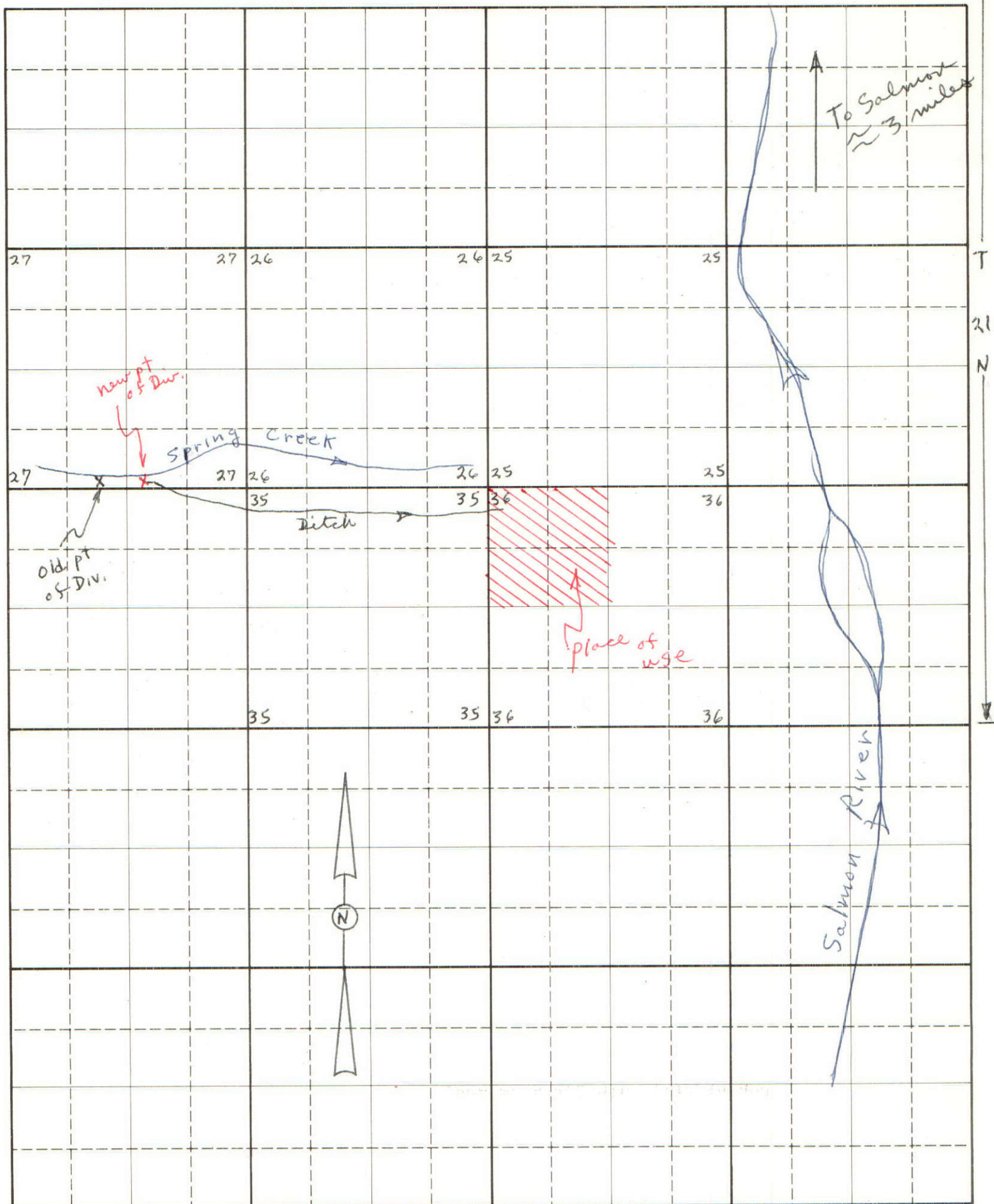


R 21E



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

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 75-0091**

Notice is hereby given that EDWARD S. TOLMAN, of Salmon, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Spring Creek. The right sought to be changed is evidenced by License No. 75-0091 and is recorded as follows: Amount: 0.4 c. f. s. Priority: 1887 Point of Diversion: SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 27, Twp. 21 N. Rge. 21 E. B. M., Lemhi County. The water is used for irrigation purposes from April 1, to November 1, within the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, and the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, both in Twp. 21 N. Rge. 21 E., B. M.

TO BE CHANGED AS FOLLOWS
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Twp. 21 N. Rge. 21 E. B. M., Lemhi County. The water will be used for irrigation within the NW $\frac{1}{4}$, Sec. 36, Twp. 21 N. Rge. 21 E. B. M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before May 1, 1972.

R. KEITH HIGGINSON
DIRECTOR

Published in the Recorder Herald, Salmon, Idaho, on April 13, and April 20, 1972.

4-13-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN

_____, being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the Notice of Proposed Change of Water Right #75-0091

_____ a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated April 13, 1972 and ending with the issue dated April 20, 1972

Jerry G. Rosin

Subscribed and sworn to before me, this twentieth day of April, 1972

Verl Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 15.54

RECEIVED
Department of Water Administration

APR 21 1972

Department of Water Administration
Eastern District Office

R 21 E



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

APPROVED

Identification No. _____

Transfer No. 75-0091 #1774

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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

1. Name of Right Holder Edward S. Tolman

Post office address Box 569 Salmon, Idaho 83467

2. Right obtained by:

a. Decree to Christian Van Stratt in Case of Christian Van Stratt
(Name)
vs. George W. Hudlow Dated 5/11/05 in 6th Judicial District
(Name of Court)
Court. County of Lemhi

b. License No 75-0091 issued by the State of Idaho, Department of Reclamation.

3. Source of water Spring Creek tributary to _____
(Name of stream or source)

4. Date of Priority 1887

5. Amount of water a. 0.4 c.f.s. and/or

b. _____ acre feet/annum

6. Water is used for Irrigation from April 1 to November 1
(Month, Day) (Month, Day)

7. Original location of point of diversion is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27,
Township 21 N, Range 21 E, B.M., in Lemhi County;
Additional points of diversion, if any _____

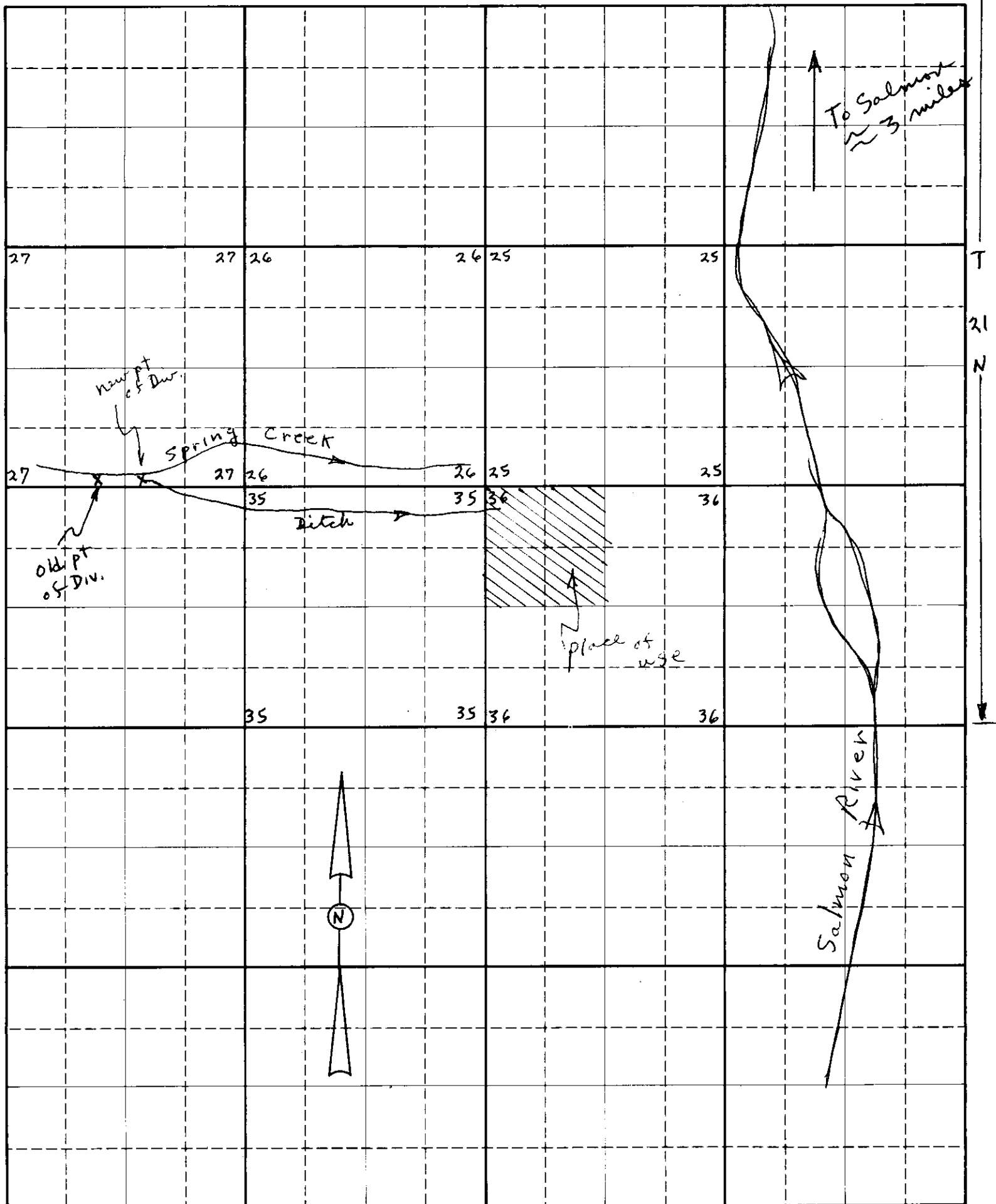
8. Lands presently irrigated or place of use:

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 $\frac{1}{4}$	
21 N	21 E	25									40.			40.					80.0
		36					40.	40.											80.0

Total number of acres presently irrigated 160.0

MICROFILMED

R 21E



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

9. If applicant was not the original holder of this right explain how it was acquired: applicant acquired the Van Stratt rights when he purchased the property.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 0.40 c.f.s. and/or _____ acre feet
- b. New point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Township 21 N, Range 21 E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: approximately 500' of 8" diameter steel pipe (tarred and wrapped) and 5" diameter pipe will be used to carry Spring Creek water to existing irrigation ditch.
- d. Is water to be conveyed to the lands previously irrigated? Yes _____ No See #11c.
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
By diverting approximately $\frac{1}{4}$ mile downstream from original point of diversion, water loss will be reduced and applicant will have a more economical conveyance system.
- f. Do you intend to make the transfer permanent? _____
- g. Do you intend to abandon completely the old point of diversion? _____
- 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 $\frac{1}{4}$				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 $\frac{1}{4}$	
21 N	21 E	36					40.	40.	40.	40.									160.0

Total number of acres to be irrigated 160.0

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

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
not completely (See map for lands to be irrigated)

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.

Edward S. Johnson
(signature of applicant)

Subscribed and sworn to before me this 20th day of March, 19 72

Lyle Glen Saptor
(notary public)

My commission expires July 14, 1974.

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

This is to certify that I have examined Application for Transfer of Water Rights No. 75-0091,
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 17 day of May, 19 72.

R. L. Higinbotham
Director State Reclamation Engineer
Department of Water Administration

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 75-0091**

Notice is hereby given that EDWARD S. TOLMAN, of Salmon, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Spring Creek. The right sought to be changed is evidenced by License No. 75-0091 and is recorded as follows: Amount: 0.4 c. f. s. Priority: 1887 Point of Diversion: SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 27, Twp. 21 N. Rge. 21 E, B. M., Lemhi County. The water is used for irrigation purposes from April 1, to November 1, within the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, and the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, both in Twp. 21 N, Rge. 21 E, B. M.

TO BE CHANGED AS FOLLOWS
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Twp. 21 N, Rge. 21 E, B. M., Lemhi County. The water will be used for irrigation within the NW $\frac{1}{4}$ Sec. 36, Twp. 21 N, Rge. 21 E, B. M.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before May 1, 1972.

R. KENNEDY HIGGINSON
DIRECTOR

Published in the Recorder Herald, Salmon, Idaho, on April 13, and April 20, 1972.

4-13-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. RASIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Proposed Change of Water Right #75-0091

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated April 13, 1972 and ending with the issue dated April 20, 1972

Jerry G. Rasin

Subscribed and sworn to before me, this twentieth

day of April, 1972

W. L. Armstrong
Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 15.54

May 19, 1972

Re: Transfers No. 75-0091 & 75-0092

Mr. Edward S. Tolman
Box 569
Salmon, Idaho 83467

Dear Mr. Tolman:

Enclosed please find a copy of your approved Application for Transfer of Water Right No. 75-0091 and 75-0092. 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 on these transfers. 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 (2)
Inform. letter

bc: Eastern District Office

April 5, 1972

Re: Application for Transfer Nos. 75-0091) - Edward S. Tolman
75-0092)

The Recorder Herald
Post Office Box #310
Salmon, Idaho 83467

Gentlemen:

Enclosed, you will find two (2) legal notices 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 our review before publication.

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

An affidavit of publication for both notices 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,

James Booker
Appropriation Examiner

JB:CS

Enc: Legal Notice (2)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 75-0091

Notice is hereby given that EDWARD S. TOLMAN, of Salmon, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Spring Creek. The right sought to be changed is evidenced by License No. 75-0091 and is recorded as follows: Amount: 0.4 c. f. s. Priority: 1887 Point of Diversion: SE¹/₄-SW¹/₄, Sec. 27, Twp. 21 N. Rge. 21 E. B. M., Lemhi County. The water is used for irrigation purposes from April 1. to November 1. within the E¹/₄-SW¹/₄, Sec. 25, and the N¹/₂-NW¹/₄, Sec. 36, both in Twp. 21 N. Rge. 21 E. B. M.

TO BE CHANGED AS FOLLOWS

Point of Diversion: SW¹/₄-SE¹/₄, Sec. 27, Twp. 21 N. Rge. 21 E. B. M., Lemhi County. The water will be used for irrigation within the NW¹/₄, Sec. 36, Twp. 21 N. Rge. 21 E. B. M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before May 1, 1972.

R. KEITH HIGGINSON
DIRECTOR

Published in the Recorder Herald, Salmon, Idaho, on April 13, and April 20, 1972.

4-13-2tc

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 75-0091

Notice is hereby given that EDWARD S. TOLMAN, of Salmon, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the waters of Spring Creek. The right sought to be changed is evidenced by License No. 75-0091 and is recorded as follows:

Amount: 0.4 c.f.s. Priority: 1887 Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 21 N, Rge. 21 E, B.M., Lemhi County. The water is used for irrigation purposes from April 1, to November 1, within the E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, and the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, both in Twp. 21 N, Rge. 21 E., B.M.

TO BE CHANGED AS FOLLOWS

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Twp. 21 N, Rge. 21 E, B.M., Lemhi County. The water will be used for irrigation within the NW $\frac{1}{4}$, Sec. 36, Twp. 21 N, Rge. 21 E, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before May 1, 1972.

R. KEITH HIGGINSON
Director

Published in the Recorder Herald, Salmon, Idaho, on April 13, and April 20, 1972.

March 10, 1972

Re: Transfer No. 75-0091

Mr. Glen Saxton
Salmon,
Idaho 83467

Dear Glen:

We are returning the transfer you helped to complete for Mr. Edward S. Tolman. It is necessary to file two separate transfers, due to the fact that there are two separate decreed rights. We have completed the two transfers, except for the signature. Please review the transfers and if you find them acceptable, have Mr. Tolman sign both applications, notarize and return them to us. It will also be necessary to receive \$30.00 more for the remaining transfer.

Please note that we could list only 160 acres on each transfer, so as not to expand the original right. However, all of the 165 acres are covered under the two documents.

If you should have any questions in this matter, please do not hesitate to contact this Department.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cs

Enc: original transfer application
two re-typed applications for transfer

March 2, 1972

Edward S. Tolman
Box 569
Salmon, Idaho 83467

Dear Mr. Tolman:

Attached herewith is your receipt No. 8106 in the amount of \$ 30.00
for your transfer of water right
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

Salmon, Idaho
Feb. 26, 1914

Boily H. Fleenor
Dept. of Water Admin.

Dear Mr. Fleenor

Enclosed is an application for
change point of diversion.

As you will notice it is a
very minor change & doesn't harm
any one except on anyone else, as
I use all the water myself. The office
here in Salmon, earlier thought it
wouldn't be necessary to file an
application on it. Then later said
perhaps I had better send in the
application & you could decide
if it is necessary.

I have secured a right of way
for the change from the Forest
Service.

Thank you for your help
in the matter.

RECORDED

Sincerely
Edward S. Johnson
Box 569
Salmon, Idaho
83467

Reference:
75-0091
75-0092

Identification No. 75-0091

Transfer No. 75-0092

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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

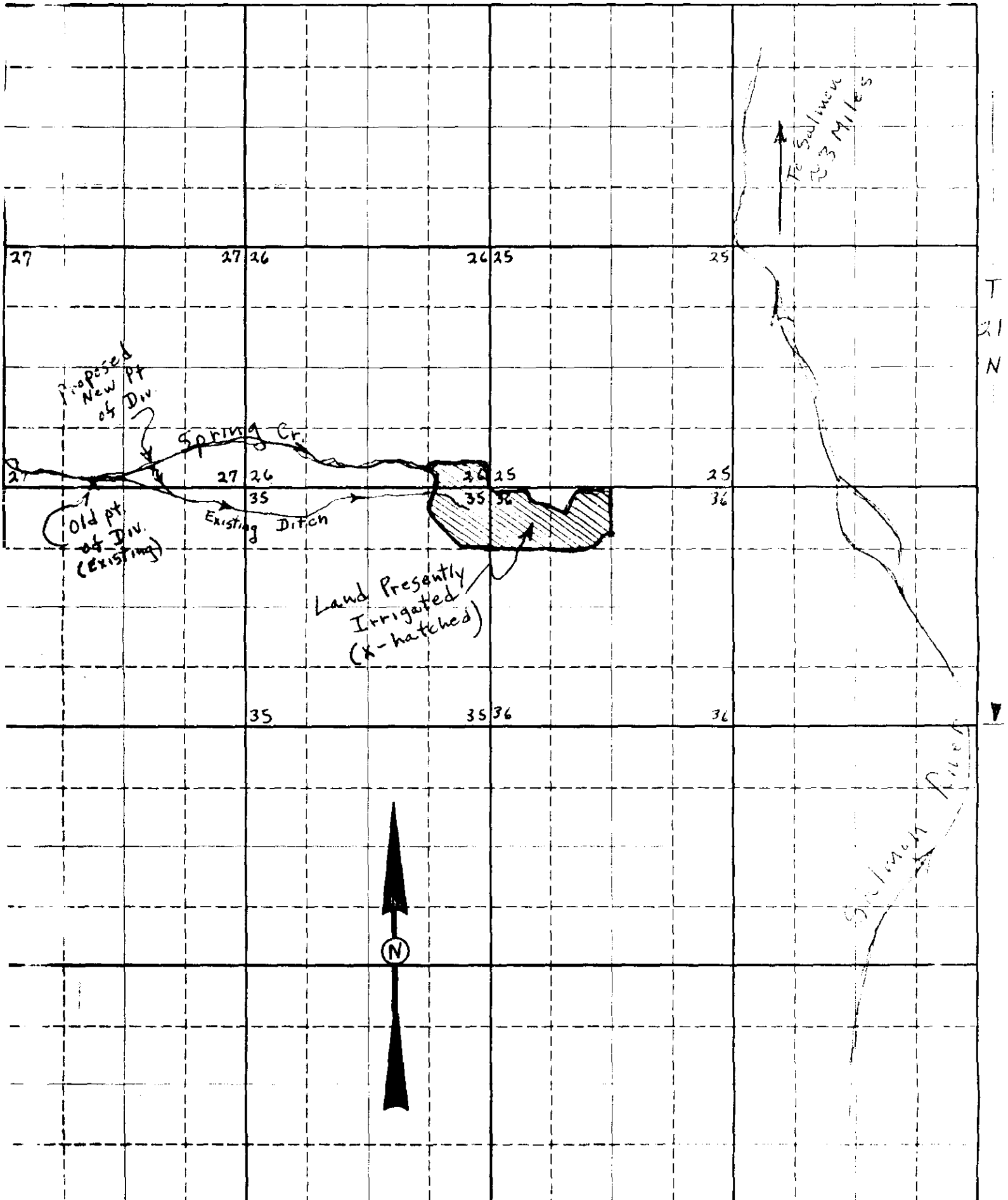
1. Name of Right Holder Edward S. Tolman
Post office address Box 569 Salmon, Idaho 83467
2. Right obtained by:
Christian Van Stratt
a. Decree to and George W. Hudlow in Case of Christian Van Stratt
(Name)
vs. George W. Hudlow, Dated May 11, 1905 in 6th Judicial District
(Name of Court)
Court, County of Lemhi
- b. License No. - issued by the State of Idaho, Department of Reclamation.
3. Source of water Spring Creek tributary to Salmon River
(Name of stream or source)
4. Date of Priority 1887 and 1903 *1887 right is for 4 cfs*
5. Amount of water a. 0.80 (total for both rights) c.f.s. and/or
b. - acre feet/annum
6. Water is used for Irrigation from April 1 to November 1
(Month, Day) (Month, Day)
7. Original location of point of diversion is SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27
Township 21N, Range 21E, B.M., in Lemhi 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 $\frac{1}{4}$	
	21E	26																18	18
21N	21E	35	30																30
21N	21E	36					30	37	20	30									147

Total number of acres presently irrigated 165

R 21 E



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

9. If applicant was not the original holder of this right explain how it was acquired: Applicant
acquired the Van Stratt and Hudlow rights when he purchased the property.

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 0.80 c.f.s. and/or acre feet

b. New point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Township 21N
21E, Range 21E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Approximately 500 feet of 8" diameter steel pipe (tarred and wrapped) and 5" diameter pipe will be used to carry Spring Creek water to existing irrigation 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:
By diverting approximately 1/4 mile downstream from original point of diversion, water loss will be reduced and applicant will have a more economical conveyance system.

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.

[illegible]

Total number of acres to be irrigated 1000

b. Has the applicant intended to make the transfer of the right?

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.

Edward S. Johnson
(signature of applicant)

Subscribed and sworn to before me this 6th day of December 1971

Lyle Glen Layton
(notary public)

My commission expires 14 July 1974

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____

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

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

Witness my hand this _____ day of _____, 19____.

State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by uj Date 2-29-72

Prelim. check by fab Date 3/1/72

Fee received by ej Date 3/1/72 Fee \$ 50.00

Approved for publication by _____

Published in _____ Dates _____

Stearing held _____

Master Recommendation sent _____

Protest filed by: _____ Date _____