Jr.), Sylvanus Boyack (or S. Boycock), Mary E. Boyd, Robert G. Boyd (successor in interest of Charles H. Hampton), I. W. Boyer, Elizabeth Bradshaw (now deceased), George Bradshaw, John Bradshaw, Pearl Bradshaw, William Bradshaw, William Bradshaw, as administrator of the estate of Elizabeth Bradshaw, deceased (substituted for Elizabeth Bradshaw deceased); Francis Braithwaite, R. F. Braithwaite (or Robert Braithwaite), William P. Braithwaite, H. C. Brake, William H. Brashear, H. T. Brengman, Charles Brown, Edna Brown, Edna E. Brown, as executrix of the estate of Martin W. Brown, deceased (substituted for

William N. Miller

1884 - March 1 - O. L. C. I. S.

Trans # 422 - 4181

200 000 000

To be diverted from Antelope Creek through private ditches having their points of diversion on the land constituting the place of use of the water, or through a ditch used jointly with the U. S. Forest Service, having its point of diversion in Section 13, unsurveyed, Township 4 North, Range 23 East B.M. for the irrigation of the following described land, to-wit:

N. E. Survey No. 170, embracing a portion of Township 4 North, Range 23 East B.M., more particularly described as follows:

Beginning at Corner No. 1 identical with corner to Sections 13 and 24 in Township 4 North, Range 23 East B. M. and Sections 13 and 19 in Township 4 North, Range 24 East B.M.; Thence South, 6 minutes East, 14.62 chains; thence south 49 degrees 46 minutes West 18.75 chains; thence south 71 degrees 29 minutes West 27.75 chains; thence North 1 degree 20 minutes East 15.44 chains; Thence North 89 degrees 33 minutes West 3.02 chains; thence North 40 minutes East 12.89 chains; thence North 43 degrees 3 minutes East 16.83 chains; thence North 72 degrees 51 minutes East 35.16 chains; thence South 6 minutes East 15.54 chains to place of beginning, containing 153.90 acres.

No. 598

Moore School District

1890 - June 1 - O. L. C. I. S.

Trans # 422 - 4181

To be diverted from Big Lost River through the Moore Canal, having its point of diversion in the Southeast quarter of Section 4, Township 5 North, Range 26 East B.M., for the irrigation of the following described land, to-wit:

Tr. E. 17 and 52, of Section 28, Township 5 North, Range 26 East B.M., as shown on the Butte County Records.

No. 598

MICROFILM

Transfer

(587) ~~Priority~~
No

3.1 'Down Creek

2' up Creek

Correct in papers

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that, Joseph F. Keele of Grouse, Idaho has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 3.1 cubic feet per second of the water of Antelope creek.

FROM THE LAND UPON WHICH IT IS NOW USED, I. E. NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9; N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 8 and all that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8 laying South of a straight line drawn beginning at a point on the West line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 feet South of the NW corner thereof and running thence southeasterly to a point on the East line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 feet North of the SE corner thereof. All in township 4 North Range 24 E. B. M.

TO THE FOLLOWING DESCRIBED TRACT. H. E. Survey No. 170 embracing a portion of Township 4 North, Range 23 East B. M., more particularly described as follows: Beginning at Corner No. 1 identical with corner to Sections 13 and 24 in T. 4 North Range, 23 E. B. M., and Sections 18 and 19 in Twp. 4 North, Rge. 24 E. B. M.; thence South 6 minutes East, 14.62 chains; thence south 49 degrees 29 minutes West 27.75 chains; thence North 1 degree 26 minutes East 15.44 chains; thence North 89 degrees 33 minutes West 5.02 chains; thence North 40 minutes East 1.289 chains; thence North 43 degrees 3 minutes East 16.83 chains; thence North 72 degrees 51 minutes East 35.16 chains; thence South 6 minutes East 15.54 chains to place of beginning, containing 153.90 acres.

And that, on the 14th day of April, A. D. 1941, at 2:00 p.m. in office of Commissioner of Reclamation, 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.

E. V. Berg
Commissioner of Reclamation

OF PROPOSED
WATER OF WATER
RIGHT

Affidavit of Publication

State of Idaho, }
County of Custer, } ss.

I, J. C. Schleppegrell, Jr., Publisher,
of the MACKAY MINER, a weekly newspaper of General Circulation
published weekly at Mackay, Idaho, continuously since February 16,
1906, do solemnly swear that a copy of the notice, as per clipping at-
tached, was published weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof, for two conse-
cutive weeks, commencing with the issue dated April 3, 1941,
19____, and ending with the issue dated April 10, 1941,
19____.

Subscribed and sworn to before me this 10th day of April,
1941.

A. M. Carr
Notary Public.

hereby given that,
Keele of Grouse, Idaho
to the Commissioner
n of the State of
certificate authoriz-
er the use of
per second of the
e creek.

LAND UPON
IS NOW USED, I
of Sec. 9; N $\frac{1}{4}$
N $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 8 and all that
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at a point on
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of the NW corner
running thence
to a point on the
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of the SE corner
township 4 North
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LOWING DE-
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B. M., more par-
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and Sections 18 and
4 North, Rge. 24 E.
ence South 6 minutes
minutes West
thence North 1
minutes East 15.44
North 89 de-
West 5.02
North 40 minut-
chains; thence
3 minutes
; thence North
51 minutes
thence South 6
15.54 chains to
ng, containing

on the 14th day of
1941, at 2:00 p.m.
Commissioner of
Boise, Idaho be-
Commissioner of Rec-
his authorized
portunity will be
and all persons to
ment for his con-
on any reason or reasons
should not be

such trans-

E. V. Berg
of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

The Arco Advertiser
Arco, Idaho

Date . . . March 29, 1941 . . .

Dear Sir:

Enclosed you will find notice for publication once a week
^{two} for ~~four~~ consecutive weeks prior to April 11, 1941, the date
^{protest} set for ~~proof~~, the expense of the publication to be paid by the appli-
cant,

JOSEPH L. LITTLE, GROUSE, IDAHO

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,

E. V. LIRC
E. V. LIRC

Commissioner of Reclamation

BY: R. L. MICHELL
Supervisor of Water Distribution

Received &
Publications
will be had
on April 4 and 11.
Arco Advertiser

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

The Arco Advertiser
Arco, Idaho

Date . . . **March 29, 1941** . . .

Dear Sir:

Enclosed you will find notice for publication once a week
for ~~four~~ ^{two} consecutive weeks prior to **April 14, 1941**, the date
set for ~~proof~~ ^{protest} the expense of the publication to be paid by the appli-
cant,

JOSEPH F. KEELE, GROUSE, IDAHO

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,

E. V. BERG
Commissioner of Reclamation

BY: R. E. POWELL
Supervisor of Water Distribution

RECEIVED
MAR 30 1941
WATER DIVISION
BOISE, IDAHO

ADVERTISING
JOB PRINTING

ESTABLISHED 1906

J. C. SCHLEPPESBRELL, JR.
PUBLISHER

A BOOSTER OF CUSTER COUNTY

PUBLISHED THURSDAYS

THE MACKAY MINER

MACKAY, IDAHO

4/2, 1941

E.V. Berg
Commissioner of Reclamation
R.E. Powell
Supervisor of Water Distribution
Boise

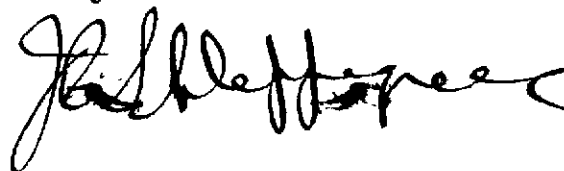
This is to acknowledge receipt of two notices of Joseph
F. Keele, Grouse, for publication.

Thanks very much for same and for any other business
tendered the Miner from your office.

Under separate cover will be a copy of the legal as
published in the Miner

Sincerely,

Mackay Miner



RECEIVED

APR 4 1941

Department of Reclamation

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date . . March 29, 1941.

The Mackay Miner
Mackay, Idaho

Dear Sir:

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for ~~four~~^{two} consecutive weeks prior to **April 14, 1941**, the date
set for ~~proof~~^{protest}, the expense of the publication to be paid by the appli-
cant,

JOSEPH F. KEELE, GROUSE, IDAHO

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,

E. V. HERO
Commissioner of Reclamation

BY: R. E. POWELL
Supervisor of Water Distribution

RECEIVED
MAY 1 1941

Dist #27
H. J. R. 111
G. 2.

December 31, 1940.

Mr. W. J. Lamme,
Attorney at Law,
Arco, Idaho.

Dear Mr. Lamme:

We are in receipt of your letter of December 12, which was received on December 26th in this office, in which you enclosed two Applications for Transfer of Water Right for Joseph F. Keele.

We have examined the Abstracts of Title which show that Joseph F. Keele is the legal Owner of the lands from which it is proposed to transfer the Water Right. We have also examined the Applications for Transfer of Water Right and find them O.K. except for the following. The maps on applications show only the lands from which it is proposed to transfer the Water Right, it should also show the lands to which it is proposed to transfer the water right on each application; we note that H. L. Marcroft signed as watermaster of Water District No. 27, Mr. Marcroft is not the regularly elected and qualified watermaster of Dist. No. 27, as our records show that he is only Deputy Watermaster of such district. Mr. Walter A. Jensen of Mackay, regularly elected and qualified watermaster must also sign the application, at the same place where Mr. Marcroft signed it.

We will have no further use for the Abstracts of Title, so are returning them to you herewith. Also find enclosed the Applications for Transfer on which please fill in the information above mentioned and return to us.

Please sign as Notary on Page 2

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

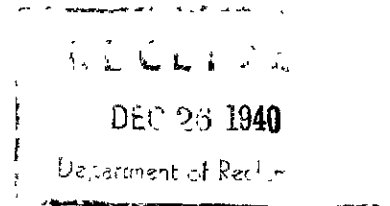
By O. D. ROCKE
Supervisor of Water Distribution

RECORDED

F. J. Colven
Prosecuting Attorney Butte County
Arco, Idaho

December 12, 1940

Department of Reclamation,
Boise, Idaho.



Gentlemen:-

I am enclosing herewith on behalf of Joseph F. Keele of Grouse, Idaho, two applications for the transfer of water from and to land as shown in abstracts and applications,

Yours very truly,

W. J. Lamme
W. J. Lamme

Affidavit of Publication

I, G. W. Vincent, Foreman of The Arco Advertiser,

a weekly newspaper of general circulation, published weekly at
Arco, Idaho, since March, 1909, do solemnly swear that a copy
of the notice, as per clipping attached, was published weekly in
the regular and entire issue of said newspaper, and not in any
supplement thereof, for 2 consecutive weeks,

commencing with the issue dated April 4, 1941

and ending with the issue dated April 11, 1941

G. W. Vincent
Foreman

Subscribed and sworn to before me this 20th

day of April, 1941

Robert T. Miller

Notary Public.

Residence: Arco, Idaho.

My commission expires July 16, 1941

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Joseph F. Keele of Grouse, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 31 cubic feet per second of the water of Antelope Creek from the land upon which it is now used, to the NW 1/4 SW 1/4 of Sec 9, N 1/2 SE 1/4, NE 1/4 SW 1/4, SE 1/4 NW 1/4, S 1/2 NE 1/4 of Sec 8 and all that part of the NW 1/4 NE 1/4 of Sec 8 laying South of a straight line drawn beginning at a point on the West line of the NW 1/4 NE 1/4 20 feet South of the NW corner thereof and running thence southeasterly to a point on the East line of said NW 1/4 NE 1/4 20 feet North of the SE corner thereof. All in Township 4 North, Range 24 E B. M. to the following described tract, H. E. Survey No. 170 embracing a portion of Township 4 North, Range 23 East B. M., more particularly described as follows: Beginning at Corner No. 1 identical with corner to Section 13 and 24 in T. 4 North, Rge. 23 E B. M., and Sections 18 and 19 in Twp. 4 North, Rge. 24 E B. M., thence South 6 minutes East, 14.62 chains, thence South 49 degrees 29 minutes West 27.75 chains; thence North 1 degree 26 minutes East 15.44 chains, thence North 89 degrees 33 minutes West 5.02 chains; thence North 40 minutes East 1.289 chains; thence North 43 degrees 3 minutes East 16.83 chains, thence

North 72 degrees 51 minutes East 35.18 chains, thence South 6 minutes East 15.54 chains to place of beginning, containing 151.90 acres.

And that, on the 14th day of April, A. D. 1941, at 2:00 P. M. in the office of Commissioner of Reclamation, State House, 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.

E. V. BERG,
Commissioner of Reclamation
(A4-11-25)

Application For Transfer of Water Right

STATE OF IDAHO

County of Butte

ss.

Joseph F. Keele

being first duly sworn, deposes and says:

That his name is Joseph F. Keele; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Grouse, Idaho

That he is the owner and using a certain water right, bearing date of priority of 3-1-1884 for 3.1 cubic feet per second of the waters of Antelope Creek

County of Butte, State of Idaho, decreed to William N. Miller by decree of Judge E.S. Farrington of the U.S. District Court in the District of Idaho, Eastern Division. Idaho, in and for the County of Utah Construction Co., vs. John F. Abbott et al said decree bearing date of October 21, 1925.

(or obtained by virtue of License No. issued by the State Engineer of the State of Idaho, dated day of October, 1925, bearing date of October, 19

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 27 in the County of Custer and State of Idaho, to-wit:

H.E. Survey No. 170, embracing a portion of Township 4 North, Range 23 East B.M., more particularly described as follows:

Beginning at Corner No. 1 identical with corner to Sections 13 and 24 in Township 4 North, Range 23 East B.M., and Sections 18 and 19 in Township 4 North, Range 24 East B.M.; Thence South, 6 minutes East, 14.63 chains; thence south 49 degrees 48 minutes west 18.75 chains; thence south 71 degrees 29 minutes West 27.75 chains; thence North 1 degree 26 minutes East 15.44 chains; thence North 89 degrees 33 minutes West 5.02 chains; thence North 40 minutes East 12.89 chains; thence North 43 degrees 3 minutes East 16.83 chains; thence North 72 degrees 51 minutes east 35.16 chains; thence South 6 minutes East 15.54 chains to place of beginning, containing 153.90 acres

ducted to the above described lands through a ditch used jointly with the U.S. Forest Service as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 3.1 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 Custer and State of Idaho, to-wit:

NW¹ of the SW¹ of sec. 9; North half of the SE¹, NE¹ SW¹, SE¹ of the NW¹, and one S¹ of the NE¹ of sec. 8 and all that part of the NW¹ of the NE¹ of sec. 8 lying south of a straight line drawn beginning at a point on the southwest quarter of the southwest quarter of section 9; North point of the southeast quarter, Northeast quarter of the south-west quarter, Southeast quarter of the northwest quarter and the south half of the northeast quarter of section 8 and all that part of the Northwest quarter of the northeast quarter of section 8 lying south of a straight line drawn beginning at a point on the West line of the northwest quarter of the northeast quarter 20 feet south of the northwest corner thereof and running thence southeasterly to a point on the East line of said northwest quarter of the northeast quarter 20 feet North of the southeast corner thereof. All in Township 4 North, Range 24 East B.M.,

to which said water is sought to be transferred, and the crops growing thereon wild hay, mile on applicants land in said sections 8 and 9 to which said water is sought to be transferred, applicant has growing thereon 180 acres of alfalfa and 20 acres of wild hay, besides wild pasture, which said land is more profitable for growing alfalfa and grain than said land situated in H.E. Survey No. 170; that by reason of the priority of the said 1884 water right over his 1891 water right applicant can in drouth years get a longer irrigation season and more water for the irrigation of his alfalfa crops on land in sec. 8 and 9 than he now does, and thereby raise more profitable crops thereon; that on account of drouth years applicants alfalfa grown on said land in sec. 8 and 9, the past several years, have been a partial failure, and whereas, the 1884 priority right could under similar conditions furnished sufficient water to have matured said crops.)

That applicant contemporaneously herewith makes application to transfer 2 c.f.s. of decreed water from his land in sections 8 and 9, date of priority 5, 15, 1891, from Antelope creek, for the irrigation N.E. Survey No. 170.

Application For Transfer of Water Right

STATE OF IDAHO

County of Butte

ss.

Joseph F. Keele

, being first duly sworn, deposes and says.

That his name is Joseph F. Keele; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Grouse, Idaho

That he is the owner and using a certain water right, bearing date of priority of 3-1-1884 for 3.1 cubic feet per second of the waters of Antelope Creek

County of Butte, State of Idaho, decreed to William N. Miller by decree of Judge E.S. Farrington of the U.S. District Court in the District of Idaho, Eastern Division.

in and for the County of , in the case of Utah Construction Co.,

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and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. warranty deed from William N. Miller

as per abstract of title of said water right hereto attached and made a part of this statement: Abstract of Title examined and find that Joseph F. Keele is legal owner. Abstract Returned.

That said waters are now diverted from said stream in the west quarter of Section 23, unsurveyed, Township 4 N., Range 23 E, B. M., and conducted to the above described lands through a ditch used jointly with the U.S. Forest Service as per map herewith and of this affidavit made a part;

That affiant and petitioner desire

to transfer the use of 3.1 c.f.s. per second of water of Antelope Creek bearing date of priority of March 1, 1884, from H.E. Survey No. 170 to his land in said section 8 and 9, for the reason that his home is on said land, and that the land upon which said water is now used for irrigation has considerable more rock and gravel in soil than sec. 8 & 9 to which said water is sought to be transferred, and the crops growing thereon wild hay, while on applicants land in said sections 8 and 9 to which said water is sought to be transferred, applicant has growing thereon 180 acres of alfalfa and 20 acres of wild hay, besides wild pasture, which said land is more profitable for growing alfalfa and grain than said land situated in H.E. Survey No. 170; that by reason of the priority of the said 1884 water right over his 1891 water right applicant can in drouth years get a longer irrigation season and more water for the irrigation of his alfalfa crops on land in sec. 8 and 9 than he now does, and thereby raise more profitable crops thereon; that on account of drouth years applicants alfalfa grown of said land in sec. 8 and 9, the past several years, have been a partial failure, and whereas, the 1884 priority right could under similar conditions furnished sufficient water to have matured said crops.)

applicant herewith makes application to transfer the use of 3.1 c.f.s. per second of water of Antelope Creek bearing date of priority of March 1, 1884, from H.E. Survey No. 170 to his land in said section 8 and 9, for the reason that his home is on said land, and that the land upon which said water is now used for irrigation has considerable more rock and gravel in soil than sec. 8 & 9 to which said water is sought to be transferred, and the crops growing thereon wild hay, while on applicants land in said sections 8 and 9 to which said water is sought to be transferred, applicant has growing thereon 180 acres of alfalfa and 20 acres of wild hay, besides wild pasture, which said land is more profitable for growing alfalfa and grain than said land situated in H.E. Survey No. 170; that by reason of the priority of the said 1884 water right over his 1891 water right applicant can in drouth years get a longer irrigation season and more water for the irrigation of his alfalfa crops on land in sec. 8 and 9 than he now does, and thereby raise more profitable crops thereon; that on account of drouth years applicants alfalfa grown of said land in sec. 8 and 9, the past several years, have been a partial failure, and whereas, the 1884 priority right could under similar conditions furnished sufficient water to have matured said crops.)

That applicant contemporaneously herewith makes application to transfer 2 c.f.s. of decreed water from his land in sections 8 and 9, date of priority 5, 15, 1891, from Antelope creek, for the irrigation H.E. Survey No. 170.

7

That he intends to divert and convey said 3.1 second feet of water to the tract of land last above described in the following manner, to-wit: To be diverted from Antelope Creek through private ditches having their point of diversion in the southeast quarter of section 18, Township 4 North, Range 24 East B.M.,

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statutes.

Subscribed and sworn to before me this 11th day of December 1940
A. D. 1940
Applicant: Joseph F. Kiehl
Notary Public
at Co. Idaho

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Antelope Creek
Where is the diversion point located? In sec. 23, unsurveyed, Twp. 4 N. R. 24 E.B.M.,
Through what ditch is it now conducted? My ditch and U.S. Forest Service
How much land is now irrigated by the water sought to be transferred? 100 acres
Give the description: See map herewith for description
What is the total amount of water in inches, or second feet, dedicated to said land? 3.1
What kind of crops are being raised? wild hay and pasture
How much water per acre is now required to irrigate said land? 1 1/2 inch per acre
What will be the effect on the land now irrigated, if the use of water on it is discontinued? I expect to transfer other water upon land to irrigate it with water out of Antelope bearing date of priority of May 15, 1891, as shown by application herewith submitted.
Give location of new point of diversion, if change is to be made SE 1/4 Sec. 18.T.4 N. R. 24, E.B.M.,
Through what ditch will it be conducted after transfer? private ditch of my own
How much water will be required per acre to irrigate the land to which this water is transferred? 1 inch to the acre

Do you claim any other water right for the land from which you seek to abandon the use of this water? Yes, I wish to transfer a latter water right from my land in Sec. 8 and
If so, give amount, date and source 9. Twp. 4 N. R. 24 E.B.M., to-wit: two C.F.S.
May 15, 1891, Antelope 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 Yes, 3.6 c.f.s. May 15, 1891, Antelope creek, of which

I expect to transfer to land in H.E. Survey No. 170-T. 4 N. R. 23 E.B.M.,

Signed Joseph F. Kiehl
Applicant.

STATE OF IDAHO.

County of Butte

ss.

Thay Weddeloups and Thay Weddeloups
being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Moore, Idaho
that he is user of water from Antelope Creek, in Water District No. 27
County of Butte & Custer, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Joseph F. Keele and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

Subscribed and sworn to before me this 11th day of December
A. D. 19 40

W J Lamm
Notary Public, residence, Arco,
Idaho

STATE OF IDAHO.

County of Butte

ss.

I, Thay Weddeloups, Watermaster of Moore
Water District No. 27, County of Butte, State of Idaho, whose postoffice address is Moore, Ida., have read or heard read the foregoing affidavit and petition of Joseph F. Keele, 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:

Issue made by me before signing

Dated at Arco, Idaho, this 15th day of March, 19 41

Name of Applicant

Joseph L. Hale

47-24 E. 13 M.

47-23 E. 13 M.

SEC. 13

SEC.

SEC. 19

SEC. 13

SEC.

SEC. 24

SEC.

SEC.

SEC.

SEC.

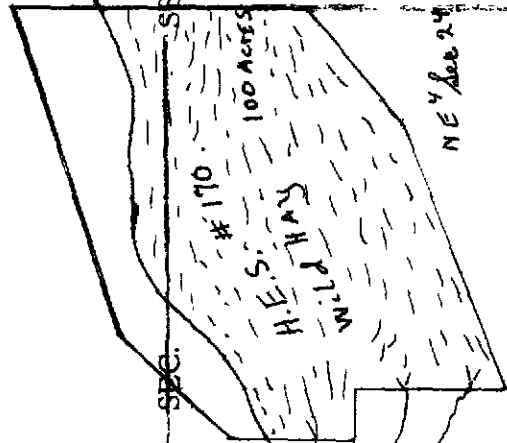
SEC.

SEC. 23

SEC.

SEC.

SEC.



NE 1/4 of Sec. 23.

SW 1/4 of Sec. 23.

NW 1/4 of Sec. 23

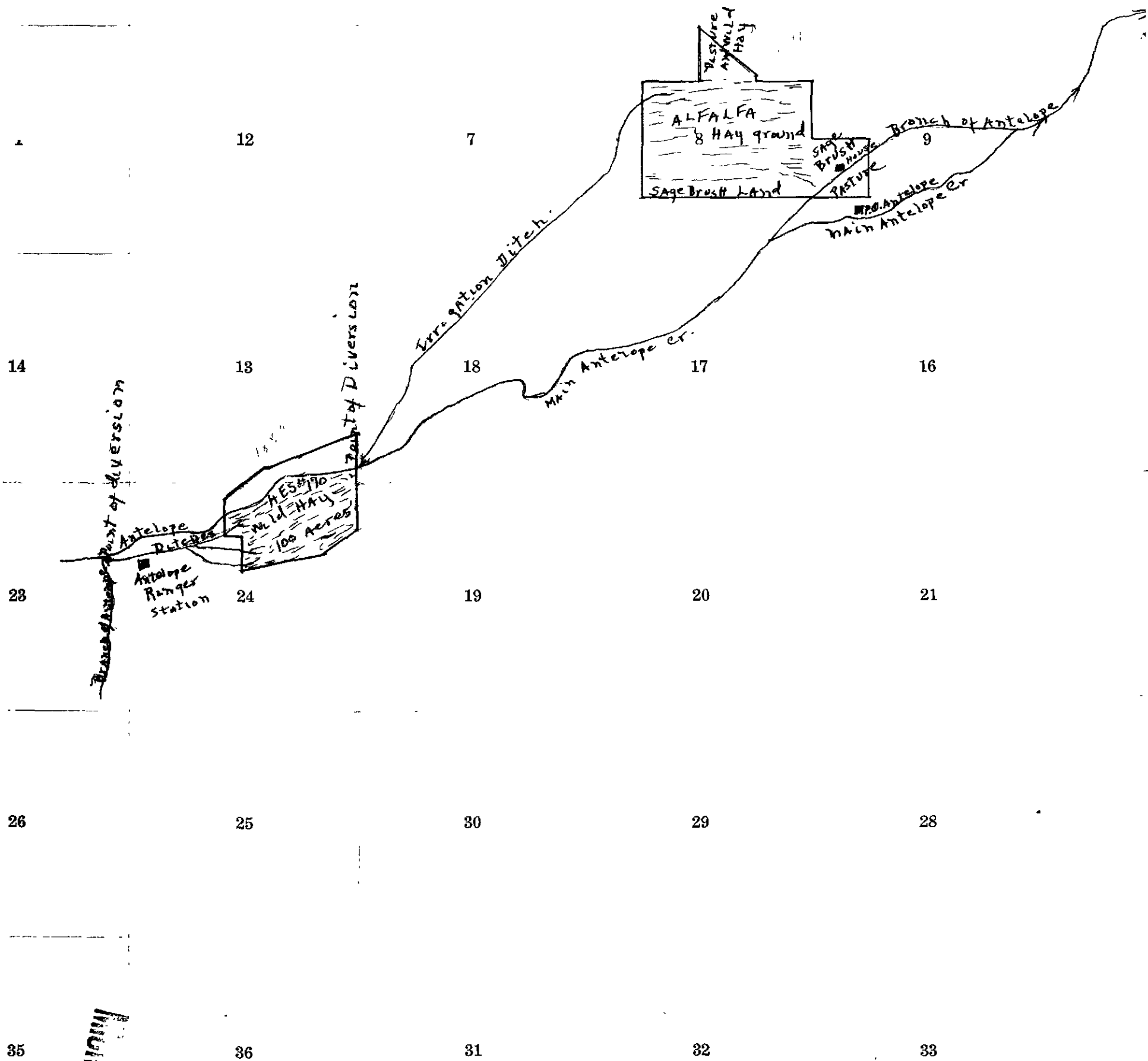
SW 1/4 of Sec. 23.

SW 1/4 of Sec. 24

SE 1/4 of Sec. 24.

Scale 1/4 mile.

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DECLASSIFIED