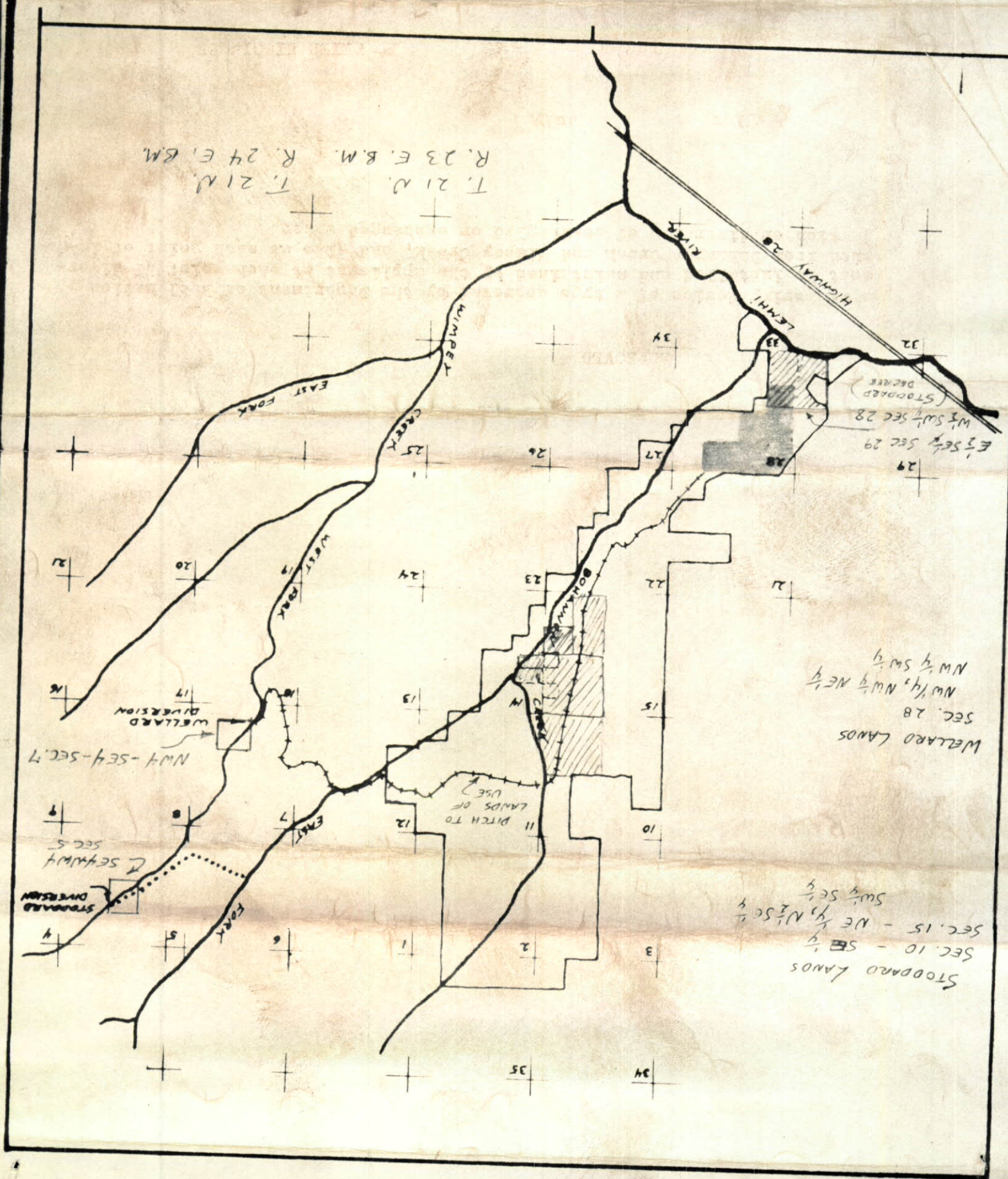
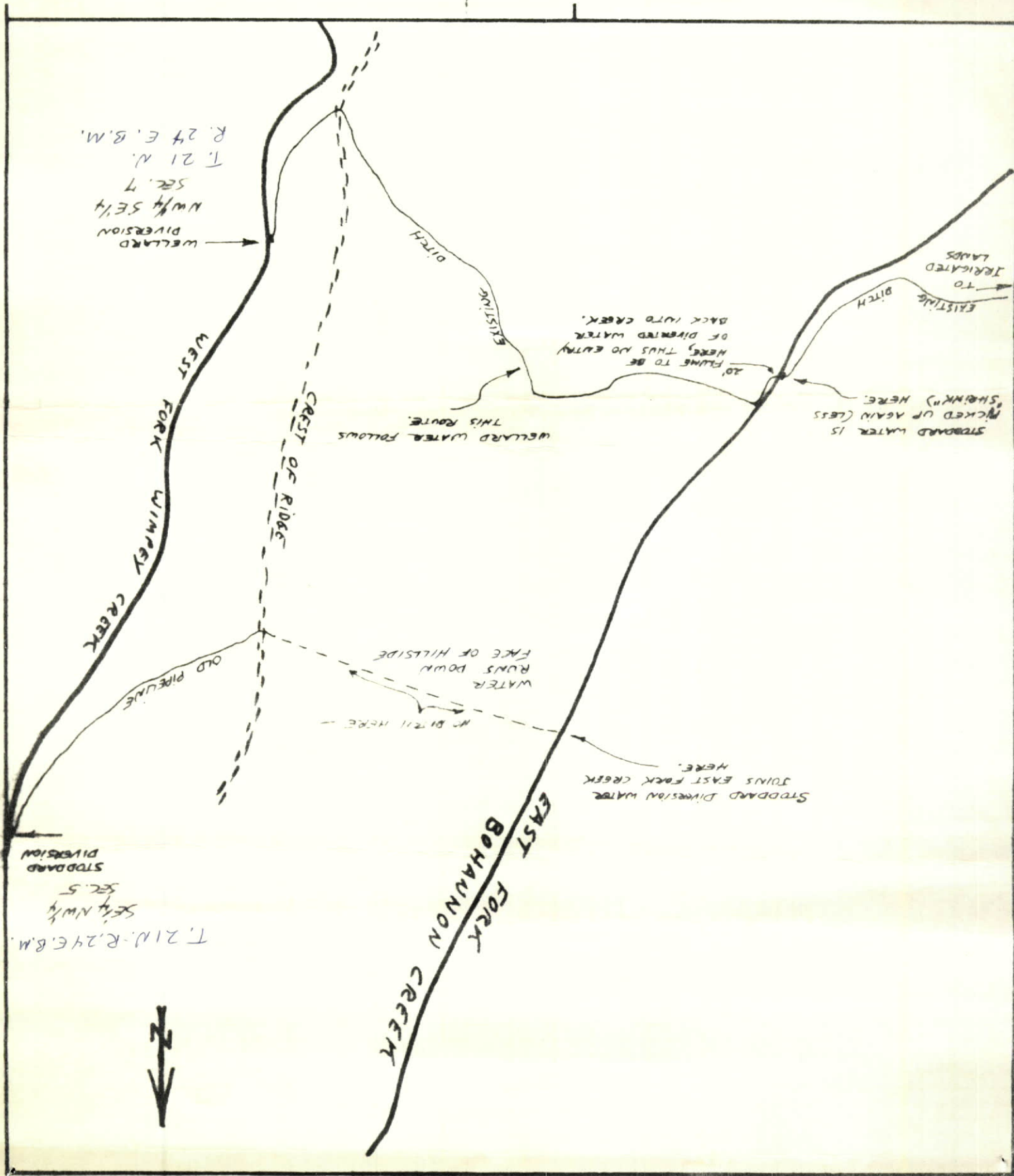






**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that Pyron Construction, Inc., dba Double Dollar Ranch of Salmon, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of Wimpey Creek as follows: Amount: 8.8 cubic feet per second. Priority: April 10, 1918 for 6.0 c.f.s. and May 2, 1919 for 2.8 c.f.s. Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, Township 21 N Range 24 E, B.M. Place of Use: SE $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 21 N. R. 23 E. B.M.

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 21 N, Range 24 E.B.M. and SE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 5, T 21 N, R 24 E. B. M. Place of Use: SE $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$, N $\frac{1}{2}$ -SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 14; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 21 N, R. 23 E, B.M.

And that on the 3rd day of June, 1968, at 10:30 A.M., at 614 State Street, 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.

R. Keith Higginson
State Reclamation
Engineer

5-16-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

RECEIVED
MAY 31 1968
Department of Reclamation

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,

NOTICE OF PROPOSED TRANSFER OF WATER RIGHTS

That the

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 5-16, 19 68 and ending with the issue dated 5-23, 19 68.

Jerry G. Rosin
23rd

Subscribed and sworn to before me, this

day of May, 19 68

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

Publication Fee \$ 12.24

TOWNSHIP 21 NORTH RANGE 24 EAST OF THE BOISE MERIDIAN, IDAHO

LEHR COUNTY
SECTION 25/10/11 SEC 2

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
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35	21	24	35
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1. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

2. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

3. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

4. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

5. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

6. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

7. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

8. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

9. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

10. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

11. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
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12. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
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13. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
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Completed 8/1/1920. All 1st surface right by 1/2.

35. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.

36. 1892 Oct 24, 1st 1st of Cong. 7/22/1921.
Completed 8/1/1920. All 1st surface right by 1/2.



FOR INDEXES EFFECTING DISPOSAL OF USE OF
PUBLIC LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO	NOV 21 1972
USE IN ALL	

DEC 12 1972

THE NOTATION SHOWN ON WITHDRAWS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-
DRAWAL ORDER

SCALE IN CHAINS
0 20 40 60 80 100 120 140 160 180 200 220 240 260 280 300 320 340 360 380 400 420 440 460 480 500 520 540 560 580 600 620 640 660 680 700 720 740 760 780 800 820 840 860 880 900 920 940 960 980 1000

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April 1904



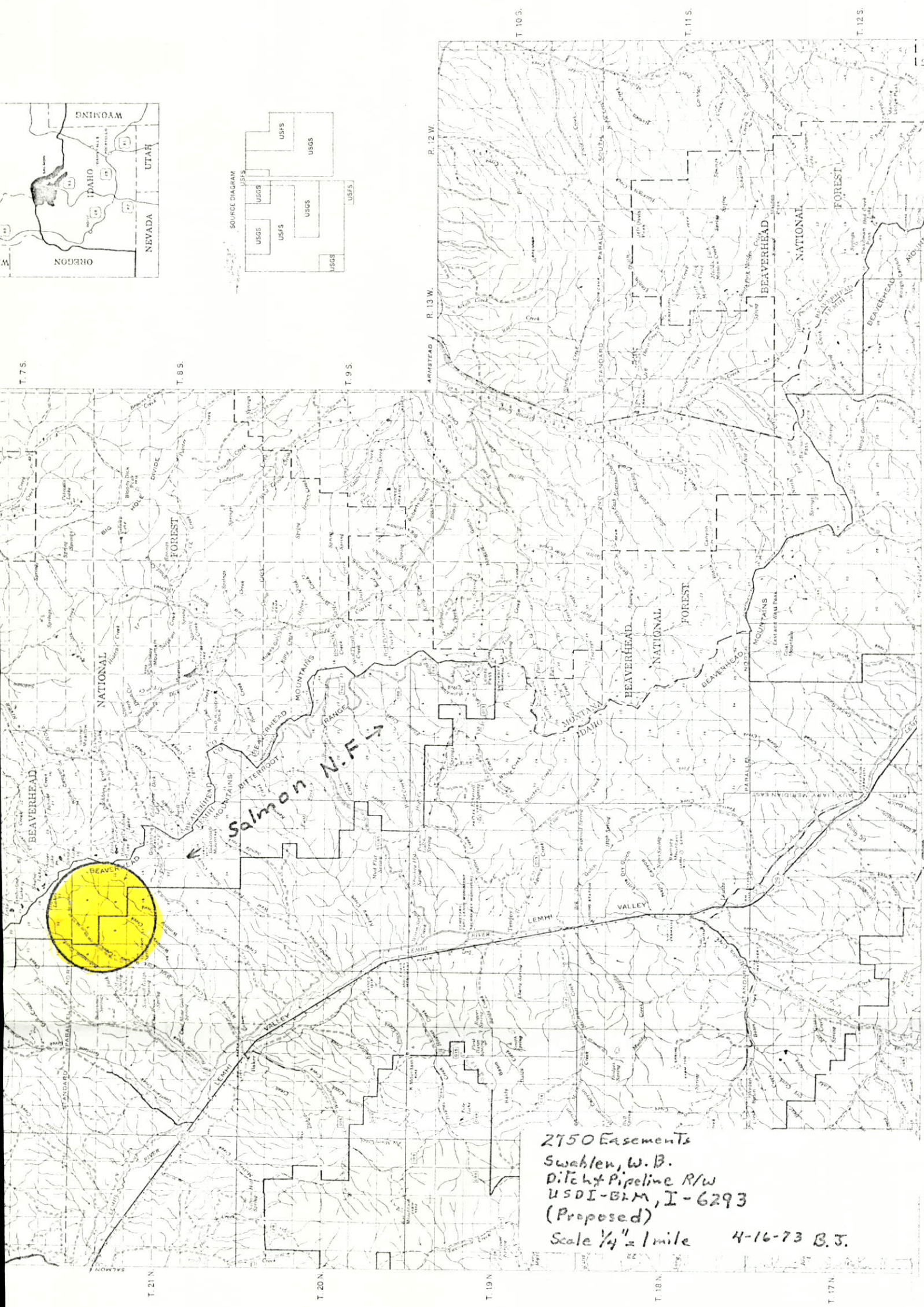
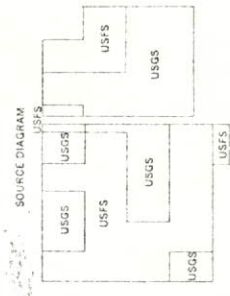
W B Swahlen Irrigation Ditch

SE 5W, S 5E Sec. 6
SW 5W, N 5W, SE 1W Sec. 5
T. 21 N., R. 24 E., Boise Meridian

Lemhi County, Idaho

Grade 1, 1.00 = 300 ft

Point	2000-1999	Difference
1	5,941.48 AC	10,712.88
2	5,691.00 W	3,788.00
3	5,614.71 W	32.00
4	5,541.00 W	1,755.00
5	5,562.50 W	1,685.00
6	5,674.00 W	3,400.00
7	5,508.00 W	3,645.00
8	5,518.15 W	1,755.00
9	5,545.50 W	2,845.00
10	5,573.25 W	1,885.00
11	5,494.00 W	1,650.00
12	5,444.00 W	1,000.00
13	5,527.94 W	2,845.00
14	5,474.75 W	2,075.00
15	5,337.50 W	2,075.00
16	5,197.19 W	1,575.00
17	5,187.00 W	2,535.00
18	5,797.31 W	5,730.00
20	N 83.55 S 14	544.74
21	N 83.55 S 14	470.11
22	N 68.73 S 11	470.11
23	N 68.73 S 11	6,455.00
24	S 71.43 W	



2750 Easements
Swahlen, W. B.
Ditch & Pipeline R/W
USDI-BLM, I-6293
(Proposed)
Scale 1/4" = 1 mile 4-16-73 B.J.

RECEIVED

APR 29 1968

Department of Reclamation

Identification No. 74-0214

Transfer No. 306

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

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

1. Name of Right Holder Pyron Construction, Inc. dba Double Dollar Ranch
Post office address Salmon, Idaho

2. Right obtained by:

a. Decree to George H. Stoddard in Case of George H. Stoddard
(Name) Sixth Judicial District
vs. Leonard Reagle, Dated 9-14-61 in County of Lemhi
Watermaster of Water District 79-B (Name of Court)
Court. County of Lemhi

b. License No. _____ issued by the State of Idaho, Department of Reclamation.

74-0214 3. Source of water Wimpey Creek tributary to Lemhi River
(Name of stream or source)

74-0215 4. Date of Priority April 10, 1918 6.0 cfs
May 2, 1919 = 2.8 cfs

5. Amount of water a. 8.8 c.f.s. and/or

b. _____ acre feet/annum

x 6. Water is used for irrigation from MARCH 1, to DEC. 30
(Month, Day) (Month, Day)

7. Original location of point of diversion is SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5,
Township 21 N, Range 24 E, B.M., in Lemhi County;

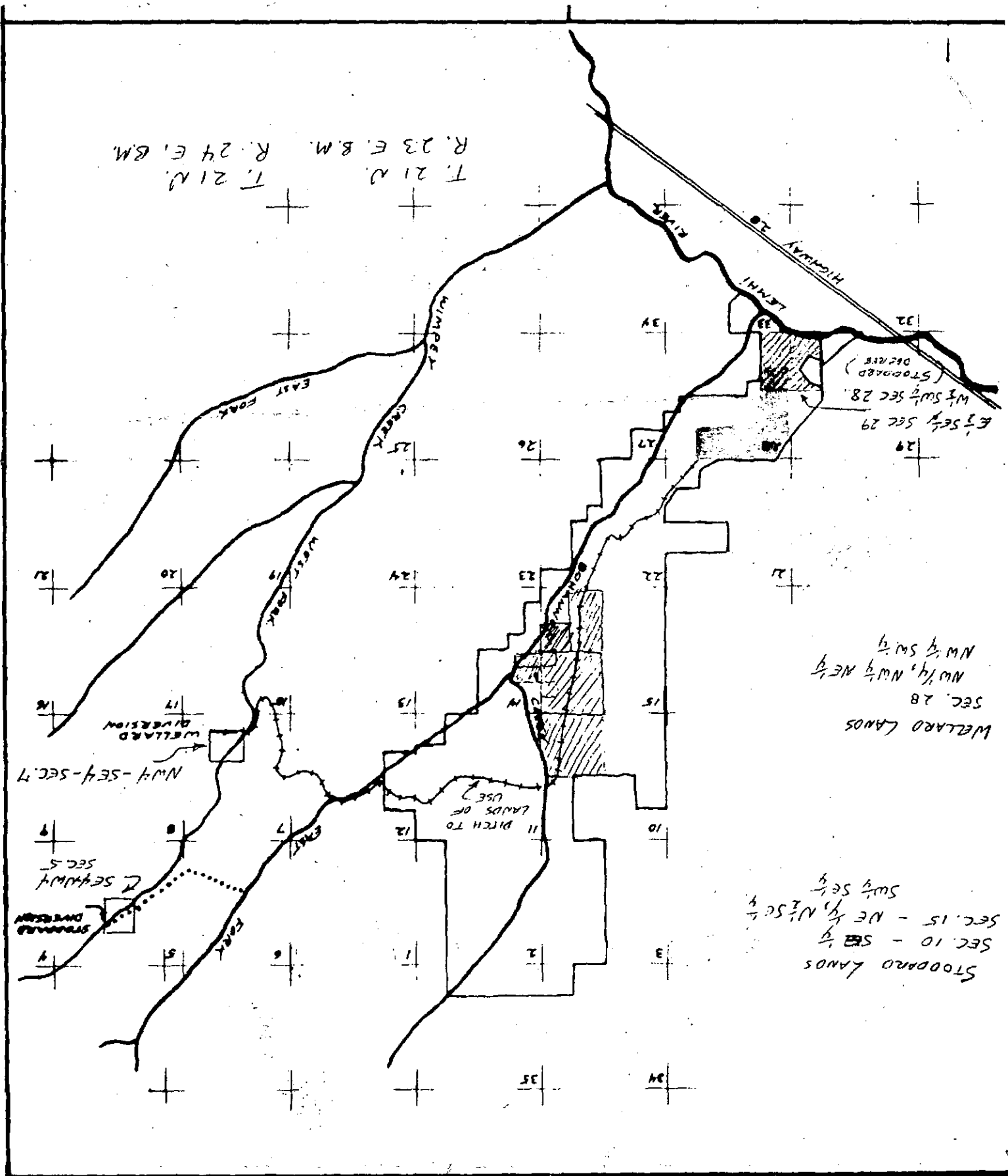
Additional points of diversion, if any None; applicant has another point of
diversion from said stream for another water right, and seeks, in
this application, to obtain the right to use said additional point
of diversion to divert the right first above described.

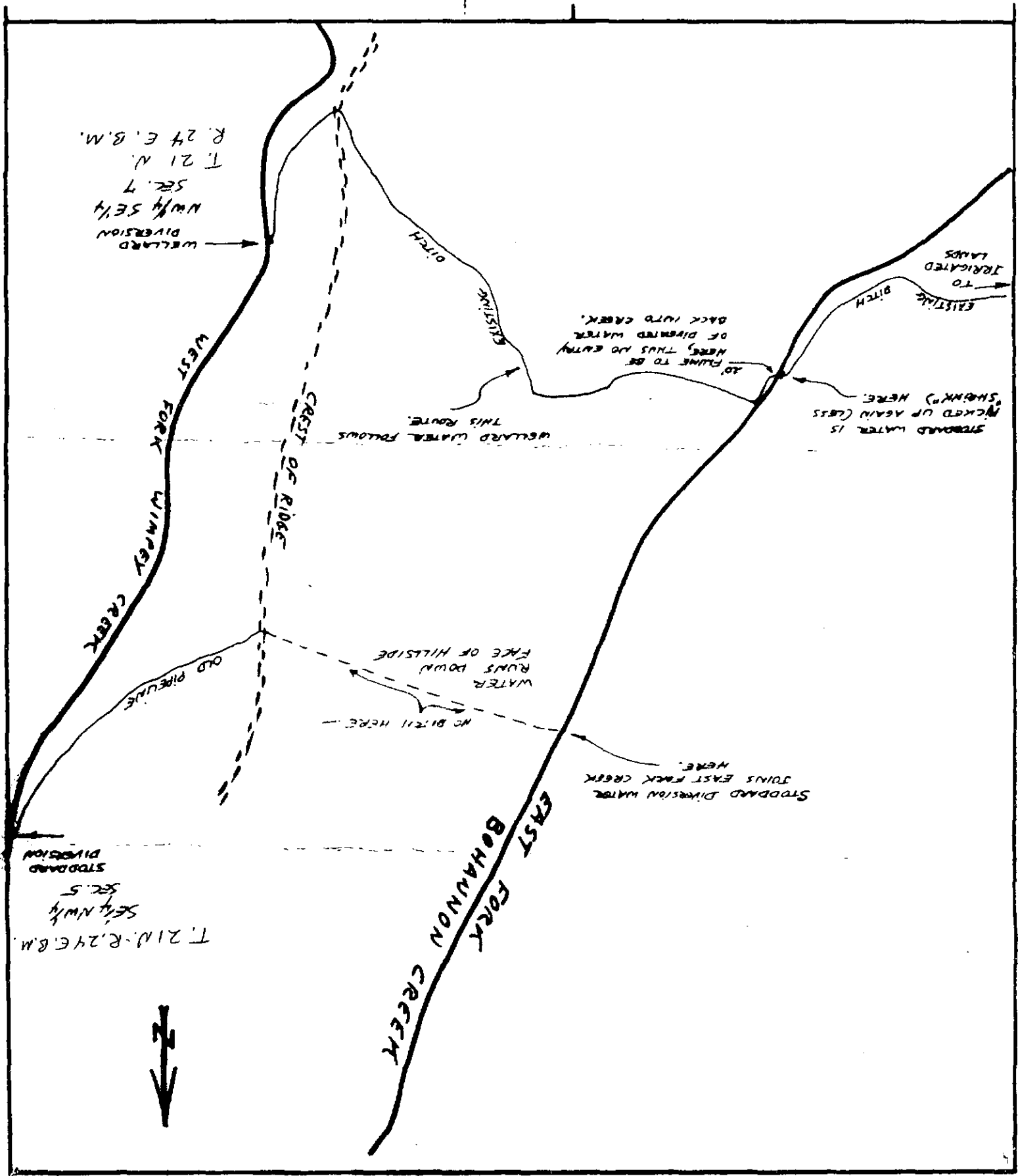
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N.	23E.	10													40	40	40	40	160
21N.	23E.	13	40	40	40	40									40	40	40		280
21N.	23E.	14							35 ⁺										35
21N.	23E.	28									40	40							80
21N.	23E.	29													25 ⁺			25 ⁺	50

Total number of acres presently irrigated 605

of water





WILLARD DIVISION
NW 1/4 SEC. 7
T. 21 N.
R. 24 E. B. M.

STODDARD DIVISION
SEC. 5
NW 1/4
T. 21 N. R. 24 E. B. M.



9. If applicant was not the original holder of this right explain how it was acquired: By purchase
from George H. Stoddard et ux.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 8.8 c.f.s. and/or _____ acre feet
(Additional)
- b. New/point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 21 N.
_____, Range 24 E., B.M.
- c. Description of method of diversion and conveyance from new points of diversion: Headgate and ditch
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
The additional point of diversion requested by applicant is also owned and used by applicant in connection with licensed water right No. 30383 originally issued to Frank J. Wellard on July 29, 1964, which water right is owned by applicant in that said right and the lands to which said land is appurtenant were acquired by applicant from Frank J. Wellard by purchase. By combining the two rights through the one point of diversion water is saved and conserved as compared with delivering the two rights through two points of diversion. Applicant would like, if possible, to have the right to use the Stoddard diversion for the Stoddard right on the rare occasions when it appeared advantageous to do so.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? No; applicant wishes to continue to have the right to use the original point of diversion on the rare occasions when it is advantageous to do so.
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.
See maps attached above.

11. CHANGE IN PLACE OF USE --No change in place of use is being applied for.

- a. Describe the new lands on which you wish to use your right.

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

Total number of acres to be irrigated _____

b. Do you intend to make the transfer permanent? Doesn't apply

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

Doesn't apply

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: Doesn't apply

e. Indicate on the above plat the new land to be irrigated and the point of diversion. Doesn't apply.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own

risk. The information contained in this application is true to the best of my knowledge.

ATTEST:

PYRON CONSTRUCTION, INC. dba Double Dollar Ranch

Secretary

President

(signature of applicant)

Subscribed and sworn to before me this 23rd day of April, 1968



OFFICIAL SEAL
VIRGINIA LEE LLOYD
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
COUNTY OF LOS ANGELES

My commission expires

(notary public)

VIRGINIA LEE LLOYD

My Commission Expires July 31, 1969

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

This is to certify that I have examined Application for Transfer of Water Rights No. 306 ^{CSA}

and said application is hereby APPROVED

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

A measuring device of a type approved by the Department of Reclamation ~~must be installed and maintained by the applicant at each point of diversion from Bohannon Creek and Wimpey Creek, and also at each point of injection or diversion of co-mingled or exchanged water.~~

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

Witness my hand this 31st day of July, 1968

R. Keith Higginson
R. KEITH HIGGINSON

State Reclamation Engineer

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that Pyron Construction, Inc., dba Double Dollar Ranch of Salmon, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of diversion of the waters of Wimpey Creek as follows: Amount: 8.8 cubic feet per second. Priority: April 10, 1918 for 6.0 c.f.s. and May 2, 1919 for 2.8 c.f.s. Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, Township 21N Range 24E, B.M. Place of Use: SE $\frac{1}{4}$ Sec. 10 NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 21 N. R. 23E, B.M.

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 21 N, Range 24 E.B.M. and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 21 N, R. 24 E. B. M. Place of Use: SE $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 21 N, R. 23E, B.M.

And that on the 3rd day of June, 1968, at 10:30 A.M., at 614 State Street, 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.

R. Keith Higginson
State Reclamation
Engineer

5-16-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

RECEIVED
MAY 31 1968
Department of Reclamation

JERRY G. ROSIN

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NOTICE OF PROPOSED TRANSFER OF WATER RIGHTS

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Jerry G. Rosin
23rd

Subscribed and sworn to before me, this

day of May, 19 68

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

Publication Fee \$ 12.24

Please file

74-0214

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Salmon National Forest
Salmon, Idaho 83467

RECEIVED
2750 APR 19 1973

STATE PLANNING AGENCY
April 16, 1973



Glenn W. Nichols, Director
Idaho State Planning and Community Affairs Agency
Boise, Idaho 83702

Dear Mr. Nichols:

This letter is written in accordance with the Clearinghouse Program MEMORANDUM OF UNDERSTANDING, between the USDA Forest Service and the State of Idaho, executed September 1, 1972.

Mr. W. B. Swahlen, Route 1, Salmon, Idaho 83467 has made application for a 50-year ditch and pipeline right-of-way easement in the Wimpey Creek area, Lemhi County, Idaho. The proposed easement if consummated would be issued by the USDI - Bureau of Land Management under the Act of March 3, 1891 (26 Stat. 1101-1102; 43 U.S.C. 946-949). The right-of-way application is for approximately 3097 feet of National Forest land administered by the Salmon National Forest. The remainder of the right-of-way would be on adjacent Public Domain lands administered by the Bureau of Land Management. Any easement issued would be administered by the Bureau of Land Management.

Correspondence indicates that some type of water transmission facilities may have existed on right-of-way application location for a number of years. The condition of water transmission facilities and any plans for reconstruction or new construction are unknown at this time. Enclosed for your information are copies of correspondence, plats and maps concerning the proposal.

The Forest Service will coordinate with the Bureau of Land Management in preparing environmental analysis of the easement proposal. The Forest Service environmental field studies will be conducted as soon as snow conditions will allow travel in the application area. Subsequently the Forest Service will compile an environmental analysis report and will submit recommendations and stipulations to the Bureau of Land Management.

You are invited to submit comments and/or recommendations to the
Forest Supervisor, Salmon National Forest, Salmon, Idaho 83467.
Response should be received by May 16, 1973.

Sincerely,

James R. Moorhead

JAMES R. MOORHEAD
Branch Chief, Fire Management
Recreation and Lands

Enclosure



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IN REPLY REFER TO:

(952)
I-6293

Idaho State Office
Room 398, Federal Building
550 W. Fort Street
Boise, Idaho 83702

DEC 12 1972

(Handwritten initials)

Regional Forester
Federal Office Bldg.
324 - 25th Street
Ogden, Utah 84403

This office has received a right-of-way application filed under the Act of March 3, 1891 (26 Stat. 1101-1102; 43 U.S.C. 946-949) which is further identified below. Attached are copies of the right-of-way map and the Master Title Plat status report on the lands involved in the application. Would you please advise this office as soon as possible whether or not you have any objections to the granting of the right-of-way.

Agencies having management responsibilities on the lands described herein are requested to assist this office by preparing stipulations in final form that, after signature by the applicant, can be attached to the right-of-way grant. If you desire to have any special stipulations included in this right-of-way grant, please submit these stipulations to this office in triplicate, on separate paper from your report and prepared for the applicant's signature. The regulations in 43 CFR 2801.1-5 will be made a part of the right-of-way if it is approved and any requirements you have should be in addition to these.

Serial No: I-6293
Applicant: W. B. Swahlen
Type of Application: Ditch and pipeline R/W
Voltage: Does not apply.
Lands Affected: See attached sheet.

Sincerely yours,

Eugene E. Babin

Eugene E. Babin
Chief, Branch of Records

Attachment
Print for your files.

ISO-2800-4
4-72

LEHIGH COUNTY
SALADIN DISTRICT SITE 2STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

INDEX TO SEGREGATED TRACTS

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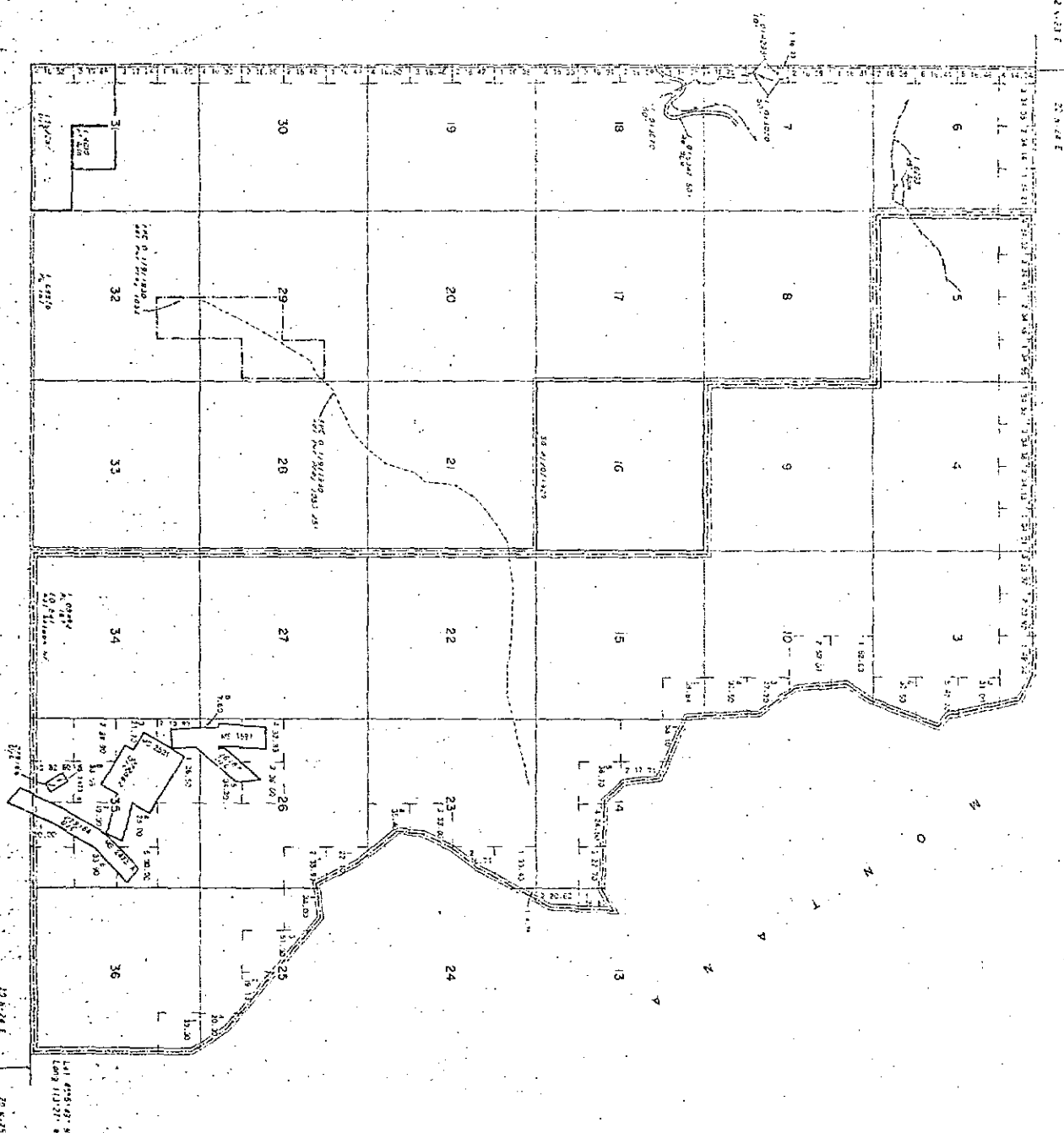
[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNDEVELOPED LANDS REFER TO INLET & W
MUSKELASHOUS POLYMERIS

CURRENT TO	CURRENT TO
NOV. 21 1976	NOV. 21 1976

DEC 12 1972

THE NOTATION SHOWN ON WITHDRAUGHTS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-
DRAWAL ORDER.



SCALE in CHIPS

SWAHLEN RANCH

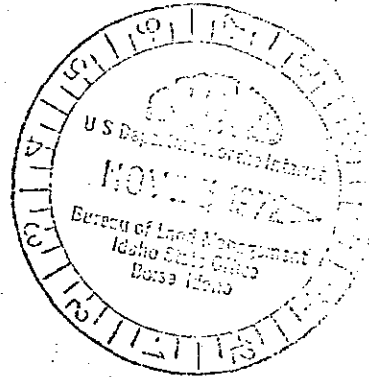
ROUTE 1

SALMON, IDAHO 83467

TELEPHONE 756-3438

November 10, 1972

Manager, Land Office
Bureau of Land Management
P.O. Box 2273
Boise, Idaho 83701



Dear Sir:

I hereby apply for a flumeline right-of-way and use of a natural water course on public lands. This application is made pursuant to the regulations of 43 CFR 2234 and I agree that the right-of-way, if approved, will be subject to the terms and conditions of the applicable regulations in 43 CFR 2234.

This application is made under the Act of March 3, 1891 (26 Stat. 1101) as amended.

I wish to use a flumeline and natural water course which have been in use since prior to 1900, although no record of application can be found, to transfer decreed water from the West Fork of Winpey Creek to my deeded lands in Lemhi County via the East Fork of Bohannon Creek. The flumeline is made of steel and is 22 inches in diameter. It crosses 3811.37 feet of public land. The natural water course goes through public land for a distance of 2994.33 feet before it empties into the East Fork of Bohannon Creek.

The survey location of the flumeline and natural water course are shown on the linen tracing. Three copies of the tracing are ~~also attached~~ being mailed ^{separately}.

A copy of the State of Idaho water decree No. 74-0214 and 74-0215 showing my right to use of the water in Winpey Creek on my deeded land is attached.

I will need the right-of-way for a period of fifty years.

Yours truly,

W. B. Swahlen
W. B. Swahlen

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEHI

GEORGE H. STODDARD,

Plaintiff

vs.

LEONARD REAGLE, Watermaster of
Water District 79-B

Defendant

No. 4228

SUPPLEMENTAL DECREE

RECEIVED
NOV 13 1972
Bureau of Land Mgt.
Salmon, Idaho

In this cause, the defendant, LEONARD REAGLE, as watermaster of Water District No. 79-B of the State of Idaho, having been duly and regularly served with summons within said Sixth Judicial District of the State of Idaho, and said defendant having failed to appear herein, and having failed to answer or otherwise plead to the complaint of the plaintiff filed herein, and the time for such appearance and answer having expired, and the default of said defendant having been duly and regularly entered in the premises; and notice of the pendency of this action having been duly published for three consecutive weeks in the Recorder Herald newspaper, as provided by law and ordered by the court herein, and no one appearing in this cause by intervention or otherwise against the complaint of the plaintiff; and said cause having come on regularly for hearing in open court the 14th day of September, 1961, Sherman F. Furey, Jr., appearing as attorney for plaintiff, and the defendant not appearing either personally or by counsel, and no other person or party appearing in opposition to the complaint of the plaintiff; and evidence having been introduced on behalf of the plaintiff, and the Court having heard the proofs, and having considered the complaint and the petition of the plaintiff, and the evidence and proofs adduced, and being advised in the premises; and findings of fact and conclusions of law having been made and filed herein, and having been by the Court found and ordered that the plaintiff is entitled to the relief prayed for in his said complaint, and that judgment and decree be given in conformity with said findings of fact and conclusions of law;

NOW, THEREFORE, by reason of the law and premises, on motion of counsel for the plaintiff,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the plaintiff is entitled to the use of, and he is hereby adjudged and decreed to have and possess the right to the use of the waters of Wimpey Creek, a tributary of the Lemhi River, in the quantities hereinafter set forth for irrigation purposes, upon the lands situated in the County of Lemhi, State of Idaho, as follows, to-wit.

74 0214

1. 6 cubic feet per second of the flow of the waters of Wimpey Creek, a tributary of the Lemhi River, with priority date of April 10, 1910, and with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 21 North, Range 24 E. B. M., in Lemhi County, Idaho, for the irrigation of lands situate in Lemhi County, Idaho, i. e. S $\frac{1}{2}$ of Section 10; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15; a portion of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 21 North, Range 23 E. B. M.;

74 0215

2. 2.8 cubic feet per second of the flow of the waters of Wimpey Creek, a tributary of the Lemhi River, with priority date of May 2, 1919, and with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 21 North, Range 24 E. B. M., in Lemhi County, Idaho, for the irrigation of lands situate in Lemhi County, Idaho, i. e. N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 28, and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 29, Township 21 North, Range 23 E. B. M.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the determination and adjudication of the rights of plaintiff are, and shall be subject to the terms of that certain Decree, dated April 10, 1906, adjudicating the waters of Wimpey Creek, entered in that certain action then pending in the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, wherein Minnie M. Shenon, Administratrix of the estate of Philip Shenon, deceased, et al, are plaintiffs and Nellie Albertson et al are defendants and the plaintiff herein, and the said irrigation rights described and provided hereinabove are hereby made a part of and subject to said Decree, and the waters to which plaintiff is entitled as herein provided, shall be distributed to him in accordance with said Decree, as supplemented herein, and in the same manner as though plaintiff's said rights had been included in said Decree, and with due regard to the priority date of plaintiff's said rights as herein adjudged and determined.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That plaintiff shall pay his own costs incurred herein.

Dated the 14th day of September, 1961

EZRA P. MONSON
District Judge

Right of Way Application, Act March 3, 1891

2800

I-5293

W. B. Swahlen
Swahlen Ranch
Route 1
Salmon, Idaho 83467

T. 21 N., R. 24 E., B.M., Idaho
Sec. 5: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 6: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

ditch & pipeline

11/14/72

Application filed.

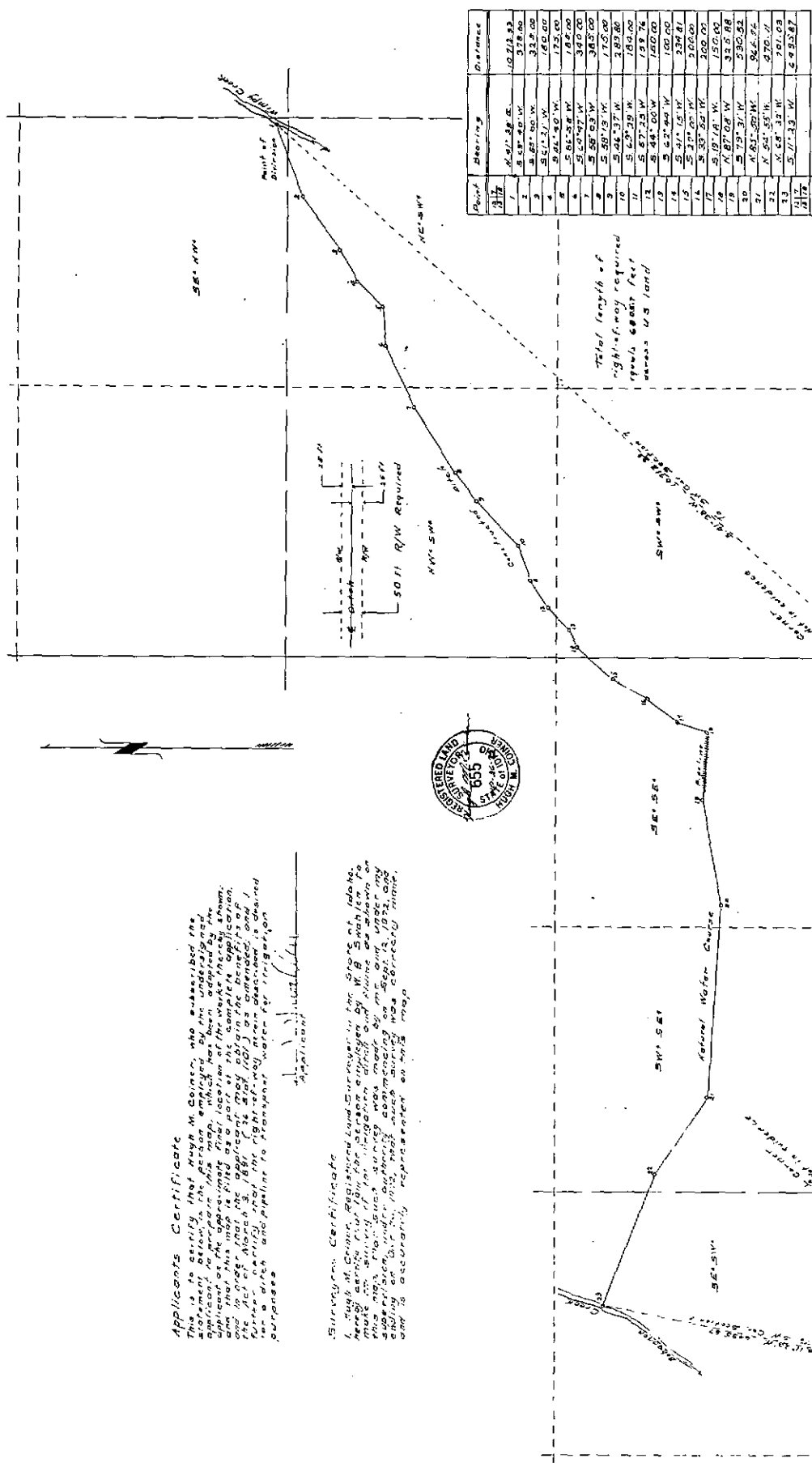
Applicants Certificate

This is to certify that Hugh M. Coiner, who submitted the application to register this map, which has been approved by the applicant as the operating final location of the water right shown, and in order that the final location of the water right shown, the Act of March 3, 1881 (21 Stat. 100) as amended, and I hereby certify that the right-of-way shown hereon is desired for the purpose of conveying water for irrigation purposes.

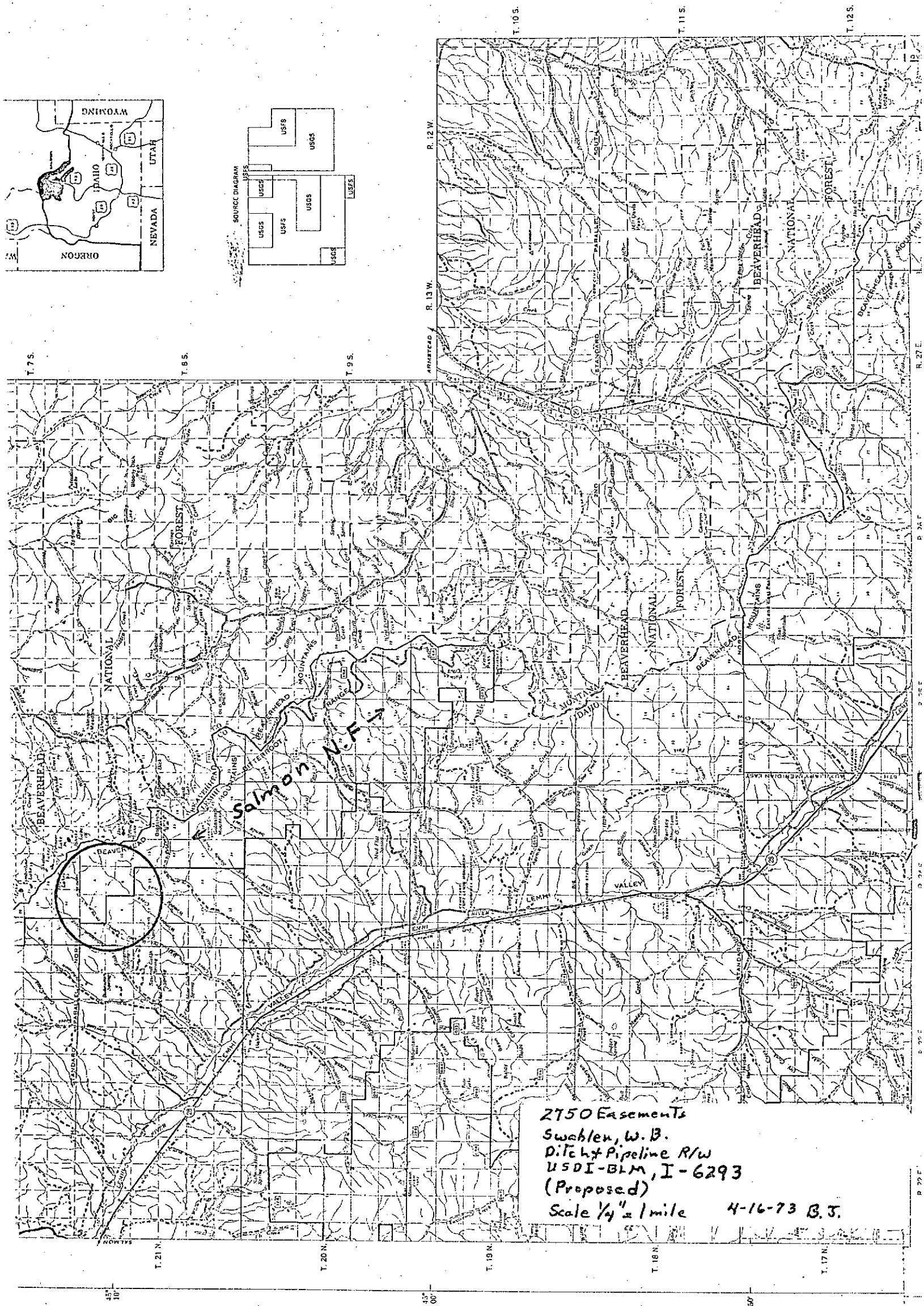
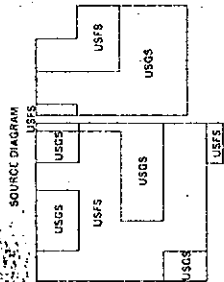
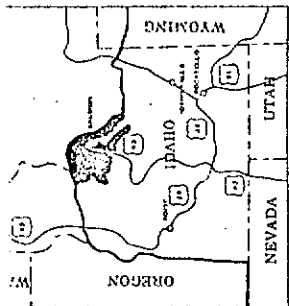
[Signature]
Applicant

Surveyors Certificate

Hugh M. Coiner, Registered Land Surveyor in the State of Idaho, who made this survey of the irrigation ditch and water right shown on this map, hereby certifies that the survey was made by me and under my supervision, and that the survey was made in accordance with the laws and is accurately represented on this map.



W. B. Swahlen Irrigation Ditch
 SE 1/4 SW 1/4, S 1/2 Sec. 6
 SW 1/4 NW 1/4, SE 1/4 NW 1/4, Sec. 5
 T. 21 N., R. 22 E., Boise Meridian
 Latah County, Idaho
 Scale: 1 in. = 300 ft.



July 31, 1968

C
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Re: Transfer of Water Right
Change in Point of Diversion No. 306
Pyron Construction, Inc.

Sherman F. Furey, Jr.
Attorney At Law
Professional Building
Salmon, Idaho 83467

Dear Mr. Furey:

Please find enclosed a copy of the approved Transfer of Water Right - Change in Point of Diversion No. 306 in the name of Pyron Construction, Inc.

We call your attention to the limitations and conditions of the transfer as outlined on the last page of the approved application.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Copy of Transfer

LAW OFFICES
FUREY, FUREY & BENNETTS
PROFESSIONAL BUILDING
SALMON, IDAHO 83467

P. O. BOX 1150

July 15, 1968

RECEIVED
JUL 15 1968
Department of Reclamation
AREA CODE 208
736-3400

Mr. Donald W. McEldowney
Department of Reclamation
Statehouse
Boise, Idaho

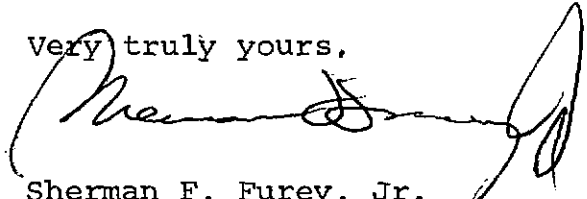
Re: Application for Transfer of Point
of Diversion - Pyron Construction
Inc.

Dear Mr. McEldowney:

Can you tell me when we can expect to receive the
formal order granting the additional point of diversion
referred to in your letter of June 5, 1968.

Thank you.

Very truly yours,


Sherman F. Furey, Jr.

SFF:bd

cc: Mr. Stan Pyron
Mr. Max Larsen

June 12. Received
See. receipt 985

RECEIVED

June 5, 1968

Re: Application for Transfer
Pyron Construction, Inc.

Sherman F. Furey, Jr.
Attorney At Law
Salmon, Idaho 83467

Dear Mr. Furey:

Please be advised that the period for protest has passed and this application for transfer can be considered for approval when we receive the \$1.00 transfer fee.

Please remit promptly.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DM:DJ

MICROFILMED

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NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Pyron Construction, Inc., dba Double Dollar ~~xxx~~
Ranch of Salmon, Idaho, has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing them to change the point of diversion
~~and/or place of use~~ of the waters of Wimpey Creek as follows:
Amount: 8.8 cubic feet per second. Priority: April 10, 1918 for 6.0 c.f.s. and
May 2, 1919 for 2.8 c.f.s.
Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, Township 21 N Range 24 E, B.M.
Place of Use: SE $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14;
W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 21 N, R. 23 E, B.M.

To Be Transferred To

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 21 N, Range 24 E, B. M.
and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 21 N, R. 24 E, B.M.
Place of Use: SE $\frac{1}{4}$, Sec. 10; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28;
E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 29, T. 21 N, R. 23 E, B.M.

And that on the 3rd day of June, 1968, at 10:30 o'clock ~~at~~ A. M.,
at 614 State Street, 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.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Recorder Herald on May 16 and May 23, 1968.

LAW OFFICES
FUREY, FUREY & BENNETTS
PROFESSIONAL BUILDING
SALMON, IDAHO 83467

P. O. BOX 1150

AREA CODE 208
756-3400

May 27, 1968

RECEIVED
MAY 31 1968
Department of Reclamation

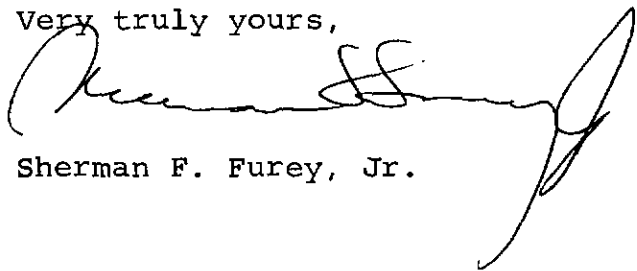
Department of Reclamation
Statehouse
Boise, Idaho

Re: Application for Additional Point of
Diversion of Pyron Construction,
Inc.

Gentlemen:

Enclosed is Affidavit of Publication in the above
matter.

Very truly yours,



Sherman F. Furey, Jr.

SFF:bd
Enclosure
cc: Mr. Stan Pyron
Mr. Max Larsen

RECEIVED

May 9, 1968

C
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Re: Application for Transfer
Pyron Construction, Inc.

Recorder-Herald
Salmon, Idaho 83467

Gentlemen:

We have received a galley proof from you for the notice on the above referenced application. This proof has an error which needs to be corrected.

There are two points of diversion under To Be Transferred To:
NW~~1~~SE~~1~~, Sec. 7, T. 21 N, R. 24 E, B.M. and SE~~1~~NW~~1~~, Sec. 5, T. 21 N,
R. 24 E, B.M. The latter was omitted by your galley proof.

Thank you for your cooperation.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

Enc: Copy of galley proof

May 6, 1968

Re: Application For Transfer
Pyron Construction, Inc.

Recorder-Herald
Salmon, Idaho 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

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

The expense of the publication is to be paid by Pyron Construction, Inc., c/o Sherman F. Furey, Jr., Attorney At Law, Professional Building, Salmon, Idaho, to whom you should furnish an affidavit of publication on or prior to June 3, 1968.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

May 6, 1968

C
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Re: Application for Transfer
Pyron Construction, Inc.

Sherman F. Furey, Jr.
Attorney At Law
Professional Building
Salmon, Idaho 83467

Dear Mr. Furey:

We have mailed the notice of proposed transfer of water right to the Recorder-Herald in Salmon, Idaho, to be published once a week for two consecutive weekly issues, May 16 and May 23, 1968.

Please furnish the Department of Reclamation with an affidavit of publication prior to June 3, 1968.

Very truly yours,

EDnald W. McEldowney
Appropriation Examiner

DWM:edj

RECEIVED
MAY 14 1968

May 2, 1968

Re: Application for Transfer
Pyron Construction, Inc.

C
O
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Sherman F. Furey, Jr.
Attorney At Law
Professional Building
Salmon, Idaho 83467

Dear Mr. Furey:

We are in receipt of Application for Transfer above referenced. The application appears to be in order and the department shall proceed with the processing of the application.

We are returning your firm's check in the amount of \$20.00. Although the statutes list a \$20.00 fee for transfer, the intent of that provision was to co-incide with a revision in the statutes governing transfers and was to cover the cost of publication. The companion legislation was not approved.

The Attorney General has stated that the department should not collect the \$20.00 fee for transfer listed under this provision. We will instead continue as we have in the past in requiring a \$1.00 transfer fee following the advertising period; however, you will be advised when this is required.

Please feel free to contact us if we can assist you in any manner.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Returning \$20.00 check

LAW OFFICES
FUREY, FUREY & BENNETTS
PROFESSIONAL BUILDING
SALMON, IDAHO 83467

P. O. BOX 1150

AREA CODE 208
756-3400

April 26, 1968

RECEIVED

APR 29 1968

Department of Reclamation

Department of Reclamation
Statehouse
Boise, Idaho

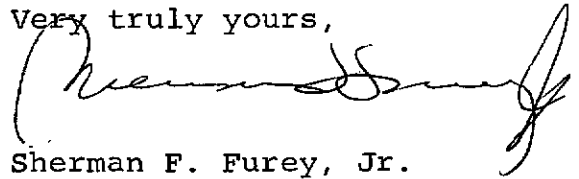
Re: Application for Additional Point of
Diversion of Pyron Construction,
Inc.

Gentlemen:

As requested in your letter of April 11, 1968, I
have prepared this application on the new form which you
started using March 1, 1968. The new application, with my
check in the amount of \$20, is enclosed.

This application now bears the corporate signa-
ture of the owner of the premises and the water right, i. e.,
Pyron Construction, Inc.

Very truly yours,



Sherman F. Furey, Jr.

MICROFILMED

SFF:bd

Enclosures

cc: Mr. Max Larsen
Mr. Stan Pyron