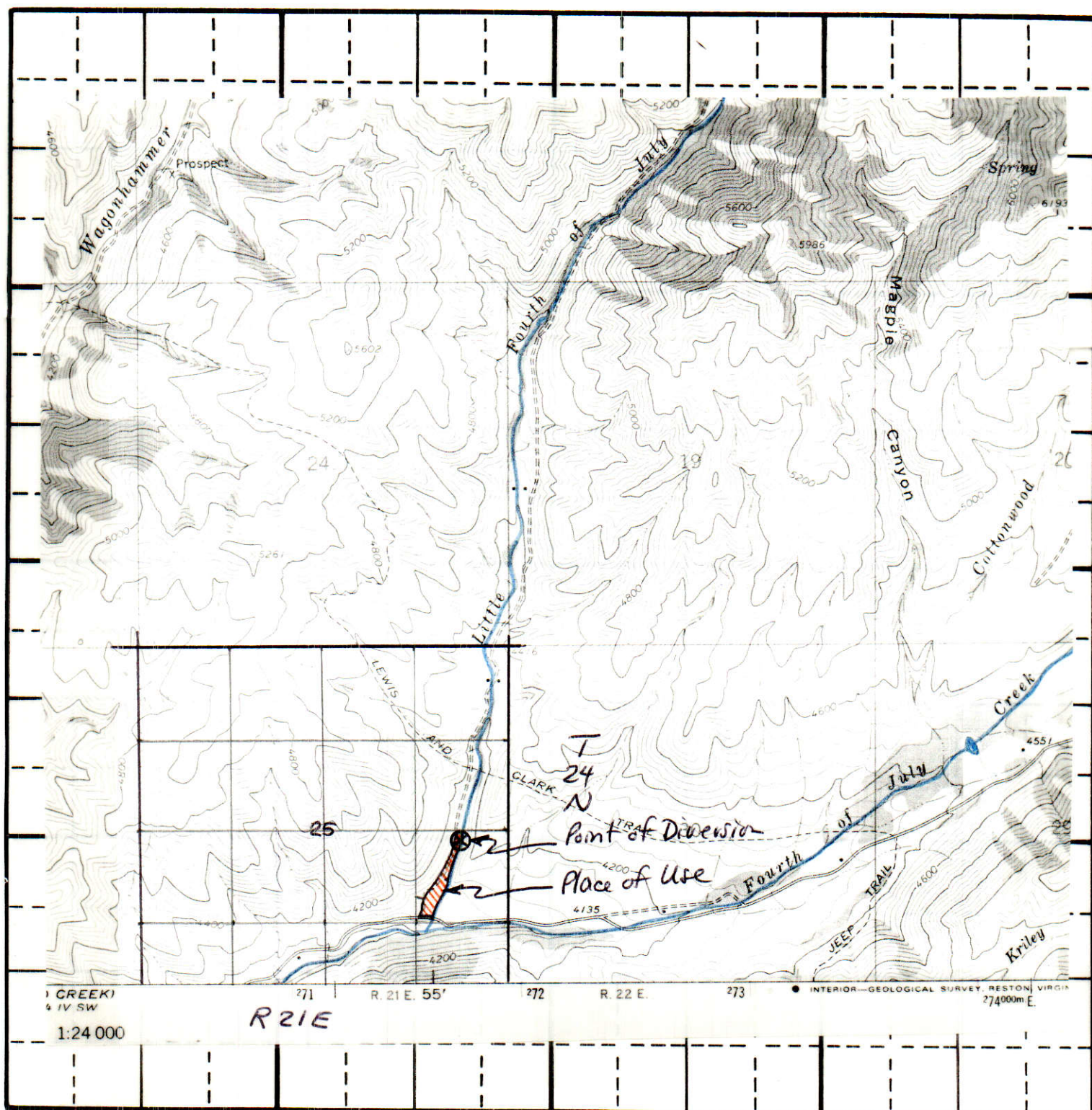


c. Describe the place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24N	21E	25													8				8

Total number of acres to be irrigated 8

- Describe any other water rights used for the same purpose as described above. None
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
NO. 75-2003/2325

Notice is hereby given that Clinton M. Hansen, Clearfield, Utah, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Little Fourth of July Creek tributary to Fourth of July Creek. The right sought to be changed is evidenced by License No. 75-2003/2325 and is recorded as follows:

AMOUNT: 0.20 cfs
PRIORITY: 5-20-1913
POINT OF DIVERSION:
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T.
24N, R. 21E, B.M. Lemhi
County

The water is used for domestic and irrigation purposes of 13.8 acres within the E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 24N, R. 21E, B.M.

TO BE CHANGED AS
FOLLOWS

0.12 cfs of water will be diverted within the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ Sec. 25, T. 24N, R. 21E, B.M. Lemhi County.

Any protest against the approval of the above proposed change of water right must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 9, 1983.

A. KENNETH DUNN
Director

Published in The Recorder Herald on 4/21 &

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

APR 28 1983

Department of Water Resources
Eastern District Office

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 75-2003/2325

..... 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 21, 1983
and ending with the issue dated April 28, 1983

Jerry G. Rosin

Subscribed and sworn to before me, this twenty eighth

day of April, 1983

Terre Armstrong

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

Publication Fee \$ 22.95

MICROFILMED

Transfer No. 2844

Water Right No.

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

Name of applicant Clinton M. Hansen Phone 801-773-0451
Post Office address 1184 South 1000 East, Clearfield, Utah 84015

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. Decreed to (Name)
in case of VS
dated in in county of (Name of court)
b. License No. 75-2003/2325 issued by the Idaho Department of Water Resources
c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Little Fourth of July Creek tributary to Fourth of July Creek
4. Date of priority May 20, 1913

5. Water is used for the following purposes:
amount 0.20 cfs for irrigation & domestic purposes from Not specified to
amount for purposes from to
amount for purposes from to (month/day — both dates inclusive)

6. Total amount of water under right: a. 0.20 cubic feet per second &/or
b. acre feet per annum
7. Location of original point of diversion is NE 1/4 of NE 1/4 of Section 25
Township 24N Range 21E, B.M., in Lemhi County
Additional points of diversion, if any

8. Lands irrigated or place of use:

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	
24N	21E	25	0.8			5									8				13.8

Total number of acres to be irrigated 13.8

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

MICROFILMED

1. Amount of water: a. 0.12 cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25 Township 24N
Range 21E, B.M., Lemhi County
Additional points _____

3. 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 $\frac{1}{4}$	
24N	21E	25													8				8

Total number of acres to be irrigated 8

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 0.12 c.f.s. &/or _____ acre feet
- b. Description of diverting works Rock diversion into ditch for flood irrigation
- c. Describe the reasons for the proposed changes _____
change point of diversion to reflect actual point of diversion

2. Change in point of diversion
- Point of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25 Township 24N
Range 21E, B.M., Lemhi County
Additional points _____

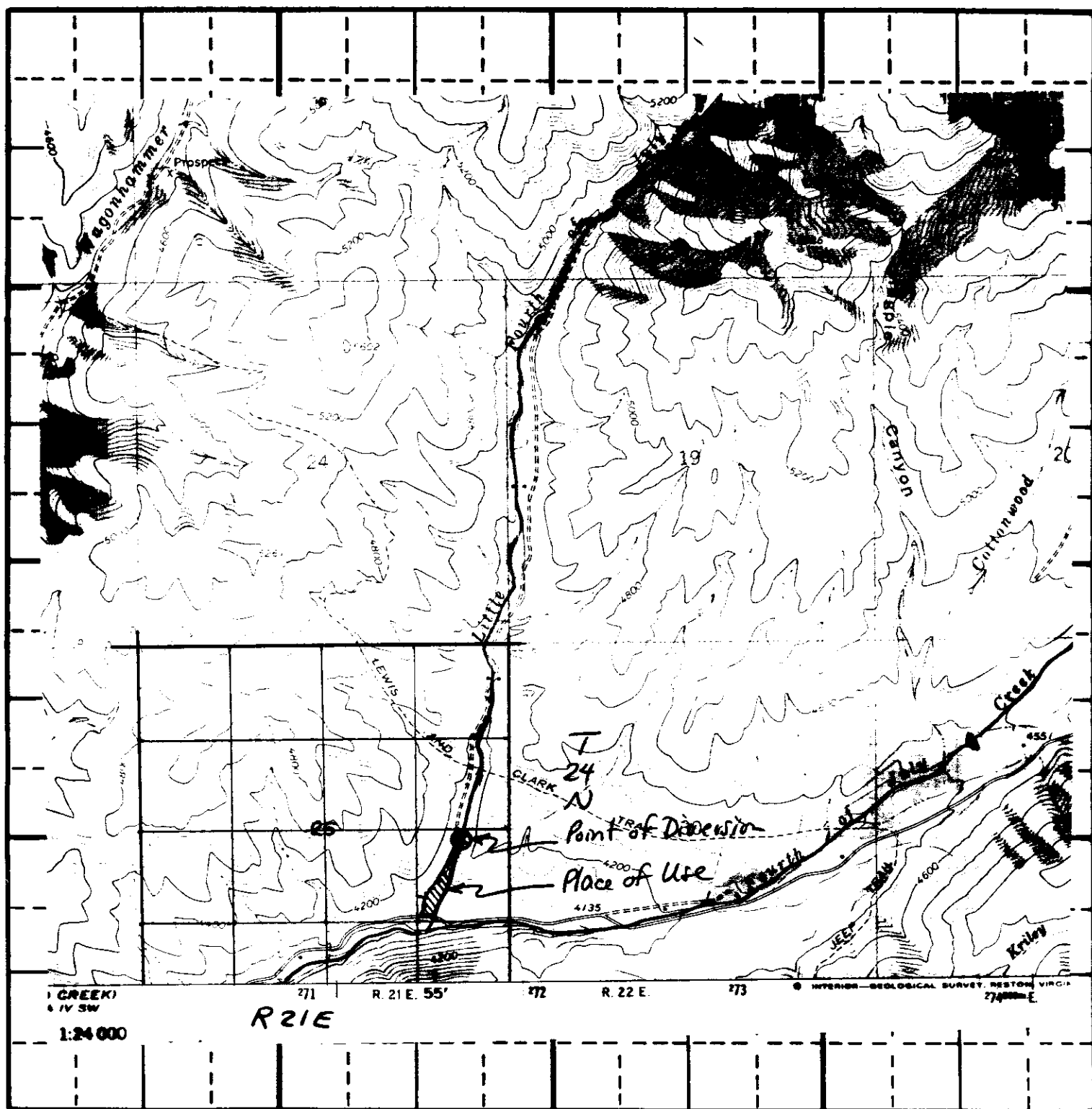
3. Change in place of use NO CHANGE
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None

c. Describe the place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24N	21E	25													8				8

Total number of acres to be irrigated 8

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

D. REMARKS

MICROFILMED

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Clinton M. Hansen
(Signature of Applicant)

Subscribed and sworn to before me this 11th day of April, 19 83

Calleen Wray
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 75-2003
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 18 day of September, 19 84

David R. Tuttle
Acting Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Assisted by Kew 4-11-83
Received by HWS Date 4-11-83 Protest filed by Blaine Cook
Prelim. check by HWS Fee \$30.00 WITHDRAWN 7-10-84
Receipted by CW Date 4-11-83 #28027
Published in Recorder Herald Copies of protest forwarded by _____
Pub. dates 4/21 & 4/28/83 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. _____ by Jim

EXHIBIT "A"

Hansen - Hansen

A fraction of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T. 24 N., R. 21 E., B.M., more particularly described as follows, to wit:

Beginning at the Northeasterly corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 25, run thence S. 77°20' W. 405.6 feet; thence S. 71°48' W. 315.8 feet; thence West 84.75 feet; thence North 187.54 feet to a point on the Northerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25; thence S. 89°54'51" W. 539.4 feet to the Northwesterly corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25; thence S. 0°00'50" E 989.97 feet; thence East 79.4 feet; thence S. 6°24' W. 251.6 feet; thence East 58.7 feet; thence S. 81°53' E. 148.0 feet; thence South 60.41 feet to a point on the Southerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25; thence Easterly along said Southerly boundary 1065.57 feet, more or less, to the point of beginning. Containing 37.6 acres.

Together with all improvements located thereon or appurtenant thereto.

Together with all water and water rights, ditch and ditch rights used in connection therewith.

And also the restriction that the Sellers may reside in the home located on the property for the remainder of each of their lives and shall have free access and full possession of the home and approximately one acre surrounding the house. This right shall terminate upon their death.

MICROFILMED

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
NO. 75-2003/2325

Notice is hereby given that Clinton M. Hansen, Clearfield, Utah, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Little Fourth of July Creek tributary to Fourth of July Creek. The right sought to be changed is evidenced by License No. 75-2003/2325 and is recorded as follows:

AMOUNT: 0.20 cfs

PRIORITY: 5-20-1913

POINT OF DIVERSION:
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T.
24N, R. 21E, B.M. Lemhi
County

The water is used for domestic and irrigation purposes of 13.8 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 24N, R. 21E, B.M.

TO BE CHANGED AS
FOLLOWS

0.12 cfs of water will be diverted within the NE $\frac{1}{4}$ -SE $\frac{1}{4}$ Sec. 25, T. 24N, R. 21E, B.M. Lemhi County.

Any protest against the approval of the above proposed change of water right must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 9, 1983.

A. KENNETH DUNN
Director

Published in The Recorder Herald on 4/21 &

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

APR 28 1983

Department of Water Resources
Eastern District Office

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 75-2003/2325

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 21, 1983 and ending with the issue dated April 28, 1983

Jerry G. Rosin

Subscribed and sworn to before me, this twenty eighth

day of April, 1983

Terre Armstrong

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

Publication Fee \$ 22.95

MICROFILMED

County: Lemhi
Stream: Little Fourth of July Creek
Amount: 1/5 of a cubic foot per second
Use: irrigation
Priority: May 20, 1913

STATE OF IDAHO

Water License No. 2325

WHEREAS, On the 12th day of October, A. D. 1906, Richard Holmes

of Carmen, County of Lemhi, State of Idaho, duly made application (No. 5287) to me for a permit to use 1/5 of 1 cubic foot per second of the waters of Little Fourth of July Creek

County of Lemhi, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 23rd day of October, A. D. 1906, Permit No. 2325 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 23rd day of April, A. D. 1907, and for the application to beneficial use of said water on or before the 23rd day of October, A. D. 1908, and,

WHEREAS, On the 23rd day of April, A. D. 1907, Richard Holmes

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 2325 dated April 30, 1907, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/5 of 1 cubic foot per second of said water with date of priority of October 12, 1906, and

WHEREAS, On the 14th day of June, A. D. 1915, Richard Holmes

the holder of said permit, duly made proof of the application to beneficial use of 1/5 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Richard Holmes

of Carmen, County of Lemhi, State of Idaho, the holder and owner of said Permit No. 2325, a perpetual right, dating from May 20, 1913 to the use of 1/5 of 1 cubic foot per second of the waters of Little Fourth of July Creek,

in the County of Lemhi and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 25 T. 24 N. R. 21 E.B.M.

and conducted to and upon 13.8 acres, as follows: .8 of 1 acre in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ 5.0 acres in E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and 8.0 acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 25, T. 24 N. R. 21 E.B.M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source or supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 23rd day of July A. D. nineteen hundred and fifteen

J. H. SMITH.

(Seal)

State Engineer:

75 200

No. 3287

A P P L I C A T I O N F O R P E R M I T

To appropriate the Public Waters of the State of Idaho.

1. Name of applicant - Richard Holmes
Postoffice address: P. O. Carman
County - Lemhi.
2. The quantity of water claimed is one-fifth (1/5) cubic foot per second.
3. Source of water supply - Little 4th of July Creek.
County of Lemhi.
4. Location of point of diversion - One half mile above confluence of "Little 4th of July Creek" with "4th of July Creek".
5. To be used for:
 - I. Irrigation and domestic use:
 - (a) Number of acres to be irrigated ten (10) acres.
 - (b) In the following legal subdivisions - Not surveyed. Land is on West side of Little Fourth of July Creek, near mouth of stream.
6. Estimated cost of works - Twenty-five dollars.
7. Description of Works for Diversion:
 - I. Kinds of works - Ditch 500 ft. long.
 - II. Dimensions of Works:
 - (d) Ditch (flume or pipe) width at bottom two feet, width at water line one foot, depth of water four inches. Average grade per mile is 15 feet. Length of ditch is 500 feet, and it crosses unsurveyed land to the point of intended use.
8. Time required for the completion of the construction of such work is one month.
9. Time required for the complete application of the water to the proposed use is one additional year.

Approval of State Engineer

The number of this permit is 2325.

Date of first receipt of application 9 a. m. October 12, 1906.

Recorded in Book 7, page 2325. Approved October 23, 1906.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before December 22, 1906, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 23, 1907.

The whole of said work to be completed on or before April 23, 1907.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to October 23, 1908.

Witness my hand this 23 day of October, 1906.

Jas. Stephenson, Jr.

State Engineer.

Notice of Completion of works mailed applicant Feb. 1, 1907.

Notice of Completion of works received, fixing April 23, 1907, as the date and Salmon, as the place of proof.

Notice for publication mailed the Idaho Recorder Feb. 28, 1907.

Deposition blanks mailed same day to holder and witnesses, also Mr. Caples, of Salmon, was requested to examine the works on February 28, 1907. His report was received April 16, 1907.

Depositions of holder and witnesses, affidavit of publication and fee of \$5.00 received April 30, 1907.

All papers being in and satisfactory, Certificate of Completion was duly issued this 30th day of April, 1907.

Permit No. 2325.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that RICHARD HOLMES, of Carman, County of Lemhi, and State of Idaho, the holder of Permit No. 2325, issued upon Application No. 3287, bearing date of priority of October 12, 1906, authorizing the diversion of $1/5$ of one second foot of the waters of Little 4th of July Creek, County of Lemhi, State of Idaho, for Irrigation & domestic purposes, has fully complied with the ^{provisions of the} laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one-fifth of one second-foot of the waters of Little 4th of July Creek; that the point of Diversion of said waters is at a point 3000 ft. from confluence of Little 4th of July creek and 4th of July creek; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Land is unsurveyed and lies on West side of Little 4th of July creek near mouth of stream.

Witness my hand this 30 day of April, A.D. 1907.

Jas. Stephenson, Jr.

State Engineer.

License issued for $1/5$ of 1 second foot
P. 1831

WATER RIGHT NUMBER 75-2003

OWNER LAST NAME - HOLMES
OWNER LAST NAME - HANSEN
ADDRESS LINE 1 - 1184 S. 1000 E.
ADDRESS LINE 3 -
SOURCE - LITTLE FOURTH OF JULY CREEK
STAGE - LICENSE
TOTAL DIV. VOLUME - .00 AFA
DIVERSION POINT - NESE 25 24N 21E LOT
FROM - TO -
FROM - TO -
USE - IRRIGATION
DEGREE NAME -
REMARKS - TRANS. 2844.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE -
PROOF MADE - FLD EXAM -
DIVERSION MEANS -

FIRST NAME - RICHARD
FIRST NAME - CLINTON
ADDRESS LINE 2 -
CITY - CLEARFIELD
TRIBUTARY OF - FOURTH OF JULY CREEK
PRIORITY - 05-20-1913
COUNTY - LEMHI
TOTAL DIV. RATE - .1200 -CFS
RIGHT BASIS -
WATER DIST. -
OLE/CAREY ACT -
USE DIV. RATE - .1200 CFS
USE DIV. RATE - .0000 CFS
PLACE OF USE - TWN 24N RNG 21E SEC 25 TRACT NESE LOT
DATE -
TOTAL ACRES 8

ORIG OWNER - 0
ORIG OWNER -
STATE - UT ZIP CODE - 84015
STATUS -
TRFR/AMEND - T
REDIV -
USE - IRRIGATION
USE - DOMESTIC
AC 08

PROTESTED -
HEARING -
OLD NO. -

September 24, 1984

RE: Transfer of Water Right No. 75-2003

Clinton M. Hansen
1184 S. 1000 E.
Clearfield, UT 84015

Dear Mr. Hansen:

Enclosed is a copy of your approved Application for Transfer of the
above referenced water right (Transfer No. 2844).

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

75-2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

1. Right number _____ Applicant Hansen

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

☒ Description of original point of diversion.

SPLIT CHECK

☒ Description of original place of use.

$$\frac{0.20}{13.8} = 0.0144$$

5. Amount of land &/or water transferred:

$$0.0144 \times 8 = 0.1152 \approx 0.12 \text{ ok}$$

N/A a. ☒ All of right.

☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

☒ Check description of point(s) of diversion.

N/A ☒ Check description of place of use. No change

☒ Check map (shows p.d. and p.u. after transfer).

☒ Check for correct signature, notarization, and fee.

N/A g. ☒ Check proof of ownership of right &/or land from which water is transferred.

☒ Check for expansion in use of right. Comments _____

N/A ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? N/A

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on N.A. Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☒ Yes ☐ No - WITHDRAWN 7-10-84

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

MICROFILMED

RECEIVED

AUG 7 1984

4. By Ernest Carlson

Date May 9, 1983

Department of Water Resources

August 3, 1984

RE: Application for Transfer No. 75-2003/2325

Clinton M. Hansen
1184 South 1000 East
Clearfield, Utah 84015

Dear Mr. Hansen:

This letter is to advise you that the protest against the above referenced application for transfer has been withdrawn and the Department has resumed processing of your application.

If you have any questions concerning this matter, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

Enc: Copy of Withdrawal

cc: Mrs. Blaine Cook with copy of withdrawal

MAILED 100

IN THE MATTER OF APPLICATION)
FOR TRANSFER OF WATER)
RIGHT NO. 75-2003 IN THE)
NAME OF CLINTON HANSEN)

Withdrawal
of
Protest.

I hereby withdraw my protest against the above captioned application with the understanding that Mr. Hansen's point of diversion will be located on his property and the transfer only involves that portion of license 75-2003 appurtenant to his property.

Signed at Salmon, Idaho this 10th day of July 1984

Mrs. Blaine Cook

RECORDED

T 75-2003/2325 - Clinton M. Hansen

Commissioner's Room, Lemhi County Courthouse, Salmon, Idaho
Tuesday, July 10, 1984 - 9:00 a.m.

ROSTER OF ATTENDANCE

Hearing Officer Bob Fleenor, Ernest Carlsen

<u>Name</u>	<u>Address</u>	<u>Representing</u>
Mrs Blaine Cook	P.O. Box 127 Salmon	Self
Clinton M. Hansen	819 E 1000 S Clearfield UT	Self

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
150 Shoup -- Suite 15
Idaho Falls, Idaho 83402

Handwritten: ~~Unclassified~~
Addressed to: ~~Insulation Division~~
No such office in state
Do not record in this

Handwritten: 13202

RETURN RECEIPT REQUESTED

DE 84
34
n
9-A

CLAIM CHECK
NO.

301929

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Original from
FD Form 2040-A
Oct. 1980



Clinton M. Hansen
1184/South 1000 East
Clearfield, UT 84015

RECEIVED

MICROFILMED

JUL 19 1984

Department of Water Resources
Eastern District Office

PS Form 3811, July 1982

RETURN RECEIPT

● SENDER: Complete Items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.	
(CONSULT POSTMASTER FOR FEES)	
1. The following service is requested (check one). ☒ Show to whom and date delivered \$ ☐ Show to whom, date, and address of delivery .. \$	
2. ☐ RESTRICTED DELIVERY..... \$ (The restricted delivery fee is charged in addition to the return receipt fee.)	
TOTAL \$	
3. ARTICLE ADDRESSED TO: <i>Clinton M. Hansen</i> <i>11945. 1000 E.</i> <i>Clearfield Ut. 84015</i>	
4. TYPE OF SERVICE ☐ REGISTERED ☐ INSURED ☒ CERTIFIED ☐ COD ☐ EXPRESS MAIL	ARTICLE NUMBER <i>13202</i>
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent	
5. DATE OF DELIVERY	POSTMARK (may be on reverse side)
6. ADDRESSEE'S ADDRESS (Only if requested) MICROFILMED	
7. UNABLE TO DELIVER BECAUSE:	7a. EMPLOYEE'S INITIALS

★ GPO: 1982-379-593

CLAIM NO. 72
DATE 7-13-82
1ST NOT 7-13-82
2ND NOT 7-16-82
RETURN
Detached from PS Form 3841 Oct. 1980

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED
JUL 19 1984
Department of Water Resources
Eastern District Office

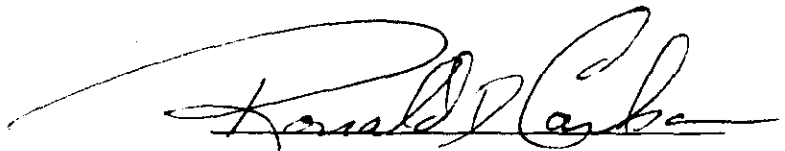
IN THE MATTER OF PROTEST AGAINST APPROVAL OF)
TRANSFER NO. 75-2003/2325 IN THE NAME OF) NOTICE OF CONFERENCE
CLINTON M. HANSEN) AND/OR CONFERENCE
_____)

On April 11, 1983, Clinton M. Hansen, Clearfield, Utah, filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. On May, 2, 1983, the Department received a protest against approval of said application from Blaine Cook.

The Department has set the matter of protest for hearing for Tuesday, July 10, 1984 at 9:00 a.m. in the Commissioner's Room, Lemhi County Courthouse, Salmon, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 25th day of June, 1984.

MICROFILMED



RONALD D. CARLSON

Eastern Regional Supervisor

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF A WATER RIGHT TRANSFER APPLICATION

In accordance with Idaho Code, Section 42-222, the following issues are involved in the consideration of the application and protest(s):

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Is the change in the local public interest?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

MICROFILMED

Under the provisions of Idaho Code, Sections 42-1701A and 67-5215, any court review of the Department's decision on appeal shall be confined to the record created before the Department.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

MICROFT MEN

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER)
NO. 75-2003/2325 IN THE NAME OF CLINTON)
M. HANSEN)
_____) STIPULATION & AGREEMENT

BY THIS STIPULATION, the undersigned parties to
the above-captioned case waive compliance with the requirements
of Idaho Code, Section 67-5211, including the right to a
proposed decision, to file exceptions to a proposed decision
and to present briefs and oral arguments to the Director of
the Department of Water Resources and agree that the Director
may render a final decision in this case without first
submitting a proposed decision.

Dated this _____ day _____, 19____.

(Notary Subscription)

MICROFILMED

July 3, 1984

Lemhi County Clerk
Lemhi County Courthouse
206 Courthouse Drive
Salmon, Idaho 83467

ATTN: Beverly

Dear Beverly:

This is to confirm the use of the Commissioner's Room for water right hearings to be held by this Department on July 10, 1984 beginning at 9:00 a.m. throughout the day.

We appreciate your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECEIVED

JUN 26 1984

Department of Water Resources
Eastern District Office

20 June 84

RE: Administrative Hearing on Transfer No.
75-2003/2325

Ernest Carlsen
Assistant Regional Supervisor

Dear Mr. Carlsen

This is to inform you that I would prefer
9 July 1984 for the date of the hearing, but
either date is OK with me.

Also I have a change of address. My
new address is: 819 E. 1000 S
Clearfield UT
84015

Respectfully

Clinton M. Hansen

MAILED

Mailed Copy
of Hearing to
New address
CW
6-26-84

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RECEIVED

JUN 27 1984

RETURN
Department of Water Resources
Eastern District Office



DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

1000 MAIN ST Suite 15
(Name of Sender)
IDAHO FALLS, IDAHO 83401

(Street or P.O. Box)

(City, State, and ZIP Code)

75-2003

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered \$

☐ Show to whom, date, and address of delivery \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:

Blaine Cook
Cook Real Estate
P.O. Box 12
Salmon, Id. 83467

4. TYPE OF SERVICE:

☐ REGISTERED☐ INSURED☒ CERTIFIED☐ COD☐ EXPRESS MAIL

ARTICLE NUMBER

13203

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee☐ Authorized agent

5. DATE OF DELIVERY

JUN 26 1984

POSTMARK
(may be on reverse side)

JUN 26 1984

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

He

RETURN RECEIPT

NAME AND ADDRESS OF SENDER

EASTERN DISTRICT OFFICE
150 SHOUF AVE.
IDAHO FALLS, IDAHO 83401

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

1. NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S. D. FEE	S. H. FEE	REST DEL FEE	REMARKS	
1	Victor M. Brown 1184 S. 1200 E. Clarendon UT 20	75										
2	Quinn Galt 1006 S. 1027 Salmon St.											
3	Johnnie City 706 S. 1027 Salmon St.											
4	Robert J. Minto Rt #1 803 S. E. 2100 E. Logan UT											
5	John D. Neal Box 135 (Carmen, Cal)											
6	Charles R. Minton Box 133 (Carmen)											
7	James E. Brown 434 Morgan Building											
8	Valley of the Sun 323 S. 300 E. Spring											
9	John W. Murphy 1560 Building											
10	May Smith 300 S. 300 E. Spring											
11	James E. Brown 350 S. 4th St. Spring											
12	James E. Brown 350 S. 4th St. Spring											
13	James E. Brown 350 S. 4th St. Spring											
14	James E. Brown 350 S. 4th St. Spring											
15	James E. Brown 350 S. 4th St. Spring											
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER PER (Name of receiving employee)								

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

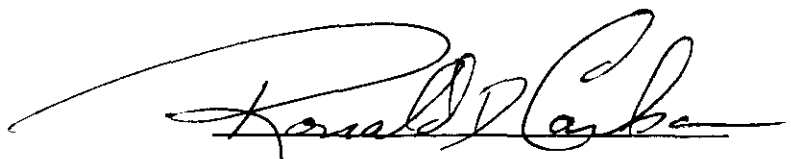
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL OF	)	
TRANSFER NO. 75-2003/2325 IN THE NAME OF	)	NOTICE OF CONFERENCE
CLINTON M. HANSEN	)	AND/OR CONFERENCE
	)	
	)	

On April 11, 1983, Clinton M. Hansen, Clearfield, Utah, filed with the Department of Water Resources an application to transfer the public waters of the State of Idaho. On May, 2, 1983, the Department received a protest against approval of said application from Blaine Cook.

The Department has set the matter of protest for hearing for Tuesday, July 10, 1984 at 9:00 a.m. in the Commissioner's Room, Lemhi County Courthouse, Salmon, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 25th day of June, 1984.



RONALD D. CARLSON

Eastern Regional Supervisor

MAILED 1984 JUN 27

May 29, 1984

RE: Administrative Hearing on Transfer No. 75-0003/2325
Clinton M. Hansen

Blaine Cook
P.O. Box 127
Salmon, Idaho 83467

Dear Mr. Cook:

To recommend final action on the above captioned application an administrative hearing must be held to examine the issues of protest against granting the transfer. July 9 or 10, 1984 has initially been selected for the date of the hearing which will be held in Salmon, Idaho.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

May 24, 1984

RE: Administrative Hearing on Transfer No. 75-2003/2325

Clinton M. Hansen
1184 South 1000 East
Clearfield, Utah 84015

Dear Mr. Hansen:

To recommend final action on the above captioned application an administrative hearing must be held to examine the issues of protest against granting the transfer. July 9 or 10, 1984 has initially been selected for the date of the hearing which will be held in Salmon, Idaho.

Certified notices confirming the date, place and time will be mailed two weeks before the hearing. Please notify this office prior to the mailing of these notices if you can not attend a hearing on the date specified.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

May 16, 1983

RE: Application for Transfer No. 75-2003/2325

Clinton M. Hansen
1184 South 1000 East
Clearfield, Utah 84015

Dear Mr. Hansen:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

May 16, 1983

RE: Transfer No. 75-2003/2325

Blaine Cook
Cook Real Estate
P.O. Box 127
Salmon, ID 83467

Dear Mr. Cook:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

RECEIVED
MAY 20 1983

Cook Real Estate

STOCK RANCHES
CITY PROPERTY
DEVELOPMENT
ACREAGES

POST OFFICE BOX 127
SALMON, IDAHO 83467

OFFICES:
SALMON AND IDAHO FALLS

April 29, 1983

TELEPHONE
AREA CODE 208 / 756-2524
RESIDENCE 756-2777

RECEIVED

MAY 2 1983

Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

Attention: Mr. A. Kenneth Dunn, Director

Dear Mr. Dunn:

We noticed a publication in the Salmon Recorder-Herald, whereby Clinton M. Hansen is filing for a point of diversion change on waters of Little Fourth of July Creek, under License No. 75-2003/2325, with priority date of May 20, 1913. This letter is to inform you that the water and land he is referring to was purchased by us from his father Peter M. Hansen, as per enclosed copy of Warranty Deed.

Also, we have a License No. 75-7027, priority date of June 5, 1972, processed through your department for all water rights on Little Fourth of July Creek. This is for 1.38 cfs which represents all irrigated land on Little Fourth of July Creek. Of course this license describes the lands and you will have all the information in your files including points of diversion and so forth. As further guidance to you, Clinton Hansen does not own any land in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25, Township 24 North, Range 21 E., B.M., and we also own a small portion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25 which takes in all the irrigated land on Little Fourth of July Creek.

This letter constitutes our formal protest. As we see it, this water is being used and belongs to the land we purchased from his father.

Sincerely yours,

Blaine Cook
BLAINE COOK

BC/bac

Enc.

RECEIVED

WARRANTY DEED

For Value Received

PETER M. HANSEN and LYLA L. HANSEN, husband and wife

the grantors , do hereby grant, bargain, sell and convey unto

BLAINE H. COOK and BETTY A. COOK, husband and wife,

the grantees , the following described premises, in Lemhi County Idaho, to-wit:

Lots 1, 2, 3, and 4, Section 19, Township 24 North, Range 22 East, Boise Meridian.

ALSO: The ~~E₁NE₁SE₁~~, the ~~NE₁SE₁SE₁~~, the ~~N₁SE₁SE₁SE₁~~, the ~~SE₁SE₁SE₁SE₁~~, in Section 24, and the ~~E₁NE₁NE₁~~ and the ~~E₁SE₁NE₁~~ of Section 25, Township 24 North, Range 21 East, Boise Meridian.

ALSO: A fraction of the ~~NE₁SE₁~~ of Section 25, Township 24 North, Range 21 East, Boise Meridian, more particularly described as follows, to-wit: Beginning at the Easterly quarter corner of said Section 25, run thence S. 77° 20' W. 405.6 feet; thence S. 71° 48' W. 315.8 feet; thence West 84.75 feet; thence North 187.54 feet; thence East 780.46 feet to the point of beginning.

Together with all water and water rights, ditch and ditch rights appertaining thereto or used in connection therewith.

ALSO: Together with a permanent right-of-way for ingress and egress on the existing roadway, to and from the Big Fourth of July Creek Road. Said permanent right-of-way shall be free of any gates, or obstructions.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said grantors.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees , that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 19, 1972

Peter M. Hansen

Lyra L. Hansen

STATE OF IDAHO, COUNTY OF Lemhi

On this 20TH day of April , 1972, before me, a notary public in and for said State, personally appeared PETER M. HANSEN and LYLA L. HANSEN, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Residing at Salmon , Idaho
Comm. Expires 11/10/74

Notary Public

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of Blaine Cook

at 05 minutes past 1 o'clock P.m.,
this 11th day of March
19 82, in my office, and duly recorded in Book file
of Deeds at page xx

Eleanor Aldous

Ex-Officio Recorder

Beverly O. Langford
Deputy.

Fees \$ 2.00 pd
Mail to: box 127 Salmon, Idaho

RECORDER-HERALD — SALMON, IDAHO

INSTRUMENT NO. 161938

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 75-2003/2325

Notice is hereby given that Clinton M. Hansen, Clearfield, Utah, has applied to the Department of Water Resources for a change in the point of diversion of the waters of Little Fourth of July Creek tributary to Fourth of July Creek. The right sought to be changed is evidenced by License No. 75-2003/2325 and is recorded as follows:

AMOUNT: 0.20 cfs

PRIORITY: 5-20-1913

POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25, T. 24N, R. 21E,
B.M. Lemhi County

The water is used for domestic and irrigation purposes of 13.8 acres within the E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T. 24N, R. 21E, B.M.

TO BE CHANGED AS FOLLOWS

0.12 cfs of water will be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T. 24N, R. 21E, B.M. Lemhi County.

Any protest against the approval of the above proposed change of water right must be filed with the Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before May 9, 1983.

A. KENNETH DUNN

Director

Published in the Recorder Herald on 4/21 & 4/28/83.

MICROFILMED

IDENT. NO. 75-2003

WATER RIGHT
DATA ENTRY LOG

[illegible]