

74-A-2

In the District Court of the Sixth Judicial District of the State
of Idaho, in and for the county of Lemhi.

Edwin M. Yearian, Albert J. Yearian,
Gilbert F. Yearian, John D. Stroud,
Ed McRea, George Clark, George
Barrows and George Smith,
Plaintiffs

VS

Robert Y. Stewart, Virgil Stewart,
Wilbur F. Stone, S. T. Denny,
F. T. Denny, Roland Denny, Benjamin
Chandler, William B. Jones, Thomas Keating
A. R. Jewett, Elizabeth Yearian, Nora
Y. Whitwell, Florence F. Martin, and
The Gilmore and Pittsburg Railroad
Company, Limited, a corporation
Defendants

This cause having heretofore come on for hearing before
Geo. E. Keyes, a referee who had been regularly appointed
by the court for that purpose, and said hearing having been ~~had~~
had without a jury;

The evidence and the proofs of the respective parties
having been submitted to the said referee for his
consideration, and he having filed herein his findings of
fact and conclusions of law, and this court having
adopted said findings of fact and conclusions of law

WHEREFORE by reason of the law and the findings
and conclusions aforesaid,

MICROFILMED

The Court orders, adjudges and decrees

74 0031 That the plaintiff Edward McRea is entitled to the use of seventy (70) inches, or one and four tenths (1.4) cubic feet per second of time of the flow of the waters of Timber Creek for the irrigation of the southwest quarter of the southwest quarter of Section Twenty one (21), and the northwest quarter of Section Twenty Eight (28), in Township Sixteen (16) North, of Range Twenty six (26) East of the Boise Meridian in Idaho, his right thereto to date from June 1st, 1884.

Trans #762
74 0032 That the plaintiff George Clark is entitled to the use of one hundred and thirty five inches, or two and seven tenths (2.7) cubic feet per second of time of the flow of the waters of Timber Creek for the irrigation of the southwest quarter of Section Twenty eight (28), in Township Sixteen (16) North, of Range Twenty Six (26) East of the Boise Meridian, his right thereto to date from June 1st, 1895.

74 0033 That the plaintiff Gilbert F. Yearian is entitled to the use of Sixty ~~inches~~ (60) inches or one and two tenths (1.2) cubic feet per second of time of the flow of the waters of Timber Creek for the irrigation of the southeast quarter of the northwest quarter and the northeast quarter of the northwest quarter of Section Nineteen (19), in Township Sixteen North, of Range Twenty six (26) East D.M., his right thereto to date from July 1st, 1879

3

UNRECORDED

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Alvin D. Stroud, of Leadore, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Timber Creek, as follows: Amount: 2.7 cubic feet per second, point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 16. N. Range 26 E. Place of use: SW $\frac{1}{4}$ Section 28, Twp. 16 N. Rge. 26. E.

Transfer to

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 15. N., Range 26. E. Place of use: SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, and N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 10, Twp. 15. N. Rge. 26. E.

And that on the 28th day of April, 1950 at 10 o'clock a. m., at room 107, State House, Boise, Idaho, before the State Reclamation Engineer, 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.

MARK R. KULP,

State Reclamation Engineer

April 13—20—Tt.

Affidavit of Publication

STATE OF IDAHO,
County of Lemhi,

ss.

Keith Barrette

, 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 Transfer of
Water Right

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 April 13, 1950 and ending with the issue dated April 20, 1950.

Keith Barrette

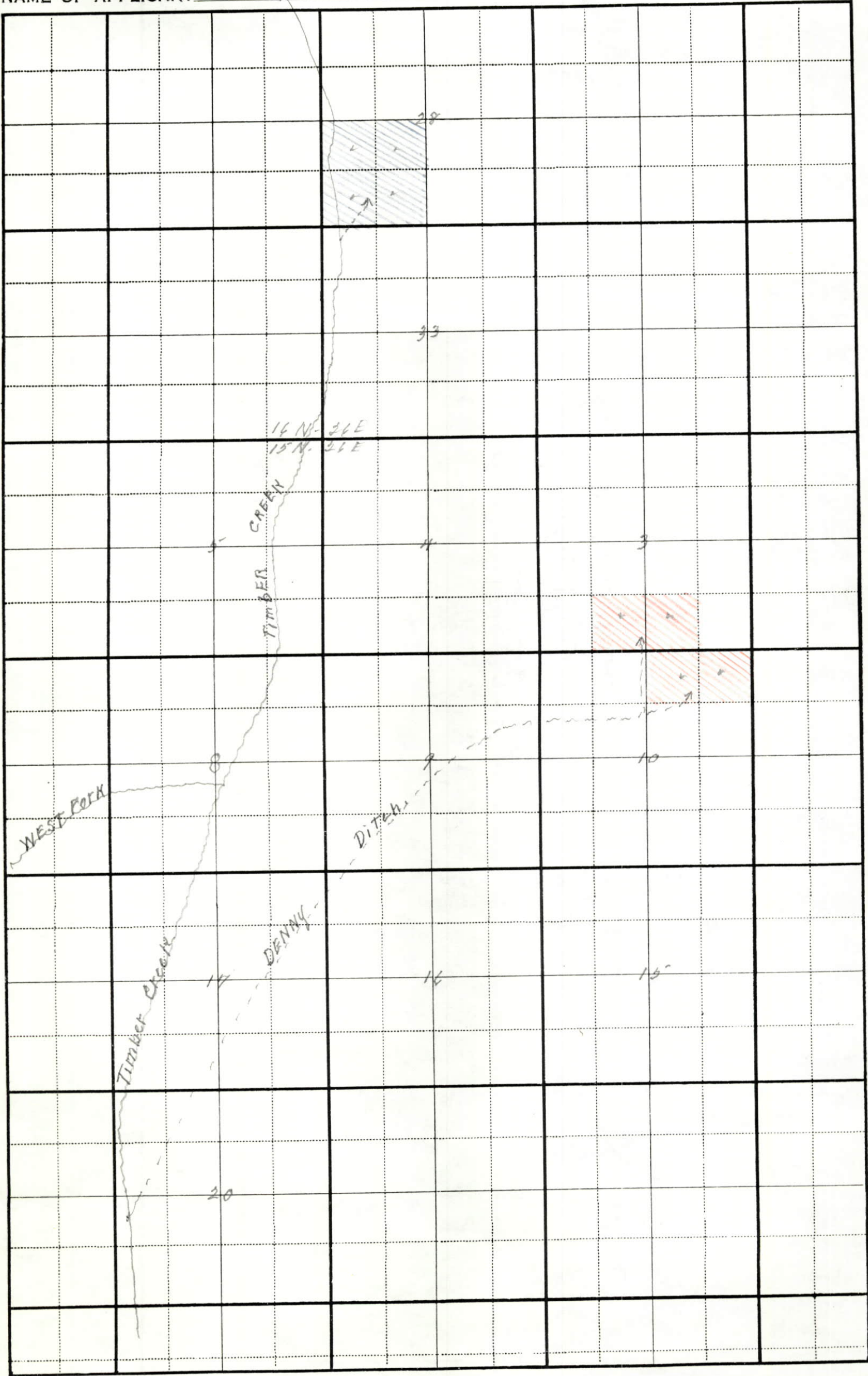
Subscribed and sworn to before me, this

day of May, 1950

Publication Fee \$ 4.80

MICROFILMED
1/15

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



Name of Applicant.....

Alvin D Stoud

Range 26 East.

Township 15 North

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

3

SEC.

10

SEC.

SEC.

4

SEC.

9

SEC.

SEC.

SEC.

8

SEC.

17

ditch

Timber Creek

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Clark, George	2.7		74-0032
762	Stroud, Alvin D.	2.7	0	74-0032A

R

E

E

S

N

A

R

TELEPHONE

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 762.

THIS IS TO CERTIFY That ALVIN D. STROUD of Leadore, Idaho, is the owner of and using 2.7 cubic feet per second of the waters of Timber Creek, with priority of June 1, 1895, said water being decreed to George Clark by Judge J. M. Stevens of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of

EDWIN M. YEARIAN, ET AL.,
Plaintiffs,

vs.

ROBERT Y. STEWART, ET AL.,
Defendants,

said decree bearing date of November 13, 1913, and being appurtenant to the following described lands, to-wit:

Southwest Quarter of Section
28, Township 16 North, Range
26 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 34 of Decrees, beginning at page 414.

That said Alvin D. Stroud of Leadore, Idaho has become the owner of said water right through purchase.

And that now, upon the application of Alvin D. Stroud of Leadore, Idaho, for the transfer of 2.7 cubic feet per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 2.7 cubic feet per second of the waters of Timber Creek upon the above described lands is hereby abandoned and the place of use of said water under such right hereby confirmed shall by this Certificate become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3,
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, Township 15
North, Range 26 East, B.M.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

2.7 cubic feet per second
of the waters of Timber
Creek, with priority of
June 1, 1895.

That the water right hereby transferred has heretofore been conducted to the first above described lands through a private ditch with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Township 16 North, Range 26 East, B.M.

That the water right hereby transferred will hereafter be conducted to the last above described land through the Solomon T. Denny Ditch with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Township 15 North, Range 26 East, B.M.

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 15th day of July, A. D. 1950.



Mark R. Kulp

MARK R. KULP
State Reclamation Engineer.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the matter of the Application of)

Alvin D. Stroud, of)
Leadore, Idaho)

ORDER GRANTING TRANSFER

No. 762

For a Transfer of Water Right, in Water)
District No. 79-G, Lemhi County, Idaho)

WHEREAS, On the 28th day of April, 1950, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of Alvin D. Stroud, of Leadore, Idaho, for a transfer of water right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

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

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 15th day of July, A. D. 1950.

Mark R. Kulp

MARK R. KULP

State Reclamation Engineer



74-A-2

In the District Court of the Sixth Judicial District of the State
of Idaho, in and for the county of Lemhi.

Edwin M. Yearian, Albert J. Yearian,
Gilbert P. Yearian, John D. Stroud,
Ed McRae, George Clark, George
Barrows and George Smith,

Plaintiffs

VS

Robert Y. Stewart, Virgil Stewart,
Wilbur F. Stone, S. T. Denny,
F. T. Denny, Roland Denny, Benjamin
Chandler, William B. Jones, Thomas Keating
A. R. Jewett, Elizabeth Yearian, Nora
V. Whitwell, Florence F. Martin, and
The Gilmore and Pittsburg Railroad
Company, limited, a corporation

Defendants

This cause having heretofore come on for hearing before
Geo. E. Keyes, a referee who had been regularly appointed
by the court for that purpose, and said hearing having been im-
had without a jury;

The evidence and the proofs of the respective parties
having been submitted to the said referee for his
consideration, and he having filed herein his findings of
fact and conclusions of law, and this court having
adopted said findings of fact and conclusions of law

WHEREFORE by reason of the law and the findings
and conclusions aforesaid,

The Court orders, adjudges and decrees

74 0031 That the plaintiff Edward McRea is entitled to the use of seventy (70) inches, or one and four tenths (1.4) cubic feet per second of time of the flow of the waters of Timber Creek for the irrigation of the southwest quarter of the southwest quarter of Section Twenty one (21), and the northwest quarter of Section Twenty Eight (28), in Township Sixteen (16) North, of Range Twenty six (26) East of the Boise Meridian in Idaho, his right thereto to date from June 1st, 1884.

74 0032 That the plaintiff George Clark is entitled to the use of one hundred and thirty five inches, or two and seven tenths (2.7) cubic feet per second of time of the flow of the waters of Timber Creek for the irrigation of the southwest quarter of Section Twenty eight (28), in Township Sixteen (16) North, of Range Twenty Six (26) East of the Boise Meridian, his right thereto to date from June 1st, 1895.

74 0033 That the plaintiff Gilbert F. Yearian is entitled to the use of sixty inches (60) inches or one and two tenths (1.2) cubic feet per second of time of the flow of the waters of Timber Creek for the irrigation of the southeast quarter of the northwest quarter and the northeast quarter of the northwest quarter of Section Nineteen (19), in Township Sixteen North, of Range Twenty six (26) East B.M., his right thereto to date from July 1st, 1879

RECORDED

July 14, 1950

Mr. Alvin D. Stroud
Leadore, Idaho

Dear Mr. Stroud:

We enclose Transfer Certificate No. 762 for the transfer of 2.7 second feet of the waters of Timber Creek, and also Departmental Receipt No. 22501 for the \$1.00 fee for recording this transfer.

By this same mail we are sending Mr. James Stroud, Watermaster of Water District No. 79-G, a copy of this transfer for his information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh
Enc.

CC: Mr. James Stroud.

RECEIVED
JUL 15 1950

Leadore Idaho.
July 7/50.

Dear Sirs
Inclosed find \$1.00 for payment of
recording fee for transfer of water
right on Timber Creek.

yours truly
Mr. Alvin D. Stroud
Leadore
Idaho.

RECEIVED
JUL 10 1950
Department of Reclamation

MICROFILMED

May 23, 1950

Mr. Alvin D. Stroud
Leadore, Idaho

Dear Mr. Stroud:

We are in receipt of the Affidavit of Publication in connection with your application for Transfer of Water Right from Timber Creek.

Since there was no protests, a Certificate of Transfer can be issued upon receipt of the \$1.00 recording fee.

Very truly yours,

MARK R. TULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

RECEIVED

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Alvin D. Stroud, of Leadore, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Timber Creek, as follows: Amount: 2.7 cubic feet per second, point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 16. N. Range 26 E. Place of use: SW $\frac{1}{4}$ Section 28, Twp. 16 N. Rge. 26, E.

Transfer to

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 15. N., Range 26. E. Place of use: SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3, and N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 10, Twp. 15. N. Rge. 26. E.

And that on the 28th day of April, 1950 at 10 o'clock a. m., at room 107, State House, Boise, Idaho, before the State Reclamation Engineer, 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.

MARK R. KULP,

State Reclamation Engineer

April 13--20--Tt.

Affidavit of Publication

STATE OF IDAHO,
County of Lemhi,

ss.

Keith Barrette

....., 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 Transfer of
Water Right.....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 April 13, 1950

and ending with the issue dated April 20, 1950

Keith Barrette

MICROFILMED
11/15

Subscribed and sworn to before me, this

day of May, 1950

Publication Fee \$4.80

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

April 10, 1950

Mr. Alvin E. Stroud
Leadore, Idaho

Dear Mr. Stroud:

We wish to acknowledge receipt of your application for Transfer of Water Right of your Decreed Water Right from Timber Creek.

Notice of this application has been sent to the Recorder Herald at Salmon, Idaho, with instructions to publish it once a week for two consecutive weeks prior to April 28, 1950, which is the date set for hearing in the event that anyone wishes to appear and make a protest.

If no protests are made, the application will be approved and Certificate for Transfer of Water Right issued upon receipt from you of the Affidavit of Publication which the Recorder Herald has been instructed to send you together with statement of publication costs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

WICK

March 8, 1950

Mr. Alvin D. Stroud
Leadore, Idaho

Dear Mr. Stroud:

We are returning herewith, your application for transfer of water right on the waters of Timber Creek for a minor change or possibly verification.

We are enclosing herewith, a map showing the location of Timber Creek and the various ditches leading therefrom which evidently was made several years ago. Therefore, we are not vouching for its correctness. However, we thought that you, with the use of this map, could verify your points of diversion and if said map is correct you could change same on the application before returning same to this office.

You state that the water is now diverted from Timber Creek in the SW¹/₄ Section 28, Township 16 North, Range 26 East and we notice on said map that ditches divert from Timber Creek in the NE¹/₄ NE¹/₄ of Section 33. We also notice that the Denny Ditch, according to the map, diverts from Timber Creek in the NW¹/₄ SW¹/₄ Section 20 in place of the E¹/₄ SW¹/₄ of Section 17 as you state in your application.

We also wish that you would see the Watermaster, James Stroud, and have him complete his deposition on the third page of said application by either stating that he approved the said application for transfer or does not approve the said application for transfer. If he does approve the application he should scratch out the words to that effect on the deposition. We also prefer to have him give some reason for the approval of same.

Kindly return the map and application to this office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

UNRECORDED

September 30, 1949

Mr. Delbert Stroud
Leadore, Idaho

Dear Mr. Stroud:

In reply to your request of September 28, 1949, we are enclosing herewith, an Application Form for the Application for Transfer of Water Right. In filling out the form, please answer all questions in detail and be sure and get the sworn signatures of two witnesses who are familiar with the transfer proceedings. Also, it is necessary to get the affidavit of the Watermaster within whose District the land is situated.

On the back of said application, please prepare a sketch map, showing point of diversion and place of use from which the water is to be transferred and the point of diversion and place of use to which the water is to be transferred, together with the location of the stream from which said water is diverted.

It will be necessary to publish this transfer in a newspaper within the County where the land is located, for a period of two consecutive weeks, at the applicant's expense. After publication, upon receipt of an Affidavit of Publication from the newspaper and a \$1.00 fee for recording, and providing no protests are received, the Department will issue you a Certificate of Transfer of said water right.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh
Enc.

P. S. If you have any preference as to the paper in which publication will be made, please so state. The Department will prepare the Notice of Publication and send same to the publisher.

Leadore Idaho.
Sept. 28, 1942

Dear Sirs.

Will you please send me the
proper forms to be filled out
for the transfer of irrigation
water from the old George Clark
ranch to 160 acres of new ground
I have bought about 3 miles
up the creek from the Clark
ranch.

yours truly
Mr. Delbert Stroud
Leadore
Idaho.



Application for Transfer of Water Right

RECEIVED
MAR 6 1950
Department of Reclamation

STATE OF IDAHO,

County of LEMHI

ss.

ALVIN D. STROUD

, being first duly sworn, deposes and says:

That his name is Alvin D. Stroud; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Leadore, Idaho

That he is the owner and using a certain water right, bearing date of priority of June 1 xx1895 for 2.7 cubic feet per second of the waters of Timber Creek County of Lemhi, State of Idaho, decreed to George Clark by decree of Judge, J. M. Stevens of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of Edwin M. Yearn, et al. vs. Robert Y. Stewart, et al, said decree bearing date of November 13, 1913 (or obtained by virtue of License No. _____, issued by the State Engineer or the Commissioner of Reclamation of the State of Idaho, dated _____, 19____, bearing date of priority of _____, 19____) for the purpose of irrigating the following described lands situate, lying and being in water District No. 79G in the County of Lemhi and State of Idaho, to-wit:

Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-eight (28), Township Sixteen (16) North, Range Twenty-six (26) East of the Boise Meridian

_____ 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. By Warranty Deed from Sarah E. Clark, widow of George Clark, Deceased.

as per abstract of title of said water right hereto attached and made a part of this statement: Recorded as inst. No. 56813, December 18, 1941, Book 36 of Deeds at Page 294, Records of Lemhi Co., Idaho. That said waters are now diverted from said stream in the Northeast Quarter Northeast Quarter

Section Thirty-three, Township Sixteen No. Range Twenty-six E.B.M., and conducted to the above described lands through a ditch

as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 2.7 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:

Southeast Quarter of the Southwest Quarter, Southwest Quarter of the Southeast Quarter, Section 3, and the North Half of the Northeast Quarter of Section 10, Township 15 North, Range 26 E.B.M.

That his reasons for desiring to make such transfer are as follows: I own both properties and the last above described land is more desireable for cultivation and will produce more crops; that the land for which the water was decreed is very rocky and hard to farm.

That he intends to divert and convey said.....2.7.....second feet of water to the tract of land last above described in the following manner, to-wit: Diversion to be on the Kent Quarter Steele property in the Northwest/Quarter of the Southwest Quarter of Section Twenty, Township Fifteen North, Range Twenty-six East of the Boise Meridian, and run thence through the old Solomon T. Denny ditch which is now constructed and runs through Sections 17, 9 and 10.

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.

Alvin D. Stoud

Applicant.

Subscribed and sworn to before me this.....9th.....day of.....February.....

A. D. 19.....50.....

[Signature]
Notary Public.

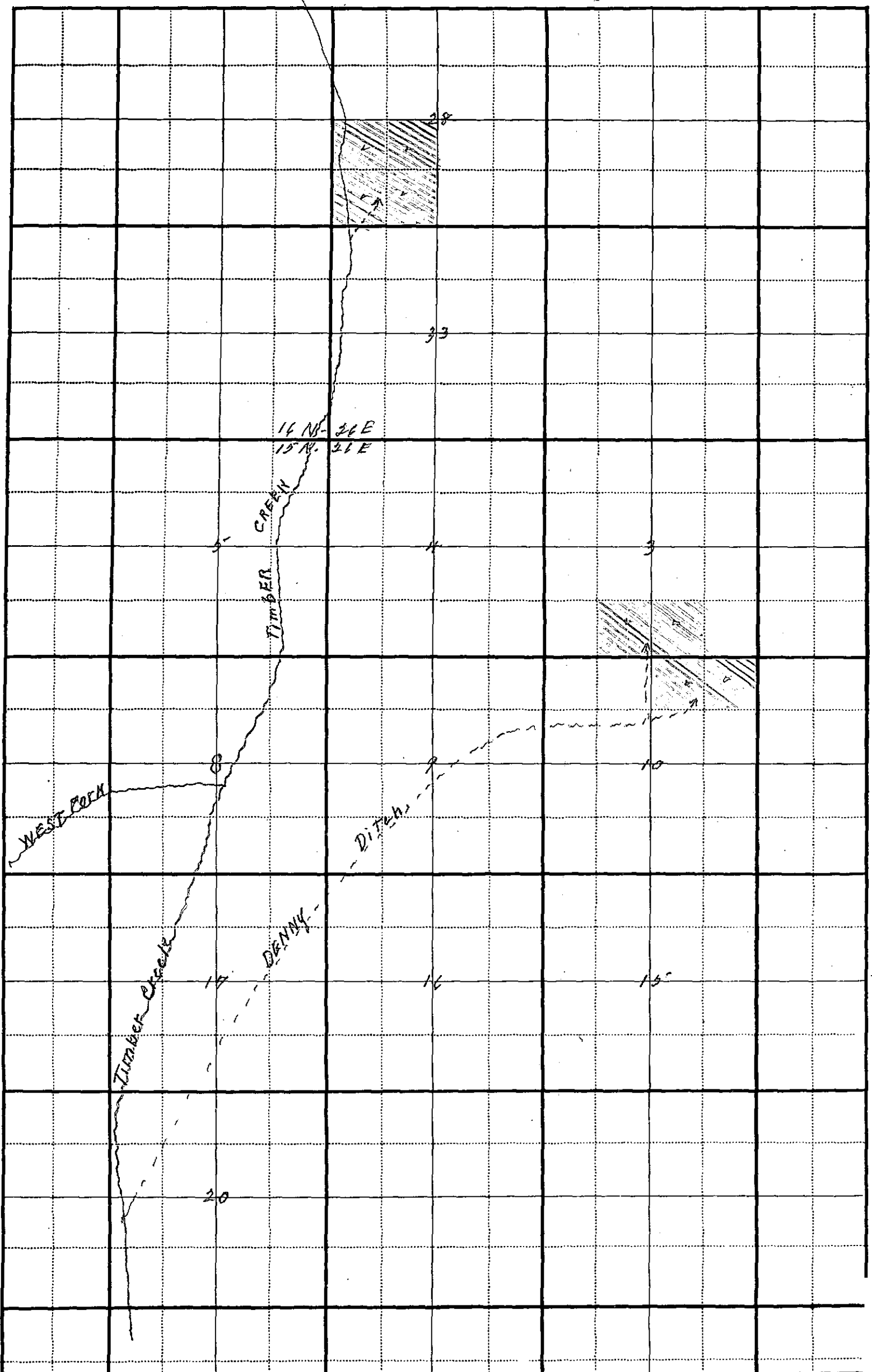
APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water now diverted?.....Timber Creek.....
Where is the diversion point now located.....NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 16 N. R. 26 E.B.M.
Through what ditch is it now conducted?.....Private ditch owned by me.....
How much land is now irrigated by the water sought to be transferred?.....160 acres.....
Give the description:.....Southwest Quarter of Section 28, Township 16 North, Range 26 East of the Boise Meridian.....
What is the total amount of water in inches, or second feet, dedicated to said land?.....2.7.....
What kind of crops are being raised?.....Hay.....
How much water per acre is now required to irrigate said land?.....2 to 3 inches per acre.....
What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....Can use as pasture and grazing land.....
Give location of new point of diversion, if change is to be made.....NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 15 N. R. 26, E.B.M.
Through what ditch will it be conducted after transfer?.....Solomon T. Denny Ditch.....
~~How much water will be required per acre to irrigate the land to which this water is transferred?~~
.....Two inches per acres or less.....
Do you claim any other water right for the land from which you seek to abandon the use of this water?.....
.....No, only spring high water which all decreed users use.....
If so, give amount, date and source.....
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.....None.....

Signed.....

Alvin D. Stoud

Applicant.



STATE OF IDAHO,

County of LEMHI

ss.

George Whittaker

ROBERT H. ADAMS

and

RUSSELL BENEDICT

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 Leadore, Idaho that he is a user of water from Timber Creek, in Water District No. 79G

County of Lemhi, State of Idaho; that he has read or heard read the foregoing affidavit and petition of Alvin D. Stroud 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.

George Whittaker
Robert H. Adams
Russell Benedict

Subscribed and sworn to before me this 9th day of February

A. D. 1950

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

STATE OF IDAHO,

County of Lemhi

ss.

I, James Stroud, Watermaster of Timber Hawkley Texas Junction Creek Water District No. 79H, County of Lemhi, State of Idaho, whose postoffice address is Leadore Idaho, have read or heard read the foregoing affidavit and petition of Alvin D. Stroud, 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; ~~and do not approve of the issuance of the certificate of transfer prayed for~~ for the following reasons:

Because it is just a waste of water as the land now irrigated is too rocky and no soil and cant be farmed to any advantage and wont produce a ton of pay to the acer

James Stroud Watermaster Dist. No. 79H

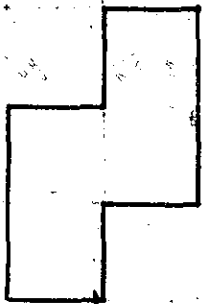
Dated at Leadore Ida, Idaho, this 2 day of March, 1950

Name of Applicant

Alvin D. Stroud

Range 26 East

Township 15 North



SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

3

4

10

9

8

Timber Creek

17

20

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date April 5, 1950

**The Recorder Herald
Salmon, Idaho.**

Gentlemen:

Enclosed you will find notice for publication once a week
for two consecutive weeks prior to **April 28, 1950**
the date set for the hearing, the expense of the publication to be
paid by the applicant, **Alvin D. Stroud, Leadore, Idaho.**

to whom you should furnish proof of publication on or prior to the
date set for the hearing.

Please acknowledge receipt of this notice, and furnish this
department with a copy of the first publication, in order that we may
check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Roy W. Thompson,
Supervisor of Water Distribution.

MICROFILMED

Notice Of Proposed Transfer Of Water Right

Notice is hereby given that Alvin D. Stroud.
of Leadore, Idaho. has applied to the State Reclamation Engineer
of the State of Idaho for a certificate authorizing him to change the point of diversion
and ~~for~~ place of use of the waters of Timber Creek,
as follows: Amount: 2.7 cubic feet per second,
Point of diversion: NW ¼ NW ¼, Section 33, Township 16.N.,
Range 26.E. Place of Use:
SW ¼ Section 28, Twp. 16.N. Rge. 26.E.

Transfer to

Point of diversion: NW ¼ SW ¼, Section 20, Township 15.N.,
Range 26.E. Place of Use:
SE ¼ SW ¼, and SW ¼ SE ¼ Section 3, and N ¼ NE ¼ Section 10, Twp. 15.N.
Rge. 26. E.

And that on the 28 day of April, 1950.
at 10 o'clock A M., at Room 107, State House, Boise Idaho.
before the State Reclamation Engineer, or his authorized agent, the opportunity will be
given to any and all persons to appear and present, for his consideration any reason or rea-
sons why a certificate should not be issued authorizing such transfer.

MARK. R. KULP.
State Reclamation Engineer.

Receipt

RECORDER HERALD — SALMON, IDAHO

Salmon, Idaho,

S-18

19*50*

Received from

Herbert Stinson

\$ *4*

For

Application for change of water

By

Kirk Bennett

Forester, Ogden, Utah. 3-30- and 10

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Alvin D. Stroud, of Leadore, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Timber Creek, as follows: Amount: 2.7 cubic feet per second, point of diversion: NW¼ NW¼, Section 33, Township 16. N. Range 26 E. Place of use: SW¼ Section 28, Twp. 16 N. Rge. 26, E.

Transfer to

Point of diversion: NW¼ SW¼, Section 20, Township 15. N., Range 26. E. Place of use: SE¼ SW¼, and SW¼ SE¼ Section 3, and N¼ NE¼ Section 10, Twp. 15. N. Rge. 26. E.

And that on the 28th day of April, 1950 at 10 o'clock a. m., at room 107, State House, Boise, Idaho, before the State Reclamation Engineer, 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.

MARK R. KULP,

State Reclamation Engineer

April 13-20-Tt.

NOTICE FOR PUBLICATION OF TIME APPOINTED FOR PROVING WILL, ETC.

In the Probate Court of the County of Lemhi, State of Idaho.

In the Matter of the Estate of Hugh (Crow) Mounts, deceased.

Pursuant to an order of the Judge of said Court, made on the 7th day of April, 1950, notice is hereby given that Tuesday, the 9th day of May, 1950, at 2 o'clock p. m. of said day, at the Court House of said Court, at the Lemhi County Courthouse, in the City of Salmon, County of Lemhi, has been appointed as the time and place for proving the Will of said Hugh

SALMON

Recorder-Herald

★ ADVERTISING - PRINTING - OFFICE SUPPLIES

RONALD BURKE, PUBLISHER

VIEL BUILDING
SALMON, IDAHO
April 7, 1950

Mark R. Kulp,
State Reclamation Engineer,
Department of Reclamation,
Boise, Idaho

Dear Sir:

This is to acknowledge receipt of your order for notice for publication for Alvin D. Stroud, Leadore, Idaho. We will run this for two consecutive publication prior to April 28, 1950.

We will forward you a copy of the issue in which this notice appears, which will be that of April 13, 1950.

Sincerely

Keith Barrette
Recorder Herald,
Salmon, Idaho
by: Keith Barrette

MICROFILMED

RECEIVED
APR 10 1950
Department of Reclamation