

**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Vivian Dexter Smith of Cambridge, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to transfer the use of 32/100 of a cubic foot per second of the water of Rush Creek from the land upon which it is now used, i. e., S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Township 14 North, Range 3 West, B. M., to the following described tract NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 14 North, Range 3 West, B. M.

And that, on the 18th day of July, A. D., 1946 at 11:00 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
49-2t

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of June 27, 1946, and ended with the issue of July 4, 1946.

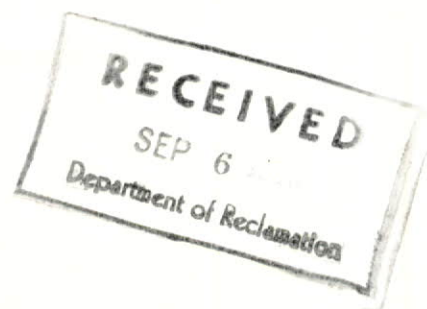
Stuart Dopf

Subscribed and sworn to before me this

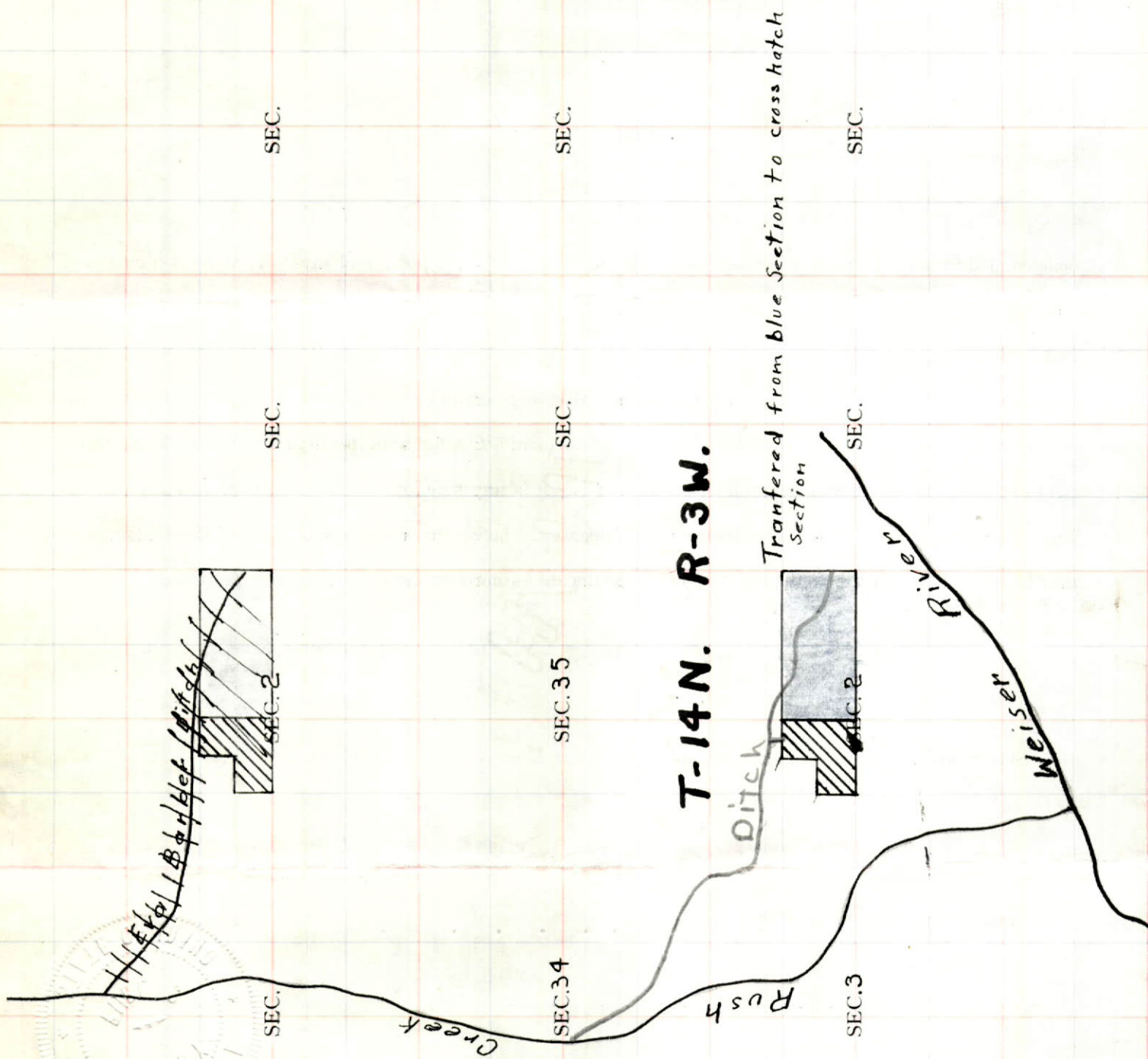
16th day of July, 1946.

Margaret Vogel
Notary Public for Idaho, residing at
Cambridge, Idaho

MICROFILMED



Name of Applicant.....



TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
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	Barber, Eva	0.32		67-0278
696	Smith, Vivian Dexter	0.32	0	67-0278A

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RETURNED
TO
SENDER

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 696

THIS IS TO CERTIFY That VIVIAN DEXTER SMITH, of Cambridge, Idaho, is the owner of and using a certain water right from Rush Creek, in the amount of 0.32 of a cubic foot per second, bearing date of priority of May 1, 1890, said water being decreed to Eva Barber, by Judge Ed. L. Bryan of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, in the case of

JOHN T. MUIR, ET AL.,

Plaintiffs,

vs.

WILLIAM ALLISON, ET AL.,

Defendants,

said decree bearing date of June 20, 1921, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. 41, in the County of Washington, and State of Idaho, to-wit:

S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2,
Township 14 North, Range 3 West, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 4 of Decrees, beginning at Page 61 thereof.

That said Vivian Dexter Smith has become the owner of said water right by purchase.

And that now, upon the application of Vivian Dexter Smith, of Cambridge, Idaho, for a transfer of 0.32 cubic foot per second of said water right, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 0.32 cubic foot per second of the waters of Rush Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant by this certificate, for irrigation and domestic purposes, are described as follows, to-wit:

NE $\frac{1}{4}$ and S $\frac{1}{4}$ Section 2,
Township 14 North, Range 3 West, B.M.

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

0.32 of a cubic foot per second, bearing
date of priority of May 1, 1890.

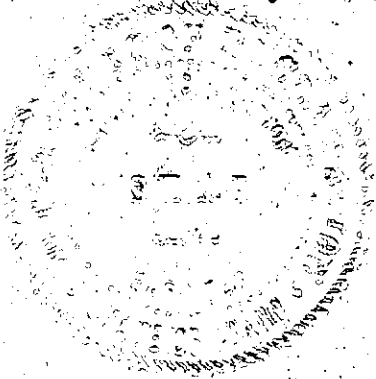
RECORDED

That the water right hereby transferred has heretofore been conducted from Rush Creek to the first above described lands through the Eva Barber Ditch.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the same ditch, and with the same point of diversion.

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 16th day of September, A. D. 1946.



Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

COPY

In the Matter of the Application of

VIVIAN DEXTER SMITH,
of Cambridge, Idaho

ORDER GRANTING TRANSFER

No. 696

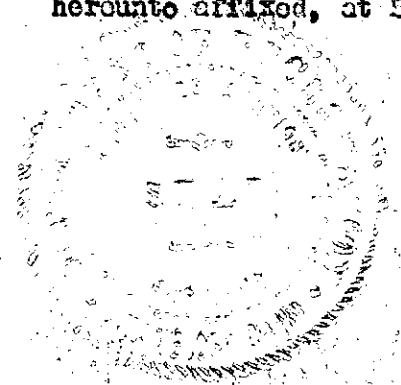
For a Transfer of Water Right, in Water District
No. 41, Washington County, Idaho

WHEREAS, On the 13th day of July, 1946, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of VIVIAN DEXTER SMITH, of Cambridge, 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 a more economical and efficient use of the water will be obtained by such transfer, 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 16th day of September, A. D. 1946.



Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 696

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Plaintiffs,

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That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 4 of Decrees, beginning at Page 61 thereof.

That said Vivian Dexter Smith has become the owner of said water right by purchase.

And that now, upon the application of Vivian Dexter Smith, of Cambridge, Idaho, for a transfer of 0.32 cubic foot per second of said water right, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 0.32 cubic foot per second of the waters of Rush Creek upon the above described lands is heroby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant by this certificate, for irrigation and domestic purposes, are described as follows, to-wit:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2,
Township 14 North, Range 3 West, B.M.

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

0.32 of a cubic foot per second, bearing
date of priority of May 1, 1890.

That the water right hereby transferred has heretofore been conducted from Rush Creek to the first above described lands through the Eva Barber Ditch.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the same ditch, and with the same point of diversion.

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 16th day of September, A. D. 1946.



Mark R Kulp

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of

VIVIAN DEXTER SMITH,
of Cambridge, Idaho

ORDER GRANTING TRANSFER

No. 696

For a Transfer of Water Right, in Water District
No. 41, Washington County, Idaho

WHEREAS; On the 18th day of July, 1946, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of VIVIAN DEXTER SMITH, of Cambridge, 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 a more economical and efficient use of the water will be obtained by such transfer, 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 16th day of September, A. D. 1946.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer



George W. Hall (cont.)

Fred M Suiter and Grace Z Suiter

C E Schmitz

John Tinsley

Elizabeth Norton

John Norton

Louis Robson

C W Tuttle

George A Jefferson

Hattie Macey

Rush Creek (Con)

J M Atwell

Edward Byers, sub for William Cope

Eva Barber

Jerome Fox

Wels C. Clegg

R H Wilson and Edwin J Hill

Sub B Poyner

11 1/2

6 1/2

12 1/2

4 3/8

13 5/8

2 3/8

4 3/4

2 3/8

2 3/8

3 1/8

12 3/8

19

9 1/2

12 1/2

7 1/2

16

19

12 1/2

16

136

16

6

May 1, 1896 67 0263

May 1, 1901 67 0264

Aug. 23, 1883 67 0265

Aug 23 1883 67 0266

Aug 23, 1883 67 0267

Aug 23, 1883 67 0268

Aug 23, 1883 67 0269

Aug 23, 1883 67 0270

Aug 23, 1883 67 0271

May 1, 1884 67 0272

May 1, 1890 67 0273

May 1, 1887 67 0274

May 1, 1888 67 0275

May 1, 1889 67 0276

May 1, 1892 67 0277

May 1, 1890 Trans 67 0278

May 1, 1890 67 0279

April 30, 1890 67 0280

May 1, 1891 67 0281

Oct 29, 1908 67 0282

May 1, 1892 67 0283

May 1, 1894 67 0284

MICROFILMED

September 16, 1946

Mr. Vivian Dexter Smith
Cambridge, Idaho

Dear Mr. Smith:

We enclose herewith Certificate of Transferred
Water Right, No. 696, issued in accordance with
your application for transfer; also Departmental
Receipt # 19622 for the \$1.00 fee for recording
same.

A copy of this Certificate of Transfer is being
sent to Mr. T. C. Woods, Watermaster of Water
District # 41, for his information.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

A
Encl.
CC to T. C. Woods

MICROFILMED

August 30, 1946

Mr. Vivian Dexter Smith
Cambridge, Idaho

Dear Mr. Smith:

This is to remind you that we have not yet received from you the affidavit of publication which is necessary in connection with your application for transfer of water right.

As soon as this is received, the certificate of transfer will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy J. Thompson
Supervisor of Water Distribution

A

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

Date June 25, 1946

The News Reporter

Cambridge, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to **July 18, 1946** the date set for hearing, the expense of the publication to be paid by the applicant, **Vivian Dexter Smith, Cambridge, Idaho**

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

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Roy W. Thompson
Supervisor of Water Distribution

RECEIVED

Notice of Proposed Transfer of Water Right

Vivian Dexter Smith

Notice is hereby given that _____
of Cambridge, Idaho _____, has applied to the
State Reclamation Engineer of the State of Idaho for a certificate authorizing him to transfer the use of
32/100 cfs of a cubic foot per second

of the water of Rush Creek
from the land upon which it is now used, i. e., S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Township 14 North, Range 3 West, B.M.

to the following described tract NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 14 North,
Range 3 West, B.M.

And that, on the 18th day of July, A. D., 1946
at 11:00 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.

June 25, 1946

Mr. Vivian Dexter Smith
Cambridge, Idaho

Dear Mr. Smith:

We acknowledge receipt of your application
for transfer of water right; and also \$1.00
in currency to pay the recording fee.

A copy of the statutory notice in connection
with this application has been sent to the
Cambridge News-Reporter, with instructions to
publish it once a week for two consecutive
weeks prior to July 18th, the date set for
hearing, and to send to you the affidavit of
publication, together with statement of costs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RECORDED

Vivian Smith
Cambridge, Ida.



Bureau Of Reclamation.
State House
Boise, Idaho

MICROFILMED



**NOTICE OF PROPOSED TRANSFER
OF WATER RIGHT**

Notice is hereby given that Vivian Dexter Smith of Cambridge, Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to transfer the use of 32/100 of a cubic foot per second of the water of Rush Creek from the land upon which it is now used, i. e., S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Township 14 North, Range 3 West, B. M., to the following described tract NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 14 North, Range 3 West, B. M.

And that, on the 18th day of July, A. D., 1946 at 11:00 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
49-2t

AFFIDAVIT OF PUBLICATION

State of Idaho
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of June 27, 1946, and ended with the issue of July 4, 1946.

Stuart Dopf

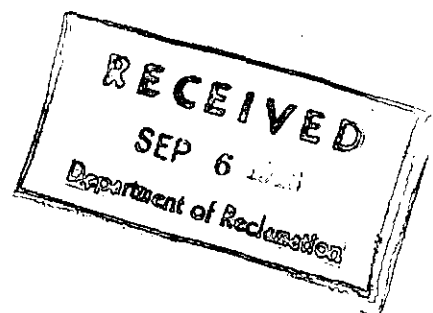
Subscribed and sworn to before me this

16th day of July, 1946.

Margaret Vogel
Notary Public for Idaho, residing at
Cambridge, Idaho



MICROFILMED

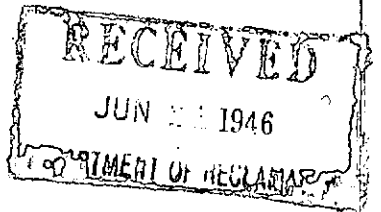


Application for Transfer of Water Right

STATE OF IDAHO,

County of Washington

ss.



Vivian Dexter Smith, being first duly sworn, deposes and says:

That his name is Vivian Dexter Smith; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Cambridge, Idaho.

That he is the owner and using a certain water right, bearing date of priority of May 1, 1900 for .32 cubic feet per second of the waters of Rush Creek, County of Washington, State of Idaho, decreed to Eva Barber by decree of Judge Ed. L. Bryan of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, in the case of John T. Muir et-al vs. William Allison et-al, said decree bearing date of June 20, 1921 (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. 41 in the County of Washington, and State of Idaho, to-wit:

S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Twp. 14.N. R. 3. W. B.M.

_____ 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.

Purchase,

as per abstract of title of said water right hereto attached and made a part of this statement:

That said waters are now diverted from said stream in the _____ of Section _____, Township _____, Range _____, B. M., and conducted to the above described lands through Eva Barber Ditch as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of .32 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 Washington, and State of Idaho, to-wit:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2, Twp. 14.N. R. 3.W. B.M.

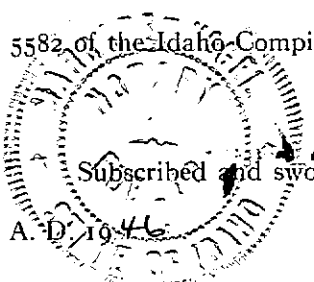
That his reasons for desiring to make such transfer are as follows: Ground is rough on land now being watered and a more economical use of the water can be had on the lands to which it is proposed to transfer the water.

That he intends to divert and convey said......32.....second feet of water to the tract of land last above described in the following manner, to-wit:.....

.....Through the Eva Barber ditch with no change in place of diversion from Rush Creek.....

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:



Subscribed and sworn to before me this

Virian Smith
Applicant.

29th

day of

May

Margaret Vogel
Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water now diverted?.....Rush Creek,.....

Where is the diversion point now located?.....

Through what ditch is it now conducted?.....Eva Barber Ditch......

How much land is now irrigated by the water sought to be transferred?.....Land is dry farmed,.....

Give the description:.....S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 2. Twp. 14.N. R. 3.W. B.M......

What is the total amount of water in inches, or second feet, dedicated to said land?.....16 miner inches,.....

What kind of crops are being raised?.....Alfalfa,.....

How much water per acre is now required to irrigate said land?.....None......

What will be the effect on the land now irrigated, if the use of water on it is discontinued?.....

.....Land will be dry farmed and raise crops......

Give location of new point of diversion, if change is to be made.....No Change in point of diversion......

Through what ditch will it be conducted after transfer?.....Eva Barber Ditch......

How much water will be required per acre to irrigate the land to which this water is transferred?.....

.....16 miner inches......

Do you claim any other water right for the land from which you seek to abandon the use of this water?.....

.....None,.....

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 Virian Smith
Applicant.

STATE OF IDAHO,

County of Washington } ss.

Joe Murphy and Arthur Wilson
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 Cambridge, Idaho
that he is a user of water from....., in Water District No.....
County of....., State of Idaho; that he has read or heard read the foregoing affidavit and
petition of..... 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 re-
lated 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.

Joe Murphy
Arthur Wilson

Subscribed and sworn to before me this 29th day of May
A. D. 1946

Margaret Vogel
Notary Public for Idaho
Residing at CAMBRIDGE, IDAHO



STATE OF IDAHO,

County of Washington } ss.

I, T.C. Woods, Watermaster of Wenatchee River
Water District No. 41, County of Washington, State of Idaho, whose postoffice address
is Wenatchee Rt 1, have read or heard read the foregoing affidavit and petition
of Lillian Smith, 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; or ~~(do not approve of the issuance of the certificate of transfer prayed~~
~~for)~~ for the following reasons:.....

T.C. Woods Watermaster Dist. No. 41
Dated at Wenatchee, Idaho, this 13th day of June, 1946

Name of Applicant.....

