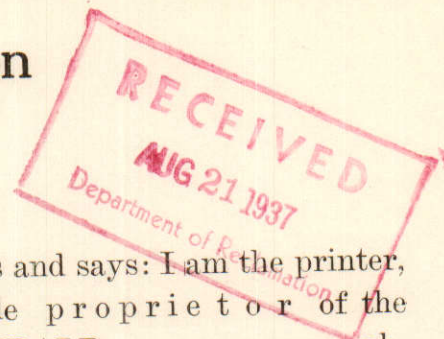


Affidavit of Publication

State of Idaho, }
County of Lemhi } ss.



NOTICE OF PROPOSED TRANSFER OF WATER RIGHTS

Notice is hereby given that Jay Leonard, upon behalf of heirs of Margaret Hull, deceased of Salmon, Idaho has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 1,12 cubic feet per second of the water of North Fork of Cow Creek from the land upon which it is now used, Lot 3 and SW $\frac{1}{4}$ of Sec. 28; Lot 9 of Sec. 29; and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, all in T. 17 N., R. 21 E., B. M. to the following described tract: S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33; and Lots 1 and 4 of Sec. 32, T. 17 N., R. 21 E., B. M.

And that, on the 23rd. day of August, A. D. 1937, at 10: A. M., at Boise, Idaho, before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

R. W. Faris
Commissioner of Reclamation.
Aug. 11 to 18-2p

RALPH B. KNEPPER, being duly sworn, upon oath deposes and says: I am the printer, publisher, and sole proprietor of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Proposed Transfer of water rights ----- 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

two ----- consecutive issues, commencing with the issue dated August 11 -----, 1937 and ending with the issue dated -----
August 18 -----, 1937

Ralph B. Knepper -----

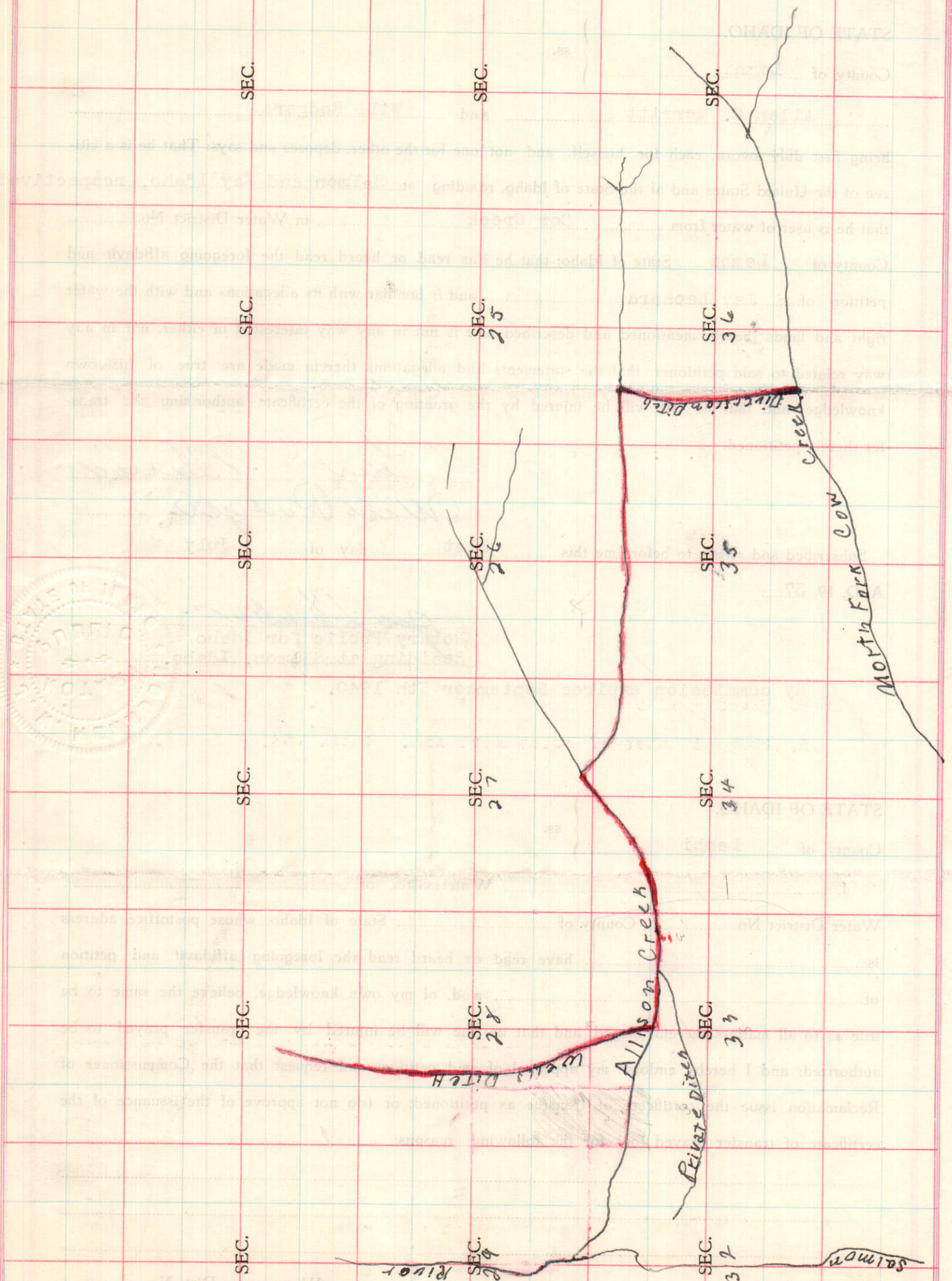
Subscribed and sworn to before me, this 19th ----- day of August -----, 1937

Preston Thatcher -----

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

Publication Fee \$ 5.55 Pa id

Name of Applicant..... Jay Leonard, upon behalf of all heirs of Margaret Hull.



Scale: 2 Inches—1 Mile. Draw Map in Ink.

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
--------------	------	------------------	-------------------	--------------

	Hull, Margaret	1.12		75-0106
580	Leonard, Jay	1.12	0	75-0106A

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 580

THIS IS TO Certify that JAY LEONARD, upon behalf of the heirs of MARGARET HULL, deceased, of Salmon, Idaho, is the owner of and using a certain water right bearing date of priority of 1912 for 1.12 cubic feet per second of the waters of NORTH FORK OF COW CREEK, in the County of Lemhi, State of Idaho, said water being decreed to Margaret Hull by decrees of Judge C. J. Taylor of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of

CARROL W. WELLS, Special Administrator of the Estate of PEARL M. WELLS, Deceased, Plaintiff, vs. HUGH LEONARD AND JAY LEONARD, Defendants, and MARGARET HULL, Intervenor.

said decree bearing date of November 12, 1931, for the purpose of irrigating the following described lands situate, lying and being in the County of Lemhi, and State of Idaho, to-wit:

Lot 3 and the Southwest Quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Sec. 28; Lot 9 of Sec. 29; Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Sec. 33; all in Township 17 North, Range 21 East of Boise Meridian, containing 156.58 acres more or less;

THAT THE SAID Decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, at Page 520;

THAT THE SAID Applicant has become the owner of the said land and water right as one of the heirs of Margaret Hull, deceased.

THAT NOW, UPON THE Application of JAY LEONARD, upon behalf of heirs of Margaret Hull, deceased, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.12 cubic feet per second of the waters of NORTH FORK OF COW CREEK upon the lands above described, is HEREBY ABANDONED, and the lands to be irrigated under such right and to which the water right hereby confirmed shall become appurtenant, by this Certificate, for irrigation and domestic purposes are described as follows:

South half of Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) and Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Sec. 33; Lots 1 and 4, Sec. 32, Township 17 North, Range 21 East, Boise Meridian;

situate, lying and being in the County of Lemhi, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount to-wit:

1.12 cubic feet per second of the waters of North Fork of Cow Creek with date of Priority of 1912;

THE WATER Hereby transferred has heretofore been conducted to the first above described lands through diversion ditch and channel of Allison Creek, then through Wells Ditch, said water being diverted from North Fork of Cow Creek, at a point in the

Southwest Quarter (SW $\frac{1}{4}$) of Sec. 36, Township 17 North, Range 21 East, Boise Meridian;

THAT THE WATER Hereby transferred will hereafter be conducted to the new place of use through the Diversion ditch from North Fork of Cow Creek to branch of Allison Creek; in channel of said branch to natural channel of Allison Creek; by private ditch from said creek to lands described, having its point of diversion one-half mile up stream, at a point in the

Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Sec. 23,
Township 17 North, Range 21 East, Boise Meridian;

THAT THE LAND Above described lands already have appurtenant to them a water right for surplus high water from Allison Creek, with a date of priority of 1907;

THAT THE RIGHT TO the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, 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 23rd day of August, 1937.

R. W. FARIS
Commissioner of Reclamation

By

Paul H. Berg

Supervisor of Water Distribution

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of	)	
	)	
JAY LEONARD, upon behalf of	)	
the heirs of Margaret Hull,	)	
deceased	)	ORDER GRANTING TRANSFER
	)	NO. 580
For a Transfer of Water Right, in	)	
the County of Lemhi	)	

WHEREAS, On the 23rd. day of August, 1937, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of JAY LEONARD, upon behalf of the heirs of Margaret Hull, deceased, of Salmon, Idaho, for a Transfer of Water Right came on regularly for hearing, pursuant to the published notice, in the 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 greater duty of water would result by reason of the Transfer, and that no one could 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 Transfer be issued 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 23rd. day of August, 1937.

A. W. FARIS
Commissioner of Reclamation

By
Paul H. Berg
Supervisor of Water Distribution
P

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 580

THIS IS TO Certify that JAY LEONARD, upon behalf of the heirs of MARGARET HULL, deceased, of Salmon, Idaho, is the owner of and using a certain water right bearing date of priority of 1912 for 1.12 cubic feet per second of the waters of NORTH FORK OF COW CREEK, in the County of Lemhi, State of Idaho, said water being decreed to Margaret Hull by decree of Judge C. J. Taylor of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of

CARROL W. WELLS, Special Administrator of the Estate of PEARL M. WELLS, Deceased, Plaintiff, vs. HUGH LEONARD AND JAY LEONARD, Defendants, and MARGARET HULL, Intervenor.

said decree bearing date of November 12, 1931, for the purpose of irrigating the following described lands situate, lying and being in the County of Lemhi, and State of Idaho, to-wit:

Lot 3 and the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Sec. 28; Lot 9 of Sec. 27; Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Sec. 33; all in Township 17 North, Range 21 East of Boise Meridian, containing 156.58 acres more or less;

THAT THE SAID Decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, at Page 520;

THAT THE SAID Applicant has become the owner of the said land and water right as one of the heirs of Margaret Hull, deceased;

THAT NOW, UPON THE Application of JAY LEONARD, upon behalf of heirs of Margaret Hull, deceased, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.12 cubic feet per second of the waters of NORTH FORK OF COW CREEK upon the lands above described, is HEREBY ABANDONED, and the lands to be irrigated under such right and to which the water right hereby confirmed shall become appurtenant, by this Certificate, for irrigation and domestic purposes are described as follows:

South half of Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) and Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Sec. 33; Lots 1 and 4, Sec. 32, Township 17 North, Range 21 East, Boise Meridian;

situate, lying and being in the County of Lemhi, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount to-wit:

1.12 cubic feet per second of the waters of North Fork of Cow Creek with date of Priority of 1912;

THAT THE WATER Hereby transferred has heretofore been conducted to the first above described lands through diversion ditch and channel of Allison Creek, then through Wells Ditch, said water being diverted from North Fork of Cow Creek, at a point in the

Southwest Quarter (SW $\frac{1}{4}$) of Sec. 36, Township 17 North, Range 21 East, Boise Meridian;

THAT THE WATER Hereby transferred will hereafter be conducted to the new place of use through the Diversion ditch from North Fork of Cow Creek to branch of Allison Creek; in channel of said branch to natural channel of Allison Creek; by private ditch from said creek to lands described, having its point of diversion one-half mile up stream, at a point in the

Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Sec. 23,
Township 17 North, Range 21 East, Boise Meridian;

THAT THE LAND Above described lands already have appurtenant to them a water right for surplus high water from Allison Creek, with a date of priority of 1907;

THAT THE RIGHT TO the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, 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 23rd day of August, 1937.

R. W. FARIS
Commissioner of Reclamation

By

Paul H. Berg
Supervisor of Water Distribution

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 580

THIS IS TO Certify that JAY LEONARD, upon behalf of the heirs of MARGARET HULL, deceased, of Salmon, Idaho, is the owner of and using a certain water right bearing date of priority of 1912 for 1.12 cubic feet per second of the waters of NORTH FORK OF COW CREEK, in the County of Lemhi, State of Idaho, said water being decreed to Margaret Hull by decree of Judge C. J. Taylor of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of

CARROL W. WELLS, Special Administrator of the Estate of PEARL M. WELLS, Deceased, Plaintiff, vs. HUGH LEONARD AND JAY LEONARD, Defendants, and MARGARET HULL, Intervenor.

said decree bearing date of November 12, 1931, for the purpose of irrigating the following described lands situate, lying and being in the County of Lemhi, and State of Idaho, to-wit:

Lot 3 and the Southwest Quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Sec. 28; Lot 9 of Sec. 29; Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Sec. 33; all in Township 17 North, Range 21 East of Boise Meridian, Containing 156.58 acres more or less;

THAT THE SAID Decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 5 of Decrees, at Page 520;

THAT THE SAID Applicant has become the owner of the said land and water right as one of the heirs of Margaret Hull, deceased.

THAT NOW, UPON THE Application of JAY LEONARD, upon behalf of heirs of Margaret Hull, deceased, for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 1.12 cubic feet per second of the waters of NORTH FORK OF COW CREEK upon the lands above described, is HEREBY ABANDONED, and the lands to be irrigated under such right and to which the water right hereby confirmed shall become appurtenant, by this Certificate, for irrigation and domestic purposes are described as follows:

South half of Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) and Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Sec. 33; Lots 1 and 4, Sec. 32, Township 17 North, Range 21 East, Boise Meridian;

situate, lying and being in the County of Lemhi, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount to-wit:

1.12 cubic feet per second of the waters of North Fork of Cow Creek with date of Priority of 1912;

THAT THE WATER Hereby transferred has heretofore been conducted to the first above described lands through diversion ditch and channel of Allison Creek, then through Wells Ditch, said water being diverted from North Fork of Cow Creek, at a point in the

Southwest Quarter (SW $\frac{1}{4}$) of Sec. 36, Township 17 North, Range 21 East, Boise Meridian;

THAT THE WATER Hereby transferred will hereafter be conducted to the new place of use through the Diversion ditch from North Fork of Cow Creek to branch of Allison Creek; in channel of said branch to natural channel of Allison Creek; by private ditch from said creek to lands described, having its point of diversion one-half mile up stream, at a point in the

Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Sec. 33,
Township 17 North, Range 21 East, Boise Meridian;

THAT THE LAST Above described lands already have appurtenant to them a water right for surplus high water from Allison Creek, with a date of priority of 1907;

THAT THE RIGHT TO the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, 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 23rd day of August, 1937.

E. W. FARIS
Commissioner of Reclamation

By

Paul H. Berg

Supervisor of Water Distribution

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)
JAY LEONARD, upon behalf of)
the heirs of Margaret Hull,)
deceased)
For a Transfer of Water Right, in)
the County of Lemhi)

ORDER GRANTING TRANSFER
NO. 580

WHEREAS, On the 23rd. day of August, 1937, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of JAY LEONARD, upon behalf of the heirs of Margaret Hull, deceased, of Salmon, Idaho, for a Transfer of Water Right came on regularly for hearing, pursuant to the published notice, in the 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 greater duty of water would result by reason of the Transfer, and that no one could 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 Transfer be issued 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 23rd. day of August, 1937.

R. W. FARIS
Commissioner of Reclamation

By

Paul H. Berg

Supervisor of Water Distribution

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)
JAY LEONARD, upon behalf of)
the heirs of Margaret Hull,)
deceased)
For a Transfer of Water Right, in)
the County of Lemhi)

ORDER GRANTING TRANSFER
NO. 580

WHEREAS, On the 23rd. day of August, 1937, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of JAY LEONARD, upon behalf of the heirs of Margaret Hull, deceased, of Salmon, Idaho, for a Transfer of Water Right came on regularly for hearing, pursuant to the published notice, in the 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 greater duty of water would result by reason of the Transfer, and that no one could be injured thereby;

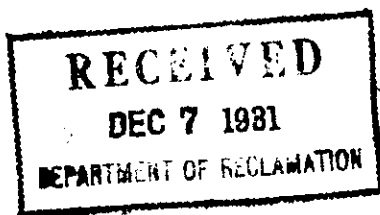
NOW, THEREFORE, IT IS HEREBY Ordered that the said application be and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued the applicant herein, as provided by the laws of the State of Idaho.

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 23rd. day of August, 1937.

R. W. FARIS
Commissioner of Reclamation

By

Paul H. Berg
Supervisor of Water Distribution



IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, FOR LEMHI COUNTY.

CARROL W. WELLS, special adminis-)
trator of the estate of Pearl M.)
Wells, deceased,)
Plaintiff.)
vs.) JUDGMENT AND DECREE.
HUGH LEONARD and JAY LEONARD,)
Defendants.)
vs.)
MARGARET HULL,)
Intervenor.)

Upon the foregoing findings and conclusions of law:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that Margaret Hull, the intervenor herein, has a water right in and to One Hundred Fifty miners inches of the waters of Allison Creek, ordinary flow, with a priority of the year 1904, for use in the irrigation of her lands situate in Lemhi County of the State of Idaho, more particularly described as follows:

Lot Three and the Southwest Quarter of the Southwest Quarter of Section 28, Lot Nine of Section 29, and the Northwest Quarter of the Northwest Quarter of Section 33, all in Township Seventeen North of Range 21 East of the Boise Meridian, containing 156.58 hundredths acres;

That said water right, and the waters thereunder, are appurtenant to intervenor's said lands above described;

75 0106 IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that said Margaret Hull, the said intervenor, has a water right in and to the waters of the North Fork of Cow Creek to the extent of fifty-six miners inches, ordinary flow thereof, with a priority of the year 1912, for use in the irrigation of her said described lands; That the said water right and the waters thereunder are appurtenant to the intervenor's said described lands;

75 0107

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the Plaintiff, Carrol W. Wells, as special administrator of the Estate of Pearl M. Wells, deceased, has a water right in and to the waters

580
August 23, 1937

Mr. Preston Thatcher
Salmon, Idaho

Dear Mr. Thatcher:

I have your letter of August 19, 1937 in which you inclosed the Affidavit of Publication of notice of intention to change place of use of water, made by Jay Leonard upon behalf of the heirs of Margaret Bull, deceased.

I am inclosing, as per your request, certificate of transfer of 1.12 second feet of water, also, I am inclosing the receipt number 16334 for the fee connected with such a transfer, and I am also inclosing your copy of the decree.

Very truly yours,

Supervisor of Water Distribution

PHB:mh
Inc.

LAW OFFICE
PRESTON THATCHER
SALMON, IDAHO

RECEIVED
AUG 21 1937
August 19, 1937

State of Idaho,
Department of Reclamation,
Boise, Idaho.

Gentlemen:

Enclosed herewith you will find Affidavit of Publication of notice of intention to change place of use of water, made by Jay Leonard upon behalf of the heirs of Margaret Hull, deceased.

As stated in former letter to you, Mr. Leonard must have the certificate, to be issued, in order to make final proof of desert land entry, by October 16, 1937.

Your efforts to have the certificate issued and in his hands as soon as possible will be greatly appreciated.

Very truly yours,

Preston Thatcher

Affidavit of Publication

State of Idaho, }
County of Lemhi } ss.

RALPH B. KNEPPER, being duly sworn, upon oath deposes and says: I am the printer,

NOTICE OF PROPOSED TRANSFER OF WATER RIGHTS

Notice is hereby given that Jay Leonard, upon behalf of heirs of Margaret Hull, deceased of Salmon, Idaho has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of 1.12 cubic feet per second of the water of North Fork of Cow Creek from the land upon which it is now used, Lot 3 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28; Lot 9 of Sec. 29; and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, all in T. 17 N., R. 21 E., B. M. to the following described tract: S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33; and Lots 1 and 4 of Sec. 32, T. 17 N., R. 21 E., B. M.

And that on the 23rd. day of August, A. D. 1937, at 10: A. M., at Boise, Idaho before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

R. W. Faris
Commissioner of Reclamation.
Aug. 11 to 18-2p

publisher, and sole proprietor of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Proposed Transfer of water rights ----- 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

two ----- consecutive issues, commencing with the issue dated August 11 -----, 1937 and ending with the issue dated -----

August 16 -----, 1937 -----

Ralph B. Knepper -----

Subscribed and sworn to before me, this 19th ----- day of August -----, 1937.

Preston Thatcher -----

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

Publication Fee \$ 5.55 Paid

Notice of Proposed Transfer of Water Right

Notice is hereby given that ~~Jay Leonard, upon behalf of heirs of Margaret~~ ^{Hull, deceased,} ~~of Idaho~~ ^{of Salmon,}....., has applied to the Commissioner of Reclamation of the State of Idaho for a certificate authorizing him to transfer the use of ~~1.12 cubic feet per second~~..... of the water of ~~North Fork of Fox Creek~~.....

from the land upon which it is now used, i. e. ~~Lot 3 and SW₁ SW₄ of Sec. 28; Lot 9 of Sec. 29; and NW₁ NE₂ of Sec. 33, all in T. 17 N., R. 21 E., B. M.~~.....

to the following described tract: ~~S₁ NE₁ and SW₁ NE₁ of Sec. 33; and Lots 1 and 4 of Sec. 32, T. 17 N., R. 21 E., B. M.~~.....

And that, on the ~~23 rd.~~..... day of ~~August~~....., A. D. ~~1923~~ ¹⁹²⁷, at ~~10:00 A. M., at Boise, Idaho,~~..... before the Commissioner of Reclamation, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

.....
R. W. FARIS

Commissioner of Reclamation.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date.....~~August 3, 1937~~.....

Recorder Herald
Salmon, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for ^{two}~~four~~ consecutive weeks prior to ~~August 23, 1937~~....., the date set for ^{hearing}~~proof~~ the expense of the publication to be paid by the applicant, ~~Jay Leonard, upon behalf of heirs of Margaret Hull, deceased, of Salmon, Idaho~~.....
to whom you should furnish proof of publication on or prior to the ^{last date for protest}~~date set for proof~~

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

Very truly yours,

R. T. FARIS

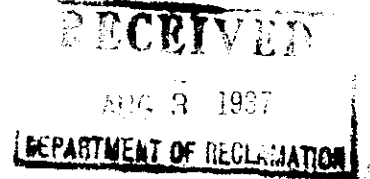
Commissioner of Reclamation

By _____
Supervisor of Water Distribution

MICROFILMED

LAW OFFICE
PRESTON THATCHER
SALMON, IDAHO

July 31, 1937



Department of Reclamation,
Boise, Idaho.

Gentlemen:

Enclosed herewith is application Jay Leonard, upon behalf of all the heirs of Margaret Hull, deceased, of which he is one, for change of point of diversion and place of use of certain waters of Cow Creek, Lemhi County, Idaho.

There is no watermaster on this creek, and hence his affidavit is not obtained. There is only one other user of the waters of Cow Creek through this diversion ditch, being the party named in the decree referred to, copy of which is enclosed.

The drawings on the map attached to the affidavit is the best we can do, as this ditch has never been surveyed. Distances were estimated; courses drawn from inspection.

We trust that you will give this matter your immediate attention, so that permit may be issued in time to be used in making final proof of Desert entry by Oct. 16, 1937.

Sincerely yours,

Preston Thatcher

RECEIVED

Application For Transfer of Water Right

STATE OF IDAHO

County of Lemhi

ss.

Jay Leonard, upon behalf of heirs of Margaret Hull, deceased, being first duly sworn, deposes and says:

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

That he is the owner and using a certain water right, bearing date of priority of 1912 for 1.12 cubic feet per second of the waters of North Fork of Cow Creek

County of Lemhi, State of Idaho, decreed to Margaret Hull

by decree of Judge, C. J. Taylor of the Sixth Judicial District of the State of

Idaho, in and for the County of Lemhi, in the case of Carrol W. Wells, special Adm. of estate of Pearl M. Wells, deceased,

Hugh Leonard and Jay Leonard, defendants, vs. and Margaret Hull, Intervenor said decree bearing date of November 12, 1931

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

dated _____, 19____, bearing date of _____, 19____)

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. _____ in the County of Lemhi and State of Idaho, to-wit: Lot Three and the Southwest Quarter of the Southwest Quarter of Sec. 28; Lot Nine of Sec. 29; Northwest Quarter of Northwest Quarter of Sec. 33; all in Township 17 North, Range 21 East of Boise Meridian. Cont. 156.58 Acres.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. as one of the heirs of Margaret Hull, deceased

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

That said waters are now diverted from said stream in the Southwest Quarter of Section thirty-six, Township 17 N., Range 21 E., B. M., and con-

ducted to the above described lands through diversion ditch and channel of Allison Creek, as shown by line in red; ~~shown~~ then through Wells Ditch; as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 1.12 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Lemhi and State of Idaho, to-wit:

S. 1/4, SW 1/4, Sec. 33; Lots 1, 4, Sec. 32, Township 17 North, Range 21 East, Boise Meridian.

That the reasons for desiring to make such transfer are as follows: To irrigate said lands which transfer is made and to acquire record title to waters on said lands; also for purpose of making proof (final) of desert entry of said lands.

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That he intends to divert and convey said 1.12 second feet of water to the tract of land last above described in the following manner, to-wit: Diversion ditch from North Fork of Cow creek to branch of Allison Creek; in channel of said branch to natural channel of Allison Creek; by ditch from said creek to lands described, said ditch being shown on map, in ink, and named "Private Ditch".

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

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

Subscribed and sworn to before me this 31 day of July
A. D. 1937 Proctor Thatcher, Notary Public.

Jay Leonard
Applicant.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? North Fork Cow Creek

Where is the diversion point located? Sw¹ Sec. 36, T17N, R21E, BM

Through what ditch is it now conducted? Cow Creek Ditch x

How much land is now irrigated by the water sought to be transferred? Thirty Seven Acres

Give the description: Portions of land from which transfer is desired;
used thereon with water from other sources.

What is the total amount of water in inches, or second feet, dedicated to said land? 206 inches

What kind of crops are being raised? Hay and grain, small orchard; pasture; garden

How much water per acre is now required to irrigate said land? one and one-half inches

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

Will be able to raise one crop hay, and crop of grain, with high
water right.

Give location of new point of diversion, if change is to be made Only change to be made is to divert water from Allison Creek approximately one quarter mile up stream.
Through what ditch will it be conducted after transfer? Private ditch

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

One inch per acre

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

If so, give amount, date and source 150 inches, 1904, Allison Creek; also highwater

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount, date and source Surplus high water Allison creek; ~~192x1917~~ 1907

Signed Jay Leonard
Applicant.

STATE OF IDAHO,

County of Lemhi

ss.

Allen C. Merritt

and

Will Rodgers

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 Salmon and May Idaho, respectively that he is user of water from Cow Creek, in Water District No. _____ County of Lemhi, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Jay Leonard 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.

Allen C. Merritt
Will Rodgers

Subscribed and sworn to before me this 31st day of July

A. D. 1937

[Signature]
Notary Public for Idaho
Residing at Salmon, Idaho

My commission expires September 5th 1940.

STATE OF IDAHO,

County of Lemhi

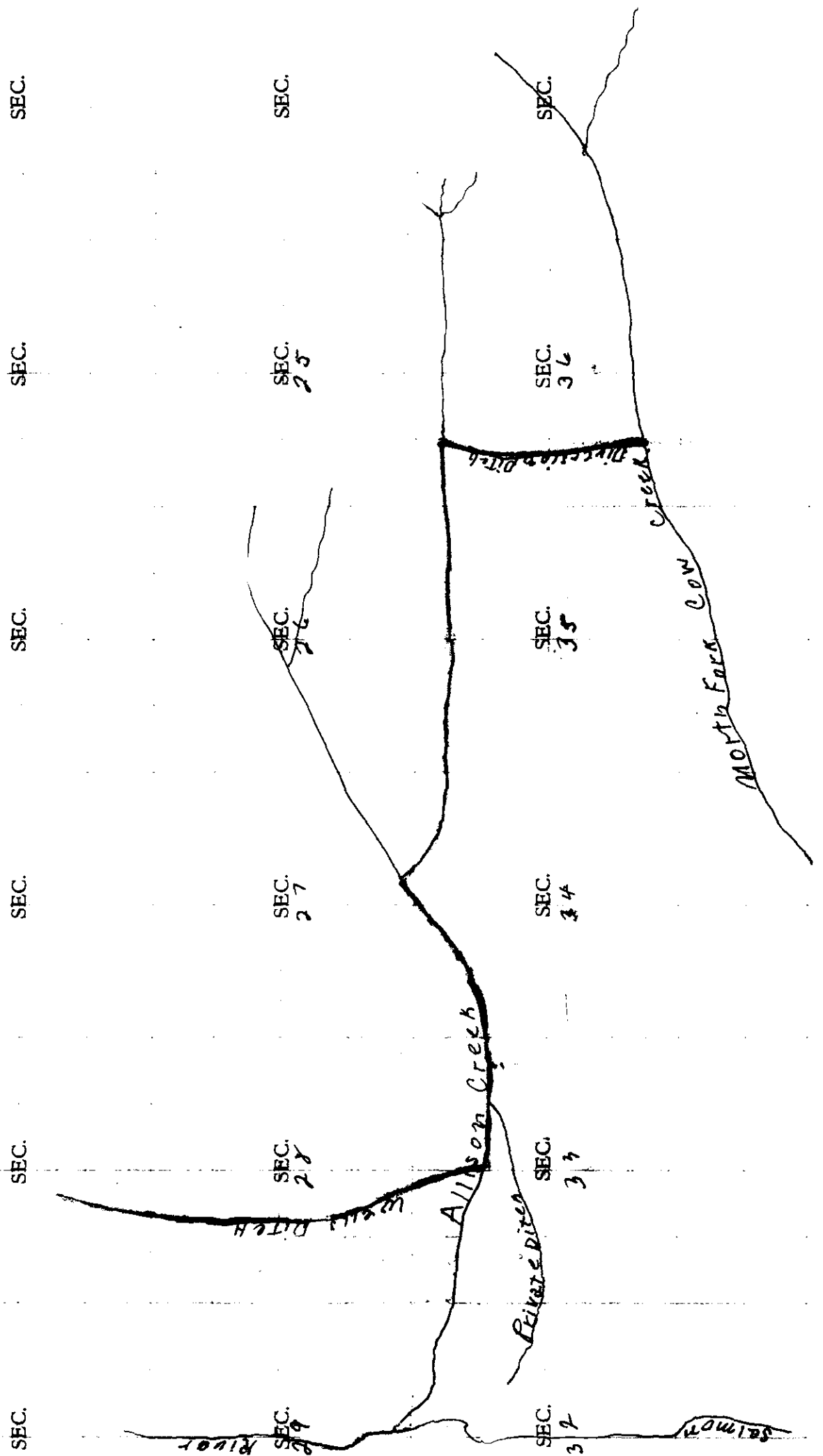
ss.

I, _____, Watermaster of _____
Water District No. _____, County of _____, State of Idaho, whose postoffice address is _____, have read or heard read the foregoing affidavit and petition of _____, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons: _____

Watermaster Dist. No. _____

Dated at _____, Idaho, this _____ day of _____, 19 _____

Name of Applicant..... Tay Leonard, upon behalf of all heirs of Margaret Hull.



Scale: 2 Inches—1 Mile. Draw Map in Ink.