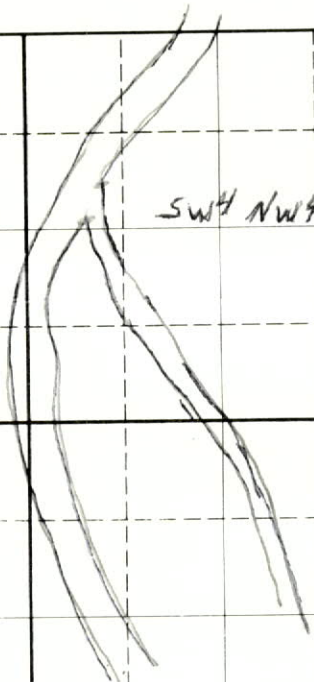


Justus 32

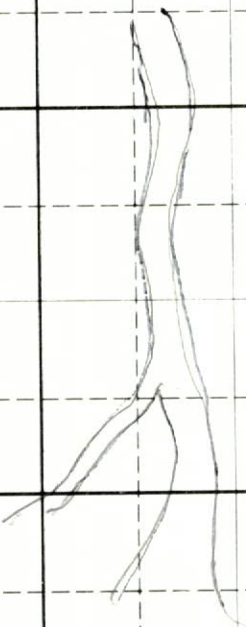
SW⁴ NW⁴ Sec. 9, 2N, 18E



New Diversion

Bannon #49

NE⁴ SW⁴ Sec 12, 1N, 18E



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

Gordon O. Glasmann, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 8th day of November, 19 73, and the date of the last publication was on the 15th day of November, 19 73.

Subscribed and sworn to before me this 19 day of November, 19 73.
(SEAL)

J. Schneider
NOTARY PUBLIC

WOOD RIVER JOURNAL Hailey, Idaho COST OF PUBLICATION

Number of Lines in Notice	<u>58</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	315c	
<u>58</u> Lines straight at	21c	<u>\$ 12.18</u>
<u>58</u> Subsequent lines at	15c	<u>8.70</u>
TOTAL COST		<u>\$ 20.88</u>

COPY OF NOTICE (Paste Here)

Notice of proposed change of water right
37-0029
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Adm.
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0029

Notice is hereby given that William Cloughton of Bellevue, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the water of Big Wood River. The right sought to be changed is evidenced by License No. 37-0029 and is recorded as follows:
Amount: 2.0 c.f.s.

Priority: June 1, 1883
Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 2N, R. 18E, B.M., Blaine County.

The water is used for irrigation of 70 acres from Apr. 1 to Sept. 30 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; T. 2N, R. 18E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T. 1N, R. 18E, B.M., Blaine County.

The water will be used for irrigation of 320 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; S $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 2, Sec. 11; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 10; T. 1N, R. 18E, B.M.

Any protests against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before November 26, 1973.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal on November 8 and November 15, 1973.

Identification No. 37-0029

Transfer No. 1734

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder William Cloughton
Post office address Bellevue, Idaho
2. Right obtained by: Purchase
 - a. Decree to Mary E. ^{Angel} Engle in Case of S. C. Frost, et. al.
(Name)
vs. Alturas Water Co. Dated Dec. 17, 1909 in Dist. Ct. of the 4th Jud. Dist.
(Name of Court)
Court. County of Lincoln
 - b. License No. ----- issued by the State of Idaho, Department of Reclamation.
3. Source of water Big Wood River tributary to Snake River
(Name of stream or source)
4. Date of Priority June 1, 1883
5. Amount of water a. 2.0 c.f.s. and/or
b. ----- acre feet/annum
6. Water is used for irrigation from April 1 to Sept. 30
(Month, Day) (Month, Day)
7. Original location of point of diversion is SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9,
Township 2N, Range 18E, B.M. in Blaine County;
Additional points of diversion, if any -----

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	18E	9												X			X		
2N	18E	16					X												

Total number of acres presently irrigated 70

MICROFILMED

Justus 32

SW⁴ NW⁴ Sec. 9, 2N, 18E

New Divers 1021

Bannon #49

NE⁴ SW⁴ Sec 12, 1N, 18E

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: purchase

10. CHANGE IN POINT OF DIVERSION

(allow 1.88 cfs)

a. Quantity to be diverted at new point: 2.0 c.f.s. and/or ----- acre feet

b. New point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 1N
-----, Range 18E, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Established headgate; submerged orifice; gravity flow ditch

d. Is water to be conveyed to the lands previously irrigated? Yes X No -----

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

Because of the rocky, porous land, the ground needs more
water than what priorities now held allow

f. Do you intend to make the transfer permanent? yes

g. Do you intend to abandon completely the old point of diversion? As far as this water
is concerned---yes

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1N	18E	14			X	X	X	X	X										
1N	18E	11											X	X	& LOT 2				
1N	18E	15	X	X															
1N 18	18E	10			X				X	X	X	X			X	X	X	X	

Total number of acres to be irrigated # 320

- b. Do you intend to make the transfer permanent? yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

yes

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: 30 inches of June 1, 1887; 90 inches of June 10, 1887;
172½ of June 1, 1891.

- * e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

William Clough
(signature of applicant)

Subscribed and sworn to before me this 1st day of August, 19 73
J. S. [Signature]
(notary public)

My commission expires Oct. 20, 1976

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0029,
and said application is hereby APPROVED

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

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

This transfer is subject to a 6% reduction for conveyance loss; maximum rate of diversion shall not exceed 1.88 cfs.

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

Witness my hand this 22 day of December, 19 73

[Signature]
Director, ~~State Reclamation Engineer~~
Idaho Dept. of Water Administration

FOR DEPARTMENT USE ONLY

Received by jmm Date 10-27-73 8-3-73 2:45pm

Protest filed by: _____ Date _____

Prelim. check by mls Date _____

Fee received by jmm Date 10-31-73 Fee \$30.00

Approved for publication by mls

Published in Wood River Journal Dates 11-8 & 11-15-73

Hearing held _____

Watermaster Recommendation sent _____

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made this 1st day of August, 1973, between MARTIN J. ALBRETHSEN and LUCILLE B. ALBRETHSEN, husband and wife, of Hailey, Idaho, hereinafter referred to as SELLERS, and BILL CLOUGHTON, a married man, of Bellevue, Idaho, hereinafter referred to as BUYER.

In consideration of the payment by the BUYER to the SELLERS of the sum of \$9,000.00 in the manner and at the times hereinafter set forth, SELLERS agree to sell to BUYER and BUYER agrees to buy from SELLERS SELLERS' water right appurtenant to the property described in Exhibit A, attached hereto and made a part hereof, said water described more specifically as follows:

100 inches of water of the Big Wood River with a date of priority dating from June 1, 1883, as decreed in the suit of S. C. FROST, et al. vs. ALTURAS WATER COMPANY, et al.

Payment shall be made as follows: \$2,250.00 upon the execution of this Agreement; \$2,250.00 together with interest on the unpaid balance at the rate of 7½% per annum on or before the 1st day of August 1974, and \$2,250.00 together with interest on the unpaid balance at the rate of 7½% per annum on or before the 1st day of August, for each and every year thereafter until the interest and principal are paid in full.

That it is specifically understood between the parties hereto that this Agreement assumes a one hundred per cent (100%) transfer of the water; if, however, the Minutes of a specific meeting of the Justus Ditch Company shall prove to become legal and binding, and the amount of water transferrable should be eighty-eight per cent (88%) rather than the said one hundred (100) inches and the difference of twelve inches should be deeded to the Justus Ditch Company, this Agreement shall remain in full force except that the following changes shall be allowed:

RECORDED

That the base price shall be changed from \$9,000.00 to \$7,920.00, but still allowing the price per inch of water at \$90.00; that the downpayment shall be reduced to \$1,980.00 and the difference between the downpayment made upon the execution of this Agreement and the corrected amount of \$1,980.00 shall be subtracted from the first annual payment; that the annual payment shall be \$1,980.00 per year plus 7½% interest per annum on the unpaid balance until the interest and principal are paid in full.

The BUYER is hereby granted the privilege of prepaying all the balance of this Agreement, or any part thereof, and interest shall cease on the amount so paid at the time of payment thereof.

SELLERS agree that upon the full performance of the terms and conditions hereof by the BUYER, the SELLERS will transfer said water right to the BUYER free and clear of all mortgages or other encumbrances, and by good and sufficient water deed.

BUYER proposes to change the point of diversion of said water and to apply it to beneficial use on all or part of the following described property:

W½NE¼, E½NW¼, NW¼NW¼, Section 14;
S½SW¼, and Lot 2, Section 11;
N½NE¼, Section 15;
SE¼, N½SW¼, and SW¼NE¼, S½NW¼, Section 10;
All in twp 1N R13 E.B.M.

This sale is conditioned upon the successful transfer of the point of diversion by the BUYER, who shall proceed without undue delay to make application for change of point of diversion and change of beneficial use of this water right. All proceedings for change of the point of diversion and change of place of beneficial use shall be undertaken at the sole expense of BUYER, but the SELLERS shall reasonably cooperate with the BUYER as to the execution of any or all instruments required by the State of Idaho, Department of Water Administration, or otherwise in attempting to bring about said changes.

MICROFILMED

In the event that the change of point of diversion and change of use is denied, the BUYER may declare this contract terminated and SELLERS shall immediately refund to BUYER any payments made hereunder.

That time and a faithful performance is of the essence of this Agreement and in case of the failure of the BUYER to make the payments of principal and interest due hereunder, or to perform any of the covenants and conditions herein on its part to be kept and performed, and such failure continuing for a period of thirty (30) days after demand in writing to the last known address of the BUYER, for such payment or performance, whether or not actually received by the BUYER, this Agreement shall, at the option of the SELLERS, be declared forfeited and terminated and the SELLERS shall retain as liquidated damages for the non-performance of this contract all sums of money heretofore paid by the BUYER hereunder and BUYER shall immediately surrender said rights and the SELLERS shall have the right to take possession thereof, using any and all remedies that may be afforded them by the laws of the State of Idaho.

In the event of the default of the BUYER as aforesaid, and of the cancellation and termination of this Agreement, the SELLERS shall have the immediate right to undertake proceedings to have the point of diversion and the place of beneficial use changed back to their original locations or to such other place or places as the SELLERS may elect and such changes shall be undertaken by and at the sole expense of the SELLERS, provided, however, that the BUYER shall cooperate with the SELLERS in executing any and all instruments that may be required by the State of Idaho, Department of Water Administration, or otherwise, in order to effectuate such change.

THIS AGREEMENT is binding on the successors, transferees and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set

their hands the day and year first above written.

SELLERS:

Lucille B. Albrethsen
LUCILLE B. ALBRETHSEN

Martin J. Albrethsen
MARTIN J. ALBRETHSEN

BUYER:

Bill Cloughton
BILL CLOUGHTON

MICROFILMED

All that portion of Tax Lot No. 26 lying Easterly from the Tail Race of the West Coast Power Co. and Southerly of Croy's Addition to Hailey, being a portion of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Nine (9) and a portion of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Sixteen (16), twp two (2) North, Range Eighteen (18) East of Boise Meridian.

MICROFILMED

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

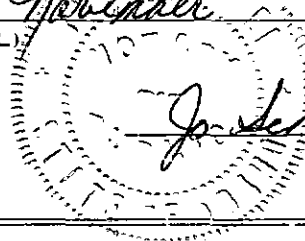
NOV 9 1973

Deposited in the Office of the
County Clerk of Blaine

Gordon O. Glaumann, being first duly sworn,
deposes and says that he is the printer (publisher) of the Wood River
Journal, a newspaper published every week in Hailey, County
of Blaine, State of Idaho; that said newspaper has been continuous-
ly and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 8th day of November,
19 73, and the date of the last publication was on the 15th
day of November, 19 73.

Subscribed and sworn to before me this 19
day of November, 19 73.
(SEAL)



NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>58</u>	
Number of Insertions	<u>2</u>	
Lines tabular at		315c
<u>58</u> Lines straight at		21c
<u>58</u> Subsequent lines at		15c
TOTAL COST		<u>\$20.88</u>

COPY OF NOTICE
(Paste Here)

*Notice of proposed change
of water right*
37-0029
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Adm.
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-0029

Notice is hereby given that
William Cloughton of Bellevue,
Idaho, has applied to the
Department of Water Ad-
ministration for a change of
point of diversion and place of
use of the water of Big Wood
River. The right sought to be
changed is evidenced by
License No. 37-0029 and is
recorded as follows:
Amount: 2.0 c.f.s.

Priority: June 1, 1883
Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 9, T. 2N, R. 18E, B.M.,
Blaine County.

The water is used for
irrigation of 70 acres from Apr.
1 to Sept. 30 within the
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9;
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; T. 2N, R.
18E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion:
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T. 1N, R.
18E, B.M., Blaine County.

The water will be used for
irrigation of 320 acres within the
S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 14; S $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 2, Sec. 11;
N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec.
10; T. 1N, R. 18E, B.M.

Any protests against approval
of the above proposed change
of water right must be filed
with the Idaho Department of
Water Administration, 1041
Blue Lakes Blvd. North, Twin
Falls, Idaho 83301 on or before
November 26, 1973.

R. KEITH HIGGINSON
Director

Published in the Wood River
Journal on November 8 and
November 15, 1973.

In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.

RECEIVED

JAN 31 1910

OFFICE OF STATE ENGINEER

S. C. Frost, et al.,

Plaintiffs,

vs.

DECREE.

Alturas Water Company, et al.,

Defendants.

This cause coming on to be heard this 6th day of October,
1909, upon the Report of F. J. Cowen, Referee heretofore appointed for
the purpose of taking the testimony and making recommendations as to Find-
ings of Fact, Conclusions of Law and Decree, to be entered herein, and the
said F. J. Cowen having filed his Report of the testimony taken, and his
recommendations as to Findings of Fact, Conclusions of Law, which have
heretofore been adopted, and the respective plaintiffs and defendants and
cross-complainants appearing herein by their respective counsel, and the
court being fully informed and advised in the premises, and having ordered
that judgment be entered in accordance with the Report and recommenda-
tions of the said Referee, Wherefore, by reason of the law and the Report
and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plain-
tiffs and defendants herein named, do have judgment respectively for a

37/ Allen, Calvin S.	120 inches.	275	Aug. 6, 1902.	Big Wood River.
37/ Allred, George	225	"	402 May 23, 1885.	" " " TRANS 1946
37/ " "	100	"	228 June 15, 1886.	" " " TRANS 1946
37/ Alturas Water Co.	100	"	226 Mch. 24, 1883.	" " " (From Riley ditch.)
Anderson, Harry W. ?				Big Cottonwood Canal Company shares.
37/ Angel, Mary E.	100	"	24 June 1, 1883.	Big Wood River.
37/ Arnold, Castro S.	90	"	403 June 1, 1885.	Chimney Creek.
37/ " "	70	"	444 June 1, 1889.	" "
37/ Arthur, Edward B. and John B.	100	"	48 May 15, 1883.	Little Wood River.
37/ Ashton, Edward	42	"	140 July 1, 1887.	Big Wood River.
37/ Babbington, Charles	90	"	62 June 1, 1882.	Corral Creek. 773
37/ Babbington, Thomas	50	"	136 June 1, 1887.	" " 774
37/ Baldwin, Theodore	320	"	201 Apr. 23, 1906.	Big Wood River.
37/ Ballard, Elmer	60	"	174 May 1, 1890.	Soldier Creek.
37/ Ballard, Nancy P.	75	"	143 Nov. 8, 1887.	" "
37/ Ballard, Philip	100	"	81 Aug. 4, 1884.	" " ✓
37/ Bannon, Lawrence J.	15	"	182 June 1, 1891.	Big Wood River.
37/ Bannon, Miles F.	60	"	734 June 1, 1887.	" " "
37/ " "	130	"	187 June 1, 1891.	" " "
37/ Bannon, Peter	100	"	157 June 1, 1891.	" " "
37/ Barnett, Fred.	80	"	323 Aug. 2, 1909.	" " "
37/ Barnett, James	150	"	274 July 1, 1896.	" " "
37/ Barnett, William	110	"	322 Aug. 2, 1909.	" " "
37/ Barnum, Guy C.	300	"	122 Oct. 31, 1889.	" " "
37/ Barry, Martin	200	"	136 May 1, 1887.	" " "
37/ Baugh, W. H.	210	"	34 Apr. 1, 1883.	Little Wood River.
37/ Baxter, John L.	136	"	59 June 27, 1883.	Soldier Creek. ✓
37/ Bellinger, Merritt	100	"	485 May 15, 1891.	Big Wood River.
37/ Bergin, Joseph D.	130	"	444 June 15, 1885.	" " "

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 28, 1973

Re: Transfer Nos. 37-0029 and 37-0363

Mr. William Cloughton
Bellevue,
Idaho 83313

Dear Mr. Cloughton:

Enclosed are copies of your approved Application for Transfer of Water Right Nos. 37-0029 and 37-0363. We direct your attention to the conditions of approval as listed on the fourth page of each transfer.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your points of diversion has been placed upon each transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

cc: Reid J. Newby
Water District No. 37 & 37M
P. O. Box N
Shoshone, Idaho 83352

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

WATER DISTRICT NO. 37 & 37M

P.O. Box N
Shoshone, Idaho 83352
886-2041



REID J. NEWBY
Watermaster

November 20, 1973

Department of Water Administration
1041 Blue Lakes Blvd. No.
Twin Falls, Idaho 83301

Attention: Bob Haynes

Dear Bob,

In reference to Transfer #37-0363 and #37-0029 in the name of William Cloughton, Bellevue, Idaho the Watermaster's office in Shoshone, Idaho is definitely in favor of both of these transfers being allowed, with the following stipulations: that on Transfer #37-0363 that the amount of water to be diverted at the new diversion point be 2.16 cfs less 6% loss for the river, which leaves 2.12 cfs; and that on Transfer #37-0029 the amount of water to be diverted at the new diversion point be 2.07 cfs less 6% loss for the river, which leaves 1.88 cfs. This leaves a total amount of water to be diverted at the new diversion point for the two transfers equals 200 inches and that the water that diverts to the river be 13 inches.

If we can be of any other service in regards to these two transfers let us know.

Very truly yours,

Reid J. Newby, Watermaster

RJN:bl

RECEIVED

October 31, 1973

RE: Transfer Nos. 37-0029 - William Cloughton
37-0363 - William Cloughton

Wood River Journal
P.O. Box 988
Hailey, ID 83333

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.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

Bill submitted _____ by _____

Enc.: Legal Notices (2)

RECORDED

OK jmm 11-7-73

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
NO. 37-0029

Notice is hereby given that William Cloughton of Bellevue, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the water of Big Wood River. The right sought to be changed is evidenced by License No. 37-0029 and is recorded as follows:

Amount: 2.0 c.f.s.

Priority: June 1, 1883

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 2N, R. 18E, B.M., Blaine County.

The water is used for irrigation of 70 acres from Apr. 1 to Sept. 30 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; T. 2N, R. 18E, B.M.

TO BE CHANGED
AS FOLLOWS

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T. 1N, R. 18E, B.M., Blaine County.

The water will be used for irrigation of 320 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; S $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 2, Sec. 11; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 10; T. 1N, R. 18E, B.M.

Any protests against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before November 26, 1973.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal on November 8 and November 15, 1973.



NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-00298

Notice is hereby given that William Cloughton of Bellevue, Idaho, has applied to the Department of Water Administration for a change of point of diversion and place of use of the water of Big Wood River. The right sought to be changed is evidenced by License No. 37-0029 and is recorded as follows:

Amount: 2.0 c.f.s.

Priority: June 1, 1883

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 2N, R. 18E, B.M., Blaine County

The water is used for irrigation of 70 acres from Apr. 1 to Sept 30 within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16; T. 2N, R. 18E, B.M.

TO BE CHANGED AS FOLLOWS

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T. 1N, R. 18E, B.M., Blaine County

The water will be used for irrigation of 320 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14; S $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 2, Sec. 11; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 10; T. 1N, R. 18E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before November 286, 1973.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal on November 8 and November 15, 1973.

MICROFILMED

October 2, 1973

Mr. William Cloughton
Bellevue, Idaho
83313

Dear Mr. Cloughton:

I am returning the two applications for transfer of water rights, which you left in my office some time ago. It was my understanding that you would send us a copy of a warranty deed or contract for purchase of the water which was the subject of the transfer. In addition, the necessary filing fee of \$30.00 for each of the transfers was not received.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jrm

Encs.

MICROFILMED

August 9, 1973

Mr. Steven E. Clayton
Counselor At Law
P.O. Box 1134
Hailey, Idaho 83333

Dear Mr. Clayton:

I am returning the two applications for transfer of a water right filed by you on behalf of Mr. William Cloughton of Bellevue. We are in need of some additional information before the transfers can be considered.

The transfers were received without the necessary filing fee which is \$30.00 for each application. We will also need some evidence that Mr. Cloughton is Successor in Interest to the original decree holder. A copy of a warranty deed will be sufficient.

The applications proposed to irrigate more acres than was previously irrigated with the rights. The applicant must show that irrigation of an additional amount of acres will not damage water right holders downstream on the river.

If we can be of any assistance please don't hesitate to call on us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

MICROFILMED

OFFICE
120 NORTH MAIN ST.

STEVEN E. CLAYTON
COUNSELOR AT LAW
P.O. BOX 1134
HAILEY, IDAHO 83333

PHONE
(208) 788-4559

August 1, 1973

Department of Water Administration
1041 Blue Lake Blvd, No.
Twin Falls, Idaho 83301

Attention: Bob Haynes

Re: Applications for Transfer of Water Right

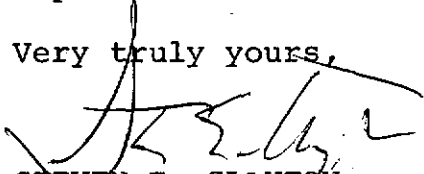
Dear Mr. Haynes:

Enclosed please find two Applications for Transfer of Water Right concerning water in the Big Wood River which William Cloughton has purchased and wishes to use for irrigation purposes.

Please notify this office when these applications have gained approval.

Thank you for your cooperation in this matter.

Very truly yours,


STEVEN E. CLAYTON

SEC:rab
Encl.

RECEIVED

December 21, 1972

Mr. Bill Cloughton
Bellevue, ID
83313

Dear Mr. Cloughton:

Enclosed are eight copies of the Application for Permit with instructions for which you requested.

It appears from the map that the Paddy Creek that you inquired about is considered tributary to Rock Creek. Rock Creek is a decreed stream which was settled in the court case of Elmer Brown vs. Daniel Reardon in 1925. I have enclosed a copy of the abstract of the decree on Rock Creek. The names listed are the people who are parties to the law suit and these people are most likely no longer living. However, the lands described would still be the lands to which water from Rock Creek is applied.

If we can be of any further assistance, please don't hesitate to call.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.

MICROFILMED

Boke: Thought perhaps your office
would rather answer this.
I have checked our records
and find no Hattie Cr.
listed. Also, nothing on
unnamed stream in that
T and R and nothing on Rock
Creek in Sections 15 & 16.

RECEIVED
DEC 8 1972

Department of Water Administration
Southern District Office



RECEIVED

DEC 8 1972

Department of Water Administration
Southern District Office

RECEIVED
DEC 4 1972

DEC 8 1972
Department of Water Administration

State of Idaho
Dept. of Water
Capitol Build.

Dear Sirs,

Will you please send me the
necessary application forms to file on
water flowing from springs. I would
like 8 forms.

I would also like to know if the water
rising in section 15 & 16 township 1 North
Range 17 E Blaine County commonly known as "Hattie Creek"
has been filed on or is it considered
a tributary of Rock Creek. If so
who filed on this water

Yours Truly
Bill Cloughton
Bellevue,
Idaho

MICROFILMED