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14447

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Dept of Reclamation

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BOISE,

IDAHO.

RECEIPT FOR REGISTERED ARTICLE NO. _____

14447

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POSTMARK



TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
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	Hess, Mrs. R. J.	2.5		34-0254
424	Valentine, C. A.	2.5	0	34-0254A

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MAILED

34-0251

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred Right No. 424.

This is to certify that C. A. Valentine, of Pocatello, County of Bannock, State of Idaho, has a right to the use of the waters of Pass Creek, for irrigation and domestic purposes, and that said right has been confirmed by decree of the United States Court for the district of Idaho, Eastern Division, in the case of Utah Construction Company, plaintiff, vs. John F. Abbott, et al, defendants, said decree bearing date of March 15, 1923, wherein 2.5 second feet of the waters of Pass Creek, bearing date of priority of February 3, 1903, were dedicated to Lots 4 and 5, Section 5, and the East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$) of Section 8, Twp. 6 N., R. 26 E., B. M.;

That a copy of said decree is now of record and on file in the Department of Reclamation of the State of Idaho at Boise;

That upon the application of C. A. Valentine 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 2.5 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 certificate become appurtenant, for irrigation and domestic purposes, is shown in the following list of lands, 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:

2.5 sec. ft., dated February 3, 1903;

North Half of the Northwest Quarter, ($N\frac{1}{2}NW\frac{1}{4}$), Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}NE\frac{1}{4}$), Section 27, Twp. 7 N., R. 25 E., B. M.;

That the water right to be transferred has heretofore been diverted near the center of Section 26, Twp. 7 N., R. 25 E., B. M., and conducted through the Furey Ditch, but will hereafter, by virtue of this certificate, be diverted in the South Half of Section 23, Twp. 7 N., R. 25 E., B. M., and will be carried through the Asay Ditch.

That no right to the use of water on the lands above described exists at the date of this certificate except as herein stated.

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

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 2nd day of May, 1928.

GEO. N. CARTER,
Commissioner of Reclamation.

(SEAL)

RECORDED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CERTIFICATE OF WATER RIGHT
Transferred right No. 423.

This is to certify that Harold R. Williams and John C. Williams, of Howe, County of Butte, and State of Idaho, have rights to the use of the waters of Little Lost River, Saw Creek and Dry Creek, for irrigation and domestic purposes; and that said rights have been confirmed by decrees of the district court of the sixth judicial district of the State of Idaho, in and for the County of Butte in the case of Blaine County Investment Company, Plaintiff, vs. Robert G. Mays, et al, defendants, Ralph W. Adair, District Judge, wherein water rights were awarded as follows:

From Little Lost River, 40 miner's inches, priority, April 1, 1887;
From Little Lost River, 70 miner's inches, priority, June 1, 1891;
From Sawmill Creek, 50 miner's inches, priority, May 25, 1891;
From Dry Creek, 160 miner's inches, priority, April 15, 1891;

said decree having been entered in the records of the Department of Reclamation of the State of Idaho at Boise, in Book 5 of Decrees, pages 86 to 102;

That the waters above described were decreed to the following described lands, to-wit:

East Half of the Southeast Quarter of Section nine; South Half of the Southwest Quarter of Section ten; North Half of the Northwest Quarter and Southwest Quarter of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section Fifteen; all in Township Nine North of Range Twenty-seven East, Boise Meridian.

That upon the application of Harold R. Williams, and John C. Williams for transfer of water rights, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.28 second feet, or 64 miner's inches, of the waters of Little Lost River, Sawmill Creek and Dry Creek, upon the lands above described, is hereby abandoned and the lands to be irrigated under such water rights and to which the said rights hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, are as shown in the following, limited at any given time to amounts actually needed and beneficially used for such purposes and shall not exceed the following amounts, to-wit:

From Little Lost River, 8 miner's inches, priority, April 1, 1887;
From Little Lost River, 14 miner's inches, priority, June 1, 1891;
From Sawmill Creek, 10 miner's inches, priority, May 25, 1891;
From Dry Creek, 32 miner's inches, priority, April 15, 1891;

North Half (N $\frac{1}{2}$) of Section 11, Township 5 N., Range 29 E., B. M.;

That the water rights to be transferred have heretofore been diverted in the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Twp. 9 N., R. 27 E., B. M., but will hereafter, by virtue of this certificate, be diverted in the Northwest Quarter (NW $\frac{1}{4}$) of Section 32, Twp. 5 N., R. 29 E. B. M.;

That the right to the use of the water aforesaid and hereby confirmed, is restricted to the land or place of use therein described, provided by the law of the State of

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application
of C. A. Valentine, for Transfer
of Water Right: Water District
27-C.

ORDER GRANTING TRANSFER

WHEREAS, On the 30th day of April, 1928, at the Department of Reclamation at Boise, Idaho, the matter of the application of C. A. Valentine for a transfer of water right came regularly on for hearing, pursuant to the published notice; and,

WHEREAS, No one appeared at the hearing, either in person or by affidavit, to protest the said application, and the evidence filed by the applicant with the said application shows that a greater duty of water would result by reason of the transfer, and that no one would be injured thereby;

IT IS THEREFORE, Hereby ordered that the said application for transfer be granted and that the certificate for such transfer be issued the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, this 2nd day of May, 1928.

Commissioner of Reclamation.

IN EQUITY NO. 222

DECREE

IN THE UNITED STATES DISTRICT COURT, IN

AND FOR THE DISTRICT OF IDAHO, EASTERN

DIVISION

THE UTAH CONSTRUCTION COMPANY, a corporation, Plaintiff,

vs.

John F. Abbott, William Adams, A. P. Adair, Esther L. Adair (successor in interest of A. P. Adair, Eugene A. Ahern, Andreas Aikela (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 P. Ingree) 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, Leta 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), Tina 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. Brashgar, H. T. Brengman, Charles Brown, Edna Brown, Edna E. Brown, as executrix of the estate of Martin W. Brown, deceased (substituted for

TAYLOR FRYE

(Also described in Plaintiff's
amended complaint herein as Taylor
Fry and as Fry Taylor)

- 1396-June 1 ✓ 1.2 c.f.s. 02359
1.2 Trans 518
1897-June 15 0.8 c.f.s. 02359
0.4 Trans 513 ✓
No. 147

To be diverted from Big Lost River through the
Moore Canal having its point of diversion in the
Southeast quarter of Section 4, Township 5 North,
Range 26 East, B. M., for the irrigation of the
following described land, to-wit:

The North half of the Northeast quarter and the
Northeast quarter of the Northwest quarter of
Section 21, Township 5 North, Range 26 East, B.M.

MRS. JAMES S. FULLER

- 1906-May
(a) 1905-June 1 ✓ 0.4 c.f.s. 02359

See amending decree in this file

To be diverted from Warm Spring Creek through a
private ditch having its point of diversion in
the Northwest quarter of Section 27, Township 8
North, Range 22 East, B. M., for the irrigation
of the following described land, to-wit:

The Southeast quarter of the Northeast quarter of
Section 27, Township 8 North, Range 22 East, B.M.,
and

- (b) 1913-February 20 ✓ 0.4 c.f.s. 02359

No. 148

To be diverted from Big Lost River through the
Nielsen ditch having its point of diversion in
Northwest quarter of Section 15, Township 8 North,
Range 21 East, B. M., for the irrigation of the
land last above described.

WILLIAM P. FULLER, JR.

- 1886-September 14 ✓ 3.2 c.f.s. 02359

To be diverted from Big Lost River as follows:

1.6 c.f.s. through the Angelo ditch having its
point of diversion in the Southwest quarter of
Section 10, Township 6 North, Range 25 East, B.
M., and 1.6 c.f.s. through the McGowan ditch hav-
ing its point of diversion in the Northwest quar-
ter of Section 14, Township 6 North, Range 25 East,
B. M., for the irrigation of the following de-
scribed land, to-wit:

The Southeast quarter of the Northwest quarter,
Northeast quarter of the Southwest quarter and the
North half of the Southeast quarter of Section 18,
Township 6 North, Range 26 East, B. M.

No. 149

MRS. R. J. FESS

(Formerly A. Grace Furey)

- 1903-February 3 ✓ 2.5 c.f.s. 02359

- 1908-May 1 ✓ 1.36 c.f.s. 02359

No. 150

To be diverted from Pass Creek through a private
Ditch having its point of diversion in Section 26,
Township 7 North, Range 25 East, B. M., for the
irrigation of the following described land, to-wit:

Lots 4 and 5 Section 5 and the East half of the
Northwest quarter of Section 8, Township 6 North,
Range 26 East, B. M.

Trans 424- 2-3-03 2.5 cfs

RECORDED

RECEIPT FOR REGISTERED ARTICLE NO.

Fee paid. _____ class postage paid. _____, 192

on _____ (Date.) _____

Addressed to _____

Accepting employee will place initials in space below, indicating restricted delivery.

Return receipt fee _____ Special delivery fee _____

Every restricted to addressee { in person _____
or order _____ Postmaster, per _____



May 4, 1928.

Mr. E. H. Harris,
Mackay, Idaho.

Dear Sir:

We are mailing you herewith copy of Certificate
of Transfer No. 424, issued to C. A. Valentine.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

Enc.

May 4, 1928.

Re: Valentine Transfer.

Mr. Lynn Crandall,
Mackay, Idaho.

Dear Sir:-

We are mailing you herewith certificate of transfer of water right issued to C. A. Valentine, with receipt for fee paid. We also enclose a copy for your own files.

The abstract of title is today being mailed to you by registered mail.

Very truly yours,
GEO. W. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

Encl.

LYNN CRANDALL

**WATER COMMISSIONER FOR
BIG LOST RIVER**

MACKAY, IDAHO

April 27, 1928

Geo. H. Carter,
Comm. of Reclamation,
Boise, Idaho

Dear Carter,-

Enclosed find affidavit of publication of the Valentine water transfer, hearing on which is to be held Apr. 30, also check for \$1 to cover cost of issuing certificate.

If the transfer is granted please send the certificate to me to-gether with a duplicate for my files.

If the transfer of B.H. Mays was granted at the hearing held several weeks ago, please also send me duplicate of that certificate.

Very truly yours,

Lynn Crandall

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date April 14, 1928

PUBLISHER, THE ADVERTISER,
Arco, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for ~~four~~^{two} consecutive weeks prior to April 30, 1928, the date set for ~~proof~~^{hearing}, the expense of the publication to be paid by the applicant, C. A. Valentine, Pres., First Nat'l Bank, Pocatello, Idaho, to whom you should furnish proof of publication on or prior to the date set for ~~proof~~^{hearing}.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

GEO. H. CARTER,

Commissioner of Reclamation.

April 13, 1928

Re: Application for Transfer
C. A. Valentine, Applicant

MR. LYNN GRANDALL
Mackay
Idaho

Dear Mr. Grandall:

This will acknowledge receipt of your communication of April 11th, transmitting application for transfer of water right, C. A. Valentine, applicant.

The application appears to be in appropriate and complete form, therefore, publication notice is being prepared and forwarded to the Arco Advertiser. Hearing is fixed for Monday, April 30th, in this office. If said date is not satisfactory, you should advise at once, in order that it may be changed before publication starts.

You request blank affidavits of publication. Ordinarily they are furnished by the publishing company and we request the publisher to furnish affidavit of publication for our file.

I observe that the land in question has been the subject of previous applications for transfer, which have been denied, the reasons not being apparent in the files.

The abstract of title to the land has been furnished by Mr. Valentine. Upon conclusion of the case, the abstract can be returned to the owner.

Very truly yours,

Commissioner of Reclamation

GHC/sq
CC: C. A. Valentine
Pocatello, Idaho

RECORDED

LYNN CRANDALL

WATER COMMISSIONER FOR
BIG LOST RIVER

MACKAY, IDAHO

April 11, 1928

Mr. Geo. N. Carter,
Comm. of Reclamation,
Boise, Idaho

Dear Mr. Carter,-

Enclosed herewith please find application for a water transfer. Mr. Valentine, of Pocatello, the owner of the water being transferred advises me that he is sending you the abstract of title direct, but in case this abstract does not show the water right decreed in the Federal Case, I am also enclosing copy of the water right now appurtenant to the Valentine property, as decreed in the Big Lost River suit.

Please send the blank affidavits of publication to me, and I will have them sworn to and return to you in due course.

The land to which the water is now appurtenant is in Butte Co. but it will be transferred to land in Custer Co. I suppose under the transfer statute, the publication should therefore be in the Arco Advertiser.

Very truly yours,

Lynn Crandall

RECORDED

IN EQUITY NO. 222

DECRETE 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 et al, Defendants.

Mrs. R.J. Hess
(Formerly A. Grace Furey)

1903- February 3 2.5 c.f.s.

1908* May 1 1.36 c.f.s.

To be diverted from Pass Creek through a
private ditch having its point of diversion
in Section 26, Township 7 North, Range 25 East,
B.M., for the irrigation of the following
described land, to-wit;

Lots 4 and 5 Section 5 and the East half of
the Northwest quarter of Section 8, Township
6 North, Range 26 East, B.M.

No. 150

Done in open court this 15th day of March, A.D. 1923.

(Signed) E.S. Farrington
Judge pro tempore.

State of Idaho)
County of Custer) ss;

I hereby certify that the foregoing is a correct copy
of the water right awarded to Mrs. R.J. Hess in the above entitled cause.

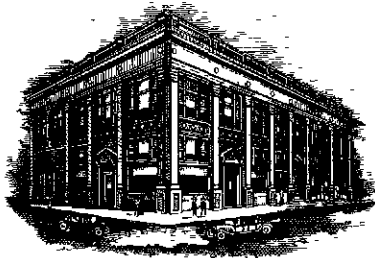
Lynn Randall
Commissioner U.S. District Court.

Subscribed and sworn to before me this 11th day of April, 1928.

M. D. Kellogg
Notary Public, residing at Mackay, Idaho

Residence and P. O. Address, Mackay, Idaho
My Commission Expires May 10, 1928.

RECORDED



4023

THE FIRST NATIONAL BANK

UNITED STATES DEPOSITORY
CAPITAL AND SURPLUS \$ 250 000 00

POCATELLO, IDAHO

April 10, 1928

C A VALENTINE,
PRESIDENT
E E BYER,
VICE-PRESIDENT
W D SERVICE,
CASHIER
H A REYNOLDS,
ASST CASHIER

Mr. Geo. N. Carter, Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

We are enclosing abstract of title on Lots Four and Five of Section Five, and the east half of the northwest quarter of Section Eight, all in Township Six, north, Range 26, T. B. M.

We are desirous of transferring the water right from the land described in the abstract, and Mr. Lynn Crandall, the water commissioner of the Lost River Water District is handling the matter for us. He will send you the application and such other information as is necessary in the next day or two.

Yours very truly,

CAV*VH

C A Valentine
President



Notice of Proposed Transfer of Water Right

Notice is hereby given that C. A. Valentine of Pocatello
Idaho has applied to the Commissioner of Reclamation of the State of Idaho
 for a certificate authorizing him to transfer the use of 2.5 sec. ft.
 of the water of Pass creek,

from the land upon which it is now used, i. e. : Lots 4 and 5, and E¹/₄ NW¹/₄, Sec. 8, T. 6 N., R. 26
E., B.M.,

to the following described tract: N¹/₂ NW¹/₄ and NW¹/₄ NE¹/₄, Sec. 27, T. 7 N., R. 25 E., B.M.

And that, on the 30th day of April, A. D.
191, at 10 o'clock a.m., at the Dept. of Reclamation, State House, Boise,
 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.

Geo. H. Carter,

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, 1909, do solemnly swear that a
copy of the notice, as per clipping attached, was published
weekly in the regular and entire issue of said newspaper, and
not in any supplement thereof, for Two

consecutive weeks, commencing with the issue dated
April 20, 1928, and ending with the
issue dated April 27, 1928.

Subscribed and sworn to before me this 27th

day of April, 1928.

Lynn Handall

Notary Public.

Residence: Mackay, Idaho. My commission expires _____

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT.

Notice is hereby given that C. A. Valentine of Pocatello, Idaho, has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 2.5 sec. ft. of the water of Pass Creek, from the land upon which it is now used, i. e.: Lots 4 and 5, and E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8, T. 6 N., R. 26 E., B. M., to the following described tract: N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 7 N., R. 25 E. B. M.

And that, on the 30th day of April, A. D. 1928, at 10 o'clock a. m., at the Dept. of Reclamation, State House, Boise, 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.

GEO. N. CARTER,
A20-27 Commissioner of Reclamation.

Affidavit
of Publication.

THE ARCO ADVERTISER
ARCO, IDAHO.

Publication:

Plaintiff,

vs.

Defendant.

Filed, _____ day of
_____, 192__.

56 HBY

4384

Application For Transfer of Water Right

STATE OF IDAHO.

County of BANNOCK

} ss.

C. A. VALENTINE

, being first duly sworn, deposes and says:

That his name is C. A. VALENTINE; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is POCATELLO, IDAHO, and is the President of First National Bank of Pocatello, Idaho,

The First National Bank of Pocatello, Idaho

That ~~he~~ is the owner and using a certain water right, bearing date of priority of Feb. 3, 1903,

for 2.5 cubic feet per second of the waters of Pass Creek

County of Butte, State of Idaho, decreed to Mrs. R.J. Hess

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

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

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

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

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

Lots 4 and 5, Section 5, and East half of the Northwest quarter of Sect. 8,

T. 6 N., R. 25 E., B.M.

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

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream in the _____ of Section 26, Township 7 N., Range 25 E., B. M., and conducted to the above described lands through the Furey Ditch

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

That affiant and petitioner desires to abandon the use of 2.5 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 Custer and State of Idaho, to-wit:

N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27, T. 7 N., R. 25 E., B.M.

That his reasons for desiring to make such transfer are as follows: On account of long distance that water is now carried, most of it is lost before reaching the land.

That he intends to divert and convey said..... 2.5.....second feet of water to the tract of land last above described in the following manner, to-wit:.....

Through a new ditch to be constructed known as the Asay ditch.....

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFOR, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statutes.

Subscribed and sworn to before me this.....

A. D. 1928.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted?..... Pass Creek

Where is the diversion point located?..... Sec. 26, T 7 N., R 25 E. B.M.

Through what ditch is it now conducted?..... Furey Ditch

How much land is now irrigated by the water sought to be transferred?..... 120 acres

Give the description:..... Located in Lots 4 and 5, and E 1/4 NW 1/4 Sec. 8, T 6 N., R 26 E.

What is the total amount of water in inches, or second feet, dedicated to said land?..... 125 inches

What kind of crops are being raised?..... grain and hay

How much water per acre is now required to irrigate said land?..... about one inch

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

Will be abandoned or used for pasture

Give location of new point of diversion, if change is to be made..... Sec. 23, T 7 N., R 25 E., B.M.

Through what ditch will it be conducted after transfer?..... Asay Ditch

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

about one inch per acre

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source..... 1.36 sec.ft. of Pass Creek May 1, 1908, but is of such late priority as to yield very little water in normal years.

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

Signed

First National Bank of Pocatello
By C. C. Valentine Applicant
Pres

STATE OF IDAHO,

County of.....

} ss.

and

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at.....

that he is a user of water from....., in Water District No.....

County of....., State of Idaho; that he has read or heard read the foregoing affidavit and

petition of..... and is familiar with its allegations and with the water

right and lands therein mentioned and described and is not in any way interested in either, nor in any

way related to said petitioner; that the statements and allegations therein made are true of his own

knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer

therein petitioned.

Subscribed and sworn to before me this..... day of

A. D. 19.....

STATE OF IDAHO,

County of..... Custer.....

} ss.

I, Lynn Crandall..... Watermaster of..... Big Lost River.....

Water District No. 27C....., County of..... Custer....., State of Idaho, whose postoffice address

is..... Mackay, Idaho....., have read or heard read the foregoing affidavit and petition

of..... C.A. Valentine....., 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:

~~A more productive use of the water will result from this transfer on account~~

~~of heavy ditch losses sustained between present point of diversion and land.~~

Watermaster Dist. No. 27C

Lynn Crandall

Dated at..... Mackay....., Idaho, this..... 11 th..... day of..... April....., 19 28

