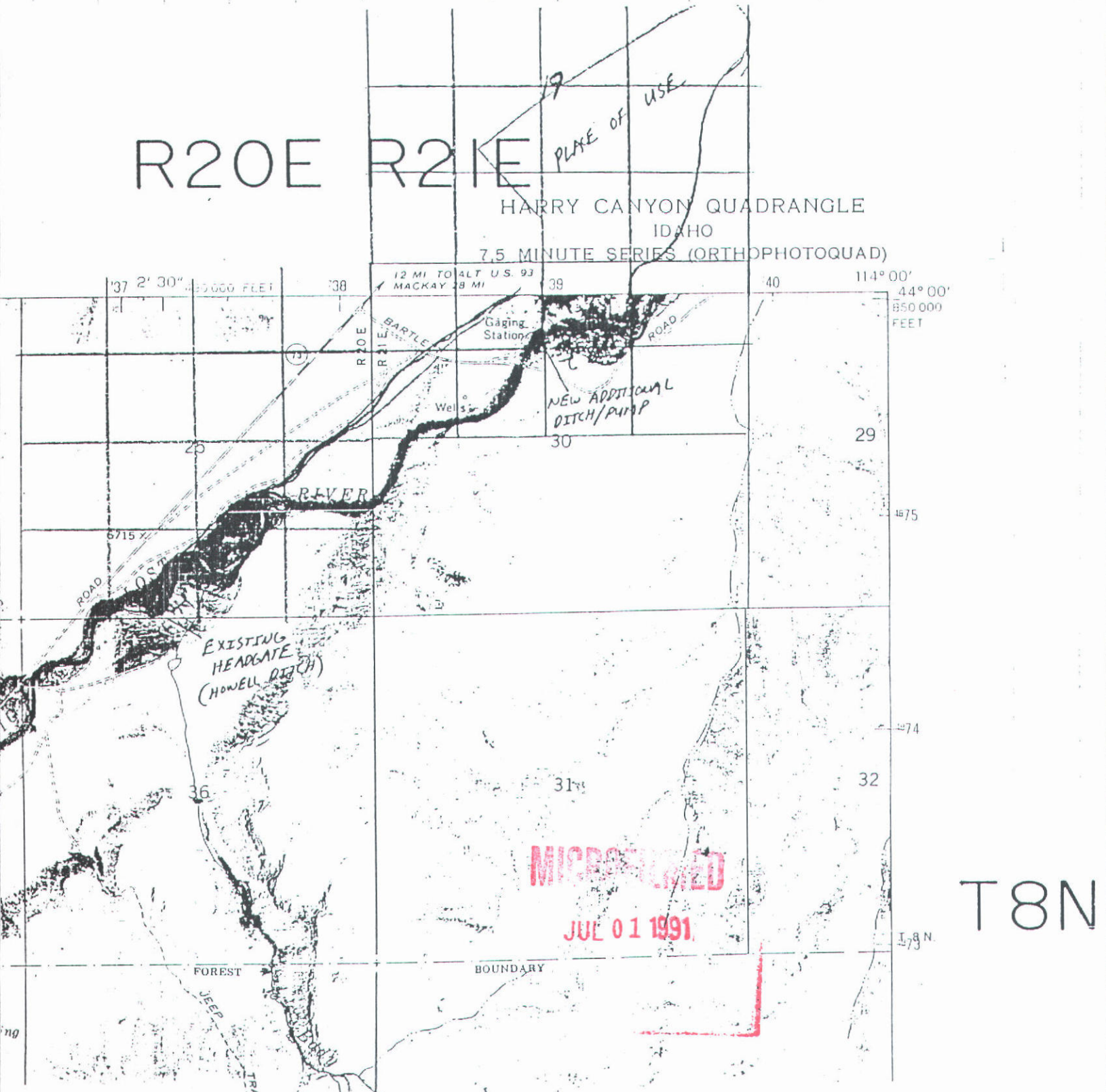


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3823

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant LOGAN E. AND/OR LINDA C. WILLIAMS Phone 588-2258
Post Office address STAR RT., MACKAY, ID 83251

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes TO ACCURATELY REFLECT EXISTING HEADGATE LOCATION AND TO ADD A POINT OF DIVERSION CLOSER TO THE PLACE OF USE TO AVOID LOSSES WHEN WATER IS LOW AND TO MAKE EASIER TO CONVEY TO PLACE OF USE.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>34-0338</u>	<u>6/01/1888</u>	<u>1.6</u>	<u>IRRIGATION</u>	<u>5/01</u> to <u>10/15</u>
<u>34-0339</u>	<u>5/01/1902</u>	<u>0.62</u>	<u>IRRIGATION</u>	<u>5/01</u> to <u>10/15</u>
<u>34-0340</u>	<u>9/05/1905</u>	<u>2.58</u>	<u>IRRIGATION</u>	<u>5/01</u> to <u>10/15</u>
				to _____

2. Total amount of water being transferred 4.8 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water BIG LOST RIVER tributary to SINKS
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge.	County	Local name for diversion
		SE	SW	25	8N	20E	CLUSTER	HOWELL DITCH
	SE	NE	NW	30	8N	21E	CLUSTER	

5. Lands irrigated or place of use

Twp	Rge.	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	
8N	21E	19			4	40					9			2	32	35	38	20	180
		30			30														30

Total acres 210

PART 1

6 General Information:

a Description of diversion system HOWELL DITCH/HEADWORKS. ALSO WISH TO
ADD PUMP OR DITCH CLOSER TO PLACE OF USE.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

WATER WILL BE EASIER TO CONVEY TO PLACE OF USE
WHEN POINT OF DIVERSION IS ADDED.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-0338, 34-0339, 34-0340

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

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 19th day of June, 19 91.

J. Glen Saylor
CHIEF, WATER ALLOCATION BUREAU

CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 34-0338/0339/0340

Transfer No. 3823

1. Use of water from these water rights is subject to the control of the watermaster of Water District No. 34, Big Lost River.
2. Only one point of diversion may be used at any one time.
3. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works at both points of diversion prior to diversion of water under this transfer.
4. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 19th day of June, 1991.



L. GLEN SAXTON
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by

- a Decree No 34-0338 Decreed to JOHN & HOWELL
 in case of UTAH CONSTRUCTION vs JOHN F. ABBOTT, ET AL
 dated 10/21/1925 in _____ county of CUSTER
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No _____ which produced this right

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3 Source of water BIG LOST RIVER tributary to SINKS

4 Date or priority 6/01/1888

5. Water is used for the following purpose

amount 1.6 for IRRIGATION purposes from 5/01 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6 Total amount of water under right 1.6 cubic feet per second and/or _____ acre-feet per annum.

7 Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	30	8N	21E	CUSTER	HOWELL DITCH

8 Lands irrigated or place of use

Twp.	Rge	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	
8N	21E	19			X									X		X	X		
		30		X			X												

Total acres _____

9. Describe any other water rights used for the same purpose as described above 34-0339 / 34-0340

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2 Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3 Lands irrigated or place of use

Twp.	Rge.	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 acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3 Lands irrigated or place of use

Twp	Rge.	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 acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a Decree No. 34-0339 Decreed to JOHN HOWELL
in case of UTAH CONSTRUCTION vs JOHN F. ABBOTT ET AL.
dated 10/21/1925 in _____ county of CUSTER
- b License No _____ issued by the Idaho Department of Water Resources
- c Claim No _____ on file with the Idaho Department of Water Resources
- d Transfer No. _____ which produced this right

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below.

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3 Source of water BIG Lost RIVER tributary to SINKS

4 Date or priority 5/01/1902

5 Water is used for the following purpose

amount 0.62 for IRRIGATION purposes from 5/01 to 10/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6 Total amount of water under right 0.62 cubic feet per second and/or _____ acre-feet per annum

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	30	8N	21E	CUSTER	HOWELL DITCH

8 Lands irrigated or place of use

Twp.	Rge.	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	
8N	21E	19			X									X		X	X		
		30		X			X												

Total acres _____

9 Describe any other water rights used for the same purpose as described above 34-0338/0340

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3 Lands Irrigated or place of use

Twp.	Rge.	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2 Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp	Rge	County	Local name for diversion

3 Lands Irrigated or place of use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by

- a Decree No 34-0340 Decreed to JOHN HOWELL
in case of UTAH CONSTRUCTION vs JOHN F. ABBOTT ET. AL.
dated 10/21/1925 in _____ county of CUSTER
- b License No. _____ issued by the Idaho Department of Water Resources
- c Claim No _____ on file with the Idaho Department of Water Resources
- d Transfer No _____ which produced this right

② Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership Label document as attachment A Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3 Source of water BIG LOST RIVER tributary to SINKS

4 Date or priority 9/05/1905

5 Water is used for the following purpose:

amount 2.58 for IRRIGATION purposes from 5/01 to 10/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6 Total amount of water under right 2.58 cubic feet per second and/or _____ acre-feet per annum.

7 Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	30	8N	21E	CUSTER	HOWELL DITCH

8 Lands irrigated or place of use

Twp	Rge	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	
8N	21E	19			X								X			X	X		
		30		X			X												

Total acres _____

9. Describe any other water rights used for the same purpose as described above 34-0338 / 0339

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

1 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use.

Twp	Rge	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 acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

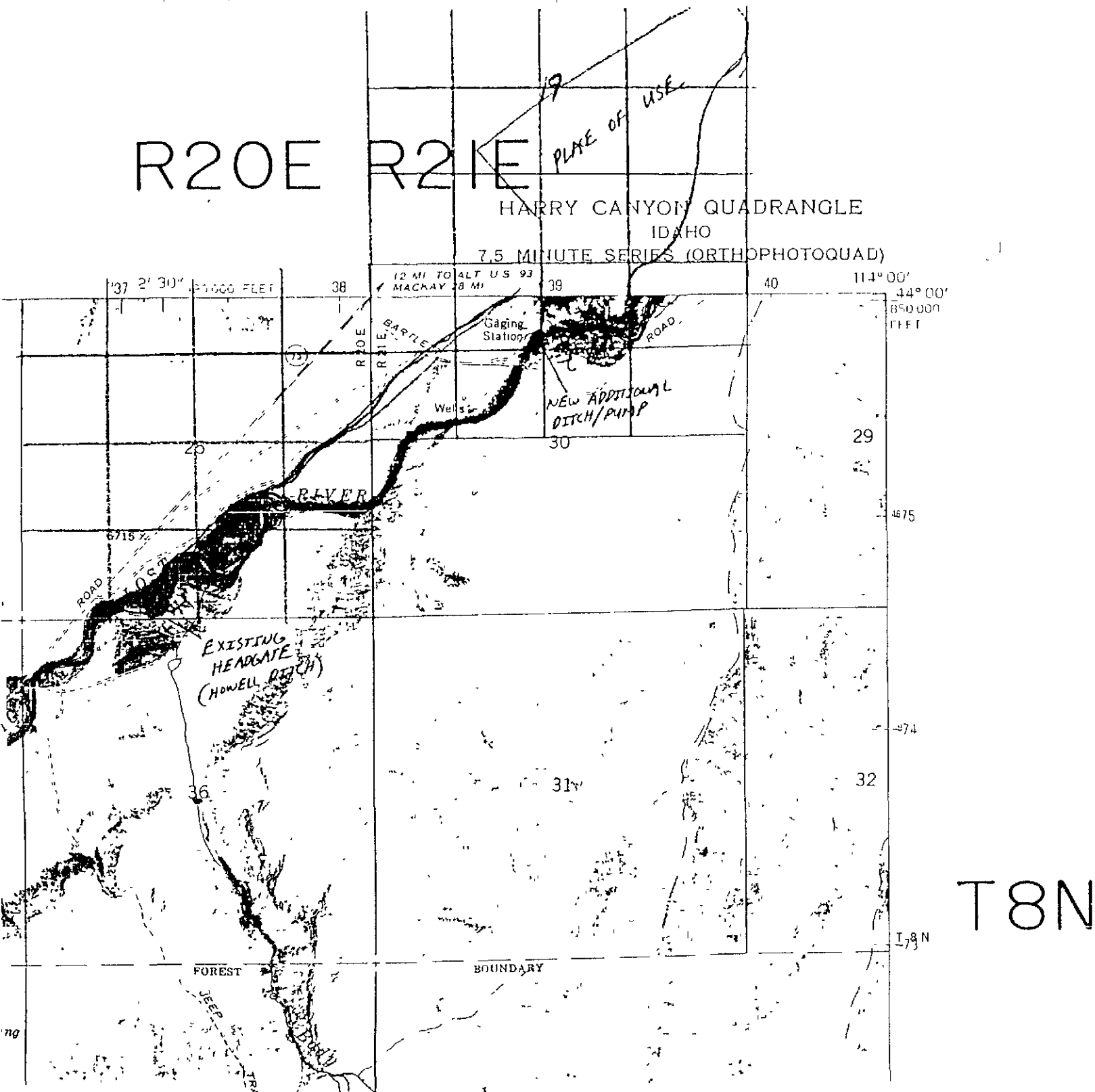
3. Lands irrigated or place of use

Twp	Rge	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 acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge

3. Describe effects on other water uses resulting from the proposed change:

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

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Logan E Williams
Edward H. Williams
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of February, 1991

Lisa M. Lundy
(Notary Public)

My commission expires 3/19/93

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by 2/1/91 Date 2-27-91 Protest filed by _____

Prelim check by EMD Fee \$50.00

Receipted by 2/1/91 Date 2-27-91 E015235

Published in Custer Publishing Co. Copies of protest forwarded by _____

Pub dates 4-4 & 11-91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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, 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. Albern 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), Zina 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. 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. Rampton), 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 F. 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

JOHN HOWELL

✓ (a) 1888-June 1 ✓

1.6 c.f.s. 0338 ✓

To be diverted from Big Lost River through the Howell Ditch having its point of diversion in the Southwest quarter of Section 30 Township 8 North, Range 21 East, B.M., for the irrigation of the following described land, to-wit:

Northwest quarter of the Northeast quarter and the Northeast quarter of the Northwest quarter of Section 30; Southwest quarter of the Northeast quarter, West half of the Southeast quarter, Southeast quarter of the Southwest quarter of Section 19, all in Township 8 North, Range 21 East, B. M., and.

✓ 1902-May 1 ✓
✓ 1905-September 5 ✓

0.62 c.f.s. 0339 ✓
2.58 c.f.s. 0340 ✓

✓ (b) 1888-June 1 ✓ All of Pinto Creek
Transferred - 12 cfs 34 0311 ✓

To be diverted from Pinto Creek through a private ditch having its point of diversion on the land constituting the place of use of said water, for the irrigation of the land last above described.

No. 212

Thomas L. Howell

1914-May 1 ✓

0.64 c.f.s. 0312 ✓

1916-May 5 ✓

2.56 c.f.s. 0313 ✓

all in Trans. 876 & Transferred back to

To be diverted from Big Lost River through the Naef Ditch having its point of diversion in the Northwest quarter of Section 12, Township 8 North, Range 21 East, B. M., for the irrigation of the following described land, to-wit:

Lots 10 and 11 and the West half of the Southeast quarter of Section 6, Township 8 North, Range 22 East, B. M.

No. 213

Alice C. Hunter

(a) 1905-May 1 ✓

1.0 c.f.s. 0314 ✓

(b) 1915-March 12 ✓

2.2 c.f.s. 0315 ✓

To be diverted from Big Lost River as follows: 0.8 c.f.s. of (a) through the Thalman-Hunter Ditch having its point of diversion in the Southwest quarter of Section 16, Township 8 North, Range 21 East, B. M., all of (b) and and 0.2 c.f.s. of (a) through the Nielsen Ditch having its point of diversion in the Northwest quarter of Section 15, Township 8 North, Range 21 East, B. M., for the irrigation of the following described land, to-wit:

Southwest quarter of the Southeast quarter of Section 10; Southwest quarter of the Southwest quarter and the Northwest quarter of the Southwest quarter of Sec. 11; Northwest quarter of the Northwest quarter of Section 14, all in Township 8 North, Range 21 East, B. M.

No. 214

DEPARTMENT OF JUSTICE
BUREAU OF INVESTIGATION IN THE DISTRICT OF COLUMBIA

[REDACTED]

(SIGNED) FRANK S. DIETRICH
United States District Judge.

UNITED STATES OF AMERICA, }
District of Idaho, } ss.

In testimony whereof, I have set my hand and affixed the seal of said Court in said District this 23rd day of April, 1927.

Wm. McQuay
Clerk.

RECEIVED

OCT 07 1997

Department of Water Resources

1997 OCT -6 AM 9:51

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

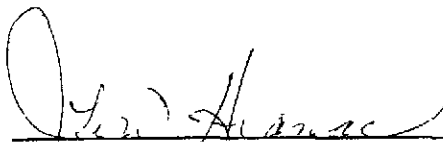
)
)
)
)
)
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 34-00339

On October 06, 1997, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED October 06, 1997.


TERI HRANAC
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1997 OCT -6 AM 9: 51
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

In Re SRBA	)	SPECIAL MASTER'S
	)	REPORT AND RECOMMENDATION
Case No. 39576	)	
	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
_____	)	FOR WATER RIGHT 34-00339

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for Reporting Area 1 (Basin 34) and investigated and abstracted the notices of claim for Reporting Area 1, which includes portions of Custer, Butte, Bonneville and Jefferson counties, State of Idaho. The *Director's Report for Reporting Area 34 (Director's Report)* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties at hearing and with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

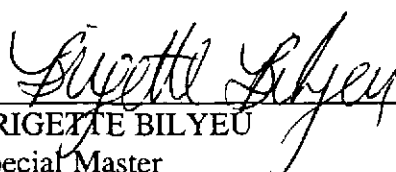
II. CONCLUSIONS OF LAW

The record on file for this subcase, including the *Standard Form 5*, establishes that this water right be decreed with the elements as set forth in the Findings of Fact.

A *Preliminary Special Master's Report and Recommendation; Findings of Fact and Conclusions of Law* was issued for this water right on June 30, 1997. No Motions to Alter or Amend were filed, and the time for such motions has now expired.

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Special Master's Recommendation for Partial Decree*.

DATED: OCT 6 1997



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)
)
)
)

1997 OCT -6 AM 9:51
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR
TWIN FALLS CO., IDAHO
Water Right 34-00339
FILED _____

NAME & ADDRESS: LINDA C WILLIAMS
LOGAN E WILLIAMS
STAR RT
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.62 CFS

PRIORITY DATE: 05/01/1902

POINT OF DIVERSION: T08N R20E S25 SESW Within CUSTER County
R21E S30 SENENW

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 0.62 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T08N R21E S19 SWNE 5.0 Lot 2 (SENE) 34.0 NESW 4.0 Lot 5 (SESW) 3.0
Lot 3 (NESE) 26.0 NWSE 37.0 Lot 6 (SWSE) 40.0 Lot 7 (SESE) 21.0
S30 NWNE 24.0 NENW 16.0
210.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 34-00338, 34-00340, AND
34-00341 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
210 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 31 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

~~A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE
ACCERTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED
AS A PART OF THE DIVERTING WORKS.~~ BB

DATED: OCT 6 1997


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

1997 OCT -6 AM 9:51

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE ~~STATE OF IDAHO~~ ^{FILED} ~~IN AND FOR THE COUNTY OF TWIN FALLS~~

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

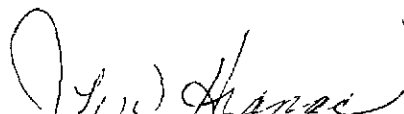
Water Right(s): 34-00339

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 06, 1997, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

LOGAN E. WILLIAMS
WILLIAMS, LINDA C.
STAR ROUTE
MACKAY, ID 83251



TERI HRANAC
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/06/97

RECEIVED

JUL - 1 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 30 AM 11:02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase: 34-00338, 34-00339, 34-00340
	)	and 34-00341
Case No. 39576	)	
	)	ORDER DISMISSING UNITED
	)	STATES' OBJECTIONS and
	)	DISMISSING UNITED STATES AS
	)	PARTY TO SUBCASES

On June 13, 1997, a *Stipulation of Withdrawal* (*Stipulation*) was filed in the above subcases. The *Stipulation* asserts that the claimant and the United States agree to the withdrawal of the United States' objection. At a Status Conference held on June 19, 1997, counsel for the United States requested that both the objection filed by the Bureau of Land Management and the objection filed by the Department of Justice be dismissed and that the United States be dismissed as a party to these subcases.

Therefore, based on the file and record herein, IT IS ORDERED that the objections filed by the United States to these subcases are **dismissed with prejudice**. IT IS FURTHER ORDERED that the United States is **dismissed as a party** to these subcases.

DATED June 23, 1997.



BRIGETTE BILYEU
Special Master, Reporting Area 1
Snake River Basin Adjudication

CERTIFICATE OF MAILING

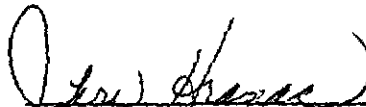
I certify that a true and correct copy of the **ORDER DISMISSING UNITED STATES' OBJECTIONS and DISMISSING UNITED STATES AS PARTY TO SUBCASES** was mailed on June 20, 1997, with sufficient first-class postage to the following:

30

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

Logan Williams
Star Route
Mackay, ID 83251


Deputy Clerk

RECEIVED

AUG 21 1995

OFFICE OF THE
ATTORNEY GENERAL

Logan Williams
5668 Bartlett Point Road
Mackay, Idaho 83251

August 15, 1995

RECEIVED

AUG 22 1995

Department of Water Resources
Adjudication Bureau

Hon. Judge Daniel Hurlbutt
SRBA District Court
P. O. Box 2707
Twin Falls, Idaho 83303-2707

RE: All Objections Before the Court Placed by Logan
and Linda Williams of Mackay, Idaho

Dear Judge Hurlbutt:

The purpose of this letter is quite simple. I quit. That is to say I am withdrawing all my objections to the claims in Basin 34 placed by the United States, either Forest Service or BLM.

I am a rancher, not an attorney. Our financial condition will not permit us to employ an attorney to defend our decreed water rights, and I simply do not know how to do it myself. Even if I could, the time and money that it would cost me simply is not worth the outcome. You may consider this letter as a plea, motion, stipulation, or whatever you wish to call it, but to me it is notice to the Court and all others that I will no longer take part in any proceedings.

I am doing this primarily for peace of mind. In the recent settlement conference with all the Forest Service attorneys and the Idaho Department of Water Resources attorneys, I was told that in order to resolve our differences, it would be very costly to me. I believe them, and can see that even our own IDWR attorneys feel that the Federal Government can have these claims -- claims that I have paid IDWR and the State to administer and safeguard.

Therefore, if I am going to lose the established senior priority date for all the waters decreed in Pinto Creek (as decreed in a Federal Court), then I am better off to set idly by and allow it to happen rather than to fight both the State and the Feds and lose anyway. At least when I sell the ranch, the proceedings will come to me, not a bunch of attorneys.

Hon. Judge Daniel Hurlbutt
August 15, 1995
Page 2

I am saddened by the events that have taken place within this adjudication. It appears to me that the original intent to inventory water has long passed. Even our own legislature and the state Supreme Court have lost sight of the intent.

I can see that I cannot get my concerns resolved without it costing me more than what the water rights are worth. With that in mind, please remove all our objections and let the Federal Government have their way. They made it very clear to me that I may win, but their plan is to bankrupt me in the process. I can only assume that under our fine system, the Justice Department will be coming after my land next.

Sincerely,

Logan Williams

Logan Williams

cc: USFS
BLM
IDWR
Governor Batt
State Representative Lenore Barrett
U.S. Senator Larry Craig
U.S. Representative Mike Crapo
State Attorney General Alan Lance

MEMORANDUM

TO: Files 34-0339/0340
FROM: Brenda
DATE: June 19, 1991
RE: Transfer No. 3823

=====

See file 34-0338 for all correspondence regarding the above referenced transfer.

NOTED

JUL 01 1991