

37-0775

Name of Applicant

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

Printed and for sale by the Statesman Shop, Boise, Idaho.

MICROFILMED

21S R. 22E B. M.

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Map of land of John A. Peterson,
showing old ditch and diversion
and proposed new ditch and diver-
sion.

Diversion
Old Ditch
New Ditch
Fig. 4
A
B
C
D
E
F
G
H
I
J
K
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Z



APPLICATION OF JOHN A PETERSON FOR
RIGHT TO CHANGE POINT OF DIVERSION
OF DECREED WATER OF FISH CREEK.

TO THE STATE ENGINEER

OF THE STATE OF IDAHO.

THE UNDERSIGNED, JOHN A PETERSON, of ~~Blaine~~ Carey, Blaine County, Idaho, respectfully applies for the right to change his point of diversion of his decreed water from Fish Creek in Blaine County, and respectfully shows:-

(NE $\frac{1}{4}$)
That he is the owner of SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.7, NE $\frac{1}{4}$ NW $\frac{1}{4}$,NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.18, T 1 S.R.22 E.B.M. in Blaine County,Idaho.

That there is decreed to him and to said land, 250 inches of water from Fish Creek, in Blaine County, Idaho, with priority of from Aug.18,1905, in the suit in the District Court,4th District,Blaine Co.Idaho, in the case of Potter et al vs Patterson et al. dated Dec.19,1914.

That his present place of diversion of said water is in the -or near the NE NW $\frac{1}{4}$ NW $\frac{1}{4}$ (or lot 4) of Sec.2, T 1 S R 22 E.B.M. on the Westerly side of Fish Creek; that he desires to change his place and point of diversion of said water to a point on the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.2, T and R aforesaid, as shown by accompanying map; that there is an old natural channel at the new proposed point of diversion, through which water has run for years, which supplies other lands under said decree, but said channel is of amply capacity, with the brush cleaned out to carry his water also; that all owners of land between his land and Fish Creek, through which said channel runs, assent to his flowing his water through said channel; that no one will be injured by such change, and your petitioner therefore asks for a permit from the office of the State Engineer, for such change.

Wren Thidester

Subscribed and sworn to before me this 6th day of June,1917.

Notary Public, *Austin*
Residing at Idaho.

I the undersigned water master of Fish Creek,Blaine Co.Idaho certify that I have made an examination of the proposed change as above asked for, and approve the same, and do not believe any person will be affected adversely thereby.

Dated July... 1917.

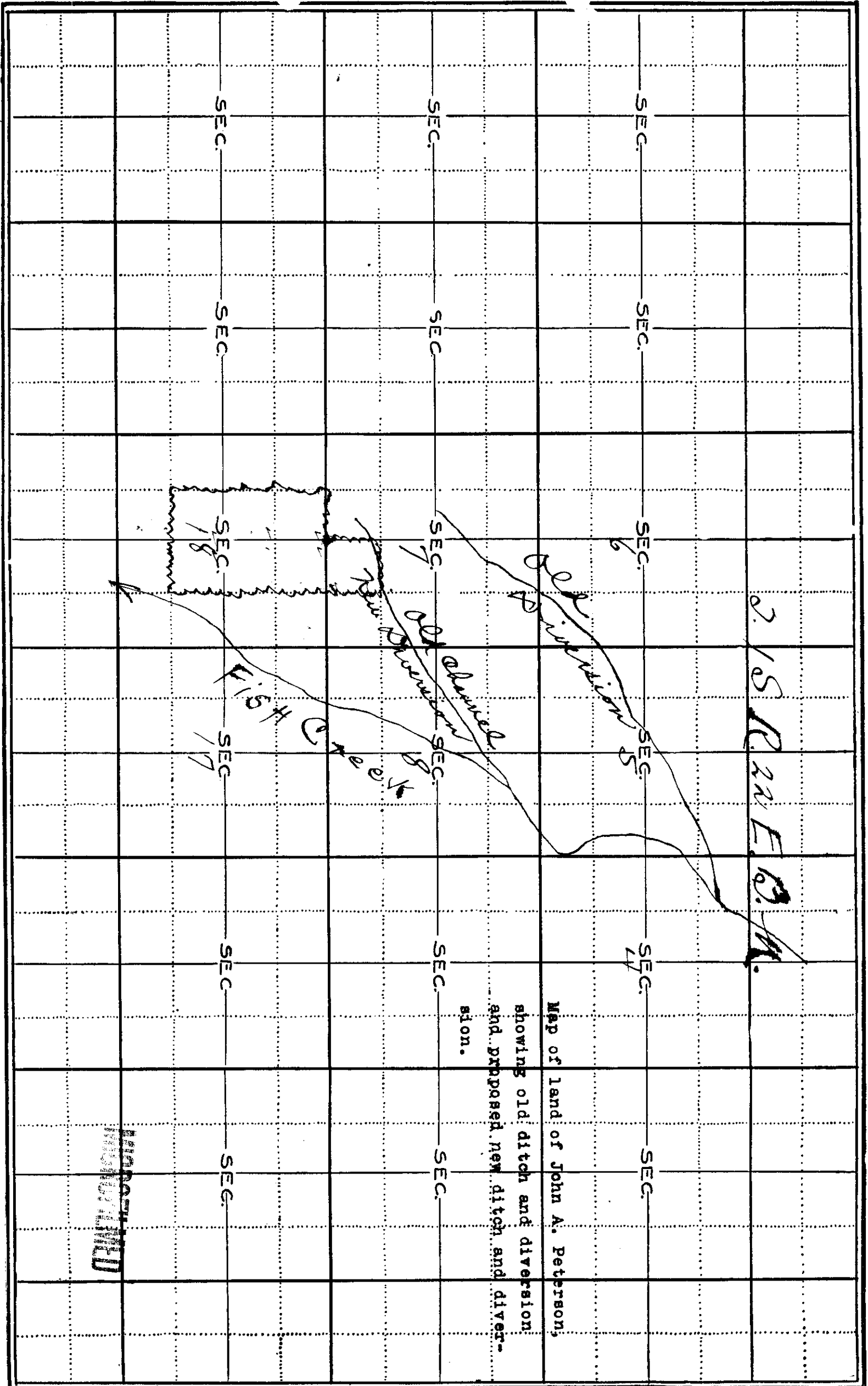
Water Master of Fish Creek.

V P Knight

RECEIVED

Affidavit for 25
Change of Division
By John A. Peterson
Stream-Fish Creek

Name of Applicant.....



37-0775

July 24th, 1917.

Re Change of Point Diversion- John A. Peterson- Fish Creek.

McFadden & Brodhead, Attorneys,
Haley, Idaho.

Gentlemen:--

The affidavit and map showing change of point of diversion of water right of John A. Peterson, for the waters of Fish Creek, has been placed on file in this office. No certificate or approval is given in such cases, as the holder makes the change at his own risk. The affidavit and map are simply placed on file for future reference.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

Am returning herewith duplicates.

Enc. Aff. M

RECEIVED

37-575

J. J. McFADDEN - JOHN M. BOYLE
LAW OFFICES
HAILEY - IDAHO

July 1917.

State Engineer,

Boise, Idaho;

Sir:-

Re change of diversion, John A. Peterson, Fish Creek.

Herewith applications in duplicate, duly sworn to, approval of water master, maps, and fee of \$1.00 for certificate to change point of diversion, to natural channel; under sec. 3247, Idaho Rev. Codes, apparently no special mode of procedure is necessary, but in view of it being a decreed right, concluded better to submit to you.

Peterson is preparing his proposed ditch from the channel to his land, and would be glad to have you take action on this as soon as possible; Peterson's right is a late right on the creek, and his water will be cut off any way in August - or has been heretofore - so to do him any good this season, he should get change at once.

Very respectfully,

M. J. J. J. J. J.
Hailey, Idaho.
Attys. for Peterson.