

Alex Younie

✓ 1884-June 23 ✓ 2.0 c.f.s.

34 644

To be diverted from Antelope Creek through a private ditch having its point of diversion in the Northwest quarter of Section 31, Township 5 North, Range 25 East, B.M., for the irrigation of 100 acres of land in the following described legal subdivisions, to-wit:

The Southwest quarter of the Southeast Quarter of Section 30, the West half of the Northeast quarter and the Southeast quarter of the Northwest quarter of Section 31, Township 5 North, Range 25 East, B.M.

No. 529.

Ernest Zesiger

(a) 1879-September 30 3.36 c.f.s.

Trans #367- 1.6 cfs Re transfer #75074 cfs

" 368- 1.76 " 34 644 ✓

To be diverted from Antelope Creek through the Hanrahan ditch having its point of diversion in the Northeast quarter of Section 21, Township 5 North, Range 25 East, B.M., for the irrigation of the following described land, to-wit:

The South half of the Northeast quarter and the North half of the Southeast quarter and all that portion of the Southwest quarter of the Southeast quarter lying East of the right-of-way of the O.S.L. Railroad, all in Section 31, and the Northwest quarter of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section 32, all in Township 6 North, Range 26 East, B.M., containing 268 acres more or less, and

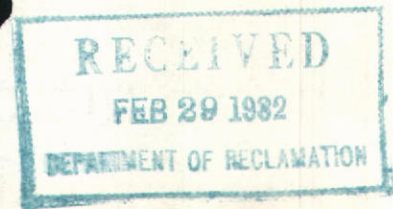
✓ (b) 1886-June 1 ✓ 2.4 c.f.s.

0.8 Trans. 510 34 644

To be diverted from Big Lost River through the West side ditch 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:

The Southeast quarter of the Northwest quarter and the North half of the Northwest quarter of Section 21, Township 4 North, Range 26 East, B.M.

No. 530.



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date February 24, 1932

ARCO ADVERTISER  
Arco  
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for <sup>two</sup>~~four~~ consecutive weeks prior to March 15, 1932, the date set for proof, the expense of the publication to be paid by the applicant, THE NORTH AMERICAN MORTGAGE COMPANY,  
Bozeman, Montana

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

*This will run in  
our issues of  
March 4 & 11*

MICROFILMED

*The Advertiser*

*W. E. J.*

# Affidavit of Publication

I, C. A. Bottolfsen, publisher 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 Two

consecutive weeks, commencing with the issue dated  
March 4, 1932, and ending with the  
issue dated March 11, 1932.

Subscribed and sworn to before me this 14<sup>th</sup>  
day of March, 1932.

Robert R. Miller  
Notary Public.

Residence: Arco, Idaho.

My commission expires July 16, 1932.

## NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that The North American Mortgage Company of Bozeman, Montana, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 0.8 cubic foot per second of the water of Big Lost River from the land upon which it is now used, i. e. E $\frac{1}{2}$  E $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East, B. M. to the following described tract SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East, B. M.

And that, on the 15th day of March, A. D. 1932, 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.  
(M4-11-2t)

RECEIVED

MAR 16 1932

DEPARTMENT OF RECLAMATION

Name of Applicant North American Mortgage Co.

2 SEC.  
29

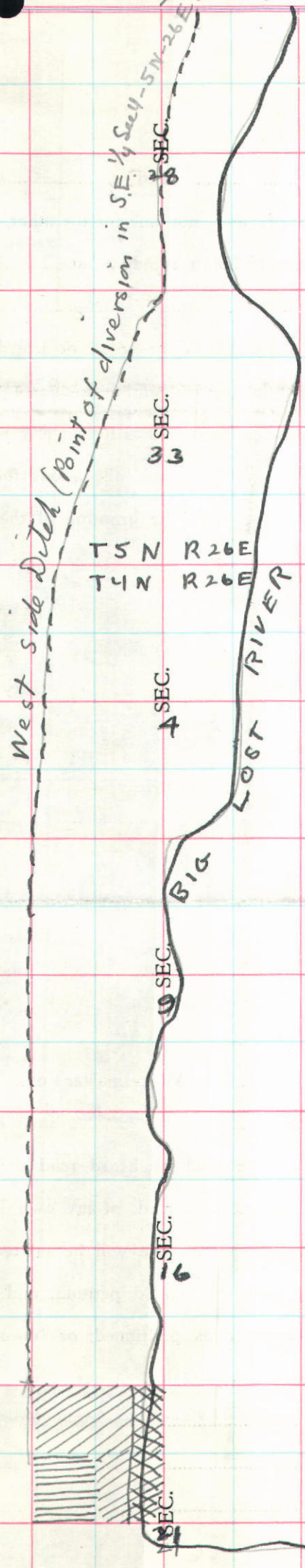
3 SEC.  
2

5 SEC.  
6

8 SEC.  
0

12 SEC.  
17

16 SEC.  
0



SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

| TRANSFER NO. | NAME                             | AMOUNT<br>C.F.S. | BALANCE<br>C.F.S. | RIGHT<br>NO. |
|--------------|----------------------------------|------------------|-------------------|--------------|
|              | Zesiger, Ernest                  | 2.4              |                   | 34-0866      |
| 510          | North American Mortgage<br>Corp. | 0.8              | 1.6               | 34-0866A     |

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T  
RECEIVED

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
CERTIFICATE OF WATER RIGHT  
Transferred Right No. 510

---

THIS IS TO CERTIFY, That the NORTH AMERICAN MORTGAGE COMPANY is the owner of, and using, a certain water right, bearing date of priority of June 1, 1886, for 2.4 cubic feet per second of the waters of BIG LOST RIVER, County of Butte, State of Idaho, decreed to ERNEST ZESSIGER by decree of Judge FARRINGTON of the United States District Court, in and for the District of Idaho, Eastern Division, in the case of:

UTAH CONSTRUCTION COMPANY -vs- JOHN F. ABBOTT, et al.

said decree bearing date of March 15, 1923, for the purpose of irrigating the following described lands situate, lying and being in Water District No. 27-B in the County of Butte, State of Idaho, to-wit:

SE $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East, B. M.; and

THAT, Said decree has been entered in the records of the Department of Reclamation of Idaho in Book 5 of Decrees at page 104; and

THAT, That said NORTH AMERICAN MORTGAGE COMPANY is the person who has become the owner thereof by deed; and

THAT, Upon the application of the NORTH AMERICAN MORTGAGE COMPANY for a transfer of water right made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of:

0.8 cubic foot per second of the waters of BIG LOST RIVER

upon a portion of the lands above described, to-wit:

E $\frac{1}{2}$  E. NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East of Boise Meridian

is hereby abandoned, and the lands to be irrigated under such right, and to which the water right hereby confirmed shall become appurtenant by this certificate for irrigation and domestic purposes, are described as follows:

SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East of Boise Meridian

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

---

0.8 cubic foot per second, dated June 1, 1886

---

The water right hereby transferred has heretofore been diverted from said BIG  
LOST RIVER at a point in the:

SE $\frac{1}{4}$ , Section 4, Township 5 North, Range 26 East of Boise Meridian

through a ditch known as the WEST SIDE DITCH and will hereafter be diverted  
at the same point and through the same ditch; and

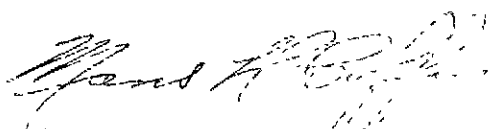
THAT, The last above described lands have no other water right appurtenant  
thereto; and

THAT, The right to the use of 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.

WITNESS, The seal and signature of the Commissioner of Reclamation of Idaho  
affixed at Boise, this 16th day of March, 1932.

R. E. FARIS  
Commissioner of Reclamation

By

  
Assistant Commissioner of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

---

In the Matter of the Application of )  
NORTH AMERICAN MORTGAGE COMPANY for a: ORDER GRANTING TRANSFER  
Transfer of Water - District 27-B)

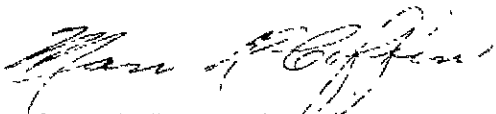
WHEREAS, On the 15th day of March, 1932, at the Department of Reclamation of Idaho at Boise-Idaho, the matter of application of the NORTH AMERICAN MORTGAGE COMPANY for a transfer of water right came regularly on for hearing, pursuant to the published notice; and

WHEREAS, No protest has been filed against the said application and the evidence filed by the applicant with his said application shows that a greater duty of water would result by reason of the transfer and that no one would be injured thereby;

IT IS, THEREFORE, HEREBY ORDERED, That the said application be, and the same is, hereby granted and that a certificate of transfer of water right be issued the applicant herein, as provided by the laws of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise-Idaho, this 16th day of March, 1932.

R. W. FARIS  
Commissioner of Reclamation

By   
Assistant Commissioner of Reclamation

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
CERTIFICATE OF WATER RIGHT  
Transferred Right No. 510

---

THIS IS TO CERTIFY, That the NORTH AMERICAN BORROWAGE COMPANY is the owner of, and using, a certain water right, bearing date of priority of June 1, 1886, for 2.4 cubic feet per second of the waters of BIG LOST RIVER, County of Butte, State of Idaho, decreed to EDWARD LEBLANC by decree of Judge FARRINGTON of the United States District Court, in and for the District of Idaho, Eastern Division, in the case of:

UTAH CONSTRUCTION COMPANY -vs- JOHN F. LEBLANC, et al.

said decree bearing date of March 16, 1925, for the purpose of irrigating the following described lands situate, lying and being in Water District No. 27-B in the County of Butte, State of Idaho, to-wit:

SE<sub>4</sub> NW<sub>4</sub>, N<sub>5</sub> NW<sub>4</sub>, Section 21, Township 4 North, Range 26 East, B. M.; and

THAT, Said decree has been entered in the records of the Department of Reclamation of Idaho in Book 5 of Decrees at page 104; and

THAT, That said NORTH AMERICAN BORROWAGE COMPANY is the person who has become the owner thereof by deed; and

THAT, Upon the application of the NORTH AMERICAN BORROWAGE COMPANY for a transfer of water right made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of:

0.8 cubic foot per second of the waters of BIG LOST RIVER

upon a portion of the lands above described, to-wit:

E<sub>2</sub> E NW<sub>4</sub>, Section 21, Township 4 North, Range 26 East of Boise Meridian

is hereby abandoned, and the lands to be irrigated under such right, and to which the water right hereby confirmed shall become appurtenant by this certificate for irrigation and domestic purposes, are described as follows:

SW<sub>4</sub> NW<sub>4</sub>, Section 21, Township 4 North, Range 26 East of Boise Meridian

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

---

0.8 cubic foot per second, dated June 1, 1886

---

RECORDED  
MAY 1925

The water right hereby transferred has heretofore been diverted from said BIG  
LOUT RIVER at a point in the:

SW<sub>4</sub>, Section 4, Township 5 North, Range 20 East of Boise Meridian

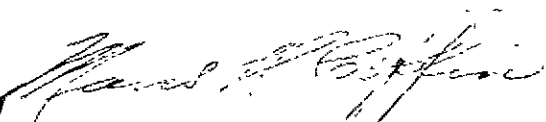
through a ditch known as the WEST SILE DITCH and will hereafter be diverted  
at the same point and through the same ditch; and

THAT, The last above described lands have no other water right appurtenant  
thereto; and

THAT, The right to the use of 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.

WITNES, The seal and signature of the Commissioner of Reclamation of Idaho  
affixed at Boise, this 16th day of March, 1932.

H. W. FAHIS  
Commissioner of Reclamation

By   
Assistant Commissioner of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

---

In the Matter of the Application of )  
NORTH AMERICAN MORTGAGE COMPANY for a: ORDER GRANTING TRANSFER  
Transfer of Water - District 27-B)

WHEREAS, On the 15th day of March, 1932, at the Department of Reclamation of Idaho at Boise-Idaho, the matter of application of the NORTH AMERICAN MORTGAGE COMPANY for a transfer of water right came regularly on for hearing, pursuant to the published notice; and

WHEREAS, No protest has been filed against the said application and the evidence filed by the applicant with his said application shows that a greater duty of water would result by reason of the transfer and that no one would be injured thereby;

IT IS, THEREFORE, ORDERED, That the said application be, and the same is, hereby granted and that a certificate of transfer of water right be issued the applicant herein, as provided by the laws of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise-Idaho, this 16th day of March, 1932.

R. W. FARNS  
Commissioner of Reclamation

By   
Assistant Commissioner of Reclamation

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
CERTIFICATE OF WATER RIGHT  
Transferred Right No. 510

THIS IS TO CERTIFY, That the NORTH AMERICAN MORTGAGE COMPANY is the owner of, and using, a certain water right, bearing date of priority of June 1, 1886, for 2.4 cubic feet per second of the waters of BIG LOST RIVER, County of Butte, State of Idaho, decreed to ERNEST ZELINGER by decree of Judge FARRINGTON of the United States District Court, in and for the District of Idaho, Eastern Division, in the case of:

UTAH CONSTRUCTION COMPANY -vs- JOHN F. ABBOTT, et al.

said decree bearing date of March 15, 1923, for the purpose of irrigating the following described lands situate, lying and being in Water District No. 27-B in the County of Butte, State of Idaho, to-wit:

SE $\frac{1}{4}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East, B. M.; and

THAT, Said decree has been entered in the records of the Department of Reclamation of Idaho in Book 5 of Decrees at page 104; and

THAT, That said NORTH AMERICAN MORTGAGE COMPANY is the person who has become the owner thereof by deed; and

THAT, Upon the application of the NORTH AMERICAN MORTGAGE COMPANY for a transfer of water right made before the Commissioner of Reclamation of Idaho, and the said application having been granted, the right to the use of:

0.8 cubic foot per second of the waters of BIG LOST RIVER

upon a portion of the lands above described, to-wit:

E $\frac{1}{2}$  E. NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East of Boise Meridian

is hereby abandoned, and the lands to be irrigated under such right, and to which the water right hereby confirmed shall become appurtenant by this certificate for irrigation and domestic purposes, are described as follows:

SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East of Boise Meridian

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

---

0.8 cubic foot per second, dated June 1, 1886

---

The water right hereby transferred has heretofore been diverted from said RPT  
LOST RIVER at a point in the:

SE<sup>1</sup>/<sub>4</sub>, Section 4, Township 5 North, Range 20 East of Boise Meridian

through a ditch known as the FULT MILL DITCH and will hereafter be diverted  
at the same point and through the same ditch; and

THAT, The last above described lands have no other water right appurtenant  
thereto; and

THAT, The right to the use of 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.

WITNESS, The seal and signature of the Commissioner of Reclamation of Idaho  
affixed at Boise, this 16th day of March, 1932.

R. L. MARIE  
Commissioner of Reclamation

By

  
Assistant Commissioner of Reclamation

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

---

In the Matter of the Application of )  
NORTH AMERICAN MORTGAGE COMPANY for a: ORDER GRANTING TRANSFER  
Transfer of Water - District 27-B)

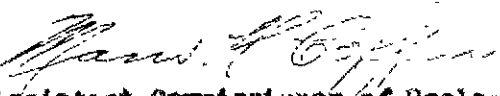
WHEREAS, On the 15th day of March, 1932, at the Department of Reclamation of Idaho at Boise-Idaho, the matter of application of the NORTH AMERICAN MORTGAGE COMPANY for a transfer of water right came regularly on for hearing, pursuant to the published notice; and

WHEREAS, No protest has been filed against the said application and the evidence filed by the applicant with his said application shows that a greater duty of water would result by reason of the transfer and that no one would be injured thereby;

IT IS, THEREFORE, HEREBY ORDERED, That the said application be, and the same is, hereby granted and that a certificate of transfer of water right be issued the applicant herein, as provided by the laws of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise-Idaho, this 16th day of March, 1932.

R. W. FARRIE  
Commissioner of Reclamation

By   
Assistant Commissioner of Reclamation

IN E CITY 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. Ahern, 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, P. 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, P. 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), Lina Bitton (or Zina 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. Bollin, Rhoda Boling, Rachael Boone, Wm. A. Boone, David J. Boyack (or D. Boycock or David D. Boycock, Jr.), Sylvanus Boyack (or S. Boycock), Mary E. Boyd, Robert H. Boyd (successor in interest of Charles H. Remington), I. F. 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 F. Braithwaite, H. C. Brake, William H. Brashear, H. T. Brown (or Charles B. Brown) and H. T. Brown

Alex Younie

1884-June 22 2.0 c.f.s.

No. 529.

To be diverted from Antelope Creek through a private ditch having its point of diversion in the Northwest quarter of Section 31, Township 5 North, Range 25 East, B.M., for the irrigation of 100 acres of land in the following described legal subdivisions, to-wit:

The Southwest quarter of the Southeast Quarter of Section 30, the West half of the Northeast quarter and the Southeast quarter of the Northwest quarter of Section 31, Township 5 North, Range 25 East, B.M.

Ernest Zesiger

(a) 1879-September 30 3.36 c.f.s.

To be diverted from Antelope Creek through the Hanrahan ditch having its point of diversion in the Northeast quarter of Section 21, Township 5 North, Range 25 East, B.M., for the irrigation of the following described land, to-wit:

The South half of the Northeast quarter and the North half of the Southeast quarter and all that portion of the Southwest quarter of the Southeast quarter lying East of the right-of-way of the O.S.L. Railroad, all in Section 31, and the Northwest quarter of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section 32, all in Township 6 North, Range 26 East, B.M., containing 268 acres more or less, and

(b) 1886-June 1 2.4 c.f.s.

To be diverted from Big Lost River through the West side ditch 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:

The Southeast quarter of the Northwest quarter and the North half of the Northwest quarter of Section 21, Township 4 North, Range 26 East, B.M.

No. 530.

# RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original of which appears on the face of this Card.

*No Amer Inty Co*

(Signature or name of addressee.)

*S. M. Cook*

(Signature of addressee's agent.)

Date of delivery, *Mar. 21*

*1932*

Form 8811

**Post Office Department**

**OFFICIAL BUSINESS**

**REGISTERED ARTICLE**

No. 10634

**INSURED PARCEL**

No. \_\_\_\_\_

PERMITTED FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE.

**REMOVED**

**MAR 24 1932**

**DEPARTMENT OF RECLAMATION**

POSTMARK OF DELIVERY

AND DATE OF DELIVERY

**Return to**

Street and Number,  
or Post Office Box,

(NAME OF SENDER)

**BOISE,**

**IDAHO.**

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

*Idaho Falls*

*Mar 15 1932*

*R. W. Fairis  
Boise*

*Dear Mr. Fairis, -*

*Enclosed find affidavit of  
publication in water transfer case also check per  
#1 covering cost of issuing certificate of transfer*

*Please return abstract of Title to North Am. Mortgage  
Co. Bozeman, Montana also the original transfer  
certificate should be sent them. A duplicate of the  
latter should be sent to Roy W. Thompson, Mackay*

*Yours truly,*

*Lynn Randall*



**MICROFILMED**

**STATE OF IDAHO**  
**DEPARTMENT OF RECLAMATION**  
**BOISE, IDAHO**

Date. **February 24, 1932**

**ARCO ADVERTISER**

**Arco**  
**Idaho**

DEAR SIR:

Enclosed you will find notice for publication once a week for <sup>two</sup>~~three~~ consecutive weeks prior to **March 15, 1932**, the date set for proof, the expense of the publication to be paid by the applicant, **THE NORTH AMERICAN MORTGAGE COMPANY,**  
**Bozeman, Montana**  
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,

**A. W. FARIS**

Commissioner of Reclamation

# Notice of Proposed Transfer of Water Right

Notice is hereby given that **THE NORTH AMERICAN MORTGAGE COMPANY**..... of **Bozeman, ..**  
**Montana**....., has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of **0.8 cubic foot per second**.....  
 ..... of the water of **BIG LOST RIVER**.....

from the land upon which it is now used, i. e. ....  
**E $\frac{1}{2}$  E $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East, B.M.**.....

to the following described tract.....  
**SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East, B.M.**.....

And that, on the **15th**..... day of **March**....., A. D.  
**1922**....., 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.

# North American Mortgage Company

## FARM MORTGAGES

J. P. FABRICK,  
GENERAL MANAGER

H. DE SCHEPPER,  
MANAGER

HOME OFFICE  
LEEWARDEN, HOLLAND

BOZEMAN, MONTANA

Feb. 18. 1932.

# 3534

Mr. R. W. Faris  
Commissioner of Reclamation  
Boise, Idaho.

Dear Sir:

Together with the Application for Transfer of Waterright, pertaining to a right in Butte County, Idaho, we are, upon the suggestion of Mr. Lynn Grandall, Watermaster at Idaho Falls, forwarding the abstract of title to the property covered by the waterright.

When the hearing on the application has been completed, we shall appreciate if the abstract of title can be returned to us.

Yours very truly  
North American Mortgage Company

by

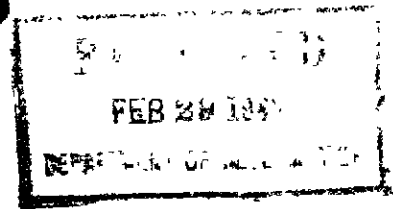
*J. Fabrick*

|                      |
|----------------------|
| RECEIVED             |
| FEB 21 1932          |
| DEPT. OF AGRICULTURE |

*2/19/32*  
*Enclosures herein mentioned*  
*forwarded yesterday under*  
*separate cover.*

*N.A.M.C.*

DIRECT ALL COMMUNICATIONS TO THE COMPANY AND NOT TO INDIVIDUALS



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Date February 24, 1932

ARCO ADVERTISER  
Arco  
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for <sup>two</sup>~~four~~ consecutive weeks prior to March 15, 1932, the date set for proof, the expense of the publication to be paid by the applicant, THE NORTH AMERICAN MORTGAGE COMPANY, Bozeman, Montana

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

*This will run in  
our issues of  
March 4 & 11*

**MICROFILMED**

*The Advertiser*

*W*

# Affidavit of Publication

I, C. A. Bottolfsen, publisher 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 Two

consecutive weeks, commencing with the issue dated March 4, 1932, and ending with the issue dated March 11, 1932.

Subscribed and sworn to before me this 14<sup>th</sup> day of March, 1932.

[Signature]  
Notary Public.

Residence: Arco, Idaho.

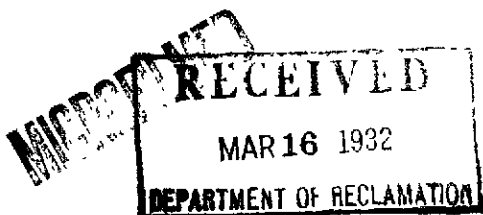
My commission expires July 13, 1932.

## NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that The North American Mortgage Company of Bozeman, Montana, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 0.8 cubic foot per second of the water of Big Lost River from the land upon which it is now used, i. e. E $\frac{1}{2}$  E $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East, B. M. to the following described tract SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 4 North, Range 26 East, B. M.

And that, on the 15th day of March, A. D. 1932, 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.  
(M4-11-26)



# Application For Transfer of Water Right

STATE OF <sup>Montana</sup> ~~IDAHO~~

County of GALLATIN } ss.

North American Mortgage Co by J<sup>W</sup>P. Fabrick, attorney in fact

being first duly sworn, deposes and says:  
That his name is North American Mortgage Co by J<sup>W</sup>P. Fabrick, attorney in fact; that he is of lawful age, a citizen of the United States and of the State of <sup>Montana</sup> ~~Idaho~~, and that his postoffice address is Bozeman, Montana

That he is the owner and using a certain water right, bearing date of priority of June 1 1886 for 2.4 cubic feet per second of the waters of Big Lost River

County of Butte, State of Idaho, decreed to Ernest Zesiger

by decree of Judge, Farrington of the U.S. Judicial District of the State of

Idaho, in and for the County of Butte, in the case of Utah Const Co.

vs. John F. Abbott et al A. Arken et al, said decree bearing date of March 15 1923

(or obtained by virtue of License No. \_\_\_\_\_, issued by the State Engineer of the State of Idaho, dated \_\_\_\_\_, 19\_\_\_\_, bearing date of \_\_\_\_\_, 19\_\_\_\_)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 2 in the County of Butte and State of Idaho, to-wit:

SE 1/4 of the NW 1/4 and the North half of the NW 1/4 of Section 21, Township 4 North, Range 26 East B.M.

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

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 SE 1/4 of Section 4, Township 5 N, Range 26 E, B. M., and conducted to the above described lands through West Side Ditch

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

That affiant and petitioner desires to abandon the use of 0.8 cubic feet per second of said water upon (the east half of the east half of the NW 1/4 Sec 21, 4N-26E) and to convey and use same upon the following tract, situate, lying and being in the County of Butte and State of Idaho, to-wit:

SW 1/4 NW 1/4 Sec 21 T4N-R26E

That his reasons for desiring to make such transfer are as follows: Land EX 1/2 NW 1/4 Sec 21 is very gravelly and water can be more advantageously used on SW 1/4 NW 1/4 of same section

FILED

That he intends to divert and convey said 0.8 second feet of water to the tract of land last above described in the following manner, to-wit:

Thru the West Side Ditch, same ditch as now being used.

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

North American mortgage company  
x by John P. Vabrisk  
its attorney in fact Applicant.

18th day of Feb.

A. D. 1932

S. M. Cook  
Notary Public for the State of Montana  
Residing at Butte, Mont.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Big Lost River Feb. 12, 1933

Where is the diversion point located? SE 1/4 Sec 4, T5N, R26E

Through what ditch is it now conducted? West Side Ditch

How much land is now irrigated by the water sought to be transferred? 40 acres

Give the description: E 1/2 of the E 1/2 of the NW 1/4 Sec 21, T4N R26E

What is the total amount of water in inches, or second feet, dedicated to said land? 40 inches

What kind of crops are being raised? hay + grain

How much water per acre is now required to irrigate said land? 1 inch

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

Used for pasture

Give location of new point of diversion, if change is to be made No Change

Through what ditch will it be conducted after transfer? Same ditch = West Side Ditch

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

1 inch

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 No

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount, date and source No

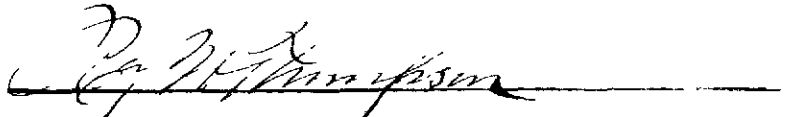
North American mortgage company  
Signed by John P. Vabrisk  
its attorney in fact Applicant.

I hereby certify that the following is a correct copy of the water right awarded to Ernest Zesiger for use on the  $SE\frac{1}{4}NW\frac{1}{4}$  and  $North\frac{1}{2}NW\frac{1}{4}$  of Sec.21, T.4 N., R.26 E., B.M. in the case of Utah Construction Co. vs. A. Aiken et al, said decree bearing date of March 15 , 1923.

Ernest Zesiger

(b) 1886- June 1, 2.4 c.f.s. To be diverted from Big Lost River through the West Side ditch, having its point of diversion in the Southeast quarter of Sec.4 Township 5 North, Range 26 East, B.M. for the irrigation of the following described land, to-wit;

The southeast quarter of the Northwest quarter and the North half of the Northwest quarter of Section 21, Township 4 North, Range 26 East, B.M.



Commissioner U.S.District Court in charge of  
water distribution on Big Lost River

Dated at Mackay, Idaho this 15, day of February, 1932.

STATE OF IDAHO,

County of.....

ss.

..... and .....  
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.....  
that he is user of water from....., in Water District No.....  
County of ....., State of Idaho; that he has read or heard read the foregoing affidavit and petition of..... 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..... day of.....  
A. D. 19.....

STATE OF IDAHO,

County of.....

ss.

I, Ray W. Thompson, Watermaster of Big Lost River  
Water District No. 27-B, County of Butte + Custer, State of Idaho, whose postoffice address is Mackay Idaho, have read or heard read the foregoing affidavit and petition of North American Mortgage Co, 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:~~

Transfer will result in more productive use of the water

Watermaster Dist. No. 27-B

Dated at Mackay, Idaho, this 15<sup>th</sup> day of February, 1932.

Name of Applicant North American Mortgage Co.

