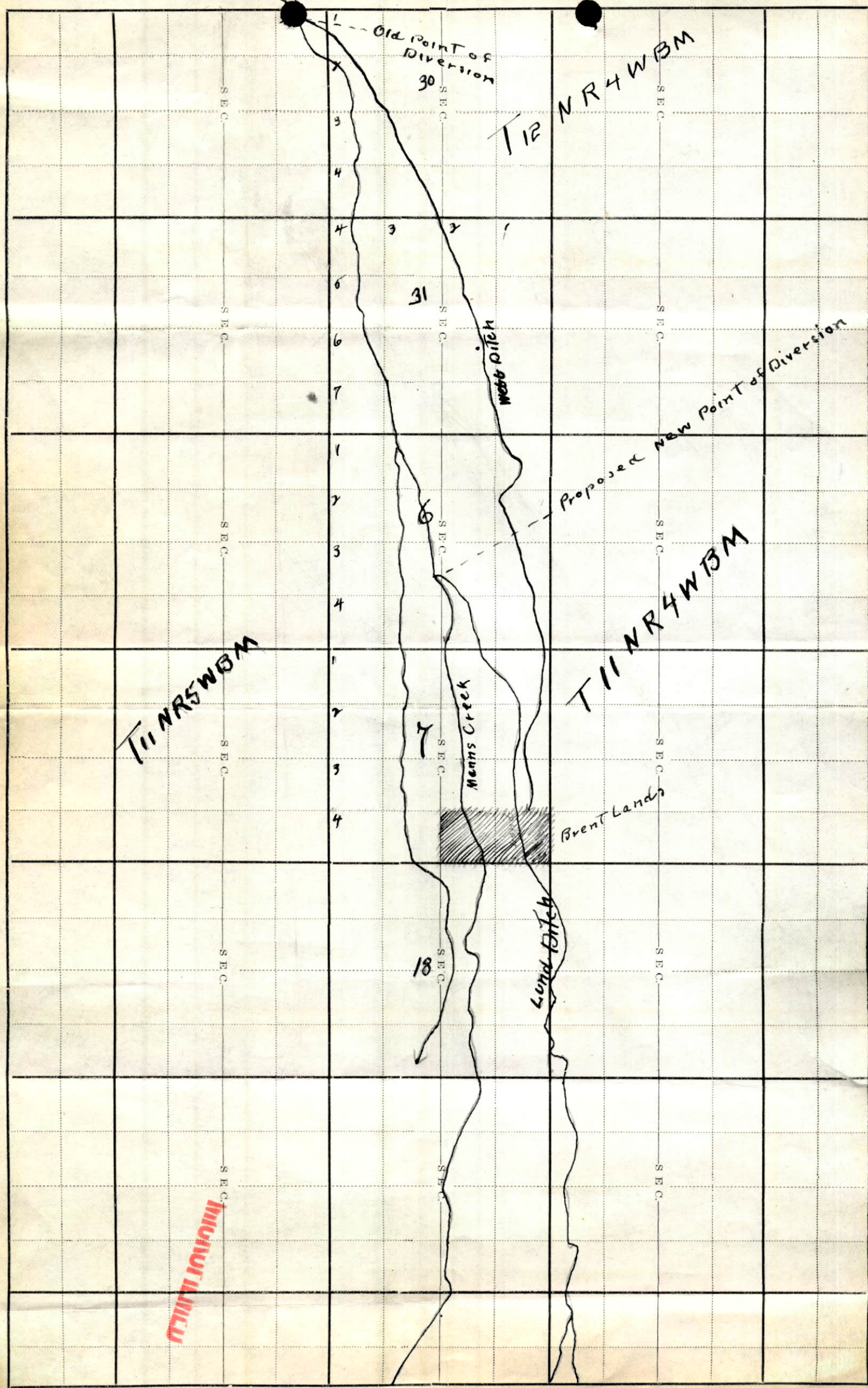


NAME OF APPLICANT. **W R Brent**

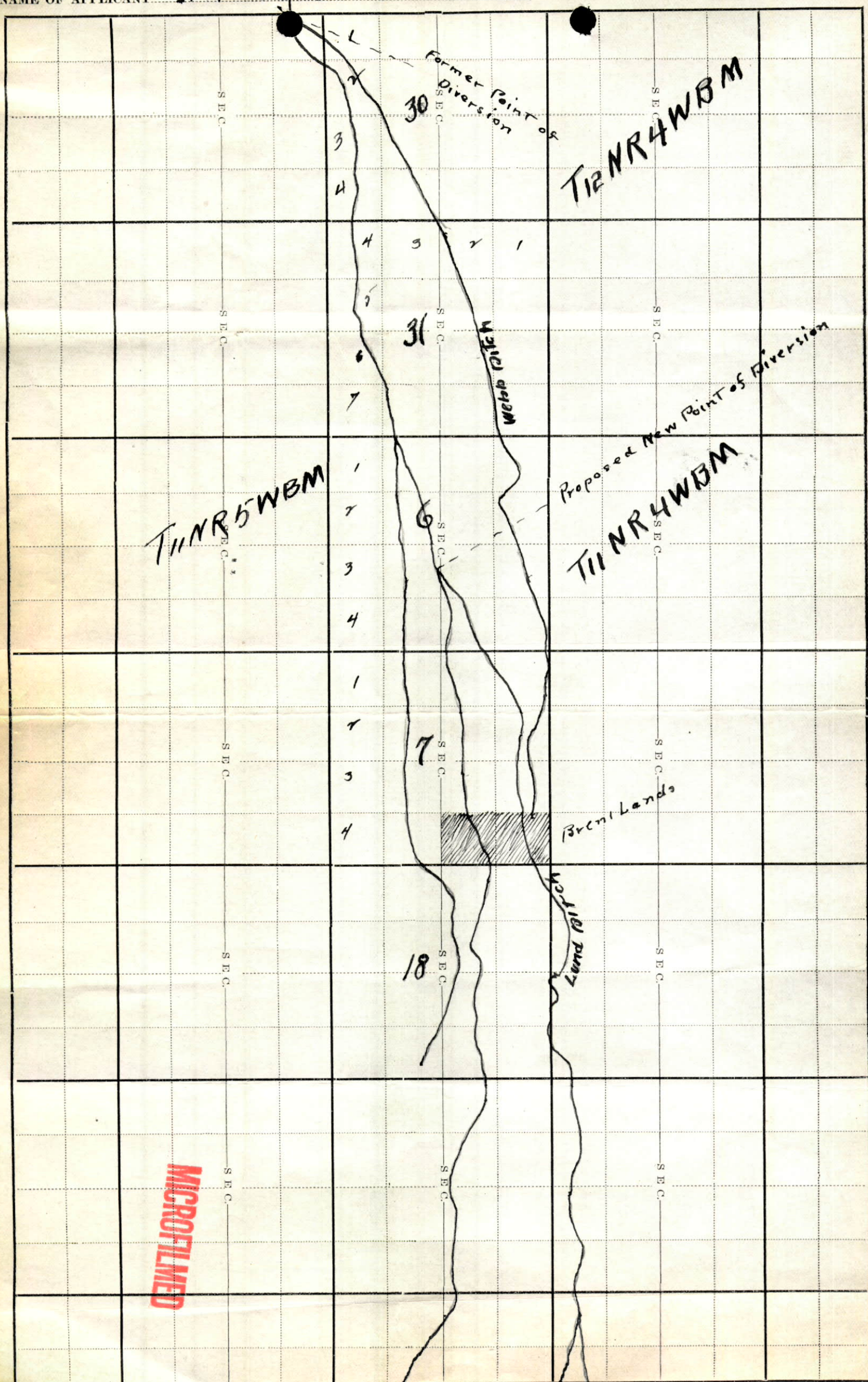
67-0536



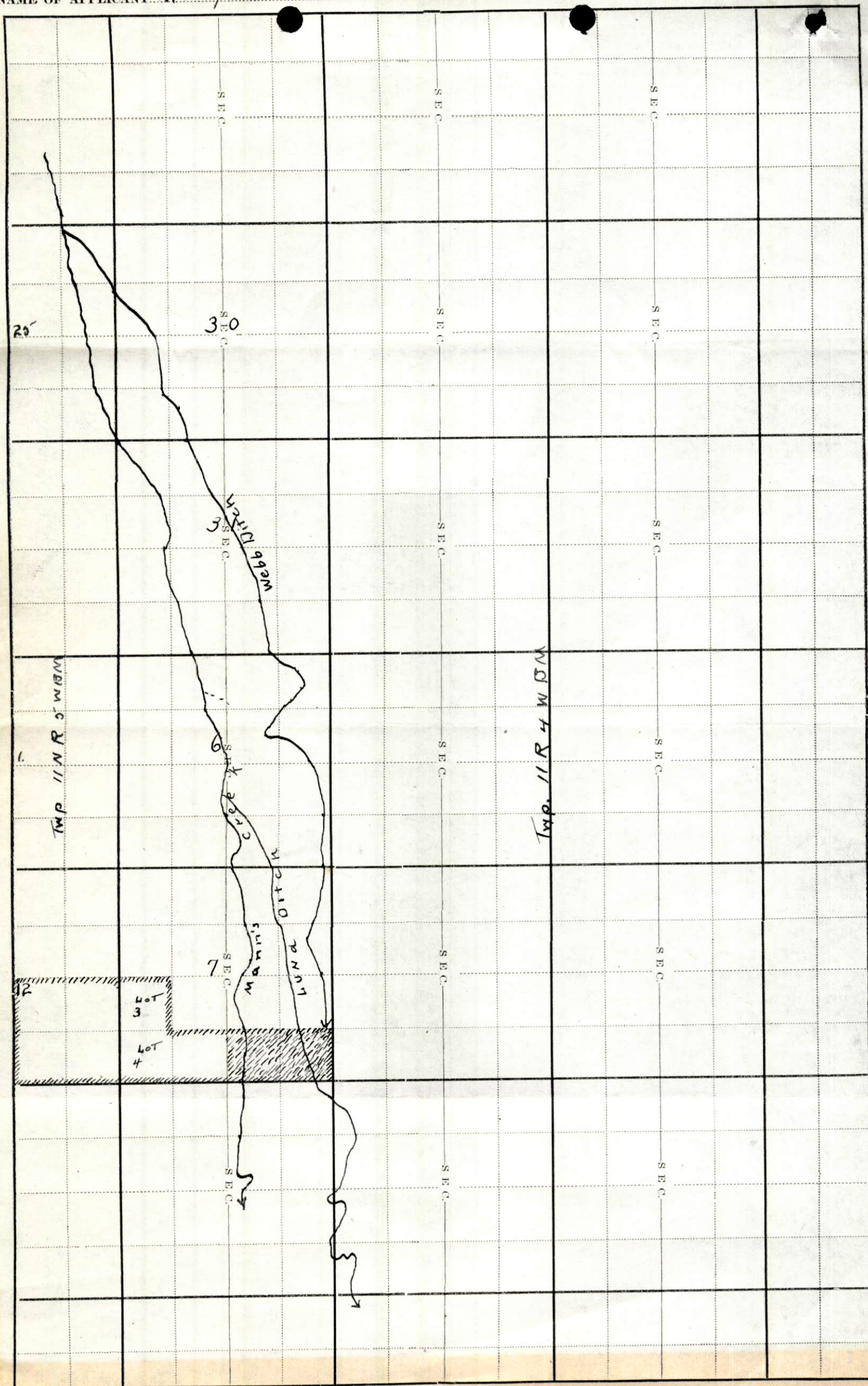
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NAME OF APPLICANT WR Brent

67-0536

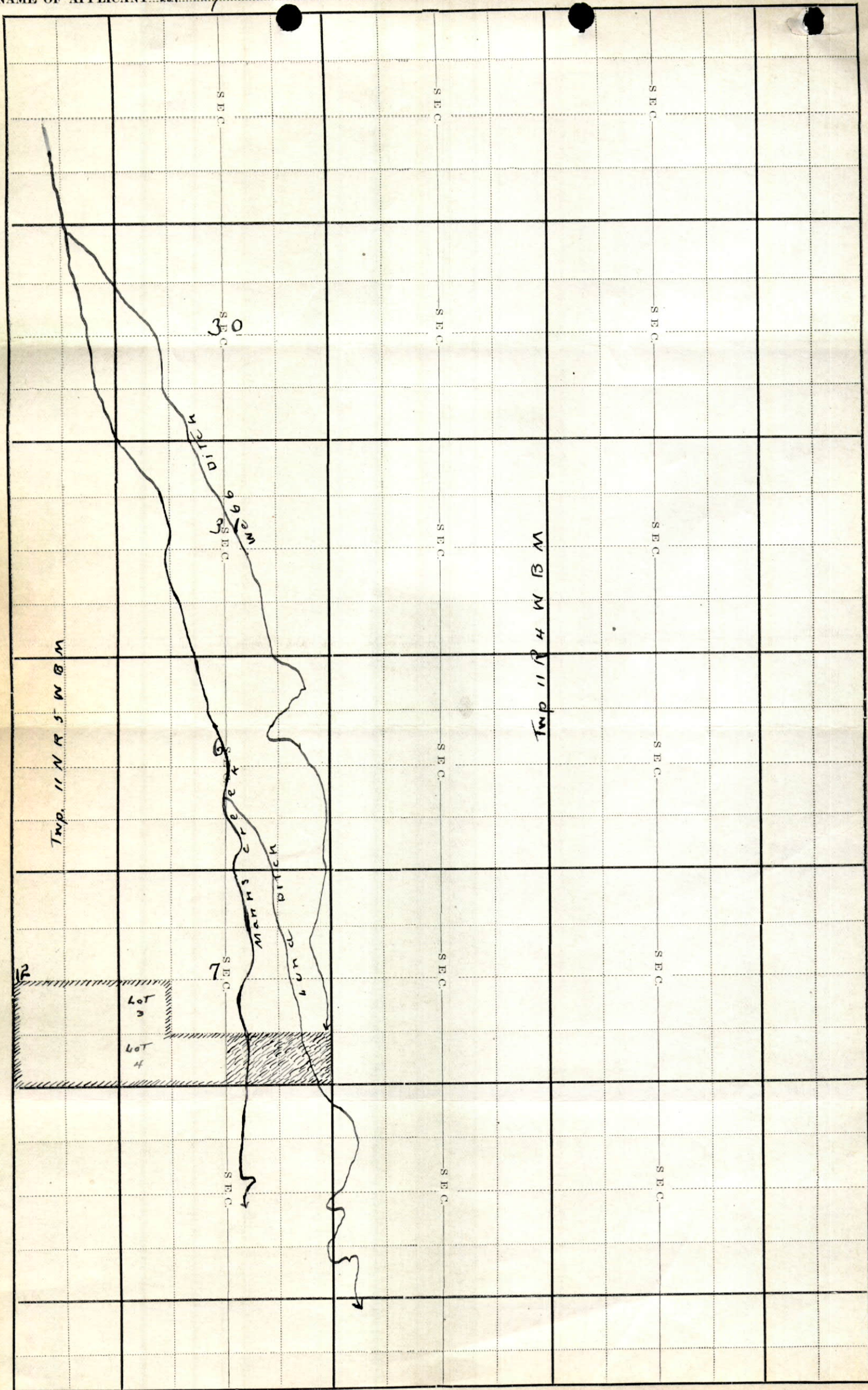


NAME OF APPLICANT W. Roy Brent



SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

NAME OF APPLICANT W. Roy Brent



SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

67-0536

STATE OF IDAHO,

County of Washington

ss.

W. R. Brent

being first duly sworn, upon his

oath deposes and says:

That he is the owner of a decreed water right appurtenant to the following described land to-wit:

~~The South one-half of the Southeast Quarter of Section 7, Township~~
~~11, North Range 4 West of the Boise Meridian,~~

as evidenced by the decree dated Third day of June, 1921,in the cause entitled E. V. Jefferson Plaintiff,vs. Thomas M. Higgenbotham et al Defendant, broughtin the District Court of the Seventh Judicial District of the State of Idaho; or,

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho

No. _____

that he intends to change the point of diversion of 20 inches of the flood water right and seven-tenths of that amount as described in said Decree or permit to the following described point: to a point in the Northeast Quarter of the Northwest Quarter of Section 6, Township 11, North Range 4 West of the Boise, Meridian, and in effect changing the point of diversion from the Webb ditch described in said Decree, to the point of diversion of the Lund ditch described in said Decree, for the amount of water hereinbefore mentioned.

~~that he will not be required to expend as great amount in the repair and up-keep of ditches.~~
~~and evaporation, and further for the reason that he will not be re-~~
~~quired to expend as great amount in the repair and up-keep of ditches.~~

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Subscribed and sworn to before me this Fifth day of July, 1922


Notary Public.

for Idaho, residing at Weiser, Idaho

My commission expires June 1st 1923

(Over)

Received and filed for record in the Department
 of Reclamation at Boise, Idaho, at

9:29 A.M. July 6 1922

Commissioner of Reclamation

BY CA

67-0536

STATE OF IDAHO, }
 County of Washington } ss.

W. R. Brent being first duly sworn, upon his oath deposes and says:

That he is the owner of a decreed water right appurtenant to the following described land to-wit:

~~The South one-half of the Southeast Quarter of Section 7, Township~~
~~11, North Range 4 West of the Boise Meridian,~~

as evidenced by the decree dated Third day of June, 1921,

in the cause entitled E. V. Jefferson Plaintiff,

vs. Thomas M. Higgenbotham et al Defendant, brought

Seventh Judicial District of the State of Idaho: or.

That such change will be made for the following reasons, to-wit:

that by changing the point of diversion the distance which applicant is required to convey his water by ditch to his land is lessened one-half, and that he can save considerable of said water from seepage and evaporation, and further for the reason that he will not be required to expend as great amount in the repair and up-keep of ditches.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Subscribed and sworn to before me this Fifth day of July, 1922

Notary Public.

My commission expires June 1, 1923

(Over)

Received and filed for record in the Department
 of Reclamation at Boise, Idaho, at

9:00 A.M. July 6, 1922

Commissioner of Reclamation

EFFECTIVE APRIL 10, 1911

STATE ENGINEER'S OFFICE

Regulations as to Change of Point of Diversion.

Section 3247 of the Revised Codes provides that a person entitled to the use of water, may change the place of diversion if others are not injured by such change. The Board of Irrigation has adopted the following regulations as to procedure under said section:

The person desiring to change point of diversion must file with the State Engineer an affidavit describing his water right, setting forth his intent to change point of diversion and the reasons for such change, together with an averment that no one will be injured thereby and that deponent will make such change at his own risk.

The point to which it is desired to change the place of diversion must be described as follows:

When the amount claimed does not exceed 25 cubic feet per second and point of diversion will be on surveyed land, locate same by giving the legal description of the 40 acre tract in which it will be situated. If upon unsurveyed land, give approximate distance to mouth of stream from which water is claimed or to the mouth of some creek flowing into said stream. Where there is more than one point of diversion, describe each separately and specify the amount claimed from each.

Where the water claimed exceeds 25 cubic feet per second, locate the point to which it is desired to change the place of diversion as follows:

If upon or near surveyed land, tie point of diversion by course and distance to section or quarter section corner. If said point will be more than two miles from the corner of a public survey, the tie may be made to the mouth of the stream from which the water is claimed or to the mouth of some creek flowing into said stream.

The affidavit must be accompanied by maps in duplicate, showing the following details:

1. If for irrigation and domestic use:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the land to be irrigated.
 - (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.
2. If for other than irrigation and domestic purposes:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches.
 - (f) Point or points of use.
 - (g) Point or points of return to stream after use.

If application is for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by the engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me 191....., and correctly shows position of points indicated thereon.

Engineer.

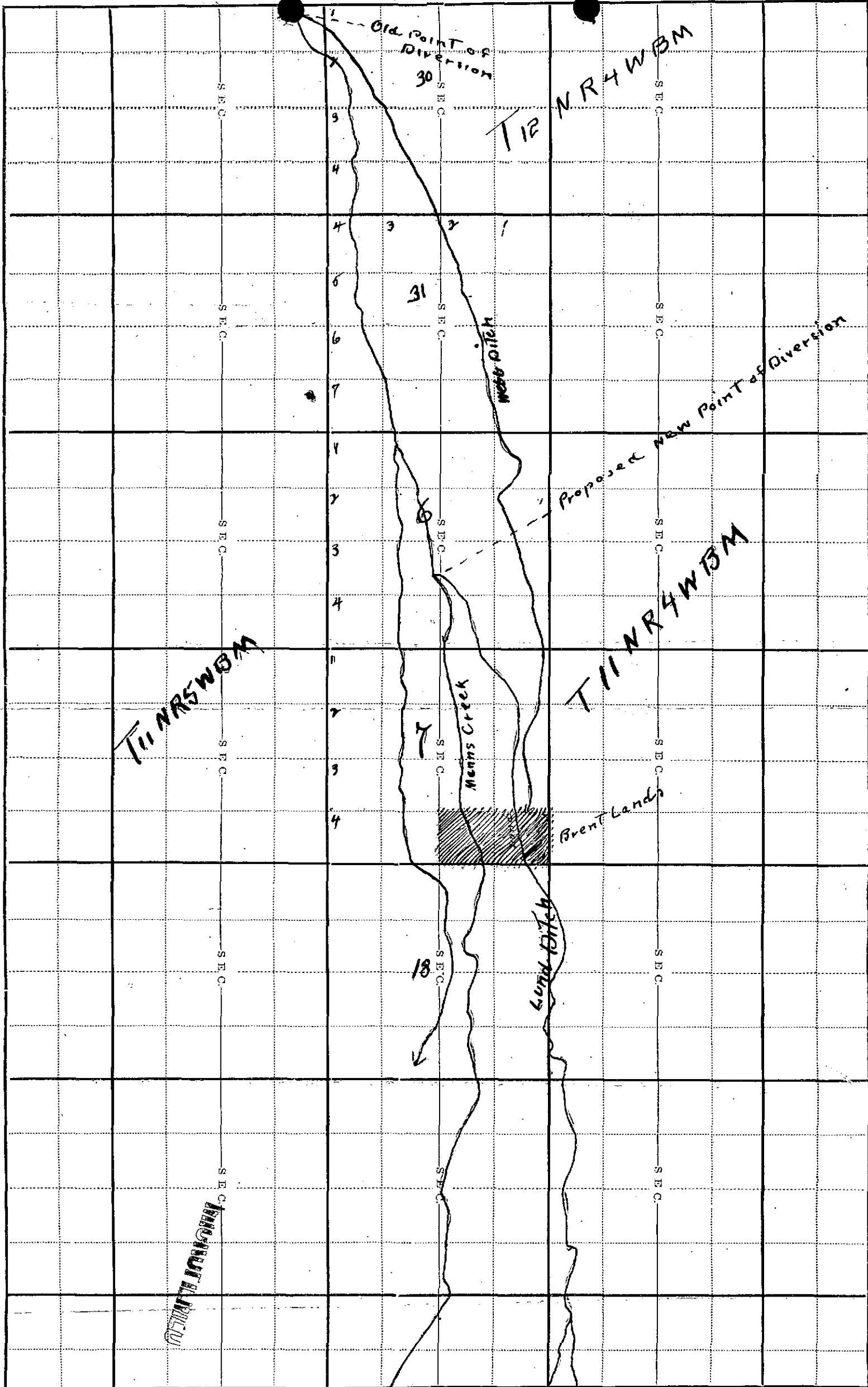
P. O.

Date.....191.....

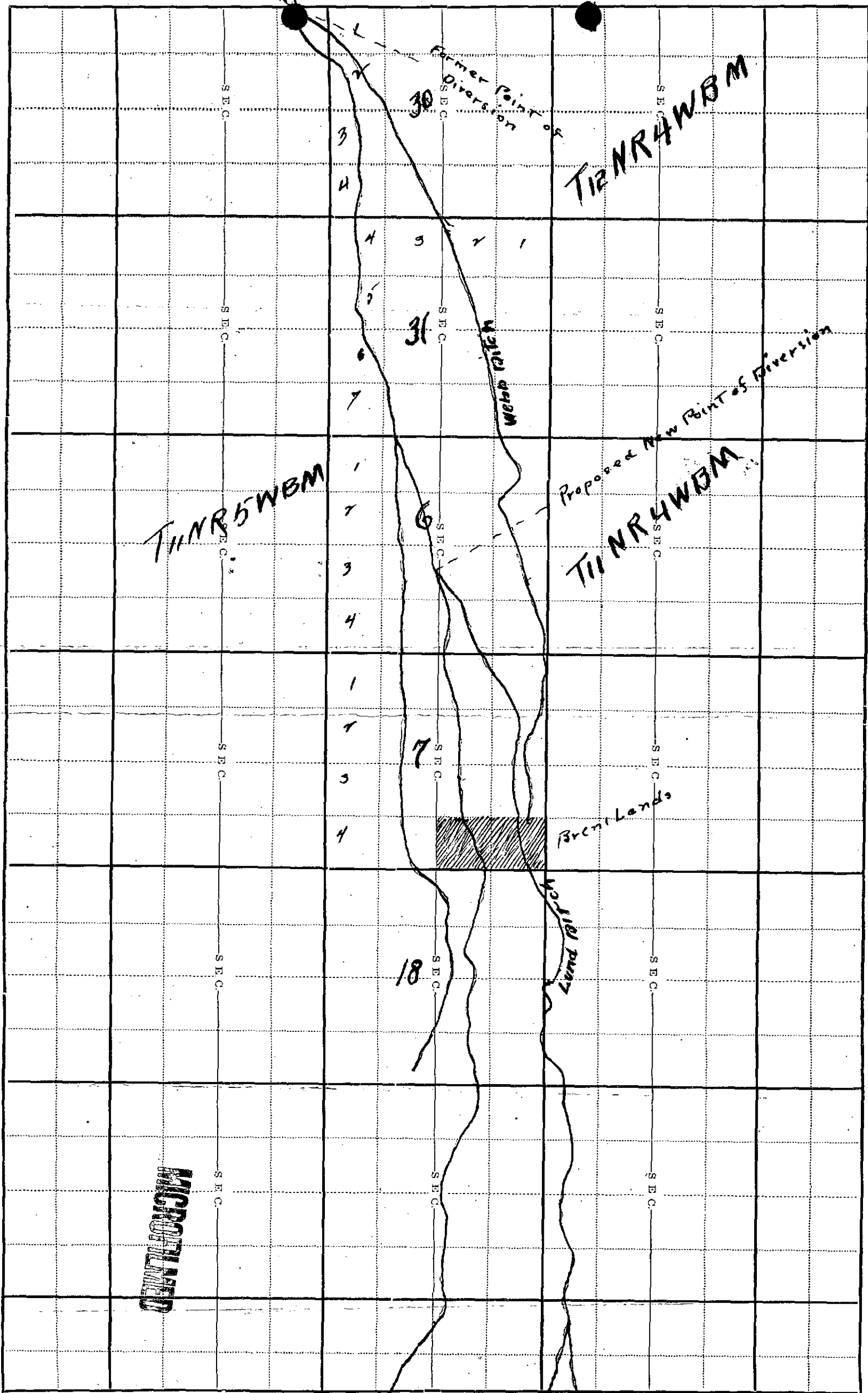
(Over)

NAME OF APPLICANT W R Brent

67-0936



SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.



67 05 1

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF WATER FOR
IRRIGATION.

STATE OF IDAHO)
) ss
COUNTY OF WASHINGTON)

W. Roy Brent being first duly sworn upon his oath,
deposes and says:

That he is the owner of decreed water right appur-
tenant to the following described land, to-wit:

The south half of the Southeast Quarter of
Section 7, Township 11 North, Range 4 West
of the Boise Meridian, the same being the
primary water right to 60 inches from the
waters of Manns Creek in Washington County
Idaho, as evidenced by a decree dated the
3rd day of June, 1921, and entered July 20,
1921, in the cause entitled E. V. Jefferson,
et al, Plaintiffs, vs. Thomas M. Higgenbotham,
W. Roy Brent, et al, Defendants, brought in
the District Court of the Seventh Judicial
District of the State of Idaho, in and for
the County of Washington;

That he intends to change the point of diversion, as
described in said decree, to the following described point:

To discontinue carrying 30 inches of said water, as
decreed to his said land, by means of the Webb ditch, named in said
decree, and to carry such 30 inches of water from the point of the
diversion of the Webb ditch from Manns Creek along said Manns Creek
to the point of the diversion of the Lund ditch, also named in said
decree, from said Creek, which said latter point of diversion is
located in the Northeast Quarter of the Southwest Quarter of
Section 6, Township 11 North, Range 4, West of the Boise Meridian.

That such change will be made for the following reasons,

to-wit:

MICROFILMED

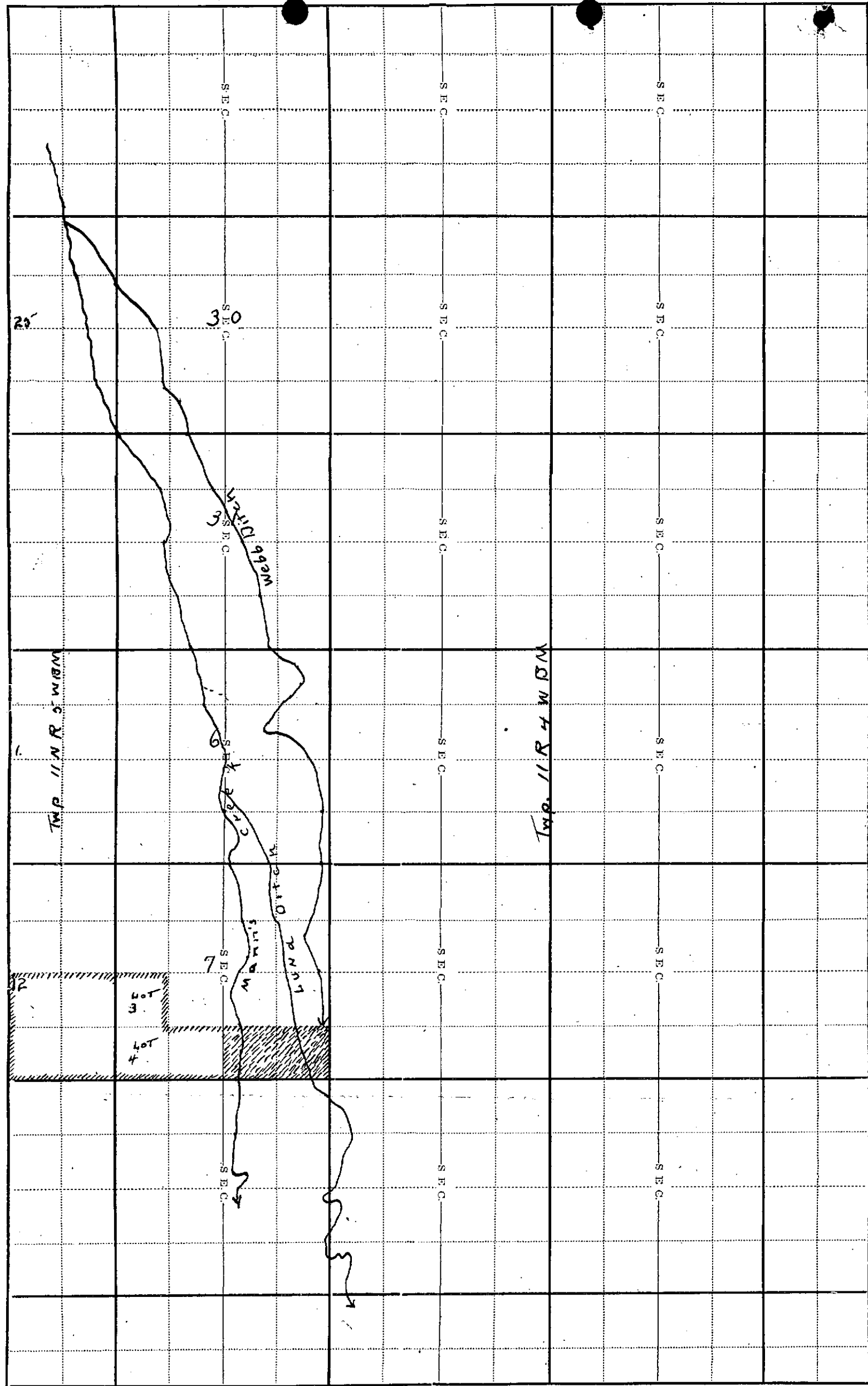
That in conveying said water from the present point of diversion to the lands of affiant by the Webb ditch, the same flows a distance of approximately four and one-half miles, and that the loss by seepage and evaporation is excessive; that by the change such water will be conveyed by the Lund ditch only a distance of approximately one and one-half miles, and that thereby there will be saved to affiant a considerable portion of said water against loss by seepage and evaporation and a considerable expense and labor in the maintenance and up keep of such ditches.

That no one will be injured by such change and that deponent will make such change at his own risk.

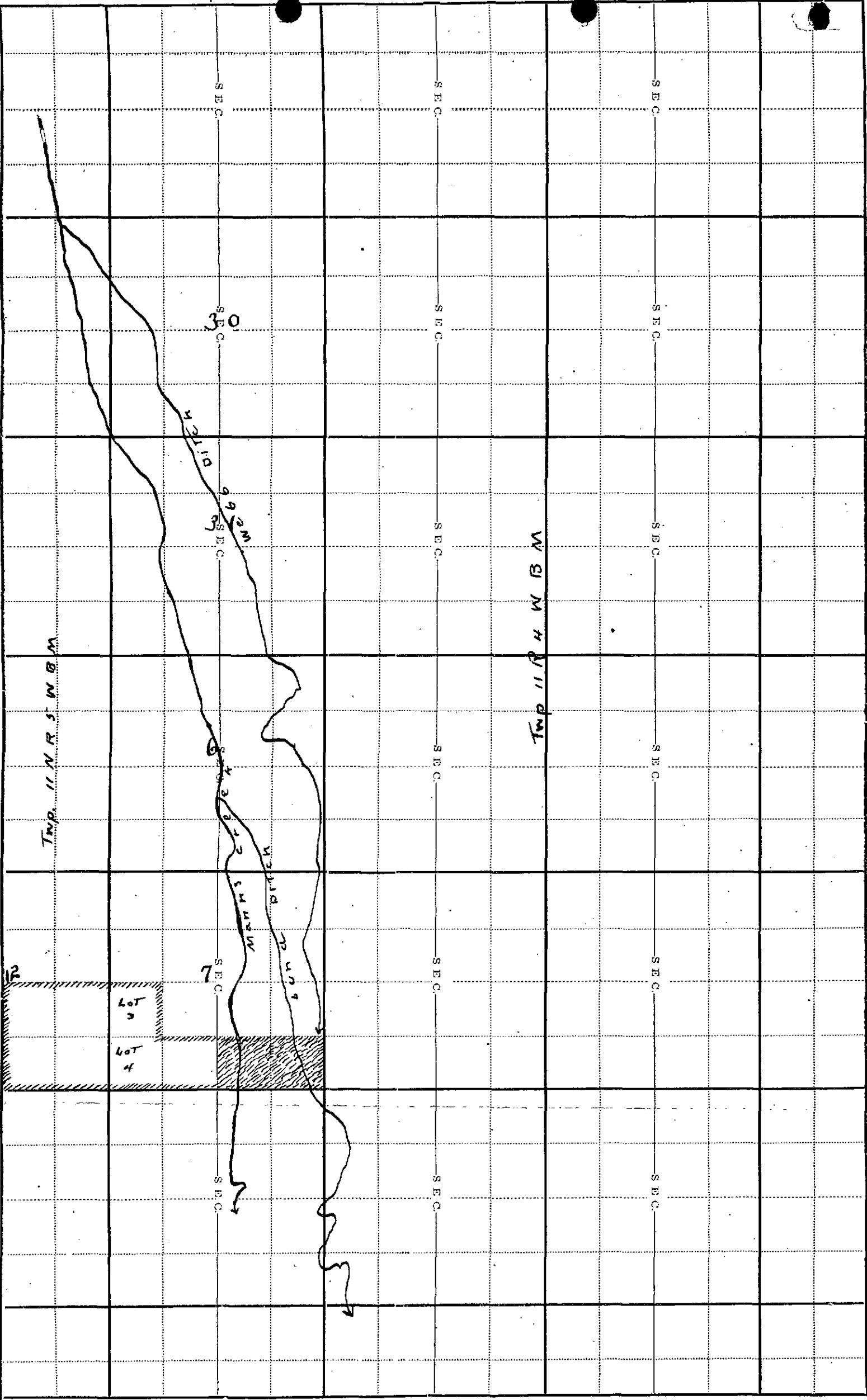
W. P. Brent

Subscribed and sworn to before me this 7th
day of ~~February~~ ^{March}, 1924.

J. W. Galloway
Notary Public for Idaho,
Residing at Weiser, Idaho.



NAME OF APPLICANT W. Roy Brent



SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

67. 0536
June 24, 1924

Re; Affidavit of Change in Point of
Diversion, No. 78.

Mr. George Donart,
Attorney at Law,
Weiser, Idaho.

Dear Sir:

Reference is made to your letter of June 23,
regarding change of point of diversion of 30 inches of
decreed water of Mams creek, made by one W. R. Brent.

You are advised that W. Roy Brent filed affi-
davit of notice of intention to change point of diversion
as described in the decree, and as provided by law, on
March 7, 1924.

This Department does not approve such notices
but merely files them as a matter of record. The pre-
scribed form of affidavit states "that no one will be
injured by such change and that deponent will make such
change at his own risk". On March 10, 1924, W. E. Talbot,
watermaster in this District, was advised of this notice
of intention being filed in the office of the Department
of Reclamation.

Very truly yours,

Director of Water Resources.

ENC-H

RECEIVED
JUN 25 1924

GEORGE DONART,
ATTORNEY AT LAW
WEISER, IDAHO

June 23, 1924

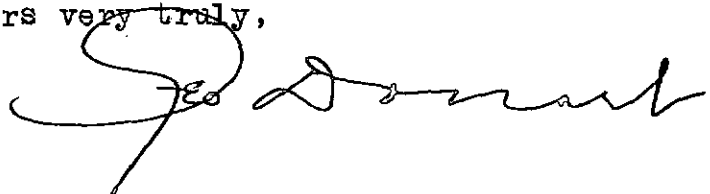
Office of State Engineer,
Boise, Idaho.

Dear Sir:

I am advised that one W. R. Brent claims to have changed the point of diversion of thirty inches of the waters of Manns Creek in Washington County from his former place of diversion to a point farther down the Creek, and that such change was made with the consent and approval of your office. - 71

Will you kindly advise me whether or not any such approval has been granted, for there are several other water users on the Creek whose rights are seriously impaired by any transfer of the point of diversion of this water.

Yours very truly,



ED:AR

MICROFILMED

March 10, 1924.

Re: District 41.

Mr. W. E. Ralboy,

Weiser, Idaho

Dear Sir:

This office is just in receipt of notice of intention to change point of diversion, signed by W. Roy Brent.

Copy of this notice is enclosed for your information and the original has been recorded in this office.

Very truly yours,

Assistant Commissioner
of Reclamation.

GNC-H

RECEIVED

JAMES HARRIS
ATTORNEY
WEISER, IDAHO

March 8, 1924.

Commission of Reclamation,
Boise, Idaho.

Gentlemen:

Inclosed you will find Affidavit
of W. Roy Brent for change of point
of diversion of water for irrigation.

Very truly yours,

JH/NF

1 Inc. *a*



RECEIVED
MARCH 10 1924