

Paul Thomas,	James Greel,	140	inches from June 1st, 1887.	✓
Paul Thomas,	East River,	140	" " June 1st, 1888.	✓
Don L. Brown,	" "	140	" " June 1st, 1891.	✓
Frank Brown,	" "	140	" " Sept. 1st, 1891.	✓
Archie Marshall	" "	140	" " Sept. 1st, 1891.	✓
T.C. Woodbridge, successor to				
E. L. Barnes,	" "	140	" " May 2nd, 1892.	✓
Arce Trading Co	" "	140	" " June 2nd, 1892.	✓
Arce Trading Co	" "	140	" " Sept. 2nd, 1892.	✓
Arce Trading Co	" "	140	" " Sept. 1st, 1892.	✓
Hattie Apple,	" "	140	" " Sept. 1st, 1892.	✓
Jas. Apple,	" "	140	" " Sept. 1st, 1892.	✓
A.C. Porter,	" "	140	" " Sept. 1st, 1901.	✓
Peter Anderson	" "	140	" " June 1st, 1894.	✓
Herbert Anderson	" "	200	" " Sept. 1st, 1898.	✓
Mrs. Lydia A. Went	" "	140	" " Sept. 1st, 1898.	✓
Wm. R. Pershall	" "	160	" " Sept. 1st, 1898.	✓
Samuel Pershall	" "	140	" " June 1st, 1898.	✓
Samuel Pershall	" "	140	" " Sept. 1st, 1898.	✓
J.M. Long,	" "	140	" " Sept. 1st, 1898.	✓
B.F. McCowan,	" "	140	" " Sept. 1st, 1898.	✓
H.M. Moore	" "	216	" " Aug. 1st, 1898.	✓
D.S. Brown,	" "	140	" " Sept. 1st, 1898.	✓
Chas. Akia,	" "	140	" " Sept. 1st, 1898.	✓
J. M. Brown,	" "	140	" " Sept. 1st, 1898.	✓
John M. Brown	" "	140	" " Sept. 1st, 1898.	✓
Arce Trading Co	" "	140	" " Sept. 1st, 1898.	✓
Isaac F. Brown,	" "	140	" " Sept. 1st, 1898.	✓
Josephine Goble,	" "	140	" " Sept. 1st, 1898.	✓
D.H. Ashton, successor to				
Thos. Brown,	" "	140	" " Sept. 1st, 1898.	✓
Wm. M. Brown & Sarah E. Brown,		140	" " Sept. 1st, 1898.	✓
Emilie Brown & Sarah E. Brown,		140	" " Sept. 1st, 1898.	✓
Frank F. Brown,		140	" " July 1st, 1901.	✓

34-B2-1

IN THE DISTRICT COURT

OF THE FOURTH JUDICIAL DISTRICT OF IDAHO, IN AND FOR CUSTER COUNTY.

S.T. MOE et al.,

Vs.

HENRY HARGER et al.,

In the above entitled cause, the default of the non-answering defendants having been duly entered, and said cause having been regularly tried and submitted to the Court for its decision, and the Court having considered the evidence and being fully advised in the premises, makes and files its findings of fact, and directs judgment to be entered in accordance therewith:--

Whereupon it is ordered, adjudged and decreed as follows:--

1. That each and every of the tracts of land described in the complaint, answers and cross-complaints in this action as belonging to the said several parties plaintiff and defendant herein are arid in character and will not successfully raise any agricultural crop without the use of water thereon.
2. That the quantity of water required for the successful irrigation and cultivation of said land is one inch per acre measured under a four inch pressure, or its equivalent in cubic feet per second of time, to be measured at the point or place of diversion.
3. That each of the parties plaintiff and defendant herein-after named were, at the times of the several appropriations of water made as hereinafter set forth, the owners respectively of the several tracts of land set forth and described in the complaints, answers and cross-complaints, and that for the irrigation of the same the said parties or their predecessors in interest did respectively appropriate the quantities of water hereinafter stated and on the dates respectively as hereinafter stated and set opposite the names of each of said parties, such water being estimated and measured under a four inch pressure or its equivalent in cubic feet per second of time; and ever since said date of the said sever-

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John Davidson, Lost River,	160	inches from June 1st, 1882.	✓
John Davidson,	80	" " June 1st, 1884.	✓
John Davidson,	80	" " June 1st, 1887.	✓
Benjamin Swenson,	150	" " May 31st, 1891.	✓
David McCulloch,	100	" " May 15th, 1897.	✓
S.C. Neilson,	160	" " June 1st, 1899.	✓
Ferdinand Rosenkranz,	130	" " Nov. 1st, 1892.	✓
Stephen Navarre,	160	" " Aug. 1st, 1890.	✓
Minnie Gill Howell,	160	" " June 30th, 1897.	✓
Minnie Nowacki,	160	" " May 1st, 1893.	✓
Geo. Nowacki,	80	" " June 1st, 1885.	✓
Geo. Nowacki, Warm Spring Creek,	173	" " June 1st, 1893.	✓
Thomas L. Pence, Lost River,	160	" " June 1st, 1888.	✓
Thomas L. Pence,	175	" " June 30th, 1881.	✓
Jas. H. Pence,	160	" " Apr. 7th, 1886.	✓
John Gardner,	160	" " Mar. 10th, 1894.	✓
Geo. M. McGowan,	160	" " June 1st, 1887.	✓
Geo. M. McGowan,	160	" " Sept. 14th, 1886.	✓
Geo. M. McGowan,	480	" " June 1st, 1889.	✓
Jas. D. Martin,	80	" " June 1st, 1895.	✓
Jas. McCrumb,	100	" " Mar. 23rd, 1900.	✓
J. V. Carlson,	130	" " June 1st, 1898.	✓
Peter Bursted	160	" " June 1st, 1896.	✓
R. J. Walworth and			
Emma Walworth,	320	" " June 10th, 1895.	✓
Heber M. Pearson,	120	" " June 1st, 1899.	✓
Chas. O. Beery,	160	" " June 10th, 1898.	✓
Archie Boverland,	80	" " Mar. 1st, 1902.	✓
Geo. B. Watts,	145	" " June 1st, 1900.	✓
Erick Burstedt,	160	" " June 1st, 1894.	✓
Peter Jensen,	80	" " June 1st, 1896.	✓
J. C. Murray,	160	" " June 1st, 1896.	✓
J. H. Beery,	160	" " June 30th, 1891.	✓
W. H. Murray,	160	" " Jan. 1st, 1899.	✓

MICROFILMED

Name of Applicant

Lewis Handy

Accretion

Big Lost River

Land to which water was
decreed and which it is
ought to transfer same from

June 4 N. R. 20 E. B. M.

Land upon which water
is decreed to be transferred to
Big Lost River which has been
used for 30 years

MICROFILMED

AFFIDAVIT OF PUBLICATION

I, C. A. Bottolfsen, publisher of The Arco Advertiser, published weekly at Arco, Idaho, 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 June 25, 1920 and ending with the issue dated July 2, 1920.

Subscribed and sworn to before me this 8th day of July, 1920

W. J. Lammie
Notary Public.

Arco Idaho

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that O. L. Tuft and L. H. Evans of Leslie, Idaho, have applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing them to transfer the use of 1.6 sec. ft., of the water of Big Lost River, from the land upon which it is now used, i. e., W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 20, T. 6 N., R. 26 E., B. M., to the following described tract E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 1, T. 6 N., R. 25 E., B. M.,

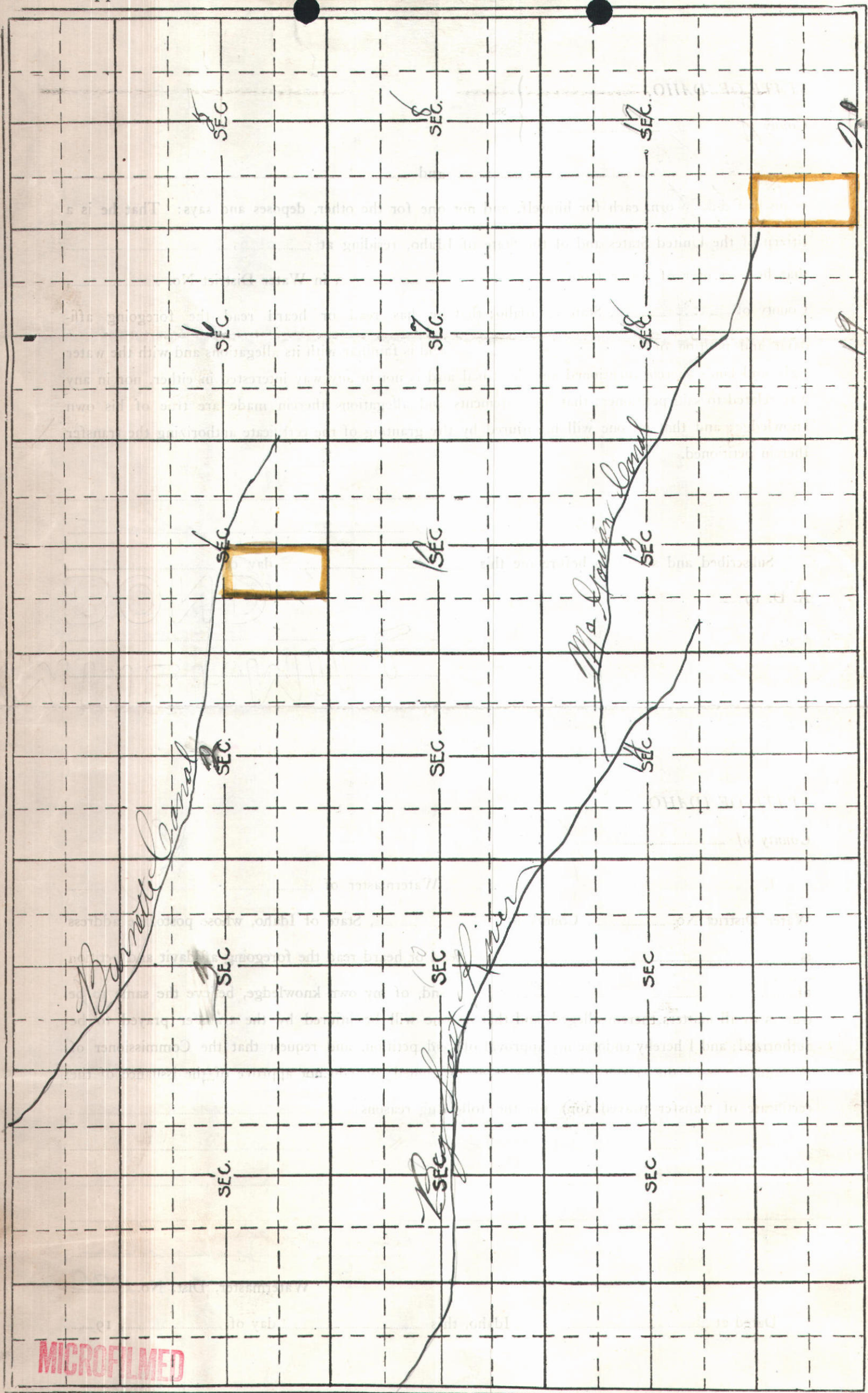
And that, on the 8th day of July, A. D. 1920, at Arco, at 10:30 A. M. at the Court House, before the Commissioner of Reclamation, or his authorized agent the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

W. G. SWENDSON,
Ju25-J2 Commissioner of Reclamation.

MICROFILMED

T-281
13-2377

Name of Applicant



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

T-281
43-2377

Superceded by Utah Const. Co. vs.
Abbott decree See right No. 34-0265

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 291.

This is to certify that Lewis M. Hardy, of Arco, County of Butte, State of Idaho, has a right to the use of the waters of Big Lost River, for irrigation and domestic purposes, and that said right has been confirmed by decree of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Custer, in the case of S. T. Mos, et al, plaintiffs, vs. Henry Harger, et al, defendants. K. I. Perky, District Judge, wherein 3.2 second feet of the waters of Big Lost River, in Water District No. 27-B, were dedicated to the E $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 4 N., R. 26 E., B.M., bearing date of priority of September 1, 1886, said decree being entered at Boise, Idaho, in the records of the Department of Reclamation, in Volume 1 of Decrees, at page 490; that, upon the application of Lewis M. Hardy for transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 0.2 second feet of the waters of Big Lost River upon the lands above described is hereby abandoned and a description of the lands to be irrigated under such right and to which the water right hereby confirmed shall by this instrument become appurtenant, for irrigation and domestic purposes, is shown in the following table, 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:

0.2 sec. ft. dated September 1, 1886:					6
Trp.	Rge.	Sec.	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Total
4	N	26 E 26		10	10

The right to the use of the waters hereby confirmed, is restricted to the lands herein described, as provided by the laws of the State of Idaho.

No right to the use of waters on the lands hereinabove described exists at the date of this instrument except as herein stated.

WITNESS The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 3rd day of January, 1921.

Commissioner of Reclamation.

By _____, Deputy.

RECORDED

1-29-21
10-2-21

STATE OF IDAHO

DEPARTMENT OF RECLAMATION.

In the Matter of the Application
of Lewis M. Hardy for Transfer of
Water right. Water Dist. #27-B.
Case #72.

ORDER GRANTING TRANSFER OF

WHEREAS, On the 8th day of December, 1920, at Arco, Idaho, before R. L. Sutcliffe, the duly authorized representative of the Commissioner of Reclamation of the State of Idaho, the matter of the application for transfer of water right of Lewis M. Hardy came regularly on for hearing, pursuant to the published notice: and,

WHEREAS, The applicant appeared in Person in behalf of his application, and no one appearing to protest the said application, and,

WHEREAS, The evidence filed in support of the application shows a greater duty of water by making the transfer, and that no one would be injured by making such transfer:

THEREFORE, It is hereby ordered that the said application for transfer be allowed and that a certificate of transfer be issued the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 3rd day of January, 1921.

Commissioner of Reclamation.

By _____ Deputy.

MICROFILMED

T-291
H-291

34 B2-1

[Faint, mostly illegible text covering the main body of the page, appearing to be a list or series of entries.]

RECEIVED

Superceded by Utah Const. Co.
US. Abbott see right No
34-0265.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of
O. L. Tuft and L. H. Evans for Trans-
fer of Water Right: Water Dist. #27.
Case #57.

ORDER GRANTING TRANSFER.

WHEREAS, On the 8th day of July, 1920, at Arco, County of Butte, State of Idaho, before J. E. Badley, Assistant Commissioner of Reclamation of the State of Idaho, the matter of the application of O. L. Tuft and L. H. Evans came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, O. L. Tuft appeared, for himself and L. H. Evans, and filed written testimony in support of the application, and no one appeared to protest the said application, and, it appearing from the evidence filed in support of the application that no one would be injured by making the transfer and that a greater duty of water would result by reason of the transfer:

IT IS, THEREFORE, hereby ordered that the said application for transfer be allowed and that a certificate be issued to the applicants herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 5th day of August, 1920.


Commissioner of Reclamation.

T-581
11-0597

STATE OF IDAHO
DEPARTMENT OF RECLAMATION.
CERTIFICATE OF WATER RIGHT
Transferred Right No. 281

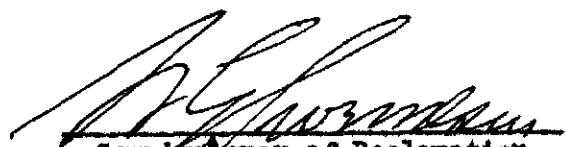
This is to certify that O. L. Tuft, of Leslie, County of Custer, and L. H. Evans, of Darlington, County of Butte, State of Idaho, have a right to the use of the waters of Big Lost River, for irrigation and domestic purposes, and that such right has been confirmed by decree of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Custer, in the case of S. T. Mee, et al, plaintiffs, vs. Henry Harger, et al, defendants, K. I. Perky, District Judge, wherein 1.6 second feet of the waters of Big Lost River, in Water District No. 27, were made appurtenant to the W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20, T. 6 N., R. 26 E., B.M., bearing date of priority of June 1, 1889; that said decree has been entered at Boise Idaho, in the records of the Department of Reclamation of the State of Idaho, in Book 1 of Decrees, at page 492; that, upon the application of O. L. Tuft and L. H. Evans for a transfer of water right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.6 second feet of the waters of Big Lost River upon the lands above described is hereby abandoned and the lands to be irrigated under such right and to which the water right hereby confirmed shall by this certificate become appurtenant, for irrigation and domestic purposes, are described in the following table, 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:

1.6 sec.ft.. dated June 1, 1889:									
		NE $\frac{1}{4}$		NW $\frac{1}{4}$		SW $\frac{1}{4}$		SE $\frac{1}{4}$	
Range	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals		
5 N	20E	1			40	40	80		

The right to the use of the waters aforesaid, hereby confirmed, is restricted to the place of use herein described, as provided by the laws of the State of Idaho.

No right to the use of waters on the lands herein described exists at the date of this certificate except as herein stated.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, Idaho, this 5th day of August, 1920.


Commissioner of Reclamation.

Recorded in Water Dist. #27-B 8-5-20-M E. 13
Platted on Map- Water Dist. #27-B 8-5-20-S.T.B.
Diversion Point:- NW $\frac{1}{4}$ -33-7E-24E.

MIC. 13

T-281
11-20-20

January 15, 1921.

Re Transfers- 290-291

Mr. Lewis M. Hardy.
Arco, Idaho.

Dear Sir:--

Enclosing herewith Certificates of Transfer of
water rights, Nos. 290-291, with receipts for fees paid.

Very truly yours,

L. C. SWINDSEN,

Commissioner of Reclamation.

By _____

CT-290-291-76299

P. S. - Am also returning Abstracts of Title Nos. 865-877-707,
as we have no further need for same in the office.

Arco

T-291
~~1031~~



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
W. G. SWENDSEN, COMMISSIONER
BOISE

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

December 1, 1920.

Re: Transfer Cases No. 70 and 71.

Mr. R. L. Sutcliffe,
Howe, Idaho.

Dear Sir:

I am sending you by registered mail all papers in connection with transfer case No. 70 and transfer case No. 71 under the name of Lewis M. Hardy of Arco, applying for the transfer of certain water of Big Lost River in accordance with our conversation by 'phone today. I desire that you conduct such hearing if the same materializes at the County Court House at Arco in accordance with the published notice.

In each packet you will find certain questions to be answered and subscribed to by the applicant. Kindly have these attended to. If any protests are offered, kindly take the depositions and return them to us in connection with all papers sent you. We take this opportunity to thank you for handling this matter.

very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation.

By

A. J. Bass
Assistant.

STB:MB
Encl.

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T-291
~~W. G. Swendsen~~

November 8, 1920.

Re Transfer Water Right.

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

Dear Sir:--

We are in receipt of your letter enclosing applications for transfer of water right of Lewis M. Hardy, together with check for fees in the sum of \$40.00. Relative to these would say that December 8 has been set for the hearing, at 10 a.m., at the County Court House, at Arco, and notices for publication have today been mailed to the Arco Advertiser for two weeks publication.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By_____

MICROFILM

1291
~~1291~~

Notice of Proposed Transfer of Water Right

Notice is hereby given that Lewis M. Hardy of Arco
Idaho, has applied to the Commissioner of Reclamation of the State of Idaho
 for a certificate authorizing him to transfer the use of 0.2 second foot
 of the water of Big Lost river,
 from the land upon which it is now used, i. e. Blk 1 & 13, Sec. 26, T. 4 N., R. 26 E., S. 1.
 to the following described tract: The northeast corner, consisting of 10 acres, of the
SW 1/4 Sec. 26, T. 4 N., R. 26 E., S. 1.

And that, on the 8th day of November, A. D.
 1920, at 10 a.m., at the County Court House, Arco, 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.

A. G. Svensen,
 Commissioner of Reclamation

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, 1907, 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.....The.....consecutive weeks, commencing with the issue dated.....December 15, 1909.....and ending with the issue dated.....December 7, 1909.....19.....

C. A. Bottolfsen

Subscribed and sworn to before me this.....11.....day of.....December.....1909.....

W. G. Swendsen
Notary Public.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Lewis M. Hardy of Arco, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 0.2 second feet of the water of Big Lost River from the land upon which it is now used, i. e. E $\frac{1}{2}$ NW $\frac{1}{4}$ & N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 26, T. 4 N., R. 26 E., B. M., to the following described tract The northeast corner, consisting of 10 acres, of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26, T. 4 N., R. 26 E., B. M.

And that, on the 8th day of December, A. D. 1920, at 10 a. m., at the County Court House, Arco, 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.

W. G. SWENDSEN,
Commissioner of Reclamation
N 26—D 3

1-10-91
[Signature]

1. State lands from which the transfer is desired: E $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2$ SW $\frac{1}{4}$ Sec. 26, Twp. 4, North, Range 26 E.B.M.
2. State amount, source and date of water right, covering the land: Sept. 1, 1886
3.2 second feet Big Lost River, decreed March, 1908.
3. State the present point of diversion by 40 acre tract: Near center of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26, Twp. 4 N.R." 26, E.B.M.
4. Who owns the above described lands: Lewis M Hardy
5. How obtained: By purchase
6. State how the water right was secured: Water was decreed to land and I purchased land and water.
7. How much of this land is in cultivation and under irrigation: 125 acres in cult. 110 in irrigation
8. State kind of crops: Hay and grain, potatoes and beets.
9. Is any portion of the above lands swampy, and if so, to what extent: None
10. When was water last used on the above described lands: Season of 1920.
11. How much of the above described lands will be irrigated if the transfer is granted: 110 acres
12. How much water per acre, will be necessary: one inch per acre
13. Are there any water rights, other than the one above described, attached to the said lands, and if so, state same: None
14. Describe the lands to which the transfer is desired: The northeast corner consisting of ten acres of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 26, Twp. 4 N. R. 26, E.B.M.
15. Who is the owner of same, and how acquired: Neils Hansen, by homestead.

16. If there is any water right attached to the above lands at present,
state source, amount, date, how acquired: none
17. State point of diversion: Near center of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26, Twp. 4
North, Range 26, E.B.M.
18. How much of this land in cultivation and irrigation:
Ten acres.
19. How much water per acre is required for these lands: one inch.
20. If the transfer is granted, describe the new point of diversion:
Same as old.
21. How long have these lands been irrigated, and when was water last used on
them: 34 years. Season 1920.
22. How much of the above described lands will be irrigated if the transfer is
granted: Ten acres.
23. Are any of these lands swampy: If so, how many acres: None.
24. What are the reasons for desiring said transfer: This water has been used on
the land to which it is being transferred for the last 34 years on
account of mistake in boundary lines of the original land.
We wish to continue the beneficial use of the water.

Lewis M. Hardy
applicant.

Subscribed and sworn to before me this 8 day of December, 1920

W. J. Kamm
Notary Public.

My commission expires Aug-1-1923

Application for Transfer of Water Right

STATE OF IDAHO,

County of Butte

ss.

M.
Lewis/Hardy

, being first duly sworn, deposes and says:

That his name is M. Lewis/Hardy; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Arco, Idaho,

That he is the owner and using a certain water right, bearing date of priority of Sept. 1, 1886, for 3.2 cubic feet per second of the waters of Big Lost River County of Butte, State of Idaho, decreed to Ira S. George by decree of Judge, K. I. Perky, of the Fourth Judicial District of the State of Idaho, in and for the County of Custer, in the case of S. T. Moe., et al vs. Henry Harger et al, said decree bearing date of March, 1902

(~~not obtained by virtue of license No. _____ issued by the State Engineer of the State of Idaho~~

~~dated _____ bearing date of priority of _____~~

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

E $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 26, Twp. 4 N. R. 26 E.B.M.

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

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 at near center of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 26, Twp. 4 N. R. 26 E.B.M.

and conducted to the above described lands through irrigation ditch as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 2/10 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 Butte and State of Idaho, to wit: The northeast corner consisting of ten acres of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, Twp. 4 N. R. 26 E.B.M.

That his reasons for desiring to make such transfer are as follows: for a greater beneficial use of said water; that ten inches of said water has been used upon the land, to wit ten acres of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 26 for the past 24 years

T-291
1-2-34

That he intends to divert and convey said 2/10 second feet of water to the tract of land last above described in the following manner, to wit:

through irrigation ditch, as shown on map herewith, through which said ditch said water has been conveyed upon said ten acres of ground for the past thirty^{four} years

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, and give proper notice of the same to the Water Master of Water District No. , in accordance with the provisions of Section 3264 of the Revised Codes of Idaho, as amended.

Subscribed and sworn to before me this 8th day of October

A. D. 1920

Lewis M Hardy
By J. B. Martin
Notary Public
Trco, Idaho

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Big Lost River
Where is the diversion point located? near the center of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 26
Twp. 4 N. R. 26 E.
Through what ditch is it now conducted? through old original ditch
How much land is now irrigated by the water sought to be transferred? ten acres
Give the description: Northwest corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 26, Twp. 4, N.
R. 26 E.B.M.,
What is the total amount of water in inches, or second feet, dedicated to said land? 1 inch to acre
What kind of crops are being raised? oats, wheat and alfalfa
How much water per acre is now required to irrigate said land? one inch to the acre
What will be the effect on the land now irrigated, if the use of water on it is discontinued? none,
water has for past thirty years been used on Nw.cor.said SW $\frac{1}{4}$ SW $\frac{1}{4}$
From what stream will the water be diverted if the transfer is made? Big Lost River
Give location of new point of diversion same point of diversion as now used
Through what ditch will it be conducted after transfer? same ditch as now transferred
How much water will be required per acre to irrigate the land to which this water is transferred? one 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? No
Is there now any other water right for the land to which you seek to make this transfer? No.

Signed Lewis M Hardy
Applicant.

STATE OF IDAHO,

County of **Butte**

ss.

William Hanna

and *Chas. H. McFarland*

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 *Arco, Idaho* that he is a user of water from *Big Lost River*, in Water District No. *27-B* County of *Butte*, State of Idaho; that he has read or heard read the foregoing affidavit and petition of *Lewis M. Hardy* 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.

William Hanna

Chas. H. McFarland

6th

day of *November*

Subscribed and sworn to before me this

A. D. 19*20*,

J. J. Martin
Notary Public
Arco, Idaho

STATE OF IDAHO,

County of **Butte**

ss.

I, **Charles Matthews**

, Watermaster of

Lower Big Lost River

Water District No. *27-B*, County of

Butte

, State of Idaho, whose postoffice address

is *Moore Idaho*, have read or heard read the foregoing affidavit and petition

of **Lewis Hardy**

, 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

make for a greater beneficial use of water

Charles Matthews

Watermaster, Dist. No. *27-B*,

Dated at *Moore Idaho*, Idaho, this

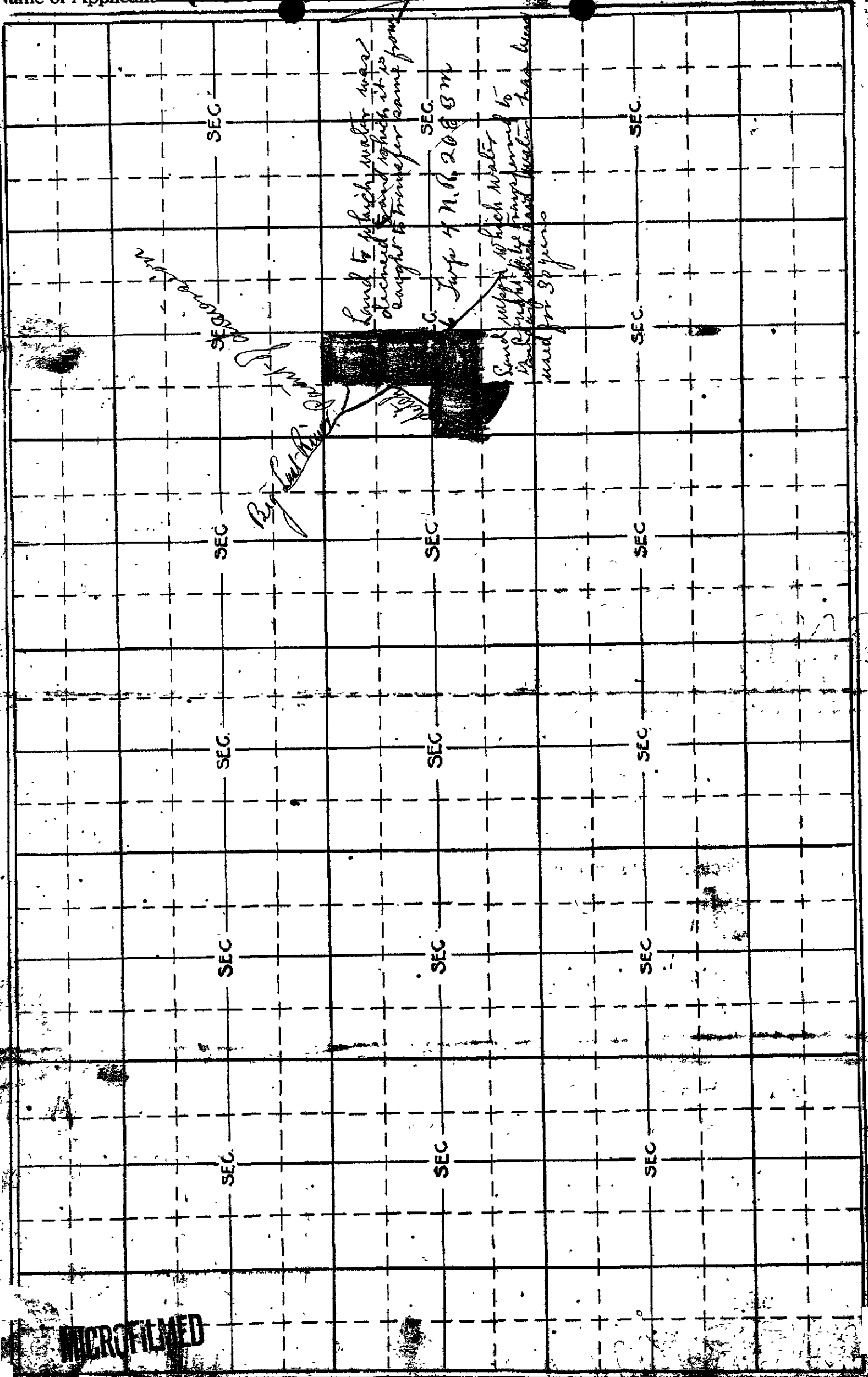
4th

day of *Nov*, 19*20*

1-291

Name of Applicant

Lewis Hardy



This transfer was superseded by 34-0265. (See Utah Construction Company vs. Abbott decree dated October 21, 1925.)

August 13, 1920.

Re: Transfer 281-Tuft & Evans.

Mr. I. M. Boyer,
Arco, Idaho.

Dear Sir:--

Am herewith enclosing certificate of transfer issued
to O. L. Tuft and L. E. Evans, with receipt for the said.

Am also returning abstract of title as the same is not required
to be kept on file here and is, no doubt, valuable to the holders.

Very truly yours,

J. G. STELZEN,

Commissioner of Registration.

By _____

CT281-25618-Abs.

T-281
~~Arco, Idaho~~

July 17, 1920.

Re: Transfer Case No. 57. ✓

Mr. I. . Noyer,
Arco, Idaho.

Dear Sir:

The report has been made by our representative concerning the application for transfer in the case of Evans and Tust and this Department has decided to issue the certificate of transfer in this case. The order and certificate will follow in due course.

The deposit made in this application for transfer was \$40.00 and as there was several hearings held during the same trip, the expenses incurred have been very nominal. The cost of the certificate of transfer is \$1.00 and of the Money Order 1.13, making a total of \$12.13. This is in explanation of Money Order No. 491225 for \$27.88.

Very truly yours,

W. G. SMITH,
Commissioner of Reclamation.

By

STB:FB
Encl.

Assistant.

1100

T-2381
~~1100~~



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
W. G. SWENDSEN, COMMISSIONER
BOISE

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

Boise, Idaho,
July 13, 1920.

Re: Transfer, O. L. Tuft and L. H. Evans.

Mr. W. G. Swendsen,
Commissioner of Reclamation.
Boise, Idaho.

Dear Sir:

On July 8th at 10:30 A. M. at the County Court House at Arco, Idaho, I conducted a hearing on the application of O. L. Tuft and L. H. Evans for permission to transfer 1.6 second feet of the waters of Big Lost River. There being no protest I would recomend that the transfer be allowed.

Very truly yours,

L. E. Bradley
Carey Act Engineer

June 16, 1920.

Re Transfer.

Publisher The Advertiser,
Arco, Idaho.

Dear Sir:--

Am enclosing herewith notice of transfer of water right to be published ~~once~~ a week for two consecutive weeks, the expense of said publication to be paid by O. L. Raft and L. N. Evans, of Leslie, or their agent, Mr. L. A. Egan, of Arco, to whom you will please furnish proof of publication on or prior to the date set for the hearing July 8th.

Very truly yours,

L. G. SCHUBERT,

Commissioner of Reclamation.

N

2:_____

MAILED

1-381
~~45-3011~~

LOST RIVER TITLE COMPANY
Bonded Abstractors of Butte County

Insurance

L. W. BOYER, Mgr.

Notary Public

Handwritten signature/initials

ARCO, IDAHO

June 17th, 1920.

W. G. Swendsen, Commissioner of Reclamation.

Boise, Idaho.

Dear Sir;

Enclosed please find check for \$40.00 to cover expenses in connection with application for transfer of water right as signed by L. H. Evans and O. L. Tuft.

Have advertisement published in the Arco Advertiser of Arco, Idaho.

Yours very truly

Handwritten signature: L. W. Boyer

Handwritten: T-281
~~18-281~~

June 9, 1920.

Re: Application for Transfer.

Mr. I. W. Boyer,
Arco, Idaho.

Dear Sir:

This will acknowledge receipt of the application for transfer of water right in the name of O. W. Tuft and L. H. Evans. The application is in correct form, but it will be necessary that the same be advertised for two weeks in some newspaper in your county and a hearing held, which hearing will be held at Pore, Idaho. This is all to be at the applicant's expense and upon receipt of Money Order or certified check to the amount of \$40.00, and the name of the paper in which it is desired the advertisement be had, the application will be given further consideration. If the actual expenses incurred are less than the amount deposited, the proper refund will be made.

Very truly yours,

J. G. STODDEN,
Commissioner of Reclamation.

By

STB:LB

Assistant.

T-281
13-2-20

LOST RIVER TITLE COMPANY
Bonded Abstractors of Butte County

Insurance

I. W. BOYER, Mgr.

Notary Public

ARCO, IDAHO
June 1, 1920.

Mr. W. G. Swendson,
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

Inclosed please find application for transfer of water right signed by O. L. Tuft and L. H. Evans. This application as you will notice has been in your office, as stamped on the face thereof, May 11, 1920.

According to the letter from you on May 20th, 1920, concerning this application, I have taken the matter up with Mr. Evans and secured his signature, which is acknowledged separately and on a separate date. As there was no new application returned I am therefore using the same application with the additional signature and acknowledgment.

It appears in your letter herein referred to that the transfer of this water has been denied because of the land being swampy. There must have been some misrepresentation as this land is far from being swampy now and the water for the irrigation of this land has been measured to the original owners without dispute for the last few years. We therefore request that you give this application proper attention and due consideration.

Whatever charges are necessary in connection with this matter we will remit upon receipt of a request for the same.

Yours very truly,

LOST RIVER TITLE COMPANY

By

I. W. Boyer
Manager.

IWB/H

1-281
~~13-2379~~

AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED TRANS- FER OF WATER RIGHT

Notice is hereby given that O. L. Tuft and L. H. Evans of Leslie, Idaho, have applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing them to transfer the use of 1.6 sec. ft., of the water of Big Lost River, from the land upon which it is now used, i. e., W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 20, T. 6 N., R. 26 E., B. M., to the following described tract E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 1, T. 6 N., R. 25 E., B. M.,

And that, on the 8th day of July, A. D. 1920, at Arco, at 10:30 A. M. at the Court House, 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.

W. G. SWENDSON,
Ju25-J2 Commissioner of Reclamation.

I, C. A. Bottolfsen, publisher of The Arco Advertiser, published weekly at Arco, Idaho, 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 June 25, 1920 and ending with the issue dated July 1, 1920.

Subscribed and sworn to before me this 8th day

of July, 1920

W. J. Lammie
Notary Public.
Arco Idaho

1-6-81
12-23-19

1. State lands from which the transfer is desired: West Half of the Northwest quarter of Sec. 20, Twp. 6 North, Range 26 E. N.M.
2. State amount, source and date of water right, covering the land: 80 inches;
Big Lost River; June 1st, 1899.
3. State the present point of diversion by 40 acre tract: About the center of Sec. 14, Twp. 6 North, Range 25 E. B. N.
4. Who owns the above described lands: L. H. Evans.
5. How obtained: Means, deeds, etc. as per Abstract furnished.
6. State how the water right was secured: Originally by Decree to Geo. W. McGowan,
and by conveyances from him thru means, deeds etc. to L. O. Tuft, as per
Abstract furnished (deed from David H. Evans & wife to L. O. Tuft is in
escrow pending this approval of transfer.
7. How much of this land is in cultivation and under irrigation: all of it.
8. State kind of crops: Hay, Grain & Pasture.
9. Is any portion of the above lands swampy, and if so, to what extent: none
10. When was water last used on the above described lands: two years ago.
11. How much of the above described lands will be irrigated if the transfer is granted: none
12. How much water per acre, will be necessary: land will be non irrigated.
13. Are there any water rights, other than the one above described, attached to the said lands, and if so, state same: none
14. Describe the lands to which the transfer is desired: East Half of the
Southwest quarter of Section One, Twp. 6 North, Range 26 E. B. N.
15. Who is the owner of same, and how acquired: Land patented and owned by
Sherman F. Furey. Deed from Furey and wife to L. O. Tuft is in escrow
pending the approval of this transfer.

16. If there is any water right attached to the above lands at present, state source, amount, date, how acquired: none

17. State point of diversion: At the head of the Burnette Canal as shown in application.

18. How much of this land in cultivation and irrigation: All plowed and ditched ready for irrigation. Not irrigated to date.

19. How much water per acre is required for these lands: One inch per acre.

20. If the transfer is granted, describe the new point of diversion: At the head of the Burnette Canal as shown in the application.

21. How long have these lands been irrigated, and when was water last used on them: land never has been irrigated.

22. How much of the above described lands will be irrigated if the transfer is granted: All of the 80 acres.

23. Are any of these lands swampy: If so, how many acres: none

24. What are the reasons for desiring said transfer: The land to which water was decreed is less desirable on account of mineral & gravel. The land to which water is desired is good bench land of a fertile nature

W. L. Truett.
Applicant.

Subscribed and sworn to before me this 8th day of July, 1920, ~~1919~~

W. L. Truett
Notary Public.
Residence at Arco, Idaho.

My commission expires May 23rd, 1922.

MICRO

T-2781
11/10/20

May 20, 1920.

Re: Application for Transfer of Water Right.

Mr. I. L. Foye,
Paco, Idaho.

Dear Sir:

Yours of May 15th at hand. Section 5582 of the Compiled statutes, reads in part as follows: "That any person owning any land to which water has been made appurtenant by a decree of Court may voluntarily abandon the use of such water, in whole or in part, on the land which is receiving the benefit of the same, and transfer the same to other lands. Such person, desiring to change the place of use of such water, shall first make application to the Department of Reclamation, stating fully in such application the reason for making such transfer."

The information contained in your letter concerning the facts of the water right and the lands affected, has been referred to the Attorney General for his opinion and he states that it would be necessary for Mr. L. W. Evans to be the applicant in this case, due to the fact that he now owns the land to which the water right has been made appurtenant, even though the water right has never been transferred from those lands.

In a consideration of the explanation given in your letter concerning the signature of Mr. Sussum, it will not be necessary that Mr. Lemon endorse the application.

For your further information will state that the transfer was not denied several years ago due to troubles over ditch rights, but the records of this Department show that the lands to which the water was made appurtenant, had become swampy and did not require the use of any water for cultivation, and that the water right was considered at that time as abandoned. However, if your client desires to submit the application, it will be given every consideration by this Department and the same will be duly advertised and a hearing held in the matter.

Very truly yours,

W. G. S. SMITH,
Commissioner of Reclamation.

By

Assistant.

STB:MB

MB

T-281
~~*43-281*~~

POST RIVER TITLE COMPANY
Bonded Abstracters of Butte County

Insurance

I. W. BOYER, Mgr.

Notary Public

ARCO, IDAHO

May 15th, 1920.

Mr W. G. Swendsen

Boise, Idaho

Dear Sir;

Your letter concerning application for transfer of Water Right at hand and contents noted.

I was aware that a transfer for this same Water Right was denied some time ago, but I have been informed that it was on account of the troubles concerning ditch rights and that trouble will not exist if the present application be considered.

In regard to the signature of the Watermaster. Mr Russum has just been appointed and is now acting in that capacity. However if it will be of any advantage to have an application signed by Mr Lemon I am sure his signature can be had on such an instrument.

I do not get the correct impression in regard to the party who should sign the application as owner and will therefore appreciate your suggestions. The deed to the land for which this water was originally decreed stands in the name of L. H. Evans. This deed recited that there is no water transferred with the property. The deed to the water shows title in the name of O. L. Tuft. The title to the property to which the water is desired to be placed is in the name of Sherman Furey. Mr Tuft has purchased by contract the land from Mr Furey and there is now in escrow the deed to him for the water.. David Evans and wife Mary Evans deeded the land without the water to L. H. Evans.

I am very desirous of getting this application to your office with the proper signatures and therefore will greatly appreciate your suggestions as to who or how many of the above mentioned parties should sign the application.

Yours very truly



Teal
~~1920~~

May 12, 1920.

Re: Application for Transfer of Water Right.

Mr. I. J. Taylor,
Idaho.

Dear Sir:

The application for transfer of water right in the name of C. M. West of Leslie, Idaho, is being returned to you as the same cannot be considered by this Department as it does not comply with the provisions of Section 5582 of the Idaho Compiled Statutes as to whom should be the applicant in such proceedings. This section provides that the party owning the land to which the water right has been made permanent, shall be the applicant. For your further information, will state that a similar request for transfer over this same piece of land and concerning the same water right was denied about two years ago by this department.

I also note that Mr. Therman has signed the application as watermaster in District 273. Our records show that Mr. Therman acted as watermaster last year, yet dated this application March 24, 1920. Our records further show that Mr. Chas. E. Lorenz, of Leslie, Idaho, is at the present time watermaster in this District and his bond and certificate of appointment was mailed to him on March 23d.

Very truly yours,

C. G. SMITH, JR.,
Commissioner of Reclamation.

27

CTB:MB
Encl.

Assistant.

gfb

T-381
~~43-381~~

LOST RIVER TITLE COMPANY
Bonded Abstractors of Butte County

Insurance

I. W. BOYER, Mgr.

Notary Public

ARCO, IDAHO

May 10th, 1920.

W. G. Swendsen

Commissioner of Reclamation

Boise, Idaho.

Dear Sir;

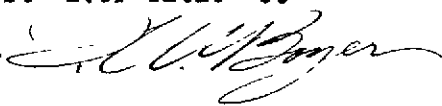
Enclosed find application for transfer of water right which we believe is properly filled out, also the Abstract of title showing title to water in the name of David H. Evans. The deed from Evand to Tuft is in our office to be filed for record on the payment of balances due on same.

Please send us furthur information as to what to do to get this adjusted as the irrigation season is now commencing and therefore parties concerned are anxious to have this fixed up.

Very truly yours

Lost River Title Co.

By



T-2.81
~~43-0.597~~

Notice of Proposed Transfer of Water Right

Notice is hereby given that O. L. Gust and L. H. Evans of Loslie
Idaho has applied to the Commissioner of Reclamation of the State of Idaho
 for a certificate authorizing him to transfer the use of 1.6 sec.ft.
 of the water of Big Lost river,
 from the land upon which it is now used, i. e. W¹N¹ Sec. 20, T. 6 N., R. 26 E., S. 1.
 to the following described tract N¹E¹ Sec. 1, T. 6 N., R. 25 E., S. 1.

And that, on the 30th day of July, A. D. 1920, at 10:30 a.m. at the Court House,
 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.

L. H. Swenson,
 Commissioner of Reclamation

11

7-381
 43-5-57

Application for Transfer of Water Right

STATE OF IDAHO,

County of Butte

ss.

O. L. Tuft and L. H. Evans, being first duly sworn, deposes and says:

That ~~the~~^{their} names are C. L. Tuft & L. H. Evans; that ~~they~~^{they are} of lawful age, a citizens of the United States and of the State of Idaho, and that ~~the~~^{their} postoffice address is

Leslie, Idaho, and Darlington, Idaho, respectively

That ~~the~~^{they are} the owners and using a certain water right, bearing date of priority of June 1st, 1889, for 80 inches ~~cubic feet per second~~ of the waters of Big Lost River formerly Blaine & Custer, County of Butte & Custer, State of Idaho, decreed to George M. Bowman by decree of Judge, Kirtland I. Perky, of the Fourth Judicial District of the State of Idaho, in and for the County of Custer, in the case of S. T. Moe et al. vs. Henry Hanger et al., said decree bearing date of 1902 Term of Court. (~~obtained~~^{obtained} by virtue of License No. ~~1011~~¹⁰¹¹ issued by the State Engineer of the State of Idaho, ~~the~~^{the} bearing date of priority of June 1st, 1889, for the purpose of irrigating the following described lands situate, lying and being in Water District

No. 27 in the County of Butte & Custer, and State of Idaho, to wit: The West Half of the Northwest quarter (W¹/₂ of NW¹/₄) of Section Twenty (20), Township Six (6) North of Range Twenty-six (26) East of the Boise Meridian, Idaho. (with

other lands and water) and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. means & deeds etc. (deed from David H. Evans & wife to O. L. Tuft is held in escrow pending payment of balance due on purchase price) 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 at About the center of Sec. 14, Twp. 6 North, Range 25 E. B. M. and conducted to the above described lands through the Burnett Ditch or Canal as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 80 inches ~~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 Butte and State of Idaho, to wit:

The East Half of the Southwest quarter (E¹/₂ of SW¹/₄), of Section One (1), in Township Six North, of Range Twenty-five East of the Boise Meridian, Idaho.

That his reasons for desiring to make such transfer are as follows: The land to which water is decreed is ~~less valuable~~ on account of mineral & gravel. The land to which transfer is requested is bench land of a fertile nature without present water rights.

That he intends to divert and convey said 80 inches ~~second foot~~ of water to the tract of land last above described in the following manner, to wit: By the change of the point of devirsion up the river from the McGowan Canal to the Burnett Canal which latter canal is well established and is the natural way in which to irrigate said land.

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, and give proper notice of the same to the Water Master of Water District No. 27, in accordance with the provisions of Section 3264 of the Revised Codes of Idaho, as amended.

L. H. Evans
O. L. Tuft.

Subscribed and sworn to before me this Twelvth day of April

A. D. 1920 by O. L. Tuft.

I. W. Boyer
Notary Public

Arco Residence, Arco, Idaho.

STATE OF IDAHO }
County of Butte } ss.

I HEREBY CERTIFY, That on this 31st day of May, 1920, before me, I. W. Boyer a Notary Public in and for said County and State, personally appeared L. H. Evans known to me to be the person whose name is subscribed to the within foregoing instrument, and acknowledged to me that he executed the same.

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

I. W. Boyer
Notary Public
Residing at Arco, Idaho.

How much water per acre is now required to irrigate said land? 80 inches

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

From what stream will the water be diverted if the transfer is made? Big Lost River

Give location of new point of diversion 1/4 of sec. 33, Twp. 7 North, Range 24 E. S. 4.

Through what ditch will it be conducted after transfer? Burnett Ditch or Canal

How much water will be required per acre to irrigate the land to which this water is transferred? 80 inches

Do you claim any other water right for the land from which you seek to abandon the use of this water? no. Land has been sold separately expecting the water to be transferred.

Is there now any other water right for the land to which you seek to make this transfer? No.

Signed O. L. Tuft
L. H. Evans
Applicant.
Applicant.

That he intends to divert and convey said 80 inches ~~second feet~~ of water to the tract of land last above described in the following manner, to wit: By the change of the point of diversion up the river from the McGowan Canal to the Burnett Canal which latter canal is well established and is the natural way in which to irrigate said land.

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

From what stream is the water diverted? Big Lost River
Where is the diversion point located? Mont. 1st section of Sec. 14, T. 6 N., R. 25 E., B. 1 M.
Through what ditch is it now conducted? Burnett Ditch
How much land is now irrigated by the water sought to be transferred? 80 acres
Give the description: 1st of 1st section 20, Twp. 6 North, Range 25 E., B. 1 M.
What is the total amount of water in inches, or second feet, dedicated to said land? 80 inches
What kind of crops are being raised? Hay & pasture land
How much water per acre is now required to irrigate said land? 80 inches, and over when obtainable
What will be the effect on the land now irrigated, if the use of water on it is discontinued? Land will be used as pasture
From what stream will the water be diverted if the transfer is made? Big Lost River
Give location of new point of diversion Mont. 1st sec. 20, Twp. 7 North, Range 24 E., B. 1 M.
Through what ditch will it be conducted after transfer? Burnett Ditch or Canal
How much water will be required per acre to irrigate the land to which this water is transferred? 80 inches
Do you claim any other water right for the land from which you seek to abandon the use of this water? no. Land has been sold expecting the water to be transferred.
Is there now any other water right for the land to which you seek to make this transfer? No.

Signed

O. L. Tuft

Applicant.

E. H. Evans

Applicant.

STATE OF IDAHO,

County of Butte

ss.

Doyle Hill

and

Warren S. Hill

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 Idaho, Idaho that he is a user of water from Burnetts Ditch, in Water District No. 27, County of Butte, State of Idaho; that he has read or heard read the foregoing affidavit and petition of L. O. Huft 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.

Doyle Hill

Warren S. Hill

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

A. D. 19 20

[Signature]
Notary Public
Idaho

STATE OF IDAHO,

County of Butte

ss.

I, Henry A. Rasmussen, Watermaster of Water District No. 27 C, County of Butte & Custer State of Idaho, whose postoffice address is Darlington, have read or heard read the foregoing affidavit and petition of L. O. Huft, 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: That transfer is

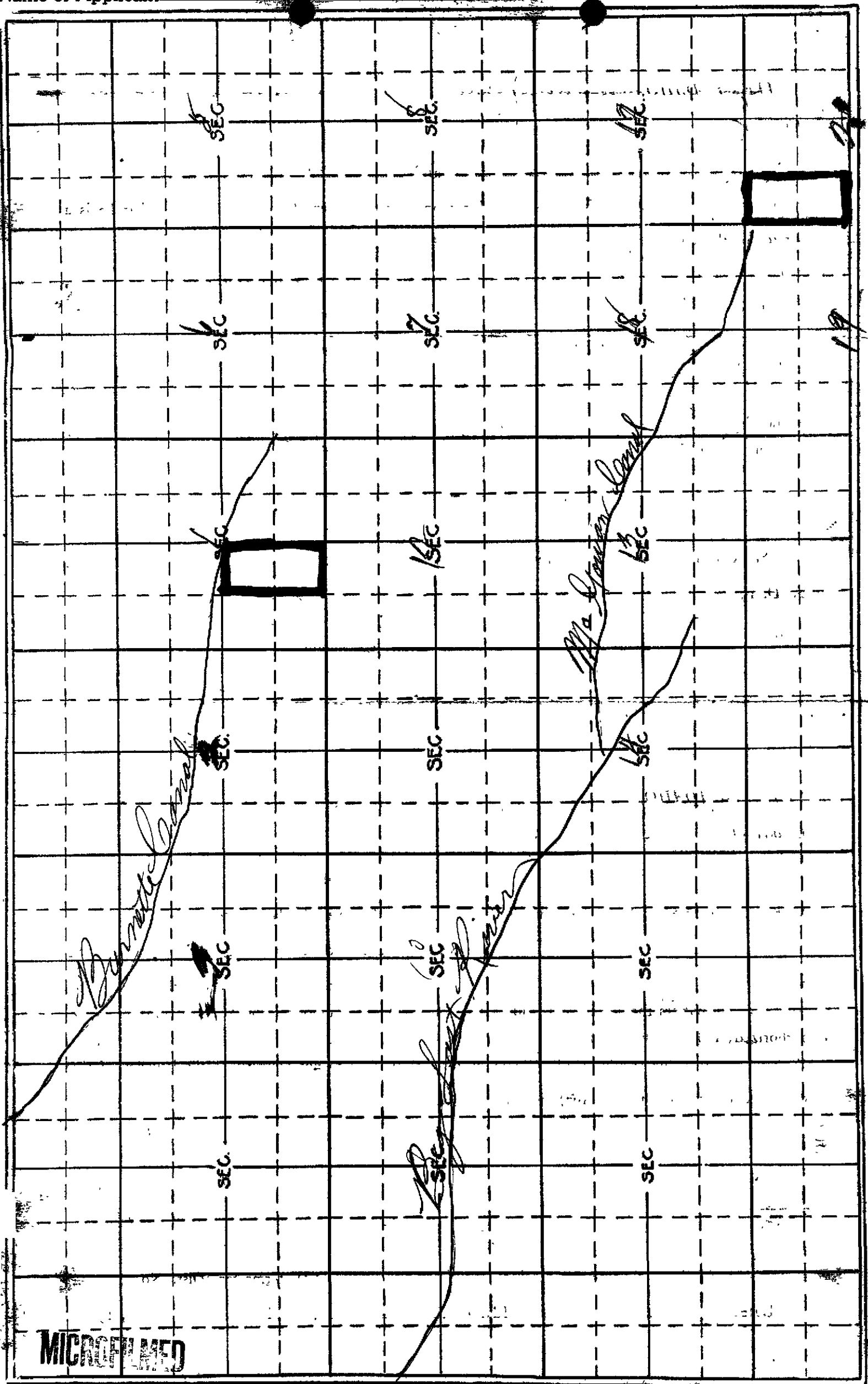
up river and a saving of water

Henry A. Rasmussen

Watermaster, Dist. No. 27C

Dated at Darlington, Idaho, this 8th day of May, 1920

Name of Applicant



MICROFILMED

Scale: 2 Inches = 1 Mile. Draw Plan in Ink

T-281
43-2377