

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-

MICROFILMED

4

Alex. Burnett, Lost River,	160 inches, from Sept. 14th, 1886.	✓
" " " "	160 " " Apr. 30th, 1884.	✓
" " " "	160 " " June 1st, 1899.	✓
D.M. Burnett, " "	160 " " June 1st, 1884.	✓
John W. Gue, Emma H. Gue and Frank T. Collins, (Alder Creek)	1004 " " Sept. 30th, 1882.	✓
D.M. Burnett, Lost River,	160 " " May 18th, 1899.	✓
H.M. Evans, " "	160 " " June 1st, 1884.	✓
" " " "	160 " " June 1st, 1894.	✓
F.M. Franklin, " "	160 " " May 31st, 1897.	✓
J.M. Franklin, " "	100 " " June 1st, 1895.	✓
J.M. Franklin, Jensen Creek Springs,	40 " " June 1st, 1884.	✓
Delia Beers, Admr. estate of Wm. Beers, deceased, Lost River,	190 " " Aug. 1st, 1887.	✓
Delia Beers " "	160 " " Aug. 31st, 1887.	✓
Wm. O'Neal, " "	160 " " June 30th, 1887.	✓
" " " "	160 " " June 30th, 1891.	✓
J.H. Baxter, admr. estate of Caroline Miller, deceased,	160 " " June 1st, 1886.	✓
James McElvey, " "	160 " " June 1st, 1888.	✓
Dwight Peck, Sage Creek,	160 " " June 1st, 1886.	✓
Delia Beers, Lower Pass Creek,	120 " " June 30th, 1885.	✓
Thos. T. Donahue, Lost River,	160 " " June 1st, 1889.	✓
Peter Donahue, " "	100 " " June 30th, 1891.	✓
Samuel Miller, " "	85 " " Apr. 10th, 1889.	✓
Geo. R. Miller, " "	25 " " Apr. 10th, 1889.	✓
Geo. R. Miller, Alder Creek, high water.	75 " " June 30th, 1896.	✓
Lena Watson, Lost River,	160 " " June 30th, 1897.	✓
John D. Daniels, " "	160 " " June 1st, 1885.	✓
Jenkin M. Harris " "	130 " " June 1st, 1885.	✓

MICROFILMED

NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT

Notice is hereby given that William Frike of Mackay Idaho, has applied to the State Engineer of the State of Idaho for a certificate authorizing him to transfer the use of 130 inches of the water of Big Lost River from the land upon which it is now used i. e. N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 7 and the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 6. T. 6 N. R. 25 E. B. M. to the following described tract: South Half of the South East Quarter of Sec. 6 and the North Half of the North East Quarter of Sec. 7 T. 6. N. R. 25 E. B. M. and the following land together: Also 16.75 acres in the North East Quarter of the North West Quarter of Sec. 7 adjoining the North-west quarter of the North-east quarter of Sec. 7, 27 rds. on the North end. 80 rds. on the East side and forty rds. on the south end; Also 4.91 acres in the south-east corner of the South-east Quarter of the South-west Quarter of Sec. 6, being 27 rds. of the S. E. cor. and coming to a point 58 rds. and 6 links from the half-mile stake between Sec. 6 and 7 in Tp. 6 N. R. 25 E. B. M. containing 21.66 acres Also that certain tract of land beginning at a point 24.90 chains 48 degrees east of south of the north-east corner of Section 12, Tp. 6 N. R. 24 E. B. M. Thence 9.70 chains 20 degrees Southwest; thence 4.68 chains 31 degrees Southeast; Thence 10.62 chains 50 degrees south of east; thence 20.5 chains south 45 degrees east; thence 29.05 chains north; thence 20 chains west; thence 4.47 chains 48 degrees west of north to point of beginning.

And that, on the 5th day of September A. D. 1913, at the office of Chase A. Clark in Mackay Custer County Idaho before the Water Commissioner of this Division, or Chase A. Clark 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.

Full details of the proposed transfer may be obtained from Charles Mathews Watermaster of said stream.

F. P. KING, State Engineer.
First Pub Aug 14-Last Sept. 4

Affidavit of Publication.

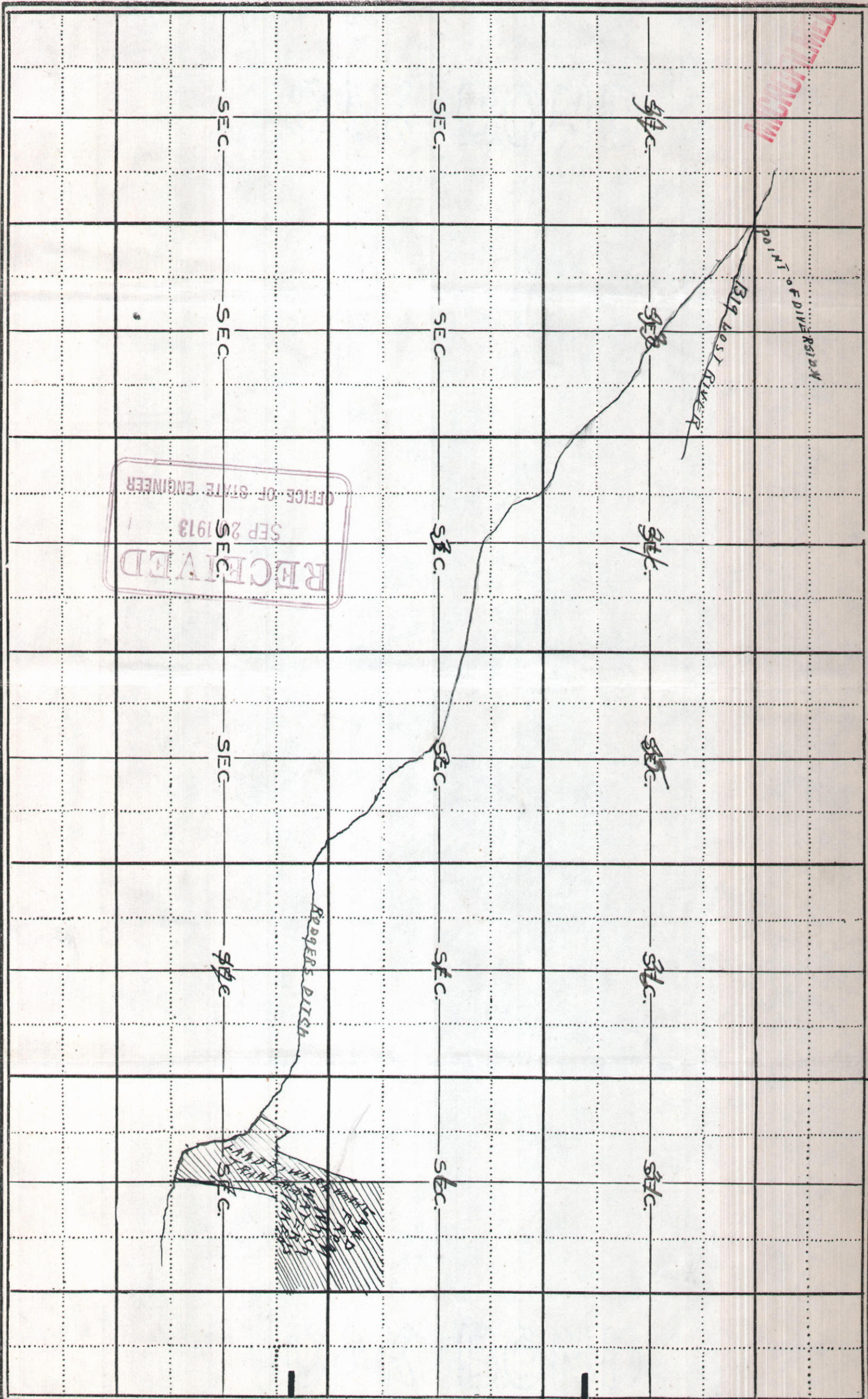
I, Leslie E. Dillingham, ~~one of the publishers~~ of THE MACKAY MINER published weekly at Mackay, Idaho, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Aug 14, 1913, and ending with the issue dated Sept 4, 1913.

Leslie E. Dillingham

Subscribed and sworn to before me this 6 day of Sept, 1913.

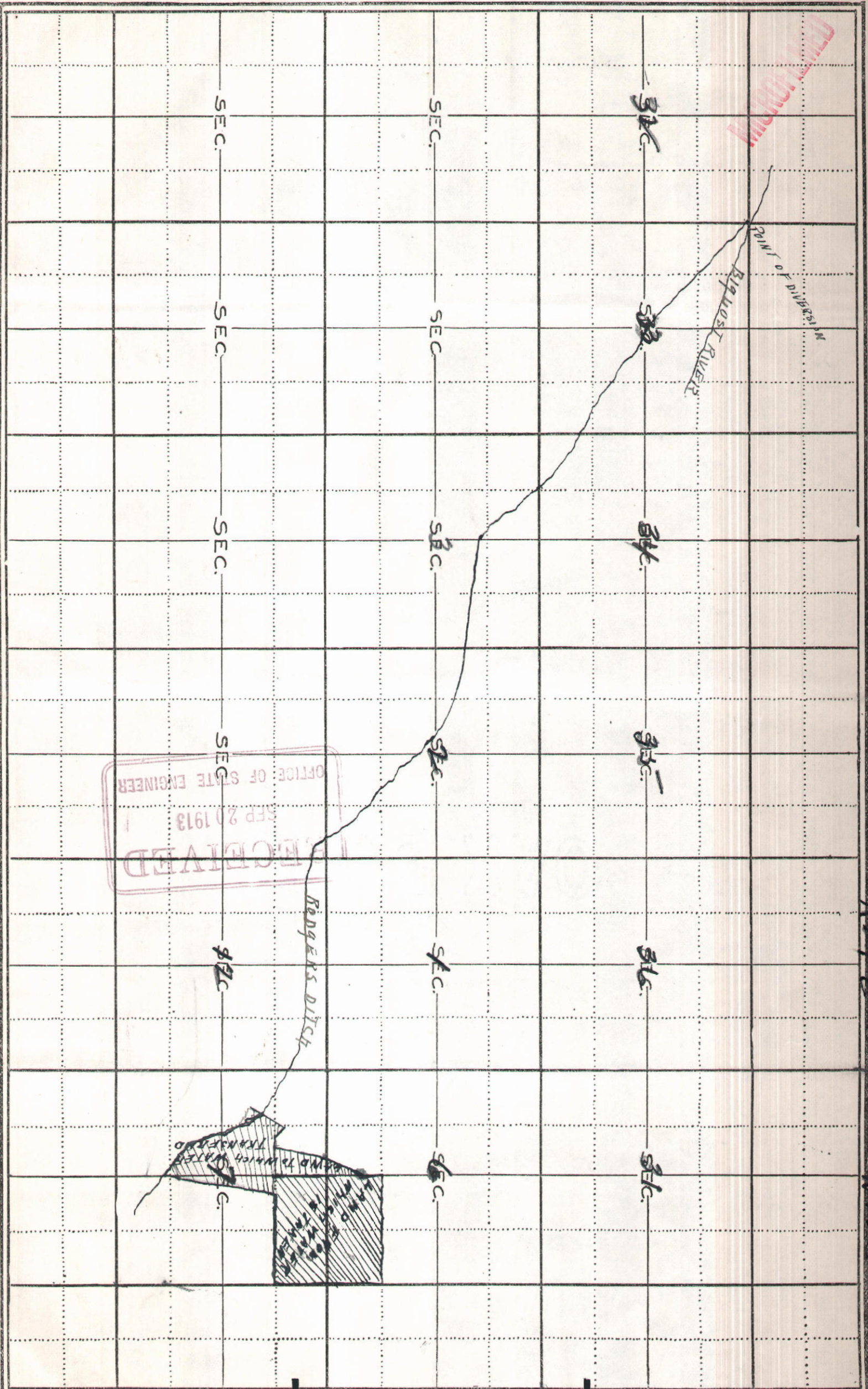
J. J. McCall
Notary Public.

Name of Applicant.....



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise, Idaho.



77 m. 96 m.

See right no. 34-0246

superseded by
Utah Construction
Co. vs. Abbott decree
dated 10-21-1925

S T A T E O F I D A H O

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

CERTIFICATE NO. 124, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted William Fricke, of Mackay, County of Custer, State of Idaho, to transfer the use of one Hundred thirty (130) inches of the waters of Big Lost River, in the County of Custer, and State of Idaho, from the lands upon which it is now used, i.e., North half of Northeast quarter ($N\frac{1}{2}$ NE $\frac{1}{4}$), Section 7, and the South half of the Southeast quarter ($S\frac{1}{2}$ SE $\frac{1}{4}$), Section 6, Township 6 North, Range 25 East of Boise Meridian, to the following described tract, to-wit: South half of Southeast quarter ($S\frac{1}{2}$ SE $\frac{1}{4}$) Section 6, and North half of North east quarter ($N\frac{1}{2}$ NE $\frac{1}{4}$) Section 7, Township 6 North, Range 25 East of Boise Meridian, together with the following described land; 16.75 acres in the Northeast quarter of Northwest quarter of Section 7, adjoining the Northwest quarter of Northeast quarter of Section 7, 27 rods on the North end, and 80 rods on the east side and forty rods on the South end; also 4.91 acres in the Southeast corner of the Southeast quarter of the Southwest quarter of Section 6, being 27 rods of the Southeast end and coming to a point 58 rods and 6 links from the half mile stake between sections 6 and 7, in Township 6 North, Range 25 East of Boise Meridian, containing 21.66 acres; also, that certain tract of land beginning at a point 24.90 chains, 48° East of South of the Northeast corner of Section 12, Township 6 North, Range 24 East of Boise Meridian, thence 9.70 chains, 20° Southwest, thence 4.68 chains 31° Southeast, thence 10.62 chains, 50° South of East, thence 20.5 chains South, 45° east, thence 29.05 chains North; thence 20 chains west; thence 4.47 chains 48° west of North, to point of beginning.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this twenty third day of October, 1913.

F.P.KING,

State Engineer.

(SEAL)

34-B2-1

IN THE DISTRICT COURT

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

S.T. MOON et al.,
Vs.
HENRY HARROW et al.,

In the above entitled cause, the default of the non-answering defendants herein has 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 complaints, 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 or 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, together with 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, or their successors, shall and respectively appropriate the quantities of water hereinafter stated and on the dates respectively as hereinafter stated and set forth to 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-

INDEXED

Alex. Burnett, Lost River,	150 inches, from Sept. 14th, 1886.	✓
" " " "	150 " " Apr. 30th, 1888.	✓
" " " "	150 " " June 1st, 1889.	✓
E.M. Burnett, " "	150 " " June 1st, 1884.	✓
John W. Gue, Erma H. Gue and Frank T. Collins, (Alder Creek)	1004 " " Sept. 30th, 1882.	✓
E.M. Burnett, Lost River,	150 " " May 10th, 1889.	✓
H.M. Evans, " "	150 " " June 1st, 1884.	✓
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E.H. Franklin, " "	150 " " May 31st, 1887.	✓
J.M. Franklin, " "	100 " " June 1st, 1885.	✓
J.M. Franklin, Jensen Creek Springs,	40 " " June 1st, 1884.	✓
Delia Peers, Adm. estate of Wm. Beers, deceased, Lost River,	150 " " Aug. 1st, 1887.	✓
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Wm. O'Neal, " "	150 " " June 30th, 1888.	✓
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J.H. Baxter, adm. estate of Caroline Miller, deceased,	150 " " June 1st, 1886.	✓
James McElvey, " "	150 " " June 1st, 1888.	✓
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Thos. T. Fendley, Lost River,	150 " " June 1st, 1889.	✓
Peter Bonarue, " "	100 " " June 30th, 1891.	✓
Samuel Miller, " "	85 " " Apr. 10th, 1889.	✓
Geo. E. Miller, " "	25 " " Apr. 10th, 1889.	✓
Geo. R. Miller, Alder Creek,	75 " " June 30th, 1885.	✓
High water.		
Lena Watson, Lost River,	150 " " June 30th, 1887.	✓
John H. Watson, " "	150 " " June 1st, 1885.	✓
Jenkin H. Watson, " "	130 " " June 1st, 1885.	✓

ENCLOSURE

This transfer was superseded by 34-0246 (See Utah Construction Company vs. Abbott decree dated October 21, 1925.)

October 28, 1913.

Re transfer

Chase A. Clark, Lawyer,
Mackay, Idaho.

Sir:

Am enclosing you herewith certificate of transfer
No. 124, favor of William Fricke.

Very truly yours,

F. P. KING,

State Engineer.

CT124

By _____

October 17, 1913.

Re transfer-Wm.Fricke

Chase A. Clark, Lawyer,
Mackay, Idaho.

Sir:

Upon receipt of fee of \$1.00 the certificate
of transfer will be issued to William Fricke.

Very truly yours,

F. P. KING,

State Engineer.

By _____

August 1, 1913.

Re transfer

Mr. George Goates,
Water Commissioner,
Bellevue, Idaho.

Sir:

I am herewith enclosing you application for transfer of water right. You will please advise Chase A. Clark, Attorney, at Mackay, of the date and place set for hearing.

Very truly yours,

F. P. KING,

State Engineer.

App.Tr.2M

By _____

Chase A. Clark,
ATTORNEY AT LAW,
MACKAY, IDAHO.

July 31, 1913

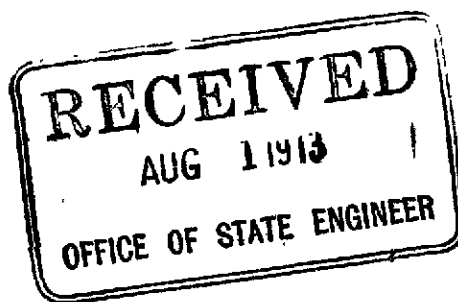
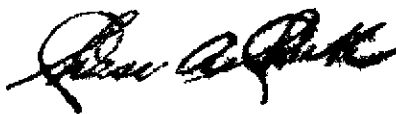
F. P. King, State Engineer,
Boise, Idaho.

Sir:

Enclosed find application for Transfer of William Fricke
corrected.

Yours truly,

RAS



July 29, 1913.

Re transfer of water right.

Chase A. Clark, Lawyer,
Mackay, Idaho.

Sir:

In reply to your letter of July 28th would say that we have written you two letters relative to the correct name of the applicant for the enclosed transfer of water right but as yet have received no reply from you. Our last letter was written June 18th and was in reply to your letter of June 14th relative to this transfer. I am returning you herewith the application for correction. The name of the applicant is given as "Frickey" in the application but is signed "Fricke". As soon as the correction has been made and the application returned to us, same will be forwarded to the water commissioner for publication and he will advise you as to the date and place of the hearing.

Very truly yours,

F. P. KING,

State Engineer.

App.Tr.F202-2M

By _____

RECEIVED
JUL 31 1913
STATE ENGINEER

Chase A. Clark,
ATTORNEY AT LAW.
MACKAY, IDAHO.

July 28, 1913.

F. P. King, State Engineer,
Boise, Idaho.

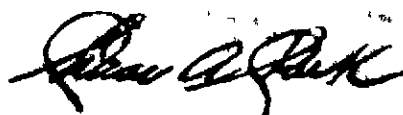
Dear Sir:

In regard to the Water Transfer of William Fricke
if there still remains anything wrong with this transfer I wish
you would return it to my office and I will make corrections

I am anxious to get this matter straightened out.

Yours truly

CAC/RAS



June 18, 1913.

Re: Transfer of water right.

Mr. Chase A. Clark,
Mackay, Idaho.

Sir:

In reply to your letter of June 14th would say that, on May 15th we wrote you the following letter:

May 15, 1913.

"Am today in receipt of your letter of May 9th, enclosing application for transfer of water right. I note that the name of the applicant is given as William Frickey in the notice for publication and also in the application but that his signature is William Fricke and your letter also gives Fricke as the name of the applicant. Please advise us as to which is correct. Upon receipt of your reply, the application will be sent direct to the water commissioner with instructions to communicate with you in regard to the date and place for the hearing."

As yet, we have received no reply to this letter and the application is being held here pending the information required. As soon as your reply is received, the matter will be taken up with the water commissioner.

Very truly yours,

F. P. KING,

State Engineer.

By _____

RECEIVED
JUN 20 1913

Chase A. Clark,
ATTORNEY AT LAW,
MACKAY, IDAHO

Mackay, Idaho June 14, 1913.

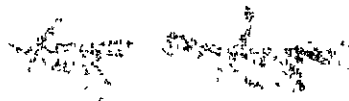
F. P. King, State Engineer,
Boise, Idaho.

Dear Sir:

I have heard nothing further from you in regard to the Fricke water transfer, would like to get this notice published and if same is ready would ask you to return it to me or to the water commissioner.

Yours truly,

CAC/RA3



DEPT. OF AGRICULTURE

May 15, 1913.

Re transfer of water

Mr. Chase A. Clark,
Mackay, Idaho.

Sir:

Am today in receipt of your letter of May 9th, enclosing application for transfer of water right. I note that the name of the applicant is given as William Frickey in the notice for publication and also in the application but that his signature is William Fricke and your letter also gives Fricke as the name of the applicant. Please advise us as to which is correct. Upon receipt of your reply, the application will be sent direct to the water commissioner with instructions to communicate with you in regard to the date and place for the hearing.

Very truly yours,

F. P. KING,

State Engineer.

By _____

RECEIVED
MAY 16 1913

Chase A. Clark,
ATTORNEY AT LAW.
MACKAY, IDAHO.

May 9, 1913.

F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir:

Please find enclosed, notice for publication for your signature on Application for Transfer of Water Right of William Fricke.

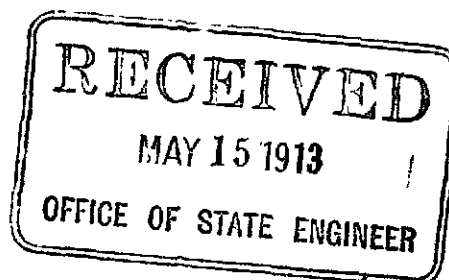
Under the old law, the Water Commissioners signed these notices, but from the fact that of late, I notice they have been signed by the State Engineer, I take it that the Water Commissioner no longer signs these notices of transfer. The notice has come before me as the Agent of the Water Commissioner at this place, and if under the law, it now stands you are to sign the notice for publication.

Will thank you to sign the same and return the papers direct to me here so that I can take the matter up with the Water Commissioner.

Yours truly,



CAC/ED
1 encl.



Affidavit of Publication.

I, Leslie E. Dillingham, ~~one of the publishers~~ of **THE MACKAY MINER** published weekly at Mackay, 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 four consecutive weeks, commencing with the issue dated Aug 14 1913, and ending with the issue dated Sept 4 1913.

Leslie E. Dillingham

Subscribed and sworn to before me this 6 day of Sept 1913

J. H. McNamee
Notary Public

...the 5th day of September
at the Office of the
County Clerk of the
County of Clark
State of Idaho
I, the undersigned
County Clerk, do hereby
certify that the
notice of publication
of the above and
entire issue of said
newspaper, and not
in any supplement
thereof, for four
consecutive weeks,
commencing with the
issue dated Aug 14
1913, and ending
with the issue dated
Sept 4 1913.

Application for Transfer of Water Right.

State of Idaho,

County of Custer

ss

William Fricke

, being first duly sworn, deposes and says:

That his name is William Fricke; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Mackay, Idaho

That he is the owner and using a certain water right of 130 of the waters of Big Lost River

County of Custer, State of Idaho, decreed to Jenkin H.

Harris date June 1st 1885

by decree of Judge Kirtland I. Perky

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 Jan 2nd 1903

(or obtained by virtue of License No. issued by the State Engineer of the State of Idaho, dated

following described lands situate, lying and being in the County of Custer and

State of Idaho to wit: North Half of the North East Quarter sec. seven and

the South Half of the South East Quarter of sec. six T.6 N.R.25 E.B.M.

SEP 20 13

OFFICE OF STATE ENGINEER

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

by deed

as per abstract of title of said water right heretofore made and made a part of this statement

That said waters are now diverted from said stream at the North West 1/4 sec 33 T

7 N.R.24 E.B.M.

and conducted to the above described lands through the Rodgers ditch

as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 130 inches

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: South Half of the South East Quarter of sec 6 and the North half

of the North East quarter of section 7 T.6.N.R.25 E.B.M. and the following land together (list attached)

Also 16.75 acres in the North-east Quarter of North-west Quarter of Sec. 7 adjoining the North-west quarter of North-east Quarter of Sec.7, 27 rds. on the North end, 80 rds. on the East side and forty rds. on the south end; Also 4.91 acres in the south-east corner of the South-east Quarter of the South-west Quarter of Sec.6, being 27 rds. of the S.E. end and coming to a point 58 rds. and 6 links from the half mile stake between Sec. 6 and 7 in Tp. 6 N. R. 25 E. B. M. containing 21.66 acres Also that certain tract of land beginning at a point 24.90 chains 48 degrees east of south of the northeast corner of Section 12, Twp. 6 North Range 24 East Boise Meridian: Thence 3.70 chains 20 degrees Southwest: thence 4.68 chains 31 degrees Southeast: thence 10.62 chains 50 degrees south of east; thence 20.5 chains south 45 degrees east; thence 29.05 chains north; thence 20 chains west; thence 4.47 chains 48 degrees west of north to point of beginning.

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AUG 1 1913

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MICROFILMED

Application for Transfer of Water Right.

State of Idaho, }
County of Custer } ss.

William Fricke, being first duly sworn, deposes and says:

That his name is William Fricke; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Mackay, Idaho

That he is the owner and using a certain water right of 130 of the waters of Big Lost River

County of Custer, State of Idaho, decreed to Jenkin W.

Harris ^{date June 1st 1895} 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 Harger et al, said decree bearing date of Jan 2nd 1903

or obtained by virtue of License No. _____, issued by the State Engineer of the State of Idaho, dated _____, for the purpose of irrigating the

following described lands situate, lying and being in the County of Custer and

State of ~~Idaho~~ to wit: North Half of the North East Quarter sec. seven and the South Half of the South East Quarter of sec. six T.6 N.R.25 M.B.M.

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

as per abstract of title of said water right hereinafter and made a part of this statement

That said waters are now diverted from said stream at the North ^{May 15 1903} sec 35 T 7 N.R. 24 M.B.M.

and conducted to the above described lands through the Rodgers ditch

That his reasons for desiring to make such transfer are as follows: that the water as now decreed only applies on 130 acres and he desires to apply it on all his land together so that he can farm part each year and not have to farm only the part to which the water is decreed and the land added hereto has no water right

That he intends to divert and convey said 150 inches of water to the tract of land last above described in the following manner, to wit: through same ditch and same point of devirsion

as set forth upon the map hereto attached; and

That no one will be injured by such transfer.

WHEREFORE, Affiant and Petitioner prays that the State Engineer of the State of Idaho issue to him the proper certificate authorizing such transfer, and give proper notice of the same to the Water Commissioner of this Division, in accordance with the provisions of Section 11, House Bill No. 146, of the Laws of the Seventh Session of the Legislature of the State of Idaho.

x William Frickey

Subscribed and sworn to before me this 24 th day of April

A. D. 1903

Shase A. Shax
Notary Public

State of Idaho, }
County of Custer } ss.

C. V. Hanson and S. S. Davidson

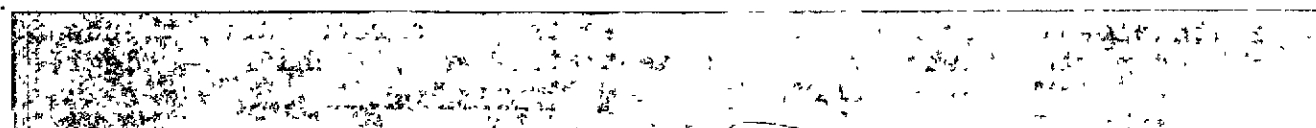
being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Nackay Idaho that he is a user of water from Big Lost River, County of Custer, State of Idaho; that he has read or heard read the foregoing affidavit and petition of William Frickey, 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.

C. V. Hanson
S. S. Davidson

Subscribed and sworn to before me this 24 th day of April

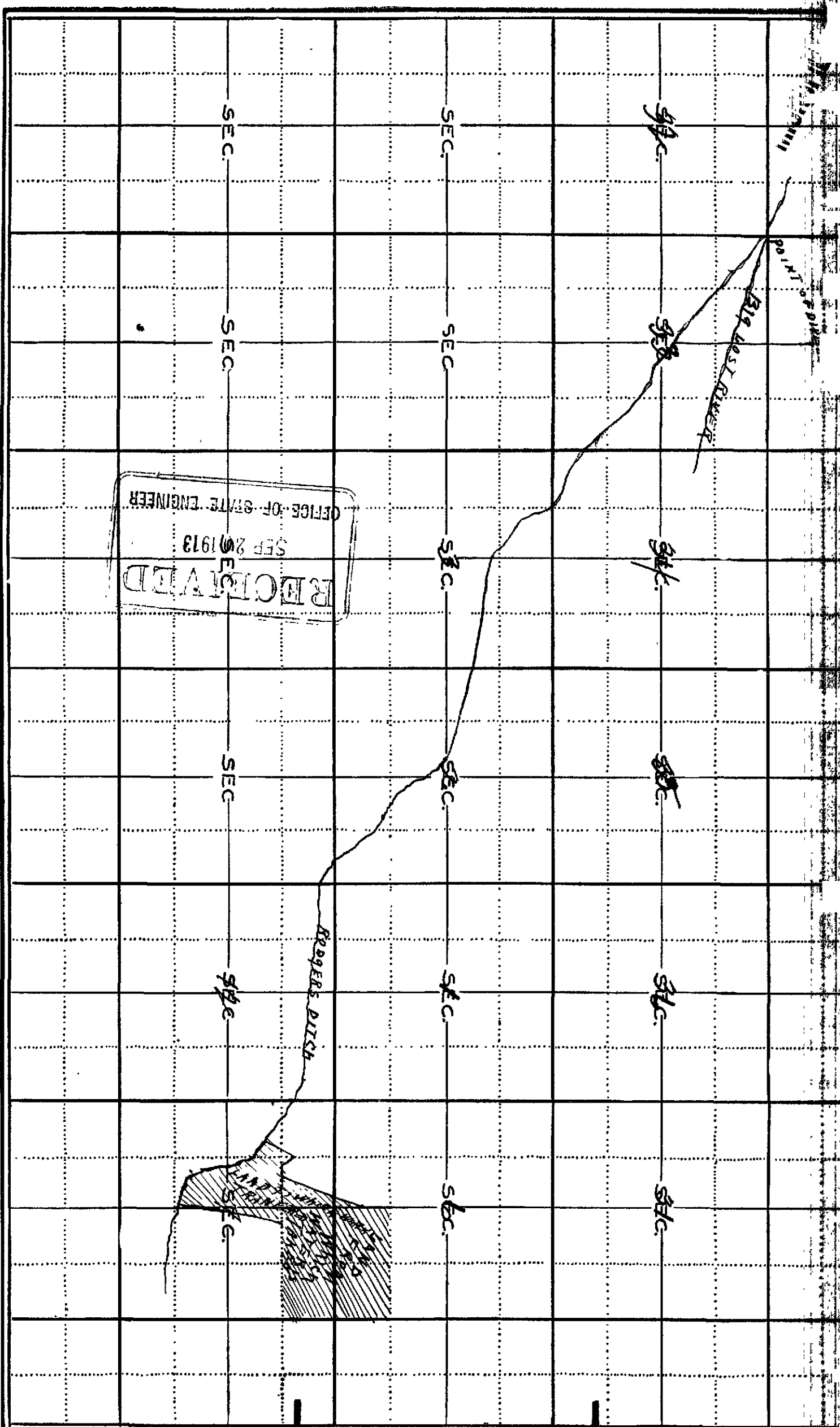
A. D. 1903

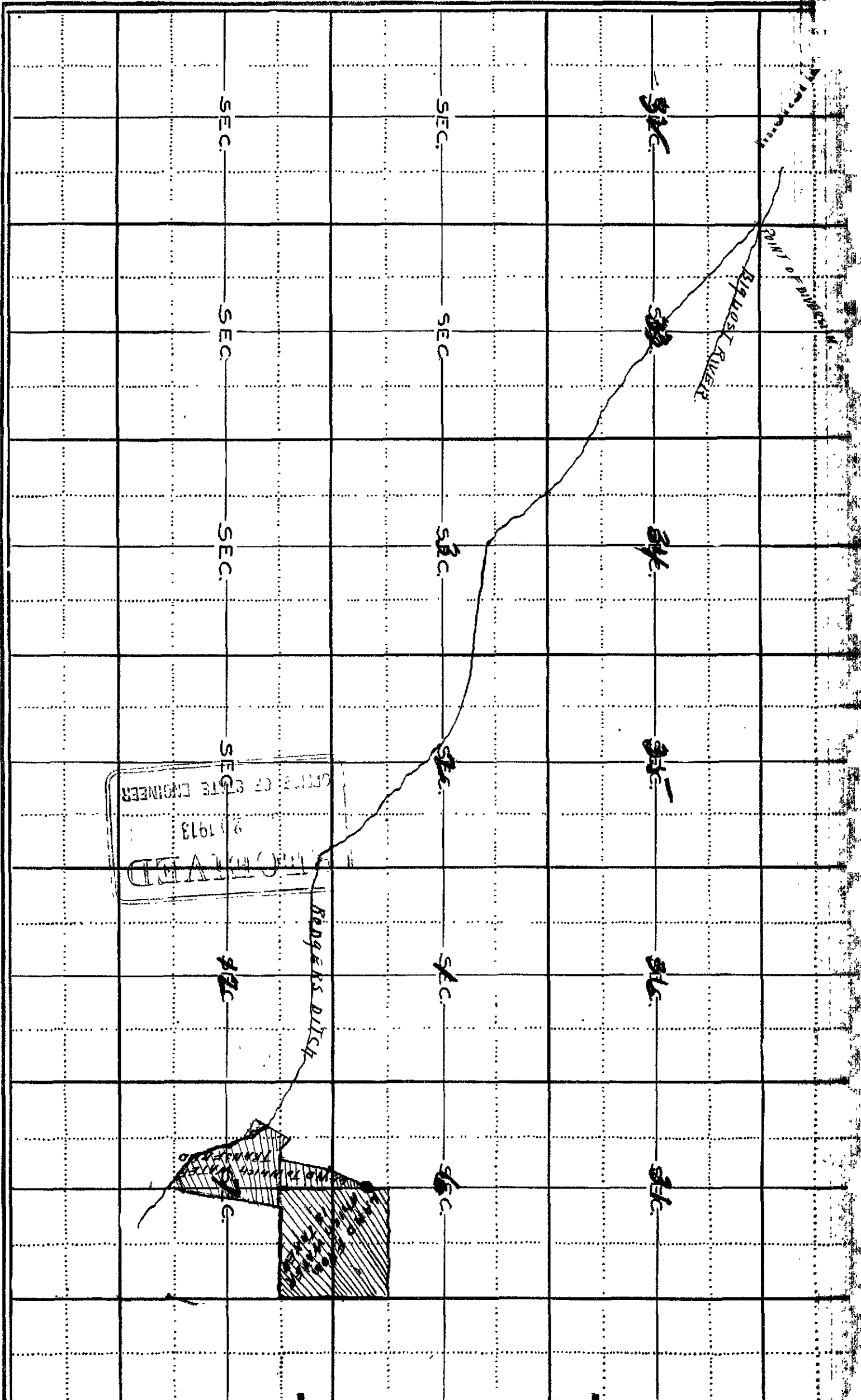
Shase A. Shax
Notary Public



RECORDED

Name of Applicant





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OFFICE OF STATE ENGINEER

9 1913

Hangers Ditch

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

76 m.

77 m.

State of Idaho.

County of Blaine

ss.

I, _____, Watermaster of Lower Big Lost River
County of Custer & Blaine _____, State of Idaho, whose postoffice address is _____
More Idaho _____, have read or heard read the foregoing affidavit and petition of
William Fricke _____, 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 au-
thorized; and I hereby endorse my approval of said petition, and request that the State Engineer
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.

Notice having been duly published for thirty days of the intention of the above named _____
William Fricke _____ to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in his affidavit and petition herein, and an opportunity
having been given to any and all persons opposing said transfer to present their objections in a public
hearing before me at Mackay Idaho, on September 5th _____, according to
the terms of said notice;

And it not appearing at said hearing that any one would be materially injured by such transfer:

I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said
applicant, authorizing the transfer as prayed for in his petition; or ~~(and it appearing at said hearing~~
~~that the following injuries would be sustained by others if such transfer is permitted~~ no
one appearing and making any objection thereto _____

I hereby recommend that the State Engineer ~~do not~~ issue the certificate authorizing the transfer
~~at hereinabove.~~

George C. Outen
Commissioner of Water Division No. _____

By _____

No.

APPLICATION FOR TRANSFER
OF WATER RIGHT.

From

.....

.....

To

.....

.....

Stream

County

..... Applicant.

Received

Approved

Certificate No. issued

..... and recorded in

Book of Transfers, at page