

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

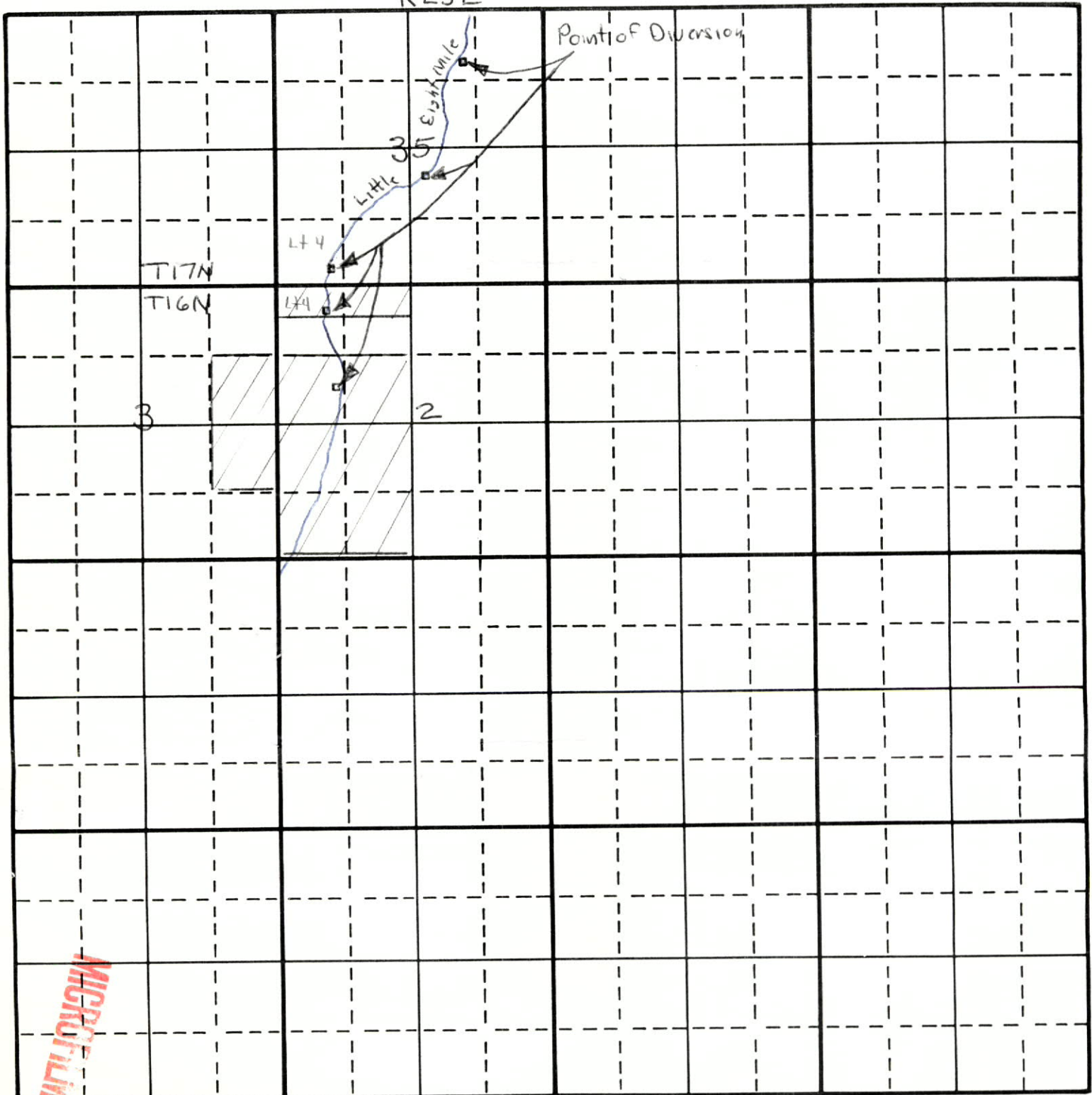
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

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.

R25E



NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
NO. 74-0358

Notice is hereby given that Franklin J. or Elizabeth M. Powers, Leadore, Idaho, has applied to the Department of Water Resources for a change in the Point of Diversion of the waters of Little Eight-Mile Creek tributary to the Lemhi River. The right sought to be changed is evidenced by decree to Franklin J. &/or Elizabeth M. Powers in the Civil Case #4948 Proposed finding of Water Rights in the Lemhi River Basin in Seventh Judicial Court, Lemhi County and is recorded as follows:

AMOUNT: 2.72 cfs
PRIORITY: June 1, 1884
DECREED POINT OF DIVERSION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot #4, Sec. 2, T. 16N, R. 25E, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot #4, Sec. 35, T. 17N, R. 25E, B.M. Lemhi County;

The water is used to irrigate 133.6 acres within the W $\frac{1}{2}$, Sec. 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 16N, R. 25E, B. M. TO BE CHANGED AS FOLLOWS

The water will be diverted with the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot #4, Sec. 35, T. 17N, R. 25E, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot #4, Sec. 2, T. 16N, R. 25E, B. M. Lemhi County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before June 1, 1982.

A. KENNETH DUNN
Director

Published in The Recorder-Herald, Salmon, Idaho, on May 13 and May 20, 1982.

5-13-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

MAY 24 1982

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 No. 74-0358

is 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 May 13, 1982 and ending with the issue dated May 20, 1982

Jerry G. Rosin

Subscribed and sworn to before me, this twentieth

day of May, 1982

Verl Armstrong

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

Publication Fee \$ 27.45

MICROFILMED

Transfer No. 2696Water Right No. 74-0358STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPROVED****APPLICATION FOR TRANSFER OF WATER RIGHT****To Change the Point of Diversion and/or the Place of Use**Name of applicant Franklin J. or Elizabeth M. Powers Phone 208-768-2671Post Office address Leadore, Idaho 83464**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. 74-0358 Decreed to Franklin J. &/or Elizabeth M. Powers
 Proposed finding of Water Rights in the Lemhi River Basin
 in case of Civil Case #4948 vs (Name)
 dated in Seventh District county of Lemhi
 (Name of court)

b. License No. _____ 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 Eight-Mile Creek tributary to Lemhi River4. Date of priority 6/1/1884

5. Water is used for the following purposes:

- amount 2.72cfs for Irrigation purposes from 4/1 to 11/1
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.72 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2Township 16N Range 25E B.M. in Lemhi County

Additional points of diversion, if any Lot #4, Sec. 2, T. 16N, R. 25E, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and
Sec. 35 Lot #4, Sec. 35, T. 17N, R. 25E

8. Lands 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 $\frac{1}{4}$	
16N	25E	2					L-3 6.8	L-4 10.3	3220.	3.4	19.1	25.6	5.0	6.1					108.3
		3				10.4									14.9				25.3

Total number of acres to be irrigated 133.6Describe 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

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

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. 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	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 2.72 c.f.s. &/or _____ acre feet
- b. Description of diverting works Dam, ditch and pipeline
- c. Describe the reasons for the proposed changes To move the water higher on the hill so applicant can sprinkle irrigate instead of flood irrigate. The sprinkler irrigation will be gravity flow.

2. Change in point of diversion

Point of diversion NW 1/4 NE 1/4, Section 35 Township 17N
Range 25E, B.M., Lemhi County
Additional points NW 1/4 SE 1/4, and Lot #4, Sec. 35, T. 17N, R. 25E;
SW 1/4 NW 1/4, and Lot #4, Sec. 2, T. 16N, R. 25E

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 XX. 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

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JAN 11 1988
IDAHO DEPT. OF AGRICULTURE

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

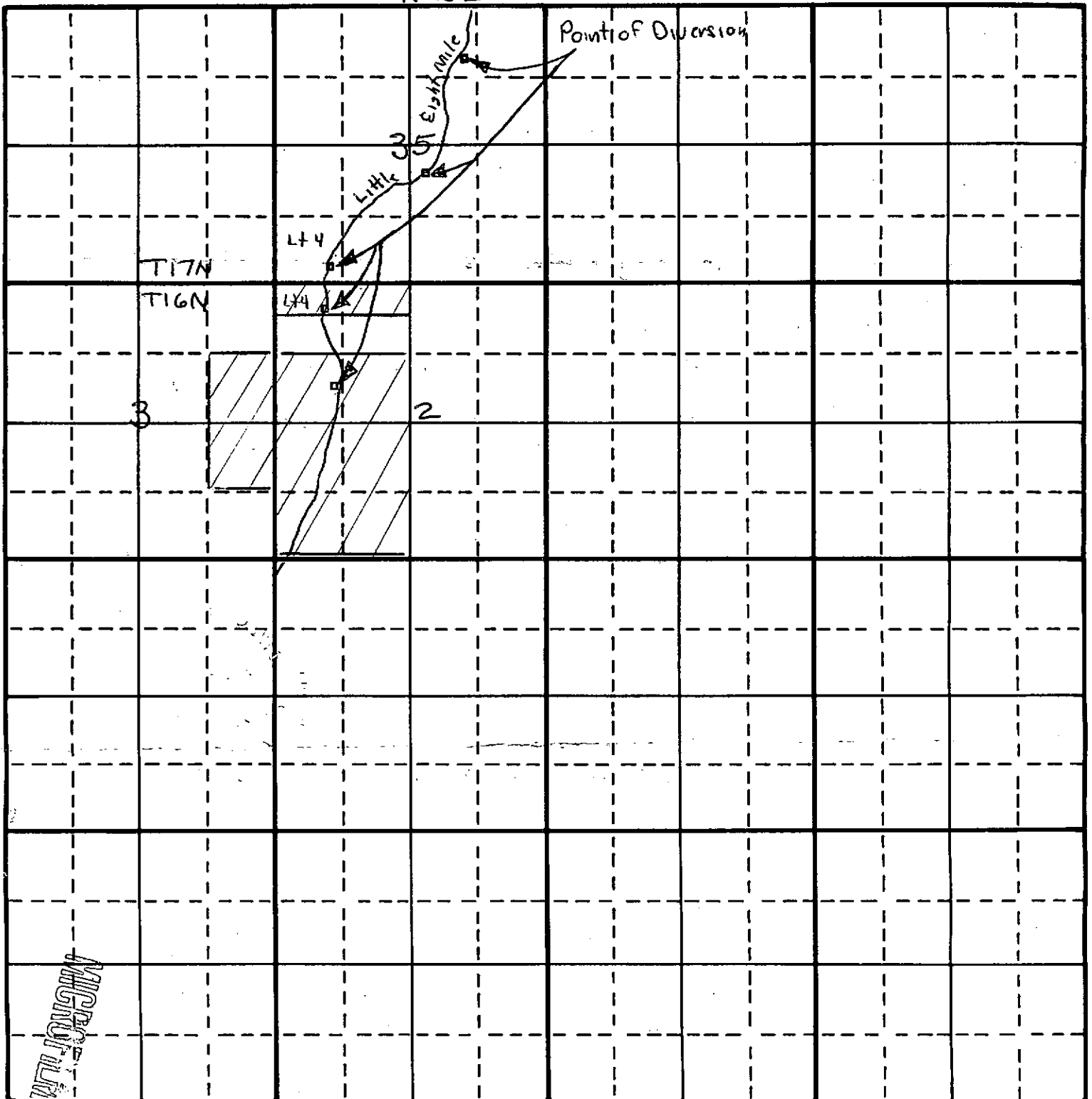
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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.

R25E



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

D. REMARKS

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.

Franklin J. Powers
Elizabeth D. Powers
(Signature of Applicant)

Subscribed and sworn to before me this 30th day of April, 19 82

Louis Matteson
(Notary Public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 74-0358

and said application is hereby APPROVED, subject to the following limitations and conditions:

1. Use of water under this right is subject to control by the Watermaster of State

Water District No. 74-Z, Little Eight Mile Creek.

2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works at each point of diversion identified herein.

Witness my hand this 30th day of June, 19 82

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Assisted by HWS
Received by AW Date 4-22-82 Protest filed by _____

Prelim. check by Kaw Fee 50⁰⁰

Received by BP Date 4-30-82 # 22226

Published in Recorder Herald Copies of protest forwarded by _____

Pub. dates 5/13 + 5/20/82 Hearing held by _____ Date _____

Watermaster recommendation requested on 5/25/82 Recommended for approval denial

WD 74-Z rec'd. 6-08-82 by Ernest Carlson DRA

RECEIVED

PROPOSED FINDING OF WATER RIGHTS - LEMHI RIVER DRAINAGE

SOURCE: Little Eightmile Cr. & Tribs.

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE		MAXIMUM RATE OF DIVERSION (cfs)	POINT OF DIVERSION	PLACE OF USE and LANDS IRRIGATED		BASIS OF RIGHT and REMARKS
				From	To					
74-0358	POWERS, Franklin Jack and/or Elizabeth M. Leadore, Idaho	6 -1 -1884	Irrigation	4/1	11/1	2.72	Sec. 2	Sec. 2		Decree
							SW $\frac{1}{4}$ NW $\frac{1}{4}$	Lot 3,	6.8	
							Lot 4	Lot 4,	10.3	
							T16N, R25E	SW $\frac{1}{4}$ NW $\frac{1}{4}$,	32.0	
							Sec. 35	SE $\frac{1}{4}$ NW $\frac{1}{4}$,	3.4	
							NW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ SW $\frac{1}{4}$,	19.1	
							Lot 4	NW $\frac{1}{4}$ SW $\frac{1}{4}$,	25.6	
							T17N, R25E	SW $\frac{1}{4}$ SW $\frac{1}{4}$,	5.0	
								SE $\frac{1}{4}$ SW $\frac{1}{4}$,	6.1	
								Sec. 3		
								SE $\frac{1}{4}$ NE $\frac{1}{4}$,	10.4	
								NE $\frac{1}{4}$ SE $\frac{1}{4}$,	14.9	
								T16N, R25E		
									133.6	
74-0359	POWERS, Franklin Jack and/or Elizabeth M. Leadore, Idaho	6 -1 -1903	Irrigation	4/1	11/1	1.01	Sec. 35	Sec. 35		Decree
							NW $\frac{1}{4}$ NE $\frac{1}{4}$	Lot 3,	15.8	
							SW $\frac{1}{4}$ NE $\frac{1}{4}$	Lot 4,	3.2	
							NW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ SW $\frac{1}{4}$,	15.3	
							T17N, R25E	NW $\frac{1}{4}$ SE $\frac{1}{4}$,	4.5	
								T17N, R25E		
									38.8	
74-0360	POWERS, Franklin Jack and/or Elizabeth M. Leadore, Idaho	6 -1 -1913	Irrigation	4/1	11/1	0.85	Sec. 26	Sec. 35		Decree
							SE $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$,	12.8	
							Sec. 35	SW $\frac{1}{4}$ NE $\frac{1}{4}$,	5.6	
							NW $\frac{1}{4}$ NE $\frac{1}{4}$	T17N, R25E		
							T17N, R25E		18.4	

MICROFILMED

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
NO. 74-0358

Notice is hereby given that Franklin J. or Elizabeth M. Powers, Leadore, Idaho, has applied to the Department of Water Resources for a change in the Point of Diversion of the waters of Little Eight-Mile Creek tributary to the Lemhi River. The right sought to be changed is evidenced by decree to Franklin J. &/or Elizabeth M. Powers in the Civil Case #4948 Proposed finding of Water Rights in the Lemhi River Basin in Seventh Judicial Court, Lemhi County and is recorded as follows:

AMOUNT: 2.72 cfs
PRIORITY: June 1, 1884
DECREE POINT OF DIVERSION: SW ¼ NW ¼, Lot #4, Sec. 2, T. 16N, R. 25E, NW ¼ SE ¼, Lot #4, Sec. 35, T. 17N, R. 25E, B.M. Lemhi County;

The water is used to irrigate 133.6 acres within the W ½, Sec. 2, SE ¼-NE ¼, NE ¼ SE ¼, Sec. 3, T. 16N, R. 25E, B. M. TO BE CHANGED AS FOLLOWS

The water will be diverted with the NW ¼-NE ¼, NW ¼ SE ¼, Lot #4, Sec. 35, T. 17N, R. 25E, SW ¼ NW ¼, Lot #4, Sec. 2, T. 16N, R. 25E, B. M. Lemhi County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before June 1, 1982.

A. KENNETH DUNN
Director

Published in The Recorder-Herald, Salmon, Idaho, on May 13 and May 20, 1982.

5-13-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

MAY 24 1982

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 No. 74-0358

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 May 13, 1982 and ending with the issue dated May 20, 1982

Jerry G. Rosin

Subscribed and sworn to before me, this twentieth

day of May, 1982

Vert Amstrong

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

Publication Fee \$ 27.45

MICROFILMED

74-4

7/29/36

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

LEMMI.

points of diversion of the said plaintiff, situated in

—o—o—

The Northwest quarter of the south 4 sec. 2, the Southwest quarter of the southwest quarter of Sec. 35, Township 17 North, Range 25 E. S. 2.

WILLIAM D. RUSK,

Plaintiff,

vs.

EMMA R. YEARIAN and MARTIN BURGREN,

Defendants.

DECREES.

It is further ordered, adjudged and decreed, that the defendant Emma R. Yearian is entitled to the use of 1.11 cubic

This cause coming on to be heard on the day

of October, 1919, before Hon. F. J. Cowen, District Judge,

sitting without a jury, W. E. O'Brien Esq. and L. E. Glennon,

Esq. appearing as counsel for the plaintiff, and J. M. Stevens

Esq. appearing for the defendants, and the parties having

entered into and filed their stipulation of facts herein, and

the Court being fully advised in the premises, and having made

Findings of Fact and Conclusions of Law, and ordered judgment

to be entered herein in accordance with said Findings of Fact

and Conclusions of Law, now makes and files judgment and de-

crete in accordance therewith, and orders, adjudges and decrees

as follows.

III.

74-03589

It is ordered, adjudged and decreed that the plaintiff

William D. Rusk is entitled to the use of 2.72 cubic feet

per second of time of the flow of the waters of Little Eight

Mile Creek in the County of Lemhi, State of Idaho, to date

from the first day of June, 1884, to be appurtenant to and

used upon the

West Half of the Northwest Quarter
North Half of the Southwest Quarter; South-
west Quarter of the Southwest Quarter of
Sec. 2;

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Southeast quarter of the Northeast quarter;
Northeast quarter of the Southeast quarter of Sec.
3, all in Township 16 N., R. 25 E. B.M.

Said water to be diverted and measured at the present
points of diversion of the said plaintiff, situated in

The Northwest quarter of the southeast quarter,
the Southwest quarter of the southwest quarter of
Sec. 35, Township 17 North, Range 25 E. B.M.

and two additional points of diversion in lot 4 of Section 2,
Township 16 North, Range 25 E. B.M. and that such use is a
beneficial use.

II.

It is further ordered, adjudged and decreed, that the
defendant Emma R. Yearian is entitled to the use of 1.01 cubic
feet per second of time of the flow of the waters of Little
Eight Mile Creek in the County of Lemhi, State of Idaho, to
date from the first day of June, 1903, to be appurtenant to
and used upon the

South Half of the Southwest quarter;
Northeast quarter of the Southwest quarter;
Northwest quarter of the Southeast quarter
of Section 35, T. 17 N., R. 25 E. B.M.;

Said water to be diverted and measured at the follow-
ing points of diversion of said defendant, situated in

Southwest quarter of Northeast quarter, and
Northeast quarter of Northeast quarter of Sec.
35, T. 17 N., R. 25 E. B. M.

III.

74 0359 It is further ordered, adjudged and decreed that the
said defendant, Emma R. Yearian, shall be and is hereby requir-
ed to construct from the said Little Eight Mile Creek, ditches
of sufficient capacity to divert and convey to her said lands
the quantity of water hereby assessed to her, in lieu of the
ditches heretofore used by said defendant, belonging to the
plaintiff William D. Rusk and the defendant Martin Borgren.

MICROFILMED

14-1

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
NO. 74-0358

Notice is hereby given that Franklin J. or Elizabeth M. Powers, Leadore, Idaho, has applied to the Department of Water Resources for a change in the Point of Diversion of the waters of Little Eight-Mile Creek tributary to the Lemhi River. The right sought to be changed is evidenced by decree to Franklin J. &/or Elizabeth M. Powers in the Civil Case #4948 Proposed finding of Water Rights in the Lemhi River Basin in Seventh Judicial Court, Lemhi County and is recorded as follows:

AMOUNT: 2.72 cfs

PRIORITY: June 1, 1884

DECREEED POINT OF DI-

VERSION: SW $\frac{1}{4}$ NW $\frac{1}{4}$,

Lot #4, Sec. 2, T. 16N, R.

25E, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot #4,

Sec. 35, T. 17N, R. 25E,

B.M. Lemhi County;

The water is used to irrigate 133.6 acres within the W $\frac{1}{2}$, Sec. 2, SE $\frac{1}{4}$ -NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 16N, R. 25E, B. M.

TO BE CHANGED AS
FOLLOWS

The water will be diverted with the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot #4, Sec. 35, T. 17N, R. 25E, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot #4, Sec. 2, T. 16N, R. 25E, B. M. Lemhi County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before June 1, 1982.

A. KENNETH DUNN
Director

Published in The Recorder-Herald, Salmon, Idaho, on May 13 and May 20, 1982.

July 7, 1982

RE: Water Right No. 74-0358

Franklin J. or Elizabeth M. Powers
Leadore,
Idaho 83464

Dear Mr. and Mrs. Powers:

Enclosed is a copy of your approved application for transfer of the above referenced water right (Transfer No. 2696). Be sure to note the conditions of approval on the fourth page.

Sincerely,

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

DRT:kw
Enclosure

MICROFILMED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 74-0358

JUN 8 1982

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Eastern District Office

I, RICHARD A. MOLL, watermaster of LITTLE RIVER MILE CREEK
of Water District No. 742, County of LEMHI, State of Idaho,
whose address is Box 153, LEADORE, IDAHO 83464
have read the attached copy of the application for transfer of water right for FRANKLIN J.
OR ELIZABETH M. POWERS, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: As per Application for Transfer of
Water Right.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at LEADORE, Idaho, this 5th day of JUNE 1982.

Richard A. Moll
(signature)

MICROFILMED

Please use reverse side if needed.

May 25, 1982

RE: Transfer #74-0358 Powers

Richard Moll, Watermaster
Water District 74-Z
Leadore, Idaho 83464

Dear Mr. Moll:

Please find enclosed a copy of the above referenced application and watermaster recommendation form. Please review the application and complete the form, returning ~~them~~ this office on or before June 1, 1982.

Thank you for your cooperation in this matter.

Very truly yours,

BARBARA POWERS
Secretary

bp

Enclosures

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 74-0358

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AMOUNT: 2.72 cfs

PRIORITY: June 1, 1884

DECREEED POINT OF DIVERSION: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot #4, Sec. 2, T. 16N, R. 25E, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot #4, Sec. 35, T. 17N, R. 25E, B.M. Lemhi County;

The water is used to irrigate 133.6 acres within the W $\frac{1}{2}$, Sec.2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 16N, R. 25E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted with the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lot #4, Sec. 35, T. 17N, R. 25E, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lot #4, Sec. 2, T. 16N, R. 25E, B.M. Lemhi County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401, on or before June 1, 1982.

A. Kenneth Dunn

Director

Published in the Recorder-Herald, Salmon, Idaho, on May 13 and May 20, 19

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY:

K C Carlson

1. Right number 74-0358 Applicant Franklin J. OR Elizabeth M. Power
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:
 - (a) ☒ Source ☐ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - (b) ☒ Description of original point of diversion.
 - (c) ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - (a) ☒ All of right.
 - ~~(b) ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).~~
 - (c) ☒ Check description of point(s) of diversion.
 - (d) ☒ Check description of place of use. No Δ
 - (e) ☒ Check map (shows p.d. and p.u. after transfer).
 - (f) ☒ Check for correct signature, notarization, and fee.
 - ~~(g) ☒ Check proof of ownership of right &/or land from which water is transferred.~~
 - h. ☒ Check for expansion in use of right. Comments None

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

Right number(s) _____

- j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 74-Z

RECEIVED

JUN 16 1982

Department of Water Resources

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on 6-8-1982
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

Conditions* A measuring device and lockable controlling works of a type acceptable to IDWR shall be permanently installed and maintained as part of the diverting works at each point of diversion identified here in.

4. By Ernest Carlson

Date June 14, 1982

April 22, 1982

James C. Herndon
Attorney at Law
Box 789
Salmon, Idaho 83467

Dear Mr. Herndon:

Enclosed is the application for transfer of a water right and check #92-289 for \$40.00. They are being returned because of the insufficient filing fee. The current filing fee is \$50.00 for a transfer.

Upon receipt of the transfer application and the appropriate filing fee of \$50.00, processing will begin.

Please feel free to contact this office for any additional assistance that may be needed.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:bp

Enclosures

APR 23 1982

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

J. CHARLES HERNDON [1911-1966]

RECEIVED

APR 28 1982

Department of Water Resources
Eastern District Office
TELEPHONE 755-2412
FAX CODE 209

April 21, 1982

Idaho Department of Water Resources
Eastern Region
150 Shoup
Idaho Falls, Idaho 83401

RECEIVED

APR 22 1982

Department of Water Resources
Eastern District Office

Re: Application of
Franklin J. or Elizabeth Powers

Gentlemen:

Enclosed herewith please find an Application for
Transfer of Water Right together with our check in the sum
of \$40.00.

50.00

Very truly yours,

James C. Herndon
JAMES C. HERNDON

JCH/lsm
Encls.

4/26/82

Enclosed herewith please find an Application for Transfer for Mr.
Powers together with our check in the sum of \$50.00. Also enclosed
is a copy of a letter from your office indicating the fee was \$40.
JAMES C. HERNDON

MICROFILMED