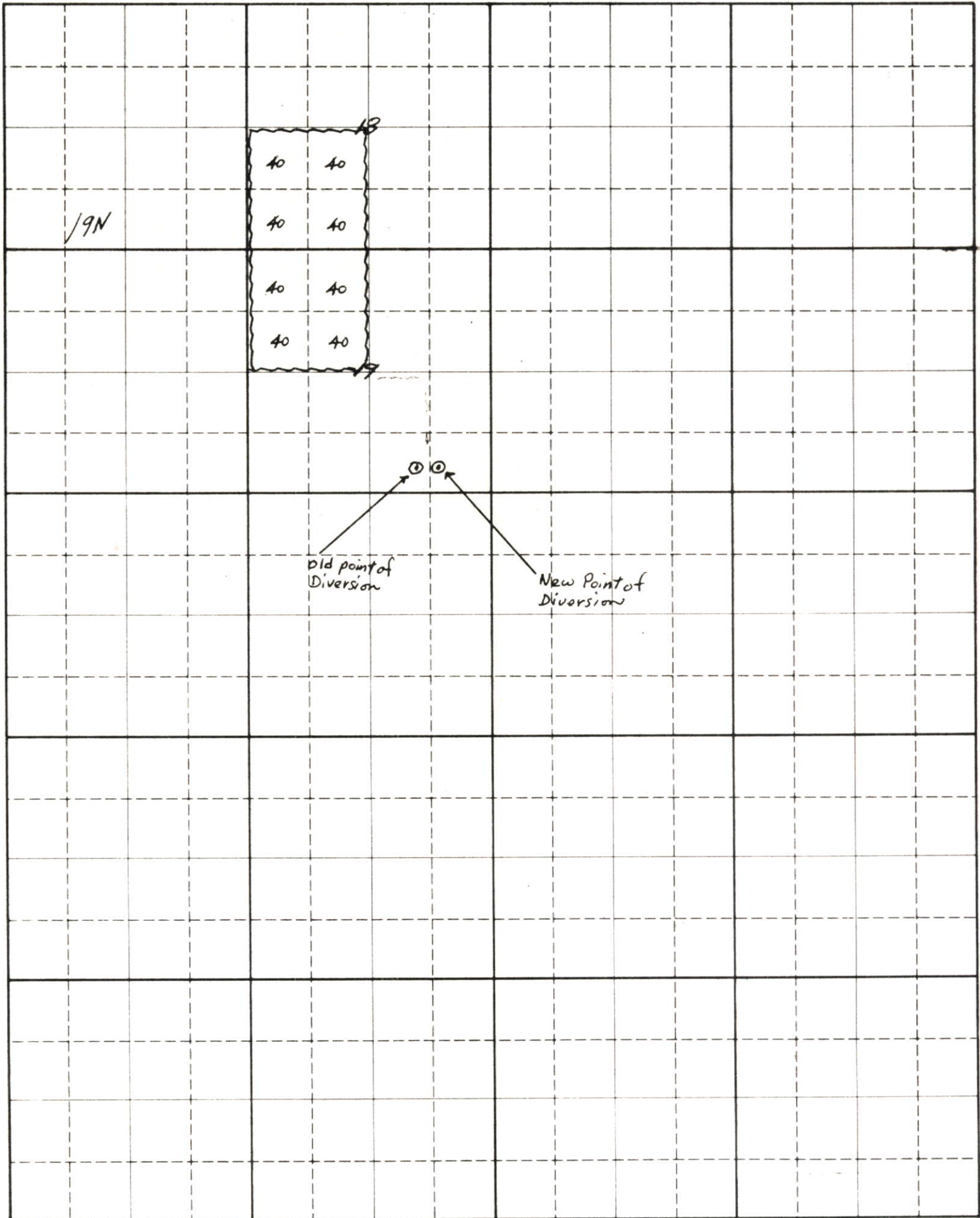


2E



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

Decree of Distribution & Warranty Deed filed in 78-0185

78-0193

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Sylvester Farrell and/or Charles Farrell
Post office address Box 142, New Meadows, Idaho
2. Right obtained by:
- a. Decree to Peter Karleskint & Matshew Farrell in Case of Clay
(Name)
vs. Clark, Dated 5-13-21 in 7th Judicial Court
(Name of Court)
Court. County of Adams
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Goose Creek tributary to Salmon
(Name of stream or source)
4. Date of Priority See Supplement "A"
5. Amount of water a. See Supplement "A" c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from May 15 to Oct. 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19
Township 19N, Range 2E, B.M., in Adams County;
Additional points of diversion, if any _____
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			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 $\frac{1}{4}$	
19N	2E	18									40	40	40	40					160
		19					40	40	40	40									160

Total number of acres presently irrigated 320

9. If applicant was not the original holder of this right explain how it was acquired: Sylvester Farrell bought it from Peter Karleskint Estate
Charles Farrell and Mary Ellen Farrell bought theirs
from the Mathew Farrell estate.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: See supplement "A" c.f.s. and/or _____ acre feet
- b. New point of diversion: SE 1/4 SE 1/4, Section 19, Township 19N
Range 2E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: Headgate and pipe to earth ditch
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
 If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
To install larger size of headgate and for convenience in obtaining the water.
- f. Do you intend to make the transfer permanent? Yes.
- g. Do you intend to abandon completely the old point of diversion? Yes.
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

SUPPLEMENT "A"

PETER KARLESKINT

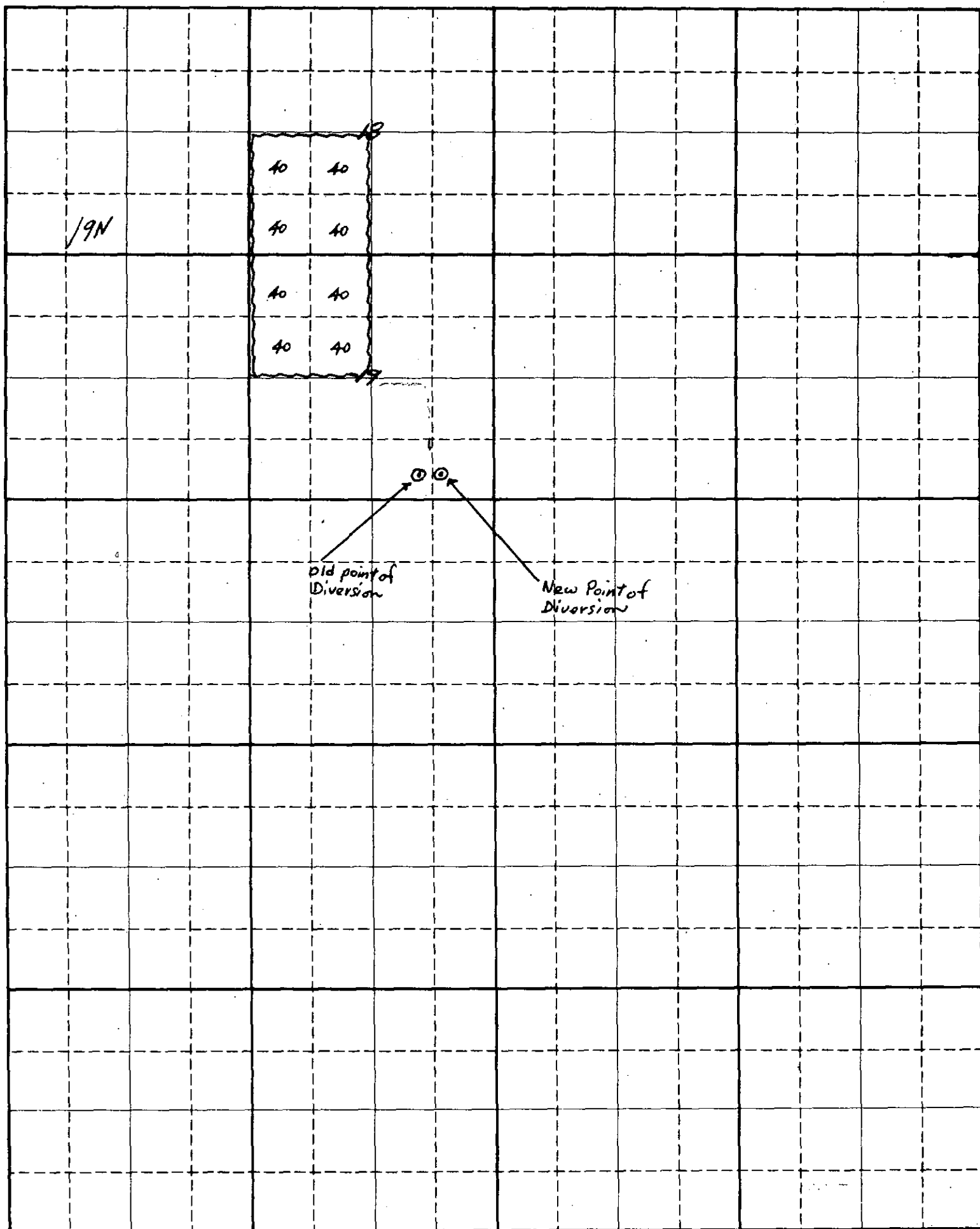
<u>Decree No.</u>	<u>Inches</u>	<u>Priority</u>
78-0185	4	May 1, 1889
78-0186	24	May 1, 1890
78-0187	32	May 1, 1892
78-0188	59	May 1, 1893

MATHEW FARRELL

<u>Decree No.</u>	<u>Inches</u>	<u>Priority</u>
78-0189	60	May 1, 1890
78-0190	64	May 1, 1891
78-0191	64.8	May 1, 1892
78-0192	72	May 1, 1893
78-0193	80	May 1, 1895
78-0194	96	May 1, 1898
78-0195	128	May 1, 1917

683.8

2E



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

b. Do you intend to make the transfer permanent? _____

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Charles F Farrell Mary Ellen Farrell Hoover
(signature of applicant)

Subscribed and sworn to before me this 8 day of January, 1972

(notary public)

My commission expires 11-20-74

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 78-0185 thru 78-0195 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 27th day of June, 1972

R. Kirk Higgins
Director ~~State Reclamation Engineer~~
Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by ef Date 1-31-72

Protest filed by: _____ Date _____

Prelim. check by TE Date 2/1/72

Fee received by ef Date 2/1/72 Fee \$ 30.00

Approved for publication by BDF
Adams County

Published in Leader Dates May 11 & 18, 1972

Hearing held _____

Watermaster Recommendation sent _____

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Proposed

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated May 11, 1972

and the last in the issue dated May 18, 1972 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 22

day of May, 1972

Edwin A. Leske

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Sylvester Farrell and/or Charles Farrell of Box 142, New Meadows, Idaho, have applied to the Dept. of Water Administration for a change of the point of diversion of the waters of Goose Creek, tributary to the Little Salmon River. The right sought to be changed is evidenced by a Decree to Peter Karleskint and Matthew Farrell, in the case of Clay vs. Clark, dated May 13, 1921, in Seventh Judicial Court, county of Adams, and is recorded as follows.

Decree No.	Amount	Priority
(Peter Karleskint)		
78-0185	4 inches	May 1, 1889
78-0186	24 inches	May 1, 1890
78-0187	32 inches	May 1, 1892
78-0188	59 inches	May 1, 1893
(Matthew Farrell)		
78-0189	60 inches	May 1, 1890
78-0190	64 inches	May 1, 1891
78-0191	64.8 inches	May 1, 1892
78-0192	72 inches	May 1, 1893
78-0193	80 inches	May 1, 1895
78-0194	96 inches	May 1, 1898
78-0195	128 inches	May 1, 1917

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 19 N, Rge. 2 E, B. M., Adams County.

The water is used for irrigation purposes from May 15 to October 15 within the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19; Twp. 19 N, Rge. 2 E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 19 N, Rge. 2 E, B. M., Adams County.

Any protest against approval of the above proposed change of water right must be filed with the Dept. of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, on or before May 29, 1972.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Idaho, on May 11 and May 18, 1972.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of

MATTHEW FARRELL,
of New Meadows, Idaho

ORDER GRANTING CHANGE

No. 189

For a Change of Point of Diversion on Goose Creek,
in Water District No. 75-A, Adams County, Idaho

WHEREAS, On the 18th day of July, 1946, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, the application of MATTHEW FARRELL, of New Meadows, Idaho, for a change of point of diversion on Goose Creek, came on regularly for hearing, pursuant to published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that a more economical use of the water will be obtained by such change, and that no other water user will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is hereby granted, and that a Certificate of Change of Point of Diversion be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 2nd day of December, A. D. 1946.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer

RECORDED
INDEXED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF CHANGE OF POINT OF DIVERSION OF DECREED WATER RIGHT
No. 139

THIS IS TO CERTIFY That Matthew Farrell, of New Meadows, Idaho, is the owner of a certain water right in Goose Creek, for the following amounts, as decreed:

May 1, 1890-	60 inches
May 1, 1891-	64 "
May 1, 1892-	64.8 "
May 1, 1893-	72 "
May 1, 1895-	80 "
May 1, 1898-	96 "
May 1, 1917-	128 "

Said water being decreed to Matthew Farrell by Judge Ed L. Bryan, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Adams, in the case of

HENRY T. CLAY, ET AL.,

Plaintiffs

vs.

T. A. CLARK, ET AL.,

Defendants

said decree bearing date of July 13, 1921, and being appurtenant to the following described land, situate, lying and being in the County of Adams, and State of Idaho, to-wit:

Northwest quarter (NW $\frac{1}{4}$) Section 19,
Township 19 North, Range 2 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees, beginning at Page 522.

And that now, upon the application of MATTHEW FARRELL, of New Meadows, Idaho, for a Certificate of Change of Point of Diversion, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change such point of diversion is HEREBY GRANTED.

That said change of point of diversion shall not modify in effect said decree, water right, or place of use. Said water is to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amounts, to-wit:

May 1, 1890-	60 inches
May 1, 1891-	64 "
May 1, 1892-	64.8 "
May 1, 1893-	72 "
May 1, 1895-	80 "
May 1, 1898-	96 "
May 1, 1917-	128 "

That said water right is appurtenant to the lands above described.

That the water right above described has heretofore been diverted from Goose Creek through the Kagleckint-Luty-Farrell ditch, with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, Township 19 North, Range 2 East, B. M.

That the water right above described will hereafter be diverted from Goose Creek through the same ditch, with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, Township 19 North, Range 2 East, S.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 2nd day of December, A. D. 1946.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

RECEIVED
DEC 10 1946
STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Adams

ss.

Matt Farrell

being first duly sworn, deposes and says: That his postoffice address is New Meadows, Idaho; That he is the owner of and using a certain water right, bearing date of priority of May 1, 1890, 60 ins; May 1, 1891, 64 ins; May 1, 1892, 64.8 ins; May 1, 1893, 72 ins; May 1, 1895, 80 ins; May 1, 1898, 96 ins; May 1, 1917, 128 ins; cubic feet per second of the waters of Goose Creek

County of Adams, State of Idaho, decreed to Mathew Farrell by decree of Judge Ed L. Bryan, of the Seventh Judicial District of the State of Idaho, in and for the County of Adams, in the case of Henry T. Clay et al vs. T.A. Clark et al said decree bearing date of July 13, 1921, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 75-A, in the County of Adams, and State of Idaho, to-wit: Northwest Quarter of Section 19, Twp 19 N. R. 2 E. B. M.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Owner then and now.

That said waters are now diverted from said stream in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 19 Twp. 19 N, Range 2 E, and conducted to the above described lands through the Karleskint-Luty-Farrell ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 29, Twp. 19 N, Range 2 E and thereafter conduct same to the above described land through the KARLESKINT-LUTY-FARRELL-BECKER as per map above referred to:

That his reasons for desiring to make such change are as follows: Heavy loss from seepage along old ditch. Change recommended by Mr. Thompson of the Reclamation Department.

That no one will be injured by such change and that such change will be made at affiant's own risk.

Matt Farrell
Affiant

Subscribed and sworn to before me this 31 day of May, 1946.

Matilda Moser
Clerk District Court

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

Approved:

Edhel K. Dixon
Watermaster Water District # 75-A

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

July 3, 1972

Re: Transfer No. 78-0185 thru 78-0195

Sylvester Farrell &/or Charles Farrell
Box 142
New Meadows, Idaho 83654

Gentlemen:

Enclosed please find a copy of your approved Application for Transfer of Water Right No. 78-0185 thru 78-0195. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon this transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of transfer
Information letter

May 4, 1972

Re: Transfer No. 78-0185	78-0189	78-0193
0186	0190	0194
0187	0191	0195
0188	0192	

Adams County Leader
Council,
Idaho 83612

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:LR
Enc: Legal notice (1)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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The water is used for irrigation purposes from May 15 to October 15 within the SW $\frac{1}{4}$, Sec. 18; NW $\frac{1}{4}$, Sec. 19; Twp. 19 N, Rge. 2 E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 19 N, Rge. 2 E, B.M., Adams County.

Any protest against approval of the above proposed change of water right must be filed with the Dept. of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, on or before May 29, 1972.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Idaho, on May 11 and May 18, 1972.

February 2, 1972

Charles Farrell
Box 142
New Meadows, Idaho 83654

Dear Mr. Farrell:

Attached herewith is your receipt No. 8779 in the amount of \$ 30.00
for your transfer application

which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 8, 1971

Charles Farrell
Box 142
New Meadows, Idaho

Dear Mr. Farrell:

Enclosed please find your application for transfer of water right. You should carefully check all items and complete item #9. If you are not the person to whom the right was originally decreed or to whom the license was originally issued, explain how you acquired the right and supply us a copy of the deed or title, showing ownership. Sign the application before a notary public and return it to our Department. The fee for this transfer is \$30.00.

If we can be of any further assistance in this matter, please feel free to contact the Department.

Very truly yours,

Fred Eisenbarth

Fred Eisenbarth
Appropriation Examiner

RECEIVED

JAN 31 1972

Department of Water Administration

FE/bb

Enclosure: Transfer of Water Right

*Enclosed are the Deeds to show how we acquired these rights
Item #9 is completed and
enclosed is the fee for transfer - \$30.00
thank you.
Charles F Farrell*

December 4, 1946

Mr. Sylvester Farrell
New Meadows, Idaho

Dear Mr. Farrell:

We are enclosing herewith the following
Certificates of Change of Point of Diversion
on Coosa Creek:

No. 188. Matthew Farrell

No. 190. Sylvester Farrell

No. 191. C. E. Townley

We are also enclosing Departmental Receipt No.
19784 for the \$3.00 fee for recording these
certificates; and since your check tendered for
this was in the sum of \$4.00, there is a refund
of \$1.00 due you, which we enclose in currency.
This is on account of Leta Becker's withdrawal
of her application for similar change in point of
diversion.

A copy of these certificates is being sent to
Mrs. Ethel Dixon, Watermaster of Water District
No. 75-A, for her information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
BY

Ray W. Thompson
Supervisor of Water Distribution

A
Encls.
CC to Ethel Dixon