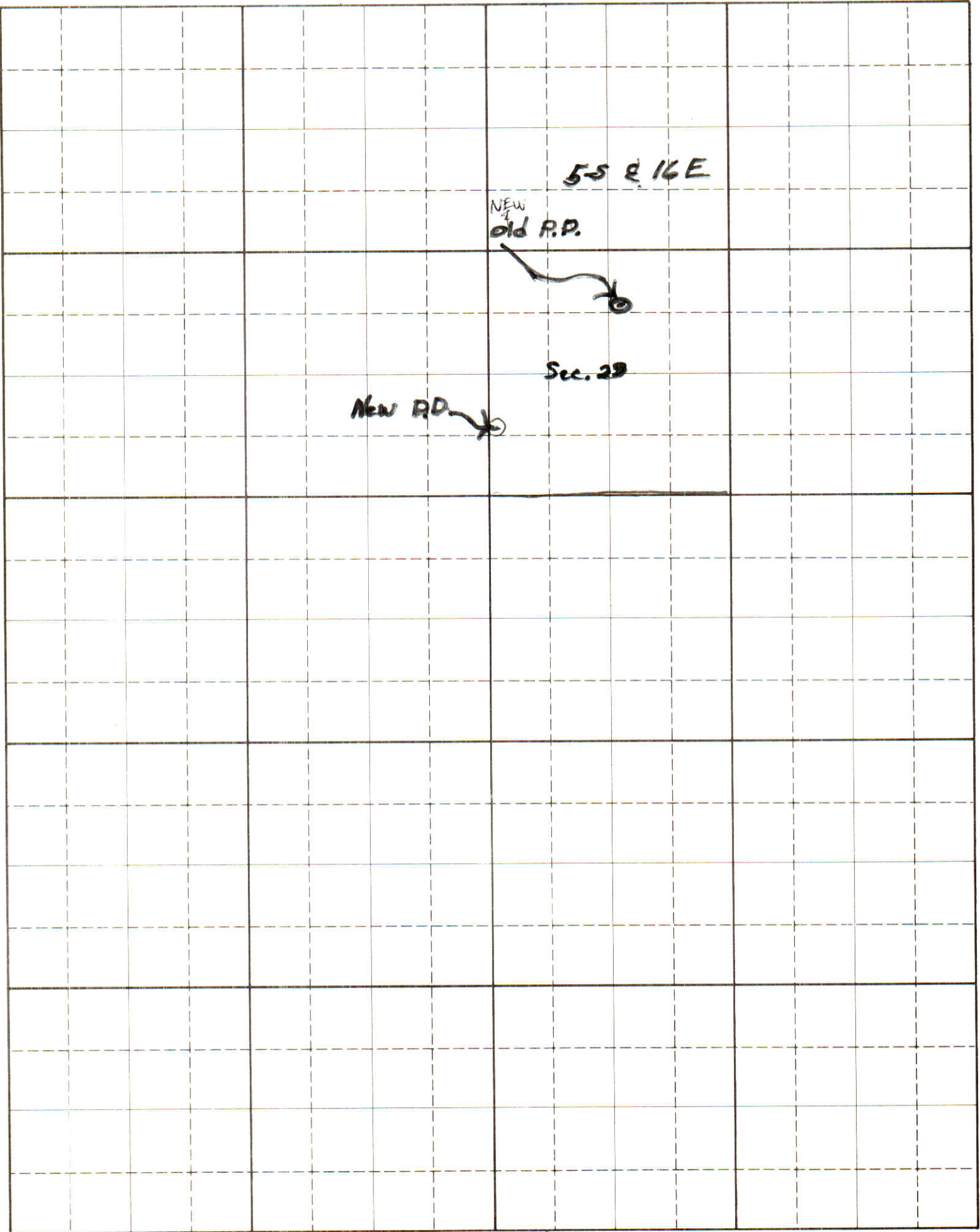


- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 37-1127**

Notice is hereby given that John M. Varin of Gooding, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of Little Wood River tributary to Big Wood River. The right sought to be changed is evidenced by: Decree to W.H. Winters in case of W.H. Winters vs. S.H. Chapman, dated July 24, 1922 in the Fourth Judicial Court, County of Lincoln and is recorded as follows: Amount: 1.60 cfs; Priority: April 1, 1905; Point of diversion: NW¹/₄NE¹/₄, Section 28, Township 5S, Rge. 16E, B.M. Lincoln County.

The water is used for the irrigation of 80 acres within the W¹/₂SW¹/₄, Sec. 28 (80 acres); Twp. 5S, Rge. 16E, B.M.

**TO BE CHANGED
AS FOLLOWS**

The applicant proposes to divert 1.60 cfs from two points in the NW¹/₄SW¹/₄, NW¹/₄NE¹/₄, Sec. 28, Twp. 5S, Rge. 16E, B.M., to irrigate 80 acres within the W¹/₂SW¹/₄, Sec. 28, Twp. 5S, Rge. 16E, B.M.

Any protest against the approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before May 10, 1976.

/s/ R. KEITH HIGGINSON
Director

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	W. H. Winters	1.60	1.60	37-1127
1979	John M. Varin	1.60	0	37-1127A

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**
To Change the Point of Diversion and/or the Place of Use

Name of applicant John M. Varin Phone 934 5192
Post office address Route # 1 Gooding, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to W.H. Winters (Name)
in case of W. H. Winters vs S. H. Chapman
dated July 24, 1922 in 4 Judicial county of Lincoln
State Ident. No. 37-1127 (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
By right of purchase
3. Source of water Little Wood River tributary to Big Wood River
4. Date of priority April 1, 1905
5. Water is used for the following purposes:
amount 1.60 cfs for Irrigation purposes from April 1 to Oct. 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. 1.60 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NW ¼ of NE ¼ of Section 28
Township 5 S Range 16 E, B.M., in Lincoln County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5-S	16E	28									40	40							80

Total number of acres to be irrigated 80



B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted 1.60 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NW ¼ SW ¼, Section 28 Township 5-S
Range 16 E, B.M., Lincoln County _____
Additional points NW ¼ NE¼ Sec. 28 TWP 5-S Range 16E BM
Lincoln County
- c. Description of diverting works Pump, Motor, Main line Wheel & Hand
Line
- d. Describe the reasons for applying for a change in the point(s) of diversion To Con-
Serve water by eliminating a long ditch.

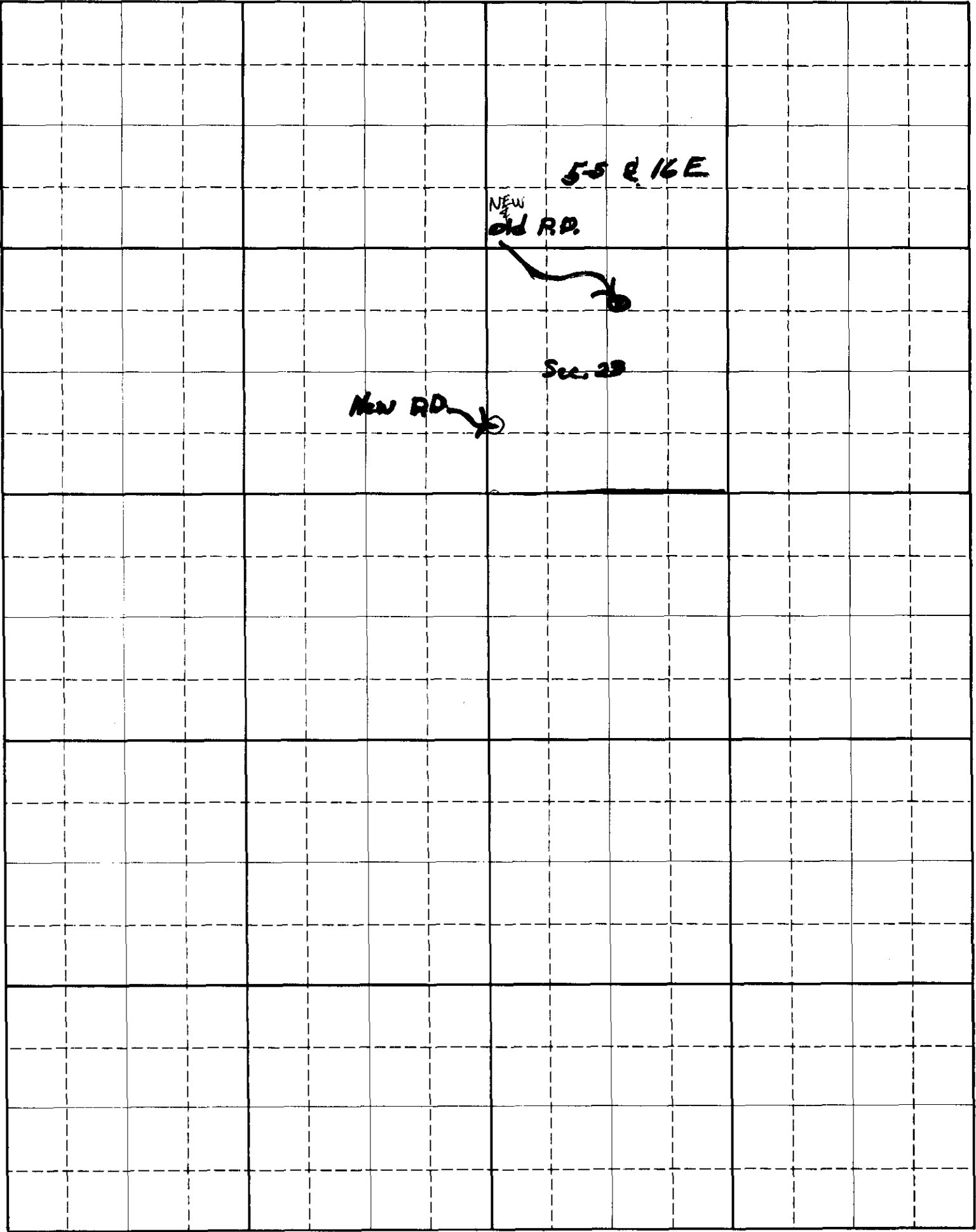
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

John M. Varin Susan Varin
(Signature of applicant)

Subscribed and sworn to before me this 12 day of April, 1976

John J. Varin
(Notary public)

My commission expires Oct 1976

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-1127,
and said application is hereby APPROVED.

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

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

Witness my hand this 1 day of June, 19 76

R. Keith L. ...

FOR DEPARTMENT USE ONLY

Receipt # 2067

Received by CC Date 4-13-76

Protest filed by _____

Prelim. check by adm Fee \$20.00

Received by CC Date 4-13-76

Published in Lincoln County Journal

Copies of protest forwarded by _____

Pub. dates 4-22 & 4-29-76

Hearing held by _____ Date _____

Watermaster recommendation requested on 4-15-76

Recommended for approval denial

rec'd. 4-19-76

by Michael L. Stueb ERT

7
①

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR LINCOLN COUNTY.

W. H. Winter,
Plaintiff,

vs.

S. H. Chapman and
G. H. Bowersock,
Defendants.

DECREE

This cause came on regularly for hearing on the 8th day of October, 1921, in open court, that being one of the regular Judicial days of the September, 1921 term of Court, upon the complaint of Plaintiff the Defendants, after being duly and regularly served with Summons, made default.

Thereupon trial was duly had, without a jury and Plaintiff introduced his evidence, both oral and documentary, and the Court having heretofore made Findings of Fact and Conclusions of Law, and ordered that Judgment and decree be entered as provided for in said Findings of Fact and Conclusions of Law:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

37-1127
That the Plaintiff, W. H. Winter be and hereby is decreed to be the owner of and entitled to the use of One and Six-Tenths cubic feet of water of Little Wood River, and its tributaries, with a priority date of April 1st, 1905, for use on the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$; SWSW $\frac{1}{4}$) Section 28, Township 5 South, Range 16 E. E. N. for irrigation, stock and domestic purposes. Said land being in Lincoln County, State of Idaho.

That the Defendants have judgment against the Plaintiff for the cost taxed at _____.

Dated this 24th day of July, 1922.

H. F. Ensign, District Judge.

Filed July 25, 1922. E. A. Bowler, Clerk. By Euelah Guymon, Deputy.

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RECEIVED
MAY 8 1976
STATE OF IDAHO,
County of Lincoln
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THE UNIVERSITY OF CHICAGO

INTER-DEPARTMENT MEMO — 1

FROM

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DATE

5/28/76

TO

Southern

SUBJECT

Transfer on *file* (37-1127) JOHNNY VARIN

BETTY NEWBY CALLED, REQUESTING THAT A MEASURING DEVICE SHOULD BE A
REQUIREMENT ON THE ABOVE TRANSFER.

Martie
SIGNATURE

June 1, 1976

Re: Transfer No. 37-1127

John M. Varin
Route #1
Gooding, ID 83330

Dear Mr. Varin:

Enclosed is a copy of your approved Application for Transfer No. 37-1127. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enc.

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. _____

APR 19 1976

RECOMMENDATION OF WATERMASTER

Department of Water Resources
Southern District Office

I, Bettie Lou Newby, watermaster of Water District #37 & 37M
of Water District No. 37M, County of Lincoln, State of Idaho,
whose address is Box T Shoshone, Idaho 83352
have read the attached copy of the application for transfer of water right for _____
John M. Varin, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: no conditions

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Shoshone, Idaho 83352
April 15, 1976, Idaho, this 15th day of April 19 76.

Bettie Lou Newby
(signature)

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Little Wood River Name John M. Varin
2. Right Being Transferred Right No. 37-1127
- a. ☒ Decree Transfer No. _____
- _____ License
- _____ Use
- b. ☒ Priority
- c. ☒ Location - Original P. D.
- d. ☒ " - Original P. U.
- e. ☒ " - New P.D.
- f. _____ " - New P.U. — Same as original
- g. ☒ Amount
- _____ ☒ All
- _____ Part
3. _____ Proof of Ownership of Right
- Comment Not needed.
4. None Expansion of Right
- Comment Only change of point of diversion
5. ☒ Map
6. ☒ Signature
7. ☒ Fee
8. Watermaster's Comments rec. apr-19-76
9. Comments _____
10. Initial Review by ADM Date 4-14-76
11. Recommended Action
- ☒ Approve
- _____ Deny
- _____ Conditions
- By Michael L. Stueb Date may-17-76

April 14, 1976

RE: Application For Transfer of Water Right No. 37-1127 - John M. Varin

Lincoln County Journal
P. O. Box 704
Shoshone, ID 83352

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:cc

Bill submitted: 5-3-76 cc

1976

SHONI LEGAL — de Water Reso
Southern District Office
NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 37-1127

Notice is hereby given that John M. Varin of Gooding, Idaho, has applied to the Department of Water Resources for a change of the point of diversion of the waters of Little Wood River tributary to Big Wood River. The right sought to be changed is evidenced by: Decree to W.H. Winters in case of W.H. Winters vs. S.H. Chapman, dated July 24, 1922 in the Fourth Judicial Court, County of Lincoln and is recorded as follows: Amount: 1.60 cfs; Priority: April 1, 1905; Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 5S, Rge. 16E, B.M. Lincoln County.

The water is used for the irrigation of 80 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28 (80 acres); Twp. 5S, Rge. 16E, B.M.

TO BE CHANGED
AS FOLLOWS

The applicant proposes to divert 1.60 cfs from two points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, Twp. 5S, Rge. 16E, B.M., to irrigate 80 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28, Twp. 5S, Rge. 16E, B.M.

Any protest against the approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before May 10, 1976.

/s/ R. KEITH HIGGINSON
Director

Pub: 4-22, 29

O.K. cc
4/22/76

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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Amount: 1.60 cfs

Priority: April 1, 1905

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 5S, Rge. 16E, B.M. Lincoln County.

The water is used for the irrigation of 80 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28 (80 acres); Twp. 5S, Rge. 16E, B.M.

TO BE CHANGED AS FOLLOWS

The applicant proposes to divert 1.60 cfs from twopoints in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, Twp. 5S, Rge. 16E, B.M., to irrigate 80 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28, Twp. 5S, Rge. 16E, B.M.

Any protest against the approval of the proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before May 10, 1976.

Published in the Lincoln County Journal
on 4-22-76 and 4-29-76.

R. KEITH HIGGINSON
Director