

See Rights No.

34-0257

34-0258

superseded by Utah
Construction Co.'s Abbott
deed dated 10-21-1925

STATE OF IDAHO.

-----OFFICE OF STATE ENGINEER-----

CERTIFICATE NO. 215, AUTHORIZING TRANSFER OF WATER RIGHT.

WATER DISTRICT NO. 27 B.

Permission is hereby granted Ernest C. Keep, of Arco, County of Butte, State of Idaho, to transfer the use of twenty-five (25) inches of the waters of Big Lost River and James Creek, in Water District No. 27 B., County of Butte, State of Idaho, from the lands upon which it is now used, i. e., the Southwest quarter (SW $\frac{1}{4}$), Sec. 25, and South half of Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$), Sec. 25, Township 4 North, Range 26 East of Boise Meridian, to the following described tract, to-wit: Southwest quarter of Northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 12, Township 3 North, Range 26 East of Boise Meridian, said water to be diverted at a point near center of the Southwest quarter (SW $\frac{1}{4}$), Section 26, Township 4 North, Range 26 East of Boise Meridian.

The water right appurtenant to the above described land was adjudged by decree, dated January 2nd, 1903, of K. I. Perky, Judge of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Custer, in the case entitled S. T. Moe, et al., plaintiffs, vs. Henry Harger, et al., defendants, the title to the use of said water having been heretofore vested in the above named party by mesne deeds and conveyances.

The priority of the right under this Certificate of Transfer will date as follows: five (5) inches from May 1st, 1885, and twenty (20) inches from August 1st, 1888.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 13th day of April, A. D. 1918.

FRED A. WILKIE,
State Engineer.

(SEAL)

Recorded in Water Dist. No. 27 B.-MEB
Platted on Map Water Dist. No. 27 B.
Date of Priority: (5 in. from May 1, 1885.
(20 in. from Aug. 1, 1888.
Amount: 25 inches.
Source of Supply: Big Lost R. & James Ck.
Point of Diversion: Center SW $\frac{1}{4}$, Sec. 26, Tp. 4 N. R. 26 E. B. M.
Place Use: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 3 N., R. 26 E. B. M.

34-BZ-1

IN THE DISTRICT COURT

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

S.T. WALKER et al.,
vs.
HENRY WALKER et al.,

In the above entitled cause, the default of the non-answering defendant 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 finding of fact, and directs judgment to be entered in accordance therewith:

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

1. That each and every of the tracts of land described in the complaint and cross-complaints in this action as belonging to the said plaintiff and defendant herein are arid in character and will not successfully raise any agricultural crop without the use of water.

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 stated, within 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, for the irrigation of the same, the said parties or their predecessors in title shall respectively appropriate the quantities of water hereinafter stated and on the dates respectively as hereinafter stated and set forth, the names of each of said parties, such water being estimated at one inch 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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all its ramifications, said water has been so diverted and used on said lands in the manner aforesaid.

The following named persons, parties to this suit, are entitled to the benefit of the waters of Lost River and its tributaries, upon the lands mentioned and described in the complaint and cross-complaints and answers herein, in the following amounts and from the following dates, to wit:--

S. H. Ho	From Lost River,	184 inches,	from June 30th, 1883.	✓
"	"	"	July 31st, 1884.	✓
W. H. Ho	"	"	" 18th, 1884.	✓
T. J. Ho	"	"	June 1st, 1884.	✓
E. A. Ho	"	"	Sept. 1st, 1884.	✓ Cus. Co.
"	"	"	Sept. 1st, 1884.	✓ Ala. Co.
Jackson H. Ho	"	"	June 1st, 1883.	✓
Alexander Ho	"	"	June 1st, 1883.	✓
T. J. Ho	"	"	Aug. 31st, 1884.	✓
Alexander Ho	"	"	Aug. 31st, 1884.	✓
T. J. Ho	"	"	May 1st, 1882.	✓
Wm. Ho	"	"	May 1st, 1883.	✓
"	"	"	Apr. 22nd, 1883.	✓
Antone Voso (James Creek)		160	May 1st, 1885.	✓
Antone Voso (and James Creek)		160	July 1st, 1885.	✓
Margaret Voso (and James Creek)		80	Aug. 1st, 1883.	✓
Ed. M. Jones, from James Creek,		430	May 1st, 1886.	✓
Flora J. Saworth, Lost River,		160	May 1st, 1885.	✓
James Ho	"	160	May 1st, 1884.	✓
Eliza Ho and				
Alice Ho	"	120	June 1st, 1886.	✓
Geo. E. Waller	"	160	May 1st, 1887.	✓
Elizabeth Lowe	"	80	June 1st, 1883.	✓
Henry A. Bricker	"	160	May 1st, 1882.	✓
Frank J. Ho	"	160	June 1st, 1886.	✓
Henry Ho	"	320	May 20th, 1884.	✓
Frank J. Ho	"	160	May 20th, 1884.	✓
Ed. Ho	"	320	May 20th, 1884.	✓
Wm. Sullivan	"	640	May 20th, 1884.	✓
Albert Savaria	"	120	June 1st, 1888.	✓

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114. 100 ACRES OF LAND, IN AND NEAR, QUINCY COUNTY.

1. The proposed rule is not a "rule" as defined in the Administrative Procedure Act, 5 U.S.C. § 551, and therefore is not subject to the requirements of that Act.

...in order, and said some have ... clearly

...and to the fact that the decision, and the fact that the decision

... in the

1. The above is a copy of the original record.

is related, adopted and decision follows:--

... of the tracts of land ... in the

... in this action and due to the

10-1179 - Excellent margin size and character

the use of agricultural crop without the use of

may also be required for the proposed air-

1. "Good" = 100% no incl. per sec. sec. and under

1.3 = 1.377 ft in cubic feet per second - this.

[illegible]

... as a plaintiff and not defendant

... of the several appropriations of water have

... and respectively of the ...

... and the complaints, answers and responses...

... the same the ad ...

... to comply with the provisions of

... on the dates respectively as hereinafter

the means of sale of said parcel, a portion of the water being

... a four inch pressure or more, or bent in

1. ... 1974, and ever since said date of the said sever-

This transfer was superseded by 34-0258. (See Utah Construction Company vs. Abbott decree dated October 21, 1925.)