

[4-590.]

Township 14 N Range 1 West Meridian.

NORTH

SEC. 6	SEC. 5	SEC. 4	SEC. 3	SEC. 2	SEC. 1
SEC. 7	SEC. 8	SEC. 9	SEC. 10	SEC. 11	SEC. 12
SEC. 18	SEC. 17	SEC. 16	SEC. 15	SEC. 14	SEC. 13
SEC. 19	SEC. 20	SEC. 21	SEC. 22	SEC. 23	SEC. 24
SEC. 30	SEC. 29	SEC. 28	SEC. 27	SEC. 26	SEC. 25
SEC. 31	SEC. 32	SEC. 33	SEC. 34	SEC. 35	SEC. 36

WEST

EAST

J-158

SOUTH

COYOTE PRINT

MICROFILMED

Affidavit for Change of Point of Diversion of Water Right

Permit No. DECREED RIGHT.

67-0419
67-0424
~~67-0049~~
67-0443
67-0443

STATE OF IDAHO,

County of Adams

} ss.

J. I. Linder

their

D.K. Lindsay, Fred E. Anderson and, being first duly sworn, deposes and says: That ~~his~~ ^{they are} postoffice address is Indian Valley. That he ~~is~~ ^{are} the owner of and using a certain water right, for cubic feet per second of the water of Little Weiser

 , County of Adams, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, ~~by decree~~ ^{of District Court of the 7th Judicial District, state of Idaho, action Muir v Allison} issued by the Judicial District, state of Idaho, action Muir v Allison, dated June 20th, 1921, bearing date of priority of ,

for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 41, in the County of Adams and State of Idaho, to-wit:

D.K. Lindsay, SE $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 15, Fred E. Anderson, E $\frac{1}{2}$ NE $\frac{1}{4}$ 15, and J. I. Linder, SE $\frac{1}{2}$ Sec. 10 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10, all in Two 14 N.R. 1 West B.M.

and is the person (or representative of the person or persons) to whom such right was so issued, (or has become the owner thereof in the following manner:) by decree of the court

That said waters are now diverted from said stream in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 36, Twp. 14 N., Range 1 W., and conducted to the above described lands through the Grays Creek ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said waters from the point above described to a point located in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 23, Twp. 14 N., Range 1 W., and thereafter conduct same to the above described land through the Lindsay-Anderson ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: that it will shorten the distance for users, and conserve the water and all of the users of water through Grays Creek ditch have consented to such change:

That no one will be injured by such change and that such change will be made at affiant's own risk.

Subscribed and sworn to before me this 30th day of August, 1930

Affiant.

Notary Public:

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

MICROFILMED

[4-590.]

Township 14 N, Range West, Meridian.

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SEC. 7	SEC. 8	SEC. 9	SEC. 10	SEC. 11	SEC. 12
SEC. 18	SEC. 17	SEC. 16	SEC. 15	SEC. 14	SEC. 13
SEC. 19	SEC. 20	SEC. 21	SEC. 22	SEC. 23	SEC. 24
SEC. 30	SEC. 29	SEC. 28	SEC. 27	SEC. 26	SEC. 25
SEC. 31	SEC. 32	SEC. 33	SEC. 34	SEC. 35	SEC. 36

COYOTE PRINT

DECLASSIFIED

September 2, 1930

Re: CHANGE OF POINT OF DIVERSION No. 125

Mr. W. E. TALBOY
Weiser
Idaho

Dear Sir:

Please note the enclosed copy of
AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF
DECREED WATER RIGHT and divert the water at
the new point designated therein.

Very truly yours,

Assistant Commissioner
of Reclamation

RECORDED

L. L. BURTENSHAW
ATTORNEY-AT-LAW

COUNCIL, IDAHO

August 30th 1930:

George N. Carter,
Commissioner of Reclamation
Boise, Idaho:

Dear Mr. Carter:

In re the matter of the application for change of diversion of D.K. Lindsay et al, and replying to your letter of July 16th 1929, will say that after so long time, I am herewith handing you the information asked for by said letter, I will say that these papers have been lost and we thought that they had been sent in hence the delay:

I am Yours Very Truly:



L.L. Burtenshaw:

RECEIVED

State of Idaho

H. C. BALDRIDGE, GOVERNOR

DEPARTMENT OF RECLAMATION

GEO. N. CARTER, COMMISSIONER

BOISE

July 16, 1929

MR. L. L. BURTENSHAW
Attorney at Law
Council, Idaho

Dear Sir:

Reference is made to your letter of July 14th, regarding an application to change point of diversion of D. K. Lindsay, Fred E. Anderson and J. L. Linder, and enclosing consent of the waterusers in the Indian Valley and Grays Creek Ditch to such a change.

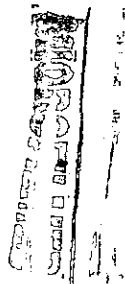
Our records disclose that on August 14, 1928, the affidavit for change of point of diversion was return^{ed} to D. K. Lindsay, Fred E. Anderson and J. L. Linder, at Indian Valley, Idaho. Therefore, if you will have these gentlemen return the affidavit to this office, accompanied by map showing approximate location of river and ditches, it will be placed on file in this office and the watermaster notified of the change. Kindly return the consent with the affidavit.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By *C. M. Brown*
Chief Clerk.

Enc.



Indian Valley Idaho:Aug.23rd 1928:

We the undersigned, and constituting all of the users of the Indian Valley and Grays Creek Ditch, from the Little Weiser in Adams County Idaho saving and excepting, D.K. Lindsay, J.I. Linder, and Fred E. Anderson, do hereby consent that the said D.K. Lindsay, J.I. Linder, and Fred E. Anderson, may withdraw their said water from the said Indian Valley and Grays Creek ditch and to draw their water from another headgate and ditch, on said stream, as applied for in the application for such change herewith presented:

J. W. Copiell
B. W. Surber
Geo. W. Lewis
H. J. Louder
L. A. Thompson
H. C. Ladd
J. C. Surber
P. R. Jackson
Richard Johnson
Josephine E. Gordon
R. M. Cornett
E. Manning
C. E. (H. Johnson)
John R. Manning
Thos. F. Johnson
Ray Johnson
Nancy W. Bayers
Frank Johnson

State of Idaho.

County of Adams:

I, Fred E. Anderson being first duly sworn on my oath doth depose and say, that the above named list comprises the entire users of the waters of the Little Weiser, taking their water through the Indian Valley and Grays Creek ditch, saving and excepting, D.K. Lindsay, J.I. Linder, and Fred E. Anderson, the applicants herein for change of place of diversion,

Subscribed and Sworn to before me this 23rd day of August 1929

Fred E. Anderson
L. C. Burtch
Notary Public:



RECORDED