

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 Two consecutive weeks, commencing with the issue dated November 26, 1920 and ending with the issue dated December 3, 1920.

C. A. Bottolfsen

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

W. G. Swendsen
Notary Public.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

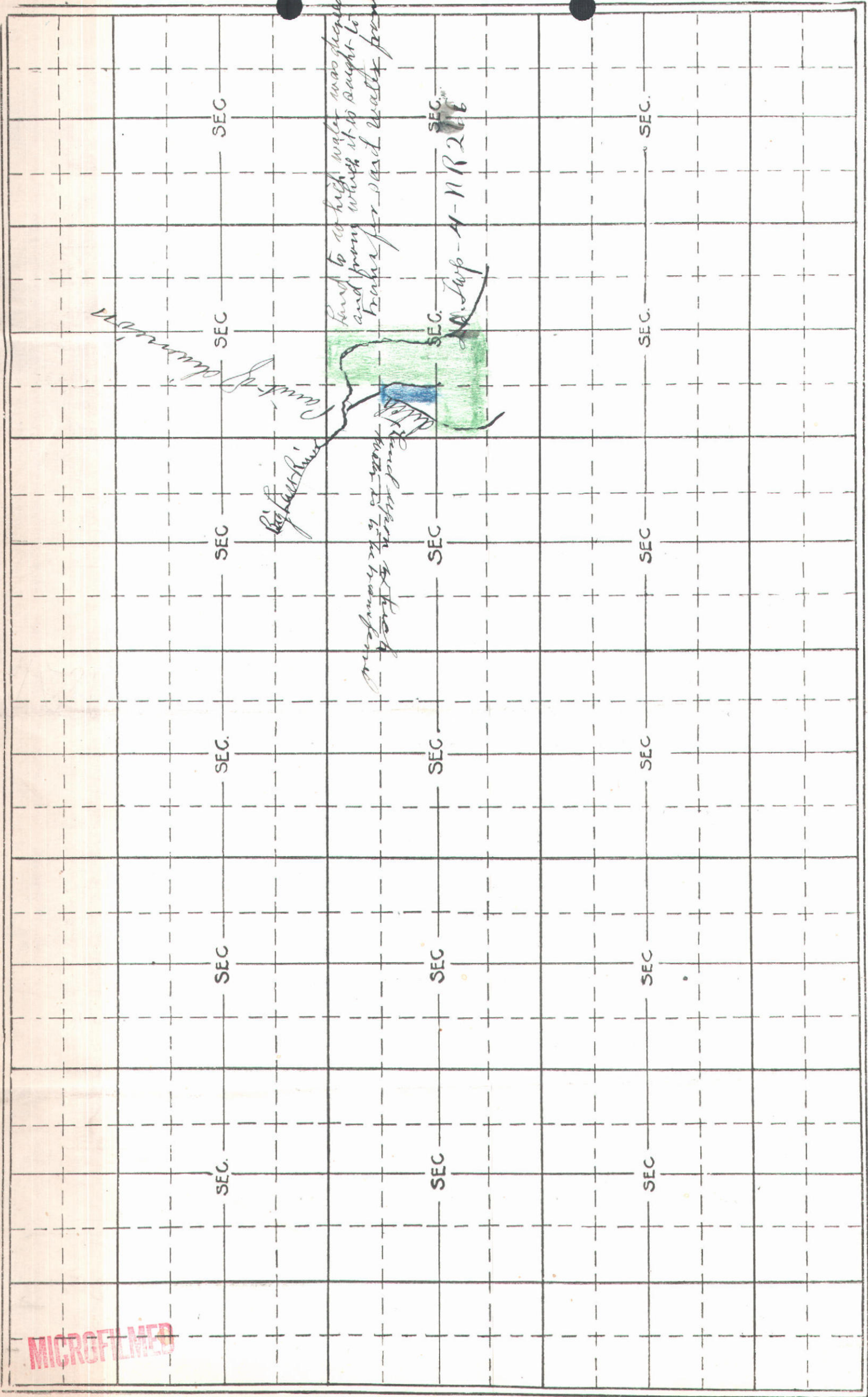
Notice is hereby given that Lewis A. Hardy of Arco, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 15/50 of 1 second foot of the water of Big Lost River from the land upon which it is now used, i. e. E $\frac{1}{4}$ 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 east 15 acres of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ 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

Name of Applicant



MICROFILMED

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

Superceded by Utah Const Co. vs
Abbott decree. Sec Right No 34-0264

STATE OF IDAHO
DEPARTMENT OF RECLAMATION.
CERTIFICATE OF WATER RIGHT
Transferred Right No. 290

This is to certify that Lewis M. Hardy, of Arce, 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. Moe, 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 $\frac{1}{4}$ & N $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26 T. 4 N., R. 26 E., P.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 15/50 of 1 second foot 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:

15/50 sec.ft., dated September 1, 1886:							Total
Twp.	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 $\frac{1}{4}$	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 $\frac{1}{4}$	
4 N	26 E	26		15			15

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.

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 No. 70.

ORDER GRANTING TRANSFER.

WHEREAS, On the 8th day of December, 1920, at Arco, Idaho, before R. L. Sureliffe, 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 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 to 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.

1. *Pharmaceutical industry* – The pharmaceutical industry is the largest of the three industries, with sales of \$10.5 billion in 1997. It is the only industry that has a significant presence in all three markets.

0 - 0 - 001

INVESTIGATION OF THE

[illegible][illegible]

2. The following data required for the accepted information is being provided to you for one final purchase order and will be used for your vehicle and is not for resale or other purposes. The information is provided to you for your use only.

3. The said several parties plaintiff and defendant herein after named have each made one or more of the several appropriations of water made as hereinbefore stated, the owners respectively of the several water rights and not being able to settle the complaints, answers and cross-complaints, and the several parties of the same the said parties or their agents and attorneys have accordingly duly appropriate the provisions of water laws and decrees and on the dates respectively as hereinafter stated and have caused the dikes of each of said parties, when water being retained, to be raised under a four inch pressure or its equivalent in static feet per second, and ever since said date of the said sever-

Paul ...	1st, 1887.	✓
Paul ...	1st, 1890.	✓
Paul ...	1st, 1891.	✓
Paul ...	1st, 1896.	✓
Paul ...	1st, 1899.	✓
T.C. Woodbridge, successor		
T.C. Woodbridge	May 9th, 1898.	✓
Arce ...	1st, 1899.	✓
Arce ...	1st, 1900.	✓
Arce ...	1st, 1901.	✓
Arce ...	1st, 1902.	✓
Arce ...	1st, 1903.	✓
Arce ...	1st, 1904.	✓
Arce ...	1st, 1905.	✓
A.C. Porter	1st, 1901.	✓
Paul ...	1st, 1894.	✓
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Paul ...	1st, 1995.	✓
Paul ...	1st, 1996.	✓
Paul ...	1st, 1997.	✓
Paul ...	1st, 1998.	✓
Paul ...	1st, 1999.	✓
Paul ...	1st, 2000.	✓

NOTED

January 15, 1921.

Re Transfers- 290-291

Mr. Lewis M. Hardy,
Trego, Idaho.

Dear Sir:--

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

Very truly yours,

L. A. STEINBERG,

Commissioner of Reclamation.

Y_____

OT-290-291-R6299

We are also returning Abstracts of Title Nos. 865-877-787,
as we have no further need for same in the office.

ENC

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.....two.....consecutive weeks, commencing with the issue dated.....November.....ber.....D., 19.....20 and ending with the issue dated.....December.....December....., 19.....20

C. A. Bottolfsen

Subscribed and sworn to before me this.....22.....day of.....December....., 19.....20

W. G. Swendsen
Notary Public.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Lewis A. 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 15/50 of 1 second foot 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 east 15 acres of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ 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

Notice of Proposed Transfer of Water Right

Notice is hereby given that Louis A. Ardy 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 15/50 of 1 second foot
 of the water of Big Lost River
 from the land upon which it is now used, i. e. N¹/₂ H¹/₄ & N¹/₂ E¹/₄ Sec. 26, T. 4 N., R. 26 E., S. 1
 to the following described tract The east 15 acres of the N¹/₂ H¹/₄ Sec. 26, T. 4 N., R. 26
E., S. 1

And that, on the 8th day of August, A. D.
 19120, 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.

G. Swendsen,

Commissioner of Reclamation

MC
 19120

THE REMITTER SHOULD WRITE HERE THE NAME AND THE ADDRESS OF THE PERSON TO WHOM THE ORDER AND COUPON ARE SENT:

Sutcliffe

Arco

C. Davis - Hardy Hearing

December 14, 1920.

Re: Transfer Cases No. 70 and 71. ✓

Mr. F. L. Sutcliffe,
Arco, Idaho.

Dear Sir:

This will acknowledge yours under date of the 8th returning papers in connection with the applications of L. W. Hardy for transfer of water right. This Department will grant the applications and certificates will be issued in due time.

In answer once with your of 14, I am enclosing Money Order No. 504301 for \$10.00 in connection with services rendered in the above matter. Will you kindly acknowledge receipt of the same.

Very truly yours,

W. G. STORSEN,
Commissioner of Reclamation.

By

STB:MB
Encl.

Assistant.

MICROFILMED

THE REMITTER SHOULD WRITE HERE THE NAME AND ADDRESS OF THE PERSON TO WHOM THE ORDER AND COUPON ARE SENT.

SENT TO

W. J. Larne

ADDRESS

Arco

Refund - Hardy app.

December 14, 1920.

Re: Transfer Cases No. 70 and 71. ✓

Mr. W. J. Larne,
Arco, Idaho.

Dear Sir:

We have received the papers and report of Mr. Sutcliffe who conducted the examination for this Department at Arco on December 8th in the matter of the applications of L. W. Hardy for transfer of water rights. Mr. Sutcliffe's claim for services in connection with the hearing is \$10.00, which of course is far cheaper than the cost which have been to the applicant had some representative of this Department made the trip from Boise. The Department will grant the applications and certificates will be issued in due time.

I am returning Money Order No. 504302 for \$47.80 with the following explanations.

Cost of two certificates of transfer	12.00
Money Order to Sutcliffe	10.00
Cost of same	.08
Money Order to W. J. Larne	27.80
Cost of the same	.12
Total	\$40.00

This is in explanation of your check for \$40.00 which accompanied the applications.

Very truly yours,

W. G. CHILFEN,
Commissioner of Reclamation.

By

Assistant.

STB:MB
Encl.

MICROFILMED

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: 3.2 second feet, Big Lost River, decreed ~~March, 1908~~, Sept. 1, 1886
3. State the present point of diversion by 40 acre tract: Near center of the NW $\frac{1}{2}$ NW $\frac{1}{2}$? 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 cultivation.
110 acres irrigated
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
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 east 15 acres of the
SW $\frac{1}{2}$ NW $\frac{1}{2}$ of Section 26, Twp. 4 N.R. 26 E.B.M.
15. Who is the owner of same, and how acquired: Samuel E. George
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 $\frac{1}{4}$ Section 26, Twp
4 Noth, R. 26 E. B.M.

18. How much of this land is cultivation and irrigation: _____
45 acres cultivated, 15 acres irrigated.

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: Fifteen 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

[Signature]
Notary Public.

My commission expires Aug-1-1923

Post Office Department

OFFICIAL BUSINESS

REGISTERED MAIL

No. _____

INSURED PARCEL

No. _____

Return to

Dept of Reclamation
(NAME OF SENDER)

Street and Number, }
or Post Office Box, }

BOISE,

IDAHO

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.

POSTAGE DELIVERED

AND DATE OF DELIVERY

RETURN RECEIPT.

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

J. E. [Signature]

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, _____, 19

Form 3811

December 2, 1920.

Re: Transfer Cases No. 70 and 71. ✓

Mr. A. L. Sutcliffe,
More, 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 L. Hardy of More, 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 More 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 forwarded 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,

V. E. SWINDELL,
Commissioner of Reclamation.

By

STR:NB
Encl.

Assistant.

MIC.

November 15, 1920.

Re Transfer Water Right.

Mr. W. J. Lane,
Attorney at Law,
Paco, Idaho.

Sir:--

I am in receipt of your letter enclosing applications for transfer of water right of Lewis, together with check for fees in the sum of \$20.00. Relative to these I would say that December 8 has been set for the hearing, at 10 a.m., at the County Court house, at Paco, and notices for publication have today been mailed to the Paco Advertiser for two weeks publication.

Very truly yours,

J. G. SULLIVAN,

Commissioner of Reclamation.

W. J. Lane

11/15/20

W. J. LAMME
ATTORNEY AND COUNSELOR AT LAW
ARCO IDAHO

Nov. 12, 1920.

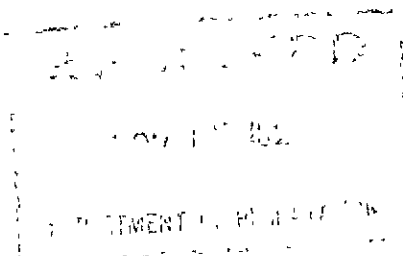
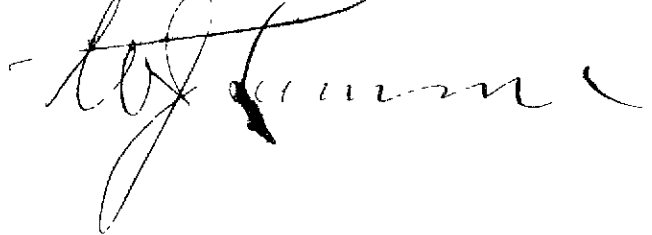
Department of Reclamation,

Boise, Idaho.

Dear Sirs:

Enclosed herewith two applications of Lewis Hardy
for transfer of water rights; also abstracts and check for
forty dollars to cover your expenses.

Yours very truly,



100-100000

November 8, 1920.

Re Patent Transfers.

Publisher The Overton,
Area, Idaho.

Dear Sir:—

Enclosing herewith two notices for the transfer of patent rights, by Lewis H. Hardy, of rec. Please publish these two consecutive weeks, prior to December 8, the date set for hearings, the expense of the publication to be paid by the applicant.

Very truly yours,

J. A. TILLEY,

Commissioner of Patents.

By _____

En

Application for Transfer of Water Right

STATE OF IDAHO,

County of **Butte**

ss.

Lewis M. Hardy

, being first duly sworn, deposes and says:

That his name is **Lewis M. 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, 1906**

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**

(~~of obtained by virtue of License No. XXXXXXXXXX issued by the State Engineer of the State of Idaho~~

~~dated XXXXXXXXXX bearing date of priority of XXXXXXXXXX~~

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 **15/50** 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 fifteen acres of the southwest quarter of the northwest quarter of section 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 said fifteen inches of water has been used upon the following described land; to wit: the **east fifteen acres of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 26, Twp. 4 N. R. 26 E.B.M.,** for the past thirty ^{four} years.

RECORDED

That he intends to divert and convey said

15/100

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 ditch said water has been conveyed upon said fifteen acres 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

25th

day of October

A. D. 1920

Lewis M Hardy

J. L. Martin
Notary Public
Arco, 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 1/4 sec. 26
Twp. 4 N. R. 26 E.

Through what ditch is it now conducted? through old original ditch built by Ira
George

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

Give the description: East fifteen acres of the SW 1/4 NW 1/4 of 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 acre

What will be the effect on the land now irrigated, if the use of water on it is discontinued? none
greater beneficial use

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 as now used

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

one inch to 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.

RECORDED

Signed

Lewis M Hardy
Applicant

STATE OF IDAHO,

County of

Butte

ss.

William Hanna

and

Chas. H. M. Farland

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. M. Farland

6th day of November

Subscribed and sworn to before me this

A. D. 1920

J. D. Martin
Notary Public
Arco, Idaho

STATE OF IDAHO,

County of

Butte

ss.

I,

Chas. A. 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 M. 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:

Chas. A. Matthews

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

Dated at

Moore

, Idaho, this

4th

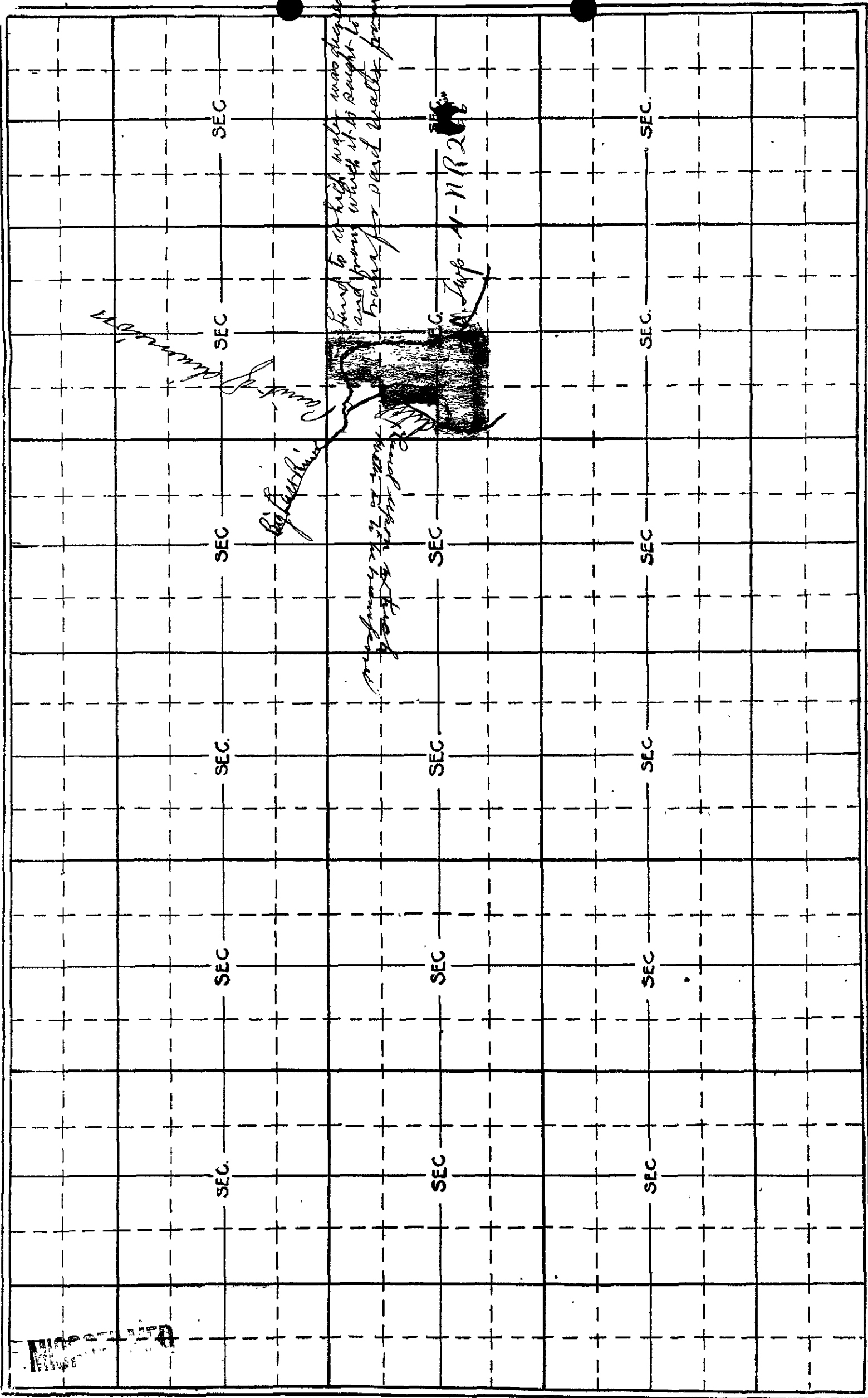
day of

Nov

, 1920

MIC

Name of Applicant



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