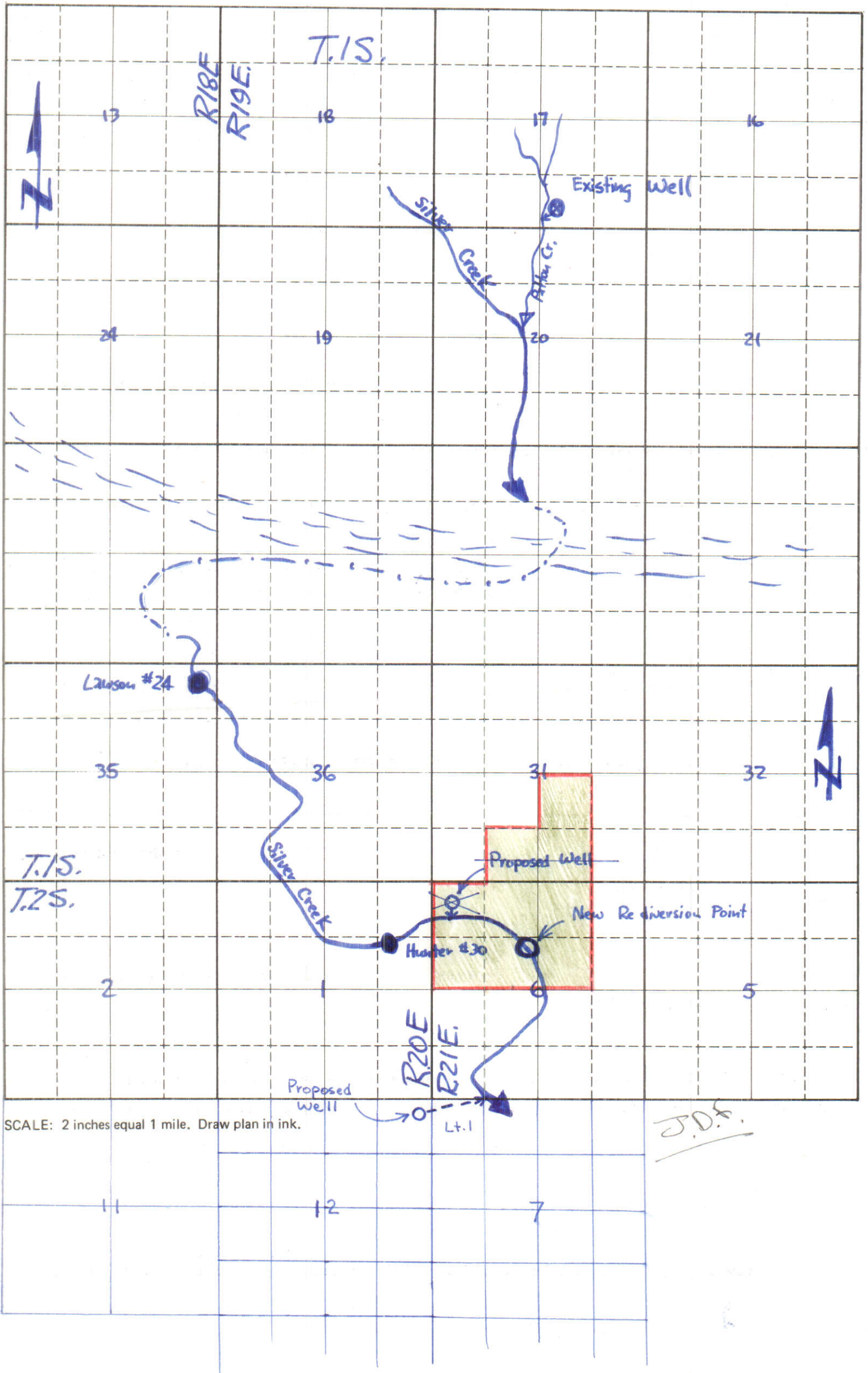


3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



AFFIDAVIT OF PUBLICATION

State of Idaho, }
 Connty of Blaine } SS.

BORDON 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 4 day of October, 1979, and the date of the last publication was on the 11 day of October, 1979.

Subscribed and sworn to before me this 12

day of October, 1979.
 (SEAL)

Robert McKenney
 NOTARY PUBLIC

WOOD RIVER JOURNAL
 Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>47</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	39c	
<u>47</u> Lines straight at	26c	<u>12.22</u>
<u>47</u> Subsequent lines at	15c	<u>7.05</u>
TOTAL COST		<u>19.27</u>

COPY OF NOTICE

(Paste Here)

No 37-2573 - Trans- 939

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
1041 Blue Lakes Blvd. N. TF

NOTICE OF AMENDED APPLICATION FOR CHANGE OF WATER RIGHT NO. 37-2573 and Transfer No. 939

On July 24, 1979, John Flood of Picabo, Idaho, applied to the Department of Water Resources for a change of the points of diversion of a groundwater source. The right sought to be changed is evidenced by license 37-2573 and transfer 939. Notice of the proposed change was previously advertised on August 30 and September 6, 1979, in the Wood River Journal. The applicant proposed that the points of diversion were to be changed to within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1S, Rge. 19E; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4), Sec. 6, Twp. 2S, Rge. 21E, and these waters were to be conveyed via Silver Creek and re-diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 1S, Rge. 20E, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1 Twp. 2S, Rge. 20E, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Twp. 2S, Rge. 21E.

The applicant now wishes to amend the proposed change in the points of diversion to be as follows:

Water will be diverted from groundwater within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1S, Rge. 19E; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp. 2S, Rge. 20E, and then conveyed and commingled with the waters of Silver Creek. These commingled waters will be re-diverted or exchanged at the re-diversion points described above.

Any protests against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before October 22, 1979.

C. Stephen Allred
 Director

Published: Wood River Journal, October 4 and 11, 1979.

Printed and Published by: Wood River Journal
 Hailey, Idaho

AFFIDAVIT of PUBLICATION

State of Idaho, }
 Connty 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 30 day of August, 1979, and the date of the last publication was on the 6 day of September, 1979.

Subscribed and sworn to before me this 7th day of September, 1979.
 (SEAL)

Roberta Crocker

NOTARY PUBLIC

WOOD RIVER JOURNAL
 Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>47</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	39c	
<u>47</u> Lines straight at	26c	<u>12.22</u>
<u>47</u> Subsequent lines at	15c	<u>7.05</u>
TOTAL COST		<u>19.27</u>

COPY OF NOTICE

(Paste Here)

Permit 37-2573-
 Transfer No 939

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
 1041 Blue Lakes Blvd N
 Twin Falls, Idaho 83301

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that John Flood of Picabo, Idaho has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License 37-2573, Transfer No. 939 and is recorded as follows:
 Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.1S, R. 19E, B.M., Blaine County; The water is comingled with the waters of Silver Creek and rediverted in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 1S, R.20E, B.M. The water is used for domestic purposes and irrigation within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T. 1S, R.21E and W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 6, T. 2S, R.21E.

TO BE CHANGED AS FOLLOWS:

Amount: 1.42 cfs (subject to transmission loss)

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.1S, R. 19E, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 14), Sec. 6, T.2S, R.21E, B.M.

PLACE OF USE: SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T.1S, R.21E; Lots 2, 3, 4, 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T.2S, R.21E

The groundwater is to be comingled with the waters of Silver Creek and rediverted in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T.1S, R.21E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T.2S, R.20E; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6 T.2S, R.21E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. No., Twin Falls, Idaho 83301, on or before September 17, 1979.

C. Stephen Allred
 Director

Published: Wood River Journal, August 30, and September 6, 1979.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 939

THIS IS TO CERTIFY That Donnie D. Baldwin, Phyllis Baldwin, Wayne O'Dell Baldwin, and Eileen Baldwin, of Picabo, Idaho, is the owner of and using a certain water right for 1.42 cubic feet per second of subterranean water from a well located in the $SW\frac{1}{4}SE\frac{1}{4}$ of Section 17, Township 1 South, Range 19 East B. M., with priority of June 16, 1955, under License No. G-25769, issued by the State Reclamation Engineer of the State of Idaho, said license bearing date of October 8, 1957, and being appurtenant to the following described lands, to-wit:

$SW\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, Section 16, $N\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$,
Section 21, Township 1 South, Range 19
East, B. M.,

ok - see letter of
10-8-57
+ G-25769

That said license has been entered in the records of the Department of Reclamation in Volume 10 of Licenses, at Page 6110.

And that now, upon the application of Donnie D. Baldwin, Phyllis Baldwin, Wayne O'Dell Baldwin, and Eileen Baldwin, of Picabo, Idaho, for the transfer of 1.42 cubic feet per second of said subterranean waters made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, after a deduction of 10% is abandoned to the waters of Silver Creek to compensate for carriage losses, the right to the use of said water on the above described lands is hereby abandoned, and the lands to which said water shall, by this Certificate, become appurtenant for irrigation and domestic purposes, and described as follows, to-wit:

$S\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, Section 31, Township 1
South, Range 21 East, B. M., and the $SW\frac{1}{4}NE\frac{1}{4}$,
 $SE\frac{1}{4}NW\frac{1}{4}$, and Lots 2, 3, 4, and 5, Section 6,
Township 2 South, Range 21 East, B. M.,

$W\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$

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

1.28 cubic feet per second of subterranean
water from artesian well, with priority
of June 16, 1955;

That the water right hereby transferred has heretofore been conducted to the first above described lands through private ditches with point of diversion in the $SW\frac{1}{4}SE\frac{1}{4}$, Section 17, Township 1 South, Range 19 East, B. M.,

That the water right hereby transferred will hereafter be conducted to the last above described lands with no change in point of diversion, being the $SW\frac{1}{4}SE\frac{1}{4}$, Section 17, Township 1 South, Range 19 East, B. M., thence by ditch into Silver Creek and commingled with the waters of Silver Creek for a distance of about ten miles to a point of re-diversion located in the $NW\frac{1}{4}NW\frac{1}{4}$, of Section 36, Township 1 South, Range 20 East, B. M.

T-939

37-2573

**NOTICE OF AMENDED
APPLICATION FOR CHANGE
OF WATER RIGHT
NO. 73-2573 and
Transfer No. 939**

On July 24, 1979, John Flood of Picabo, Idaho, applied to the Department of Water Resources for a change of the points of diversion of a groundwater source. The right sought to be changed is evidenced by license 37-2573 and transfer 939. Notice of the proposed change was previously advertised on August 30 and September 6, 1979, in the Wood River Journal. The applicant proposed that the points of diversion were to be changed to within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1S, Rge. 19E; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4), Sec. 6, Twp. 2S, Rge. 21E, and these waters were to be conveyed via Silver Creek and re-diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 1S, Rge. 20E, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1 Twp. 2S, Rge. 20E, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Twp. 2S, Rge. 21E.

The applicant now wishes to amend the proposed change in the points of diversion to be as follows:

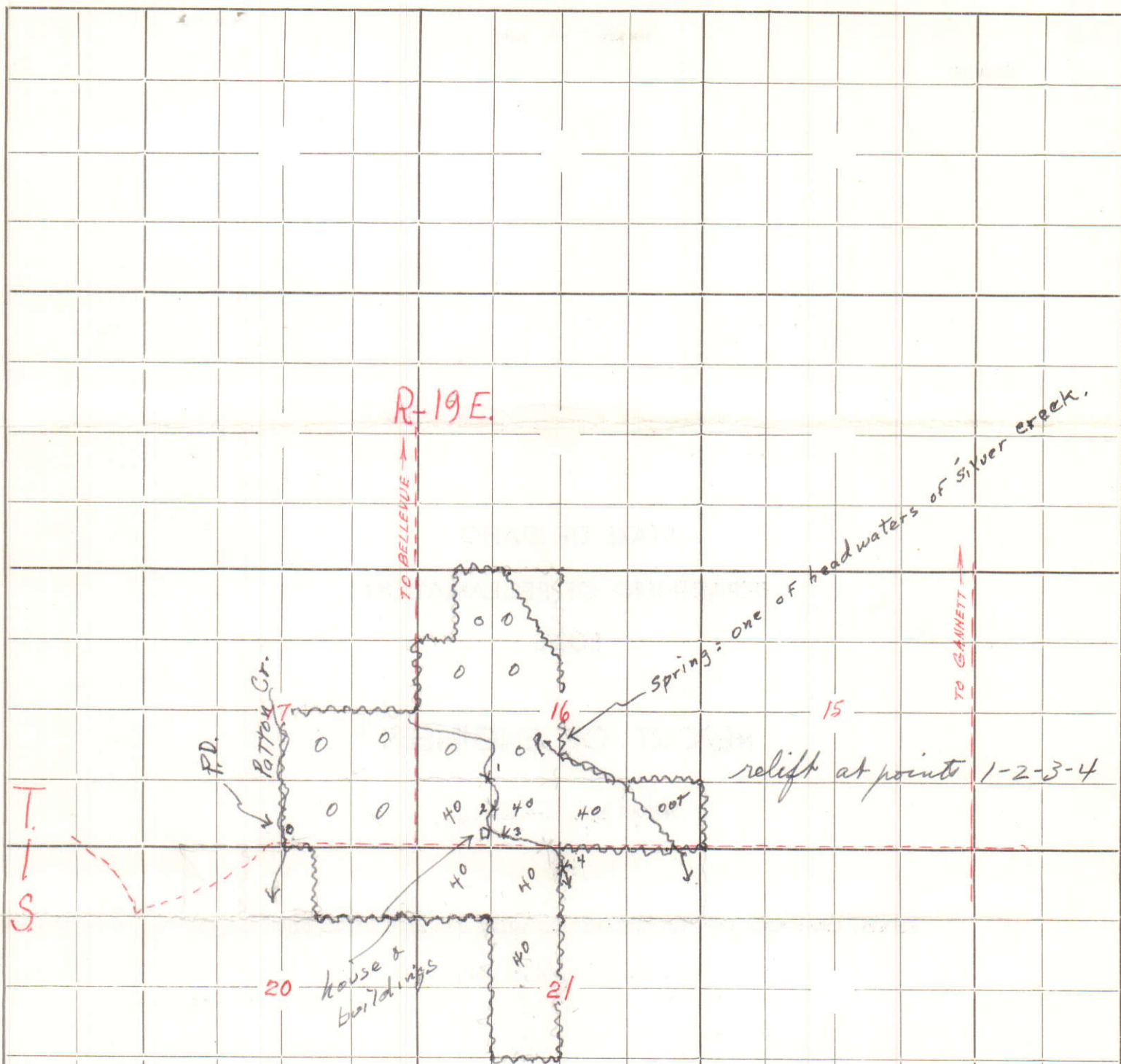
Water will be diverted from groundwater within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1S, Rge. 19E; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp. 2S, Rge. 20E, and then conveyed and commingled with the waters of Silver Creek. These commingled waters will be re-diverted or exchanged at the re-diversion points described above.

Any protests against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before October 22, 1979.

C. Stephen Allred
Director

Published: Wood River Journal, October 4 and 11, 1979.

ad
may
10/1/79



Subdivisions = 6.
 Area = 240 acres.
 Q = 71 inches.

Needs a place of use amendment,
 Claims only 1.28% in separations

RECEIVED
JUN 3 1957
Department of Reclamation

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

25th day of April, 1957 and ending with the last publication thereof on the

16th day of May, 1957

Cost of this publication is \$ 22.00

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 17th day of May, 1957.

R. J. McG...
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 27th day of May, 1957, at Gooding, County of Gooding, State of Idaho, before Andrew James, Notary Public, proof will be submitted of the completion of works for the diversion of 1.28 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25769 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are H. B. Bickett, Gannett, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.28 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.28 cubic feet per second.

4. The point of diversion of said water is in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1 S., Rge. 19 E.

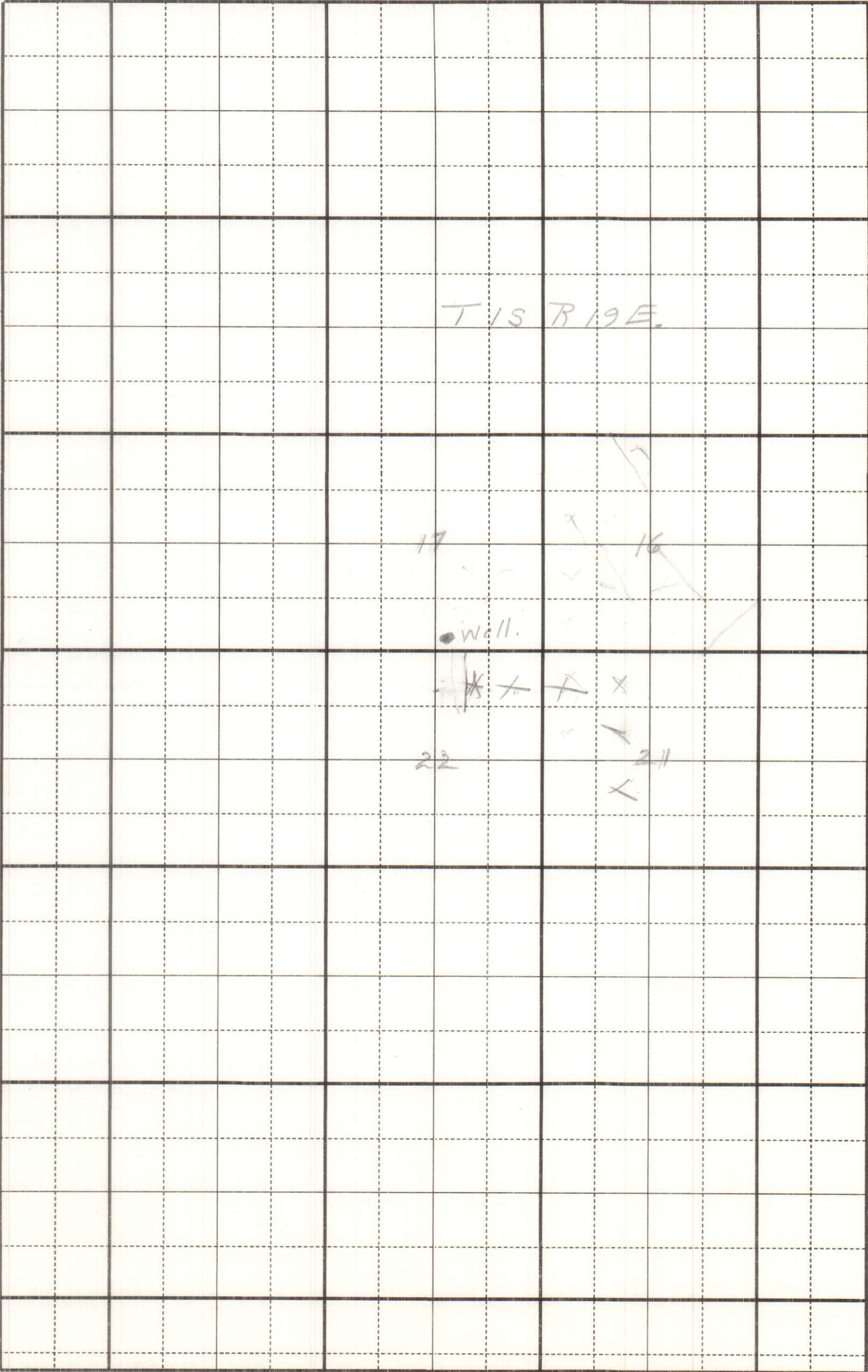
5. The place where said water is used is N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21 and N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 20, Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is June 16, 1955.

Mark R. Kulp
State Reclamation Engineer
pub. 4/25-5/16

NAME OF APPLICANT H B Bokett

Form No. 0



R-19E.

17

Point of Diversion - WELL

T.
I.
S.

20

21

Amended

Permit Map No. *425769*

As Approved

June 21, 1935
MARK R. KULP

State Reclamation Engineer

NAME OF APPLICANT H. B. Bickett,

Form No. 0

Twp. 1.S. R. 19.E

17

16

Well

22

21

Permit Map No. 4-25769
As Approved
JUN 21 1955
MARK R. KULP
State Reclamation Engineer

NOTICE OF PROOF OF
COMPLETION OF WORKS

APPLICATION OF WATER
TO BENEFICIAL USE

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1. The name and postoffice address of the person or corporation holding said permit are H. B. Bickett, Gannett, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.28 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.28 cubic feet per second.

4. The point of diversion of said water is in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21 and N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 20, Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is June 16, 1955.

Mark R. Kulp

State Reclamation Engineer
pub. 4/25-5/16

T. N. S.

T. N. S.

Bottom Sta.

P.O.D. Permit G-25769

16

Transferred FROM.

R-19E.

2.2

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511

Cr

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3.4

New Point Division.

3.0

3.1

3.2

3.3

3.4

Transferred TO.

R-20E.

R-21E.

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that Wayne O'Dell Baldwin, Eileen Baldwin, Donnie D. Baldwin and Phyllis Baldwin of Picabo, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Subterranean flow from well as follows: Amount: 1.42 cubic feet per second. Priority: June 16, 1955. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 1 S., Range 19 E., B. M. Place of use: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 16; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 1 S. R. 19 E.B.M.

To Be Transferred To

Place of Use: W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 1 S. R. 21 E.B.M. and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 2-3-4-5, Sec. 6, T. 2 S. R. 21 E.B.M. To be transported down Silver Creek to place of use, with a 10% carrying charge.

And that on the 30th day of June, 1959, at 10:00 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.

Geo. N. Carter
State Reclamation Engineer
pub. 6/11--18

**NOTICE OF PROPOSED
TRANSFER OF WATER RIGHT**

Notice is hereby given that Wayne O'Dell Baldwin, Eileen Baldwin, Donnie D. Baldwin and Phyllis Baldwin of Picabo, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Subterranean flow from well as follows: Amount: 1.42 cubic feet per second. Priority: June 16, 1955. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 1 S., Range 19 E., B. M. Place of use: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 16; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 1 S. R. 19 E.B.M.

To Be Transferred To

Place of Use: W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ -SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 1 S. R. 21 E.B.M. and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 2-3-4-5, Sec. 6, T. 2 S. R. 21 E.B.M. To be transported down Silver Creek to place of use, with a 10% carrying charge.

And that on the 30th day of June, 1959, at 10:00 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.

Geo. N. Carter
State Reclamation Engineer
pub. 6/11--18

**NOTICE TO CREDITORS
In The Probate Court
Of The County of Blaine
State of Idaho**

RECEIVED
JUL 1 6 1959
Department of Reclamation

Affidavit of Publication

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Wayne O'Dell Baldwin, Eileen Baldwin, Donnie D. Baldwin and Phyllis Baldwin of Picabo, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Subterranean flow from well as follows: Amount: 1.42 cubic feet per second. Priority: June 16, 1955. Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 1 S., Range 19 E., B. M. Place of use: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 16; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 1 S. R. 19 E.B.M.

To Be Transferred To

Place of Use: W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, T. 1 S. R. 21 E.B.M. and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 2-3-4-5, Sec. 6, T. 2 S. R. 21 E.B.M. To be transported down Silver Creek to place of use, with a 10% carrying charge.

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Geo. N. Carter
State Reclamation Engineer
pub. 6/11-18

STATE OF IDAHO, } ss.
County of Blaine,

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the

11th day of June, 1959 and ending with the last publication thereof on the

18th day of June, 1959

Cost of this publication is \$ 10.80

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 19th day
of June, 1959

R. J. McCoy
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

T-939
37-2573

That he intends to divert and convey said 1.42 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

That he proposes to measure the water in to Silver Creek at the Nearest point from the Point of Diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17

and comingle the water with Silver creek water and carry it down stream a distance of about 10 Miles to a point of diversion located in The NW $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36, Twp. 1.S. Range 20.E.

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.

AND TO ACCEPT A 10% transmission loss, i.e., 1.28 c.f.s., to be delivered at the new point of diversion

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range , and thereafter conduct same to the above described land through the ditch, as per map appended.

That his reasons for desiring to make such change are as follows:

No change in point of diversion.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Wayne O'dell Baldwin Don D. Baldwin
Eileen Baldwin Phyllis Baldwin Applicant.

Subscribed and sworn to before me this 15th day of April, 19 59

Laurine Baldwin
Eagle Lake Notary Public.

MY COMMISSION EXPIRES
FEBRUARY 11, 1961

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Artesian Well

Where is the diversion point located? SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 17, T1S R19E

Through what ditch is it now conducted? None

How much land is now irrigated by the water sought to be transferred?

Give the description: SW $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; Sec 16.

N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 21, T1S R19E

APPLICATION FOR TRANSFER
OF WATER RIGHT

State of Idaho)
) ss.
County of Blaine)

Donnie D. Baldwin, Phyllis Baldwin, Wayne O'dell Baldwin, Eileen Baldwin, being first duly sworn, deposes and says:

That his name is Same as above; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Picabo, Idaho.

That he is the owner and using a certain water right, bearing date of priority of June 16, 1955, for 1.42 cubic feet per second of the waters of Subterranean Flow, County of Blaine, State of Idaho, decreed to (or obtained by virtue of License No. G25769, issued by the State Department of Reclamation of the State of Idaho, dated October 8, 1957, bearing date of June 16, 1955, for the purpose of irrigating the following described lands situate, lying and being in Water District No. 7AB in the County of Blaine and State of Idaho, to-wit: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 16, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Twp. 1 S., Range 19, E. 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. By 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 Well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 1 S., Range 19 E., B.M., and conducted to the above described lands through Private ditches, as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 1.42 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 Blaine and State of Idaho, to-wit: W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Twp. 1 S., Range 21, E., B.M., and SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 2-3-4 and 5, Section 6, Twp. 2 S., Range 21 E.

That reasons for desiring to make such transfer are as follows: More economical use of water.

That he intends to divert and convey said 1.42 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application: That he proposes to measure the water in to Silver Creek at the Nearest point from the Point of

Diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17 and comingle the water with Silver creek water and carry it down stream a distance of about 10 Miles to a point of diversion located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 1 S., Range 20 E. And to accept a 10% transmission loss, i.e., 1.28 c.f.s., to be delivered at the new point of diversion.

CHANGE IN POINT OF
DIVERSION

No change in point of diversion.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Wayne O'dell Baldwin
Eileen Baldwin
Don D. Baldwin
Phyllis Baldwin
Applicant.

Subscribed and sworn to before me this 15th day of April, 1959.

(Notary Seal)

LaVerne Baldwin
Eagle, Idaho
Notary Public
My commission expires
February 11, 1961
pub. 4/16-30

Affidavit of Publication

STATE OF IDAHO, } ss.
County of Blaine, }

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for three consecutive weeks commencing with the first publication thereof on the

16th day of April, 1959
and ending with the last publication thereof on the

30th day of April, 1959

Cost of this publication is \$ 43.18

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 1st day
of May, 1959

Betty Vlahos
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

T-939

37-2573

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Bickett, H.B.~~	1.42		~~37-2573~~
~~939~~	~~Baldwin, Donnie, et al~~	1.42		~~37-2573~~
2334	Flood, John	1.42		~~37-2573~~

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AMENDED 9/17/79

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

RECEIVED
APPROVED
JUN 2 1979

Name of applicant John Flood Phone 788-2357
Post office address Queen's Crown Ranch, P.O. Box 317, Picabo, Idaho, 83348

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
Transfer 939
- b. License No. G25769/ 37-2573 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
Thru Purchase of Property
3. Source of water Groundwater tributary to _____
4. Date of priority June 16, 1955
5. Water is used for the following purposes:
amount 1.42cfs* for Irrigation purposes from April 1 to Nov. 1
amount " for Domestic purposes from Jan. 1 to Dec. 31
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
- *Subject to a 10% transmission loss yielding 1.28cfs
6. Total amount of water under right: a. 1.42 (1.28) cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SW ¼ of SE ¼ of Section 17
Township 1S Range 19E, B.M., in Blaine County
Additional points of diversion, if any Re-diverted in the NW¼NW¼ of Sec. 36, T1S, R20E, B.M.
*As listed on Transfer 939

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	
1S	21E	31					As Listed On Transfer 939							X			XX	X	
2S	21E	6		Lt2			Lt3	Lt4	Lt5										
				X	X		X	X	X	X									
							As Listed On Application for Transfer 939 and other supporting Documents												
1S	21E	31												X		X	XX		
2S	21E	6		Lt2			Lt3	Lt4	Lt5										
				X	X		X	X	X	X									

Total number of acres to be irrigated

9. Describe any other water rights used for the same purposes as described above
Other Decreed rights & groundwater rights diverted from Silver Creek

MICROFILMED

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, 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 1.42cfs* *Subject to transmission loss
c.f.s. &/or _____ acre feet
b. Point(s) of diversion SW ¼ SE ¼, Section 17 Township 1S
Range 19E, B.M., Blaine County NE¼ NE¼ of Sec. 12, T.2S., R.20E., B.M. J.D.F.
Additional points New well to be drilled in the NW¼ (Lot 4) of Sec. 6, T2S, R21E
Waters to be rediverted from Silver Creek at existing headgates at Lawson #24 (NE¼NE¼ of
Sec. 35, T1S, R21E, B.M.) and Hunter #30 (SE¼NE¼ of Sec. 1, T8S, R20E, B.M.)
c. Description of diverting works Also to be rediverted at a proposed pump in the SE¼NW¼ of
Sec. 6, T2S, R21E, B.M.
Diverted from groundwater at existing well and proposed well then comingled with Silver Cr.
d. Describe the reasons for applying for a change in the point(s) of diversion
Water will then be rediverted from creek at two existing headgates and a new pump diversion

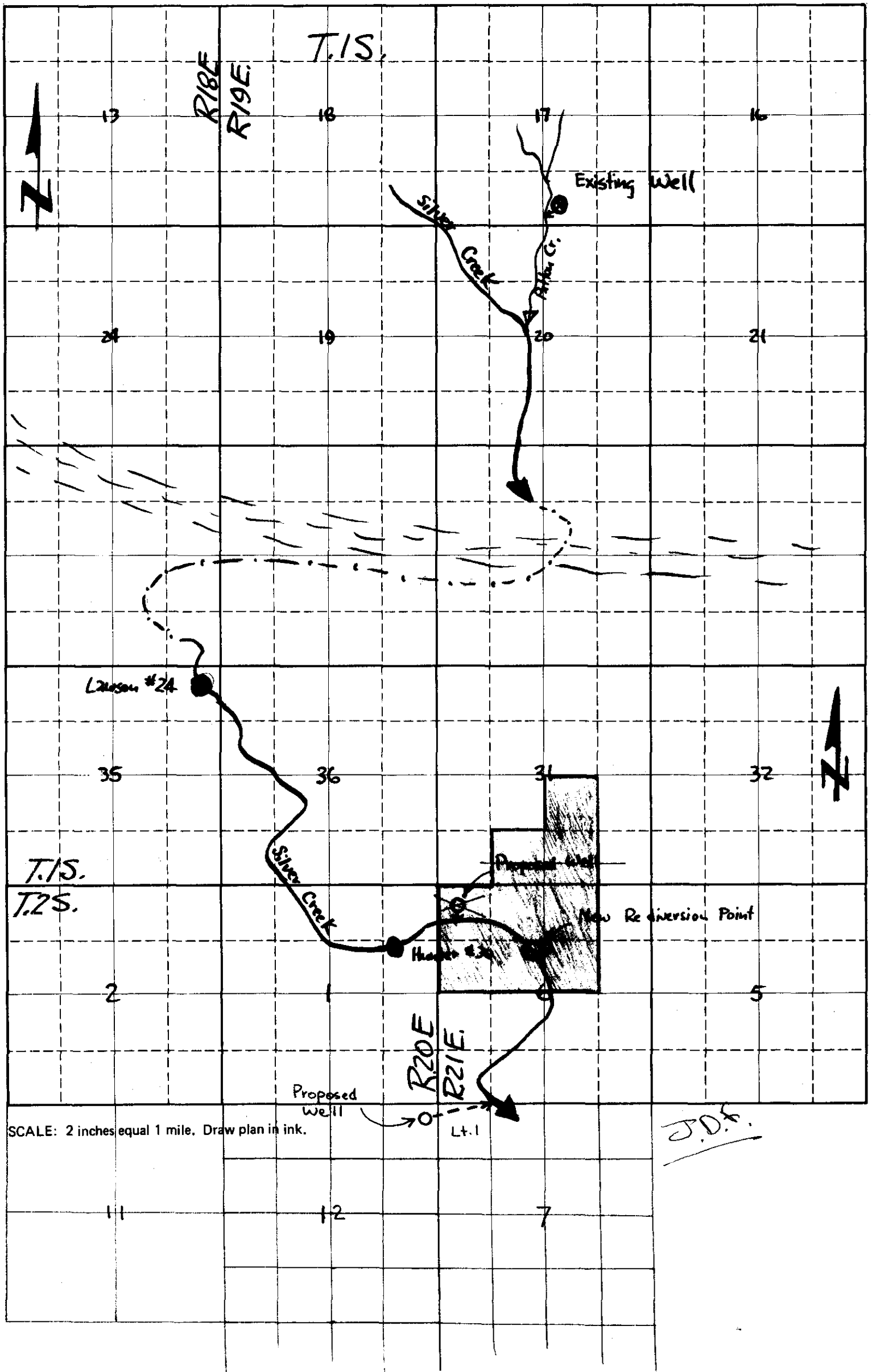
This transfer is to provide a more efficient means of using the water on the lands.

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	
1S	21E	31											40			40	40		120
2S	21E	6		Lt2			Lt3	Lt4	Lt5										250
				40	40		40	45	45	40									

Total number of acres to be irrigated _____

3. 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.



4. Remarks This right is presently being delivered to the Lawson #24 headgate for several years.

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 D. Ford
(Signature of applicant)

Subscribed and sworn to before me this 24 day of July, 19 79.

Marilyn Lanier
(Notary public)
Sally Salako

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-2573 and said application is hereby approved, subject to the following limitations and conditions:
(1) Measuring devices of a type approved by this Department shall be permanently installed and maintained at the points of injection into Silver Creek within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1S, Rge. 19E and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp. 2S, Rge. 19E and the points of rediversion from Silver Creek within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 1S, Rge. 19E, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Twp. 2S, Rge. 19E. (2) A 10% seepage loss shall be deducted from water injected into Silver Creek located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1S, Rge. 19E. (3) The maximum rate of diversion and rediversion allowed under this Right shall not exceed 1.42 cfs. (4) Use of water under this Right is subject to control by the Watermaster of State Water District No. 37M, Little Wood River.

Witness my hand this 7th day of December, 19 79.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Amended 7th
Received by ADM Date 8/2/79
Prelim. check by Q Fee 35.00 820.00
Amended 7th
Receipted by maripa Date 8/2/79 # 13331
Published in Wood river journal
Pub. dates 8/30 + 9/6/79
Watermaster recommendation requested on 8/22/79
rec'd.

Protest filed by Arie Gibson-withdraw
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by Jim

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of
Donnie D. Baldwin, Phyllis Baldwin,
Wayne O'Dell Baldwin, and Eileen
Baldwin, for Change in Place of Use
of License Water Rights from Sub-
terranean Flow by Well,
and
Protest of J. E. Frederickson and
Earl W. Hutchison.

DENIAL OF PROTEST

On May 7, 1959, Donnie D. Baldwin, Phyllis Baldwin, Wayne O'Dell Baldwin, and Eileen Baldwin, of Picabo, Idaho, made application for change in place of use of 1.42 cubic feet per second of the waters from a well, License No. G-25769, dated October 8, 1957, and bearing date of June 16, 1955, and made appurtenant to the following described lands:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 16; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 21, Township 1 South, Range 19
East B.M.,

Said applicants desire to abandon the use of 1.42 cubic feet per second on the above described lands and convey via Silver Creek and use said water right on the W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 1 South, Range 21 East B. M., and SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and Lots 2, 3, 4, and 5, Section 6, Township 2 South, Range 21 East, B. M.

The application was duly advertised and protests were filed by J. E. Frederickson and Earl W. Hutchison, of Gannett, Idaho, stating that they protest the transfer of water from artesian wells down stream to other lands via canals or stream to lands other than those to which water was originally made appurtenant; and

WHEREAS, Protestant Earl W. Hutchison withdrew his objection to the transfer, and protestant, J. E. Frederickson, verbally stated that while he objected to the transfer, he was not in position to introduce evidence at a formal hearing, such as is required to warrant further consideration by the Department of Reclamation; and

WHEREAS, The Watermaster of Water District No. 11-AR, in which the water right in question is situated, has endorsed his approval upon the Application for Transfer of Water Right;

The protest is, therefore, held to be of not sufficient force and effect to justify denial of the Application to Transfer, therefore, a Certificate of Transfer of Place of Use will be issued.

Anyone feeling himself aggrieved by this Denial of Protest, or the issuance of a Certificate of Transfer, may appeal to the District Court for Blaine County within sixty days as outlined by Section 42-222 of the Idaho Code.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this 31st day of December, 1959.

GEO. N. CARTER
GEO. N. CARTER
State Reclamation Engineer

T-939

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 31st day of December, 1959.

G. N. Carter

GEO. N. CARTER
State Reclamation Engineer

T-939

37-2513

AFFIDAVIT OF PUBLICATION

State of Idaho, }
 Connty of Blaine } SS.

BORDON 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 4 day of October, 1979, and the date of the last publication was on the 11 day of October, 1979.

[Signature]

Subscribed and sworn to before me this 12th

day of October, 1979.
 (SEAL)

[Signature]
 NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>47</u>	
Number of Insertions	<u>2</u>	
Lines tabular at		39c
<u>47</u> Lines straight at		26c
<u>47</u> Subsequent lines at		15c
TOTAL COST	<u>19.27</u>	

COPY OF NOTICE

(Paste Here)

No 37-2573 - Trans- 939

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Raker Blvd. N. T.F.

[Faded copy of the notice text, mostly illegible due to poor reproduction quality. The text appears to be a legal notice regarding water resources.]

AFFIDAVIT of PUBLICATION

State of Idaho, }
 Connty 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 30 day of August, 1979, and the date of the last publication was on the 6 day of September, 1979.

Subscribed and sworn to before me this 7th day of September, 1979.
 (SEAL)

[Signature]
 NOTARY PUBLIC

WOOD RIVER JOURNAL
 Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>47</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	39c	
<u>47</u> Lines straight at	26c	<u>12.22</u>
<u>47</u> Subsequent lines at	15c	<u>7.05</u>
TOTAL COST		<u>19.27</u>

COPY OF NOTICE

(Paste Here)

Permit 37-2573-
 Transfer No 939

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
 1041 Blue Lakes Blvd N
 Twin Falls, Idaho 83301

[Faded and mostly illegible text, likely a copy of a legal notice or permit.]

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 939

THIS IS TO CERTIFY That Donnie D. Baldwin, Phyllis Baldwin, Wayne O'Dell Baldwin, and Eileen Baldwin, of Pocatello, Idaho, is the owner of and using a certain water right for 1.42 cubic feet per second of subterranean water from a well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 1 South, Range 19 East B. M., with priority of June 16, 1955, under License No. G-25769, issued by the State Reclamation Engineer of the State of Idaho, said license bearing date of October 8, 1957, and being appurtenant to the following described lands, to-wit:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 16, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 21, Township 1 South, Range 19
East, B. M.,

ok - letter of
10-8-57
G-25769

That said license has been entered in the records of the Department of Reclamation in Volume 10 of Licenses, at Page 6110.

And that now, upon the application of Donnie D. Baldwin, Phyllis Baldwin, Wayne O'Dell Baldwin, and Eileen Baldwin, of Pocatello, Idaho, for the transfer of 1.42 cubic feet per second of said subterranean waters made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, after a deduction of 10% is abandoned to the waters of Silver Creek to compensate for carriage losses, the right to the use of said water on the above described lands is hereby abandoned, and the lands to which said water shall, by this Certificate, become appurtenant for irrigation and domestic purposes, and described as follows, to-wit:

S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 1
South, Range 21 East, B. M., and the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, and Lots 2, 3, 4, and 5, Section 6,
Township 2 South, Range 21 East, B. M.,

W/25769

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

1.28 cubic feet per second of subterranean
water from artesian well, with priority
of June 16, 1955;

That the water right hereby transferred has heretofore been conducted to the first above described lands through private ditches with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 1 South, Range 19 East, B. M.,

That the water right hereby transferred will hereafter be conducted to the last above described lands with no change in point of diversion, being the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 1 South, Range 19 East, B. M., thence by ditch into Silver Creek and conjoined with the waters of Silver Creek for a distance of about ten miles to a point of re-diversion located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, of Section 36, Township 1 South, Range 20 East, B. M.

T-939

37-2573

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 31st day of December, 1959.



GEO. N. CARTER
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF AGRICULTURE

In the Matter of the Application of
Donnie D. Baldwin, Phyllis Baldwin,
Wayne O'Dell Baldwin, and Eileen
Baldwin, of Pocatello, Idaho, for a
Transfer of Water Right for Subter-
ranean Water in Blaine County, Idaho.

ORDER GRANTING TRANSFER

NO. 939

WHEREAS, on the 30th day of June, 1959, at the Department of Reclamation of the State of Idaho, in Boise, Idaho, this matter of an application of Donnie D. Baldwin, Phyllis Baldwin, Wayne O'Dell Baldwin, and Eileen Baldwin, of Pocatello, Idaho, for a transfer of water right, came on regularly for hearing pursuant to the published notice in due and statutory form; and

WHEREAS, protests were filed in the Department of Reclamation against the issuance of a Certificate of Transfer of Use by J. E. Fredrickson and Earl W. Hutchinson; and

WHEREAS, after due consideration of said protests, they were held to not be of sufficient weight, force and effect, to justify denial of the application to Transfer;

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 31st day of December, 1959.

GEO. N. CARTER

GEO. N. CARTER
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. G-25769

Amount 1.42 c.f.s.

Water District No.

Priority June 16, 1955

THIS IS TO CERTIFY that H. B. BICKETT
of Gooding, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 16, 1955; that Permit No. G-25769
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.42 second feet, was issued thereunder on October 8, 1957, showing that said works
were completed on the 27th day of May, 1957; and that on the 27th
day of May, 1957, H. B. BICKETT

of Gannett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of an artesian
well, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-25769 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6110, on the 8th day of October, 1957;
The right hereby confirmed dates from June 16, 1955;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 17, Tp. 1 S., R. 19 E., B. M. County Blaine
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.42 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	19 E.	16	SW 1/4 SE 1/4	--	40
			SE 1/4 SW 1/4	--	40
			SW 1/4 SW 1/4	--	40
		21	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			Total number of acres irrigated	--	240

#939
Trans

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
8th day of October, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

2573

State of Idaho
License and Certificate of Water Right

Water License No. G-25070 Amount 7.0 c.f.s.
Water District No. _____ Priority July 17, 1954

THIS IS TO CERTIFY that G. FORREST THOMPSON - MARKLYN INC, Assignee of one-half of Darlington, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 17, 1954; that Permit No. G-25070 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 7.0 second feet, was issued thereunder on October 7, 1957, showing that said works were completed on the 30th day of July, 1956; and that on the 30th day of July, 1956, G. FORREST THOMPSON, Darlington, Ida. Lynn Garff for MARKLYN INC, SLC, Utah of Idaho, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean, for the purpose of Irrigation, under Use Permit No. G-25070 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 6109, on the 7th day of October, 1957; The right hereby confirmed dates from July 17, 1954; The Point of Diversion is located in the NE 1/4 NE 1/4, Sec. 23, Twp. 6 N., R. 25 E., B. M. County Custer That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 7.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	25 E.	24	SW 1/4 NW 1/4	40	35
			NE 1/4 SW 1/4	40	20
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
		23	SE 1/4 SW 1/4	40	35
			NE 1/4 NE 1/4	40	20
			SE 1/4 NE 1/4	40	15
			NE 1/4 SE 1/4	40	20
		25	SE 1/4 SE 1/4	40	35
			NW 1/4 NE 1/4	40	15
			SW 1/4 NE 1/4	40	30
			NE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	--	35
			Total number of acres irrigated - - - 420		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 7th day of October, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33630
Permit No. G- 25769
District No.

1. Name of Applicant: H. B. BICKETT
Postoffice address: Gooding County: Gooding State: Idaho
2. Quantity of water claimed: 2.0 c.f.s.
(a) Rate of withdrawal in cubic feet per second. 2.0 c.f.s. or Idaho
Miners' inches or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Artesian well
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ $\frac{1}{4}$ of the SE $\frac{1}{4}$ $\frac{1}{4}$ of Section 17
Twp. 1 S , Rge. 19 E , B.M., County of Blaine
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: 6 inch well, 193 ft. deep
8. Estimated cost of works: \$ 2,000.00
9. (a) Is reservoir to be used? No.
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Completed years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: This well was completed June 14th, 1955 and is flowing between 75 and 100 inches at the present time.

Agent.

Corrected application received:

MARK R. KULP
State Reclamation Engineer.

STATE OF IDAHO

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
1 S	19 E.	21					40	40		40								160	
		20	40	20														60	
Total Number of Acres to be Irrigated																		220	
Application for Amendment To Permit to appropriate the Public Waters of the State of Idaho, No. <u>G-25769</u>																			
Comes now H. B. BICKETT, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-25769, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SW ¹ / ₄ SE ¹ / ₄ , S ¹ / ₂ SW ¹ / ₄ of Section 16; N ¹ / ₂ NW ¹ / ₄ , SE ¹ / ₄ NW ¹ / ₄ Section 21, all in Township 1 South, Range 19 East, B.M., making a total of 240 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.																			
Signed at Gannett, this 28 day of Sept., 1957																			
/s/ H. B. Bickett																			
Date of receipt at office of Department of Reclamation Sept. 30, 1957																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-25769. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.																			
/s/ Mark R. Kulp State Reclamation Engineer																			
Recorded: Sept. 30, 1957.																			

Permit No. G-25769
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that H. B. BICKETT of Gooding, County of Gooding, and State of Idaho, the holder of Permit No. G-25769, issued upon Application No. G-33630 bearing date of priority of June 16, 1955, authorizing the diversion of 2.0 second feet of the waters of subterranean flow from an artesian well County of Blaine, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.42 second feet of the waters of subterranean flow from an artesian well that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 1 South, Range 19 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, all in Township 1 South, Range 19 East, B.M. Proof of Completion of Works made: May 27, 1957.

Witness my hand this 8th day of October, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: May 27, 1957
Certificate of Completion of Works issued: October 8, 1957.

LICENSE ISSUED FOR 1.42 SEC FT
Page 6/10

WATER RIGHT NUMBER 37-2573

OWNER LAST NAME - BICKETT

FIRST NAME - H. B.

ORIG OWNER - 0

OWNER LAST NAME - FLOOD

FIRST NAME - JOHN

ORIG OWNER -

ADDRESS LINE 1 - QUEEN'S CROWN RANCH

ADDRESS LINE 2 - P.O. BOX 317

ADDRESS LINE 3 -

CITY - PJCABO

STATE - ID ZIP CODE - 83348

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 06-16-1965 COUNTY - BLAINE

TOTAL DIV. RATE - 1.4200 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND - T WATER DIST. - 37M

JLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSE 17 01S 19E LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

NENE 12 02S 20E LOT

REDIV -

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

0.0

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE -

1.4200

CFS

USE DIV. VOLUME -

.00 AFA

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.0000

CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 21E SEC 31

TRACT SSW LOT

AC 40

TRACT NWSE LOT

AC 40

USE - IRRIGATION

PLACE OF USE - TWN 02S RNG 21E SEC 06

TRACT SWSE LOT

AC 40

TRACT NWNE LOT 02 AC 40

TRACT SWNE LOT

AC 40

TRACT NENW LOT 03 AC 40

TRACT NWNW LOT 04

AC 45

TRACT SWNW LOT 05 AC 45

TRACT SENW LOT

AC 40

DECREE NAME -

DATE -

TOTAL ACRES 370

REMARKS - TRANS. 939 & 2334. ORIG. LIC. DID NOT INCLUDE DOMESTIC USE.

MEASURING DEVICES OF A TYPE APPROVED BY THIS DEPT. SHALL BE

PERMANENTLY INSTALLED & MAINTAINED AT THE PTS. OF INJECTION INTO

SILVER CK. WITHIN SWSE, S17, T1S, R19E & NENE, S12, T2S, R19E &

THE PTS. OF REDIVERSION FROM SILVER CK. WITHIN NENE, S35, T1S,

R19E, SENE, S1, SENW, S6, T2S, R19E. A 10% SEEPAGE LOSS SHALL BE

DEDUCTED FROM WATER INJECTED INTO SILVER CK. LOCATED WITHIN SWSE,

S17, T1S, R19E. THE MAX. RATE OF DIVERSION ALLOWED UNDER THIS

RT. SHALL NOT EXCEED 1.42 CFS.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 25769

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL - R04 16

DIVERSION MEANS -

Comes now H. B. BICKETT, and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-25769, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, all in
Township 1 South, Range 19 East, B.M.

making a total of 240 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Garnett, this 28 day of Sept, 1957
H. B. Bickett

Date of receipt at office of Department of Reclamation Sept 30 - 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-25769. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

G 25769

Mark R. Kulp

State Reclamation Engineer

September 23, 1957

Re: Permit No. C-25769

Mr. H. B. Bickett
Garnett
Idaho

Dear Mr. Bickett:

Our field engineer's report on the inspection of the completion of construction work and application of water to beneficial use under the terms of Permit No. C-25769 shows that the well is capable of conveying 71 miner's inches (1.42 c.f.s.) of water for irrigation of 240 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16 and the N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 1 South, Range 19 East, B.M. The record of the permit does not list the land in Section 16, therefore, we enclose a form "Application for Amendment" for this purpose and ask that you sign and return it.

Upon receipt of the amendment, mentioned above, and the statutory fees, total of \$17.00, we will issue to you the Certificate of Completion of Works (for which the fee is five dollars) and the License and Certificate of Water Right (twelve dollars--based at the rate of two dollars for each 40-acre subdivision) confirming the right with priority of June 16, 1955, to your use of 1.42 second feet of subterranean water with the point of diversion at an artesian well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, for irrigation of 240 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16 and the N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, all in Township 1 South, Range 19 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

25769

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 25769 1 37-2573
OTd No. New No.

Record

1. Original Owner: H. B. BuckettPresent Owner: Donnie D. Baldwin, Phyllis Baldwin,
Wayne O'Dell Baldwin & Eileen Baldwin

2. Address:

3. City: Bucato State: Id Zip:4. A. Source of Water: LW

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-16-1955D. County: 13E. Total Diversion Rate: 1.28

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank): T

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSE</u>	<u>17</u>	<u>15</u>	<u>19E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 1.28
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. Co-mingled with waters of Silver Creek.
B. Rediverted in NWN^{1/4}, S 36, T 1 S, R 20 E.
C. Trans. 939.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 25769

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

LA 5-1-79

December 10, 1979

John Flood
Queen's Crown Ranch
P.O. Box 317
Picabo, Idaho 83348

Dear Mr. Flood,

RE: Transfer of Water Right No. 37-2573

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2334). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:mr

Enclosure

MICROFILMED

TO: File

Date 12/3/79

FROM: Jim Johnson

RE: Conditions of Approval Re T. 2334

Measuring devices of a type approved by this Department shall be permanently installed and maintained at the points of injection ^{into Silver Creek} within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ section 17 Twp 1S Rge 19E and NE $\frac{1}{4}$ NE $\frac{1}{4}$ section 12 Twp 2S Rge 19E and the points of redirection from Silver Creek within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ section 35 Twp 1S Rge 19E, SE $\frac{1}{4}$ NE $\frac{1}{4}$ section 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$ section 6 Twp 2S Rge 19E.

A 10% seepage loss shall be deducted from water injected into Silver Creek located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ section 17 Twp 1S Rge 19E.

The maximum rate of diversion and redirection allowed under this Right shall not exceed 1.42 cfs.

Use of water under this Right is subject to control by the watermaster of State Water District No. 37M, Little Wood River.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: John Stanton

1. Right number 37-2573 Applicant John Flood
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use

NENE 312 - pt of injection
NENE 335 - redirection from Silver Cr.
SENE 31 - redirection "
SE 10W 36 - redirection from Silver Creek
4. Check:

1.28 ds

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments No expansion of right as described in
transfer 939

i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N/A - water is not being transferred

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? 37-M

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 8/22/79 Received on 8/28/79
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No Withdrawn

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* (1) Measuring devices must be installed
at the point of injection to Silver Cr. & at the
point of re-diversion
(2) water to be delivered by W.M., WD 37-M
4. By Loren O'Halloran Date 11-19-79

June 12/3/79 see attached sheet for conditions of approval
* All uses within Watermaster Districts require special conditions.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

November 1, 1979

John Flood
Queen's Crown Ranch
P. O. Box 317
Picabo, Idaho 83348

Re: Application for Transfer No. 37-0407, 37-0408, 37-0693, 37-0947, 37-2573

Dear Mr. Flood:

Enclosed is a copy of a letter withdrawing the protest of Oris Gibson against your applications for transfer.

I have spoken with Mrs. Rhea Knorpp and given her a copy of the protest withdrawal. She indicated that she would probably be withdrawing her protest shortly.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

Encl:

cc: John R. Coleman

UNRECORDED
INDEXED

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW
TOEBALING BUILDING
P. O. BOX 398
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 438-4717

October 19, 1979

Loren O. Holmes
Southern Region Supervisor
Department of Water Resources
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

RE: Protest of Oris Gibson to Notice of Proposed Changes
of Water Right Nos. 37-0407, 37-0408, 37-0693,
37-0947, and 37-2573

Dear Mr. Holmes:

After further review of the above Proposed Change of Water Rights which involve proposed changes in the point of diversion of certain decreed waters of Silver Creek, we have determined that the proposed changes in the point of diversion will have no effect upon the protestant, Oris Gibson. Therefore, we are withdrawing our protest to those proposals.

Very truly yours,


Roger D. Ling

RDL:nh
cc: John R. Coleman

MICROFILMED

NOTICE OF AMENDED APPLICATION FOR CHANGE OF WATER RIGHT

NO. 37-2573 and Transfer No. 939

On July 24, 1979, John Flood of Picabo, Idaho, applied to the Department of Water Resources for a change of the points of diversion of a groundwater source. The right sought to be changed is evidenced by license 37-2573 and transfer 939. Notice of the proposed change was previously advertised on August 30 and September 6, 1979 in the Wood River Journal. The applicant proposed that the points of diversion were to be changed to within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp.1S, Rge.19E; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4), Sec. 6, Twp.2S, Rge. 21E, and these waters were to be conveyed via Silver Creek and re-diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 1S, Rge. 20E, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 2S, Rge. 20E, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Twp. 2S, Rge. 21E.

The applicant now wishes to amend the proposed change in the points of diversion to be as follows:

Water will be diverted from groundwater within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp.1S, Rge.19E; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp.2S, Rge. 20E, and then conveyed and commingled with the waters of Silver Creek. These commingled waters will be re-diverted or exchanged at the re-diversion points described above.

Any protests against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd North, Twin Falls, Idaho, 83301, on or before October 22, 1979.

C. STEPHEN ALLRED
Director

Published in the Wood River Journal October 4 and October 11, 1979.

MICROFILMED

Transfer No. 939

On July 24, 1979, John Flood of Picabo, Idaho, applied to the Department of Water Resources for a change of the points of diversion of a groundwater source. The right sought to be changed is evidenced by license 37-2573 and transfer 939. Notice of the proposed change was previously advertised on August 30 and September 6, 1979, in the Wood River Journal. The applicant proposed that the points of diversion were to be changed to within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1S, Rge. 19E; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4), Sec. 6, Twp. 2S, Rge. 21E, and these waters were to be conveyed via Silver Creek and re-diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 1S, Rge. 20E, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, Twp. 2S, Rge. 20E, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Twp. 2S, Rge. 21E.

The applicant now wishes to amend the proposed change in the points of diversion to be as follows:

Water will be diverted from groundwater within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1S, Rge. 19E; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Twp. 2S, Rge. 20E, and then conveyed and commingled with the waters of Silver Creek. These commingled waters will be re-diverted or exchanged at the re-diversion points described above.

Any protests against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before October 22, 1979.

C. Stephen Alfred
Director

Published in Wood River Journal, October 4 and 11, 1979.

ed
may
10/1/79



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

September 21, 1979

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

Re: Notice of Amended Application for Change of Water Right No. 37-2573
Transfer No. 939

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,

Mary A. Hill
Secretary

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(203) 734-3573

September 19, 1979

John Flood
Queen's Crown Ranch
P. O. Box 317
Picabo, Idaho 83348

37-2573 - Transfer #939

Re: Notice of Proposed Change of Water Right No. 37-0407-37-0408-37-0693-37-0947

Dear Mr. Flood:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. (above). The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

Loren O. Holmes

LOREN O. HOLMES
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(203) 734-3578

September 19, 1979

Mr. Robert M. Nielsen
Attorney at Law
P. O. Box 396
Rupert, Idaho 83350

37-2573-Transfer #939

Re: Notice of Proposed Change of Water Right No. 37-0407-37-0408-37-0693-37-0947

Dear Mr. Nielsen:

Your protest against the approval of the above-referenced application submitted in behalf of Oris Gibson has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

MICROFILMED

done
9/21/79

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON

LING, NIELSEN & ROBINSON
ATTORNEYS AT LAW
TOEBALING BUILDING
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717

September 14, 1979

State of Idaho
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Re: Protest to Application of John Flood of Picabo, Idaho
for Proposed Change of Water Right

Gentlemen:

Enclosed please find a Protest of Oris Gibson to the proposed change of water right described in the Protest. Would you please file the Protest and notify this office of the date of any proposed hearing on this Application.

Very truly yours,

Robert M. Nielsen
Robert M. Nielsen

RMN:jh
Enc. 1

RECEIVED

SEP 17 1979

Department of Water Resources
Southern District Office

RECEIVED

RECEIVED

SEP 17 1979

Department of Water Resources
Southern District Office

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

In the Matter of the Application)
of)
 JOHN FLOOD) P R O T E S T
)
proposing a change of water right)

COMES NOW the undersigned, and in protest to the Notice of Proposed Change of Water Right Nos. 37-0407, 37-0408, 37-0693, 37-0947, and 37-2573, Transfer No. 939, submitted by John Flood of Picabo, Idaho, alleges:

1. That the petitioner John Flood, proposes to change the point of diversion and place of use of certain decreed waters of Silver Creek which said proposal requests a change in point of diversion and place of use in derogation of the rights of protestant and adversely affects the benefits and use of protestant's water rights of Silver Creek.

2. That the petition of John Flood for a proposed change of water right is an attempt to impose a greater duty upon the water rights than presently exists, contrary to the Doctrine of Beneficial Use, which includes the application of water to a greater number of acres than provided in the original water right, which is contrary to law, and is an attempt to appropriate a quantity of water greater than the original appropriation.

3. That the petition of John Flood for a change of water right will deny protestant and others similarly situated from use of his decreed rights in Silver Creek according to the general custom of the locality, which right includes the comingling of the decreed rights of protestant with other decreed rights of the same date and use of said water on a rotation basis.

4. That the petition of John Flood proposes to change the point of diversion and place of use of certain decreed water rights of Silver Creek which said proposal requests a change in point of diversion and place of use in derogation of the real property rights of protestant and adversely affects the use of protestant's real property.

WHEREFORE, the undersigned prays that the petition of John Flood for a change of water right above-described be denied in all respects.

DATED this 14th day of September, 1979.


Oris Gibson
Rupert, Idaho

RECORDED

STATE OF IDAHO)
) ss.
County of minidoka)

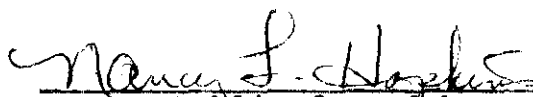
ORIS GIBSON, being first duly sworn on his oath, deposes and states:

That he is the protestant in the above-entitled action, and that he has read the above and foregoing Protest and knows the contents thereof, and the facts therein stated he believes to be true.


Oris Gibson

SUBSCRIBED AND SWORN to before me this 14th day of September, 1979.

(SEAL)


Notary Public for Idaho
Residing at Rupert, Idaho
My Commission Expires: Life

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 37-2573

RECOMMENDATION OF WATERMASTER

RECEIVED

AUG 1979

Department of Water Resources
Blaine District Office

I, Reid J. Newby, watermaster of Little Wood River
of Water District No. 37M, County of Blaine, 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 Flood
(name), and to the best of my knowledge believe the
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: _____

That all diversions into and from creek have acceptable measuring
devices

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, this 27 day of Aug 19 79.

Reid J. Newby
(signature)

Please use reverse side if needed.

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 22, 1979

Mr. Reid Newby
Watermaster District 37-M
Box T
Shoshone, Idaho 83352

Re: Application for Transfer of Water Right No. 37-2573
No. 37-0407, 37-0408, 37-0693, 37-0947

Dear Mr. Newby: *reid*

Enclosed are copies of the above referenced Applications. Please review them and submit any comments you may have.

If you have questions regarding the applications, please contact this office.

Sincerely,

Loren O. Holmes

LOREN O. HOLMES
Southern Region Supervisor

Encl:

RECORDED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-2573
Transfer No. 939

Notice is hereby given that John Flood, of Picabo, Idaho has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License 37-2573, Transfer No. 939 and is recorded as follows:

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.1S, R. 19E, B.M., Blaine County; The water is comingled with the waters of Silver Creek and rediverted in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 1S, R.20E, B.M.

The water is used for domestic purposes and irrigation within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T.1S, R.21E and W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 6, T. 2S, R.21E.

TO BE CHANGED AS FOLLOWS:

Amount: 1.42 cfs (subject to transmission loss)

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.1S, R. 19E,
NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4), Sec. 6, T.2S, R.21E, B.M.

PLACE OF USE: SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T.1S, R.21E; Lots 2,3,4,5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 6, T.2S, R.21E

The groundwater is to be comingled with the waters of Silver Creek and rediverted in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T.1S, R.21E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T.2S, R.20E; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6 T.2S, R.21E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. No., Twin Falls, Idaho 83301, on or before September 17, 1979.

C. STEPHEN ALLRED
Director

Published in the Wood River Journal August 30, and September 6, 1979.



RECEIVED

AUG 23 1979

Department of Water Resources
Southern District Office

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Notice is hereby given that John Flood, of Picabo, Idaho has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License 37-2573, Transfer No. 939 and is recorded as follows:
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TO BE CHANGED AS FOLLOWS:

Amount: 1.42 cfs (subject to transmission loss)

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.1S, R. 19E, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 14), Sec. 6, T.2S, R.21E, B.M.

PLACE OF USE: SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T.1S, R.21E; Lots 2, 3, 4, 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T.2S, R.21E

The groundwater is to be comingled with the waters of Silver Creek and rediverted in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T.1S, R.21E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T.2S, R.20E; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6 T.2S, R.21E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. No., Twin Falls, Idaho 83301, on or before September 17, 1979.

C. Stephen Allred
Director

Published: Wood River Journal, August 30, and September 6, 1979.

RECEIVED

AUG 22 1979

Department of Water Resources
Southern District Office
**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

Notice is hereby given that John Flood, of Picabo, Idaho has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License 37-2573, Transfer No. 939 and is recorded as follows:
Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.1S, R. 19E, B.M., Blaine County; The water is comingled with the waters of Silver Creek and rediverted in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 1S, R.20E, B.M. The water is used for domestic purposes and irrigation within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T. 1S, R.21E and W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 6, T. 2S, R.21E.

TO BE CHANGED AS FOLLOWS:

Amount: 1.42 cfs (subject to transmission loss)

Point of Diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T.2S, R. 19E, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 14), Sec. 6, T.2S, R.21E, B.M.

PLACE OF USE: SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 31, T.1S, R.21E; Lots 2, 3, 4, 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T.2S, R.21E

The groundwater is to be comingled with the waters of Silver Creek and rediverted in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T.1S, R.21E; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T.2S, R.20E; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6 T.2S, R.21E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. No., Twin Falls, Idaho 83301, on or before September 17, 1979.

C. Stephen Allred
Director

Published: Wood River Journal, August 30, and September 6, 1979.

*to be corrected
meyer
8/22/79*



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

August 14, 1979

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

Re: Notice of Proposed Change of Water Right No. 37-2573 - Transfer No. 939
John Flood
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,

Mary A. Hill
Secretary

for.

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

July 13, 1979

John Flood
Queen's Crown Ranch
P. O. Box 317
Picabo, Idaho 83348

Dear Mr. Flood:

Please find enclosed two draft applications for transfer of water rights. The first application for transfer is for the change of points of diversion for your decreed water rights from Silver Creek. The second application for transfer is for the change of point of diversion from groundwater for license 37-2573 and also its re-diversion points from Silver Creek. Both of these documents need your review and signature before a notary prior to re-submitting to our office. Please include evidence of your ownership of the property to which these rights are appurtenant. There is a \$35.00 filing fee for each of these transfers.

I have also enclosed an assignment form and amendment form for adding a point of diversion for the other water right evidenced by permit No. 37-7014. This permit has a pending field exam for licensing of this right. You can, however, amend this permit to add additional points of diversions if you have this permit assigned to you. The Department's records indicate that this permit still belongs to the original applicants, Wayne and Donny Baldwin.

If you need assistance regarding the assignment and/or amendment or any questions about the transfer, feel free to contact our office.

Sincerely,

Allen D. Merritt
Water Resource Analyst

ADM/marya

Encl:

MICROFILMED

July 10, 1979

MEMORANDUM

TO: Files 37-7014, 37-2573 ✓

FROM: Roberta

Memorandum Decision - File No. 37-7014

Permit No. 37-7014 in Item No. 3 references G-29372 (37-2649) as the same point of diversion (NW4NE4) while being noted in Memorandum Decision as G-29379 (which gives it right No. 32-2105).

Another discrepancy also appears in the memorandum in listing the point of diversion as the NE4NE4 in comparison to the NW4NE4 as stated in G-29372 (37-2649).

Transfer No. 939 of License No. 37-2573

The change in place of use to the

S2SE4, SE4SW4, SW4SE4, Sec. 31, T. 1 S., R. 21 E., and

SW4NE4, SE4NW4, Lots 2, 3, 4, 5, Sec. 6,

T. 2 S., R. 21 E.

should read as shown in Denial of Protest in File No. 37-7014:

W2SE4, SE4SW4, Sec. 31, T. 1 S., R. 21 E., and

SW4NE4, SE4NW4, and Lots 2, 3, 4, and 5,

Sec. 6, T. 2 S., R. 21 E.

The overlap of 40 acres (SW4SE4) listed in Transfer Application No. 939 and the advertisement should have been excluded.

MICROFILMED

October 8, 1957

Re: Permit No. G-25769

Mr. H. B. Bickett
Garnett
Idaho

Dear Mr. Bickett:

We have enclosed the following:

1. Application for amendment to Permit No. G-25769 which was approved by the State Reclamation Engineer and recorded in the Department of Reclamation in Book 91 of Permits at Page 25769 amending the list of lands to read as follows: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, all in Township 1 South, Range 19 East, B.M. Please attach this to the original permit.

2-3. Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. G-25769 confirming the right with priority of June 16, 1955, to your use of 1.42 second feet of subterranean water from an artesian well located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, for irrigation of 240 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, all in Township 1 South, Range 19 East, B.M.

4. Departmental receipt #G-2914 for \$17.00, issued as receipt of the five dollar fee for the Certificate of Completion of Works and twelve dollars for the License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

J 25769

EPR:nls
Enc.

October 2, 1957.

Mr. H. B. Bickett
Gannett, Idaho

Dear Mr. Bickett:

We wish to acknowledge receipt of your application for permit to appropriate supplemental subterranean waters of the State of Idaho.

We are returning your application for correction and additional information, also your check attached thereto, which you can return with the corrected application.

You state that the filing of this application of 1.5 cubic feet per second is supplemental to water acquired under Permit No. G-25769. Permit No. G-25769 was amended to read as follows; For land described in Section 16, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 19; Section 21 described as being in the NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of 21.

In this application you state the land in Section 21 as being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$. This land, we believe should be under the NW $\frac{1}{4}$, the same as Permit No. G-25769. If our assumption is correct, please change same on the application.

Also we wish that you would furnish us with sketch maps showing the well location as well as the land location in duplicate on the forms enclosed. We are not sure whether you are using the same well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, or whether you are drilling a new well in the same subdivision.

Kindly furnish the above stated information and return to this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encls. Application For Permit

25769

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25769

REPORT ON PROOF OF Completion of Works & Beneficial Use

H. B. Bickett, Gannett, Idaho

app.	2.0 cfs
Surf	6
acres	240

1.42 cfs
max

H. B. Bickett
Garnett, Idaho

Permit No. G-25769

Examination for Completion of Works & Beneficial Use

County Blaine

17-1S.-19E.

Q = 2.0 c.f.s.

S = 2.0 c.f.s.

we show A.D. in the

P.D. = SW, SE, Sec. 17, T.1S.-R.19E
Reclamation holder is showing redirection
locations.

Use = Irrigation

Sprinkler

Filed = June 16, 1955

Done = June 21, 1957

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 14 1957

Department of Reclamation

1/4 mi. main 6" x 5" and

sprinkles 280 a.

Berkley pump 3" x 4"
operated by lat 04
50 hp on belt.

7/32" nozzles 66

Railway fittings

137 L for 200 ft. 1.500 ft.

71 inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-25769

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant H. B. Bickett
2. Source of water supply: Subterranean flow from an artesian well
3. Location of point of diversion: Is in the _____ of Section # 16, 20 and 21
T. 1 S. R. 19 E., B.M. County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same: An artesian well dumps into one feeder of Silver Creek. Water is pumped out at points 1-2-3-4 on other feeders. Pumped by tractor power Cat D-4. Berkeley Cent. 3" x 4" x 10" vtd on tractor 6" port. Al. main - 4" port #1. lateral 66 - 1/2" nozzles.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S₁ of SW₁ and S₁SE₁ of Sec. 16., E₁NW₁ and NE₁NW₁, N₁NE₁ of Sec. 20., N₁NW₁ and N₁NE₁ of Sec. 21., (as given on the depositions)

The Permits lists the land as follows:

N₁NW₁, SE₁NW₁, NE₁SE₁ of Sec. 21., N₁NE₁ of Sec. 20., all in Twp. 1 S., Rge. 19 E.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: This water is used only on years that it is needed. Not used 1957. Sprinkling is done mostly on the drier portions.

Measured with Sparling Meter by Morris Humphrey
claims he drilled nozzles to 1/4" and used all the water.

This examination was made on the 6 day of August, 19 57

(Signed) E. M. Humphrey Examiner.

G25769

July 29, 1957

Re: Permit # G-25769

Mr. H. B. Bickett
Cannett, Idaho

Dear Mr. Bickett:

Statutes requires a field inspection in connection with the proofs on Permit # G-25769 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Tuesday

August 6th.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
E. N. Humphrey
Deputy

825769

June 6, 1957

Re: Permit No. G-25769

Mr. H. B. Bickett
Cannett, Idaho

Dear Mr. Bickett:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Hailey Times, all submitted in Proof of Completion of Works and Beneficial Use, on Permit No. G-25769.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

M. R. R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:lw

S 25769

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 3 1957
Department of Reclamation

Permit No. 8-25769

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. H. B. Bickett, Gannett, Idaho, farmer

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Date Permit: June 21, 1955, No. 825769 Priority dates: June 21, 1955

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Artesian Well Section 16, 20 and 21, Township 1 South, Range 19 E.B.M., Blaine County, Idaho

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Pump station on creek for sprinkler system, 1.28 cu. ft. per sec., sprinkler lines, 212 ft. well, 6", Artesian, 13/64", 66 Nozzles, 60 lbs. pressure

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation S $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ Section 16; E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ Section 20; N $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ Section 21. All irrigated. Cultivated Cultivation

825769

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 1.28 cu. ft. per. sec.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans.

full use since June 21, 1955

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other diversions and rights claimed thereunder.

Ans.

None

(Sign)

A. B. Bickett

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Gooding, County of Gooding,

State of Idaho, on this 27 day of May, A. D. 1957.

My commission expires

Nov 1, 1958

P25769

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 3 1957
Department of Reclamation

Permit No.

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Henry L. Wurst, 65, Gannett, Idaho, Rancher, Gannett, Idaho

Ques. 2. Are you acquainted with H. B. Bickett, the holder of Permit No. 6-25769? How long have you known him and where does he reside?

Ans. 17 years Gannett, Idaho

Ques. 3. Have you read or heard read said Permit No. 6-25769, and are you familiar with its provisions and conditions?

Ans. Yes Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Artesian Points on Creek in Sections 16, 20 and 21
Township 1 South, Range 19 E.B.M., Blaine County, Idaho
Sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 1.28 cu. ft. per sec.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 1.28 cu. ft. per sec. Estimated

625769

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. $S\frac{1}{2}$ of the $SW\frac{1}{4}$ and the $S\frac{1}{2}$ of the $SE\frac{1}{4}$ Section 16: $E\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ and the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$, the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ Section 20: $N\frac{1}{2}$ of the $NW\frac{1}{4}$ and the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ Section 21. All acres. Township 1 South, Range 19, E.B.M., Blaine County, Idaho; cultivated.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. No.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Tillable Ash Soil. Not less than 1.28 cu. ft. per sec.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. 1955 and 1956 seasons. Sprinkler system. 1.28 cu. ft. per sec on all the land

(Signed)

Henry L. Wurst

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Gooding County of Gooding, State of Idaho, on this 27 day of Mar, A. D. 1957.

Notary Public.

My commission expires

Nov 1, 1958

S25769

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 3 1957
Department of Reclamation

Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Earl Hutchison 49 Gannett, Idaho Rancher
Gannett, Idaho

Ques. 2. Are you acquainted with H. B. Bickett, the holder of Permit No. 6-25769? How long have you known him and where does he reside?

Ans. 9 years Gannett, Idaho

Ques. 3. Have you read or heard read said Permit No. 6-25769, and are you familiar with its provisions and conditions?

Ans. Yes Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Artesian Points on Creek in Sections 16, 20 and 21
Township 4 South, Range 19 E.B.M. Blaine County, Idaho.
Sprinkler System

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 1.28 cu. ft. per. sec.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 1.28 cu. ft. per. sec. Estimated

S 25769

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. $S\frac{1}{2}$ of the $SW\frac{1}{4}$ and the $S\frac{1}{2}$ of the $SE\frac{1}{4}$ Section 16: $E\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ and the $NE\frac{1}{4}$ of the $NW\frac{1}{4}$, the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ Section 20: $N\frac{1}{2}$ of the $NW\frac{1}{4}$ and the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ Section 21, all acres. Township 1 South, Range 19 E.B.M. Blaine County, Idaho. Cultivated

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. No.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Tillable Ash Soil Not less than 1.28 cu. ft. per. sec.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. 1955 and 1956 seasons sprinkler system 1.28 cu. ft. per. sec. on all the land

(Signed)

Earl Hutchinson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Gooding, County of Gooding, State of Idaho, on this 27 day of May, A. D. 1957.

Arthur James
Notary Public.

My commission expires Nov 1, 1958

S2 5769

RECEIVED
JUN 3 1957
Department of Reclamation

Affidavit of Publication

STATE OF IDAHO, }
County of Blaine, } ss.

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for four consecutive weeks commencing with the first publication thereof on the

25th day of April, 1957
and ending with the last publication thereof on the

16th day of May, 1957

Cost of this publication is \$ 22.00

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 17th day
of May, 1957.

R. V. McLaughlin
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

825769

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ROOM 107, STATE HOUSE
BOISE, IDAHO

RE: Permit No. G-25769
H.B. Bickett

Date: April 18, 1957

The Hailey Times
Hailey, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **May 27th, 1957** the date set for proof, the expense of the publication to be paid by the applicant, **H.B. Bickett** of **Cannett Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:vm
Encl. (1)

D 25769

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on the 27th day of May, 1957, at Gooding, County of Gooding, State of Idaho, before Andrew James, Notary Public, proof will be submitted of the completion of works for the diversion of 1.28 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-25769 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are H.R. Bickett, Cannett, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.28 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.28 cubic feet per second.

4. The point of diversion of said water is in SW 1/4, Sec. 17, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is N 1/4, SE 1/4, NE 1/4, Sec. 21 and N 1/4, Sec. 20, Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is June 16, 1955.

J 25769

MARK R. KULP
State Reclamation Engineer

April 18, 1937

RE: Permit No. G-25769

Mr. H. B. Bickett
Cannett, Idaho

Dear Mr. Bickett:

We acknowledge receipt of Notice for Completion of Works and Beneficial Use proof on Permit No. G-25769 to be made May 27th, 1937, before Andrew James, Notary Public.

We shall send a copy of the notice to the Hailey Times with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. James, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:vm
Encl. (3)
cc. Andrew James
Gooding, Idaho

*J*25769

RECEIVED
APR 16 1957

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

Department of Reclamation

(Date) April 15, 1957

Mr. H. B. Bickett

Address

Garnett

City

Idaho

State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the The Hailey Times of Hailey, Idaho Blaine County published in the county in which the works are situated.

By

H. B. Bickett

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

25769

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
APR 17 1957
Department of Reclamation

Notice is hereby given that at 10:00 A.M., on the 27th day of May, 19 57, at 10:00 AM, County of Gooding, State of Idaho, before Andrew James, proof will be submitted of the completion of works for the diversion of 1.28 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 0-25769 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are H. B. Eickett, Gannett, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.28 cubic feet per second.

3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 1.28 cubic feet per second.

4. The point of diversion of said water is Various pumping stations
Sections
along Patton & Chaney Creek, in 16, 20, 21, T. 18N19E SW 1/4 SE 1/4 - Sec. 17 - Twp 15. R19E

5. The place where said water is used is Section 16, 20, 21, T. 18, R19, E
N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4 Sec. 21 + N 1/2 NE 1/4 Sec. 20
Twp. 15. R. 19 E

6. The date of priority which said user is prepared to establish is June 16, 1955.

025769

State Reclamation Engineer

Perf

RE: Permit Nos. G-25055, G-25762, G-25823 and G-25929

SEE LETTER TO FILE # G-25055

XX

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

RE: Permit No. G-25769

April 1, 1957

Mr. H. B. Bickett
Gooding, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-25769. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than June 21, 1957.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

D 25769

✓
July 13, 1955

RE: Permit No. G-25769

Mr. H. B. Bickett
Gooding
Idaho

Dear Mr. Bickett:

We return the above numbered Permit with correction noted and also an amended sketch map showing the location of the land in Sections 20 and 21, Township 1 South, Range 19 East, B.M. instead of Sections 21 and 22.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

25769

✓
July 6, 1955

RE: Permit No. G-25769

Mr. H. B. Bickett
Gooding
Idaho

Dear Mr. Bickett:

In rechecking your Permit No. G-25769, we think there is an error in the land description.

If you will refer to the sketch map sent you with your Permit on June 28, you will note that both the sketch map and the Permit describe 160 acres in Section 21 and 60 acres in Section 22, Township 1 South, Range 19 East B.M.

We think the land described in Section 22 is actually described in Section 20 which is the Section lying South of Section 17 in which your well is located, and Section 22 actually lies East of Section 21 and is nearly two miles away from the well.

Please refer to the sketch map and if the land described in Section 22 should be in Section 20, please return both the sketch map and the Permit and we will make the necessary corrections on our records.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

July 6, 1955

RE: Permit No. G-25769

RECEIVED
JUL 12 1955
Department of Reclamation

Mr. H. B. Bickett
Gooding
Idaho

Dear Mr. Bickett:

In rechecking your Permit No. G-25769, we think there is an error in the land description.

If you will refer to the sketch map sent you with your Permit on June 28, you will note that both the sketch map and the Permit describe 160 acres in Section 21 and 60 acres in Section 22, Township 1 South, Range 19 East B.M.

We think the land described in Section 22 is actually described in Section 20 which is the Section lying South of Section 17 in which your well is located, and Section 22 actually lies East of Section 21 and is nearly two miles away from the well.

Please refer to the sketch map and if the land described in Section 22 should be in Section 20, please return both the sketch map and the Permit and we will make the necessary corrections on our records.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeanne L. Anderson

Chief Clerk

G 25769

A:hll

*It was supposed to be Sec 20.
I would like to have forms of completion
of works*

*Yours Truly
H. B. Bickett*

June 28, 1955

RE: Permit No. G-25769

Mr. H. B. Bickett
Gooding
Idaho

Dear Mr. Bickett:

We enclose Permit No. G-25769 together with departmental receipt No. G-1253 for the \$5.25 filing fee.

Although your Application states that the works are completed we have allowed the statutory minimum of two years or until June 21, 1957, within which to make the proofs of Completion of Works and Beneficial Use required to complete your water right.

However, these proofs may be made at any earlier date that you are prepared to make them and we shall be glad to send the necessary forms and instructions upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

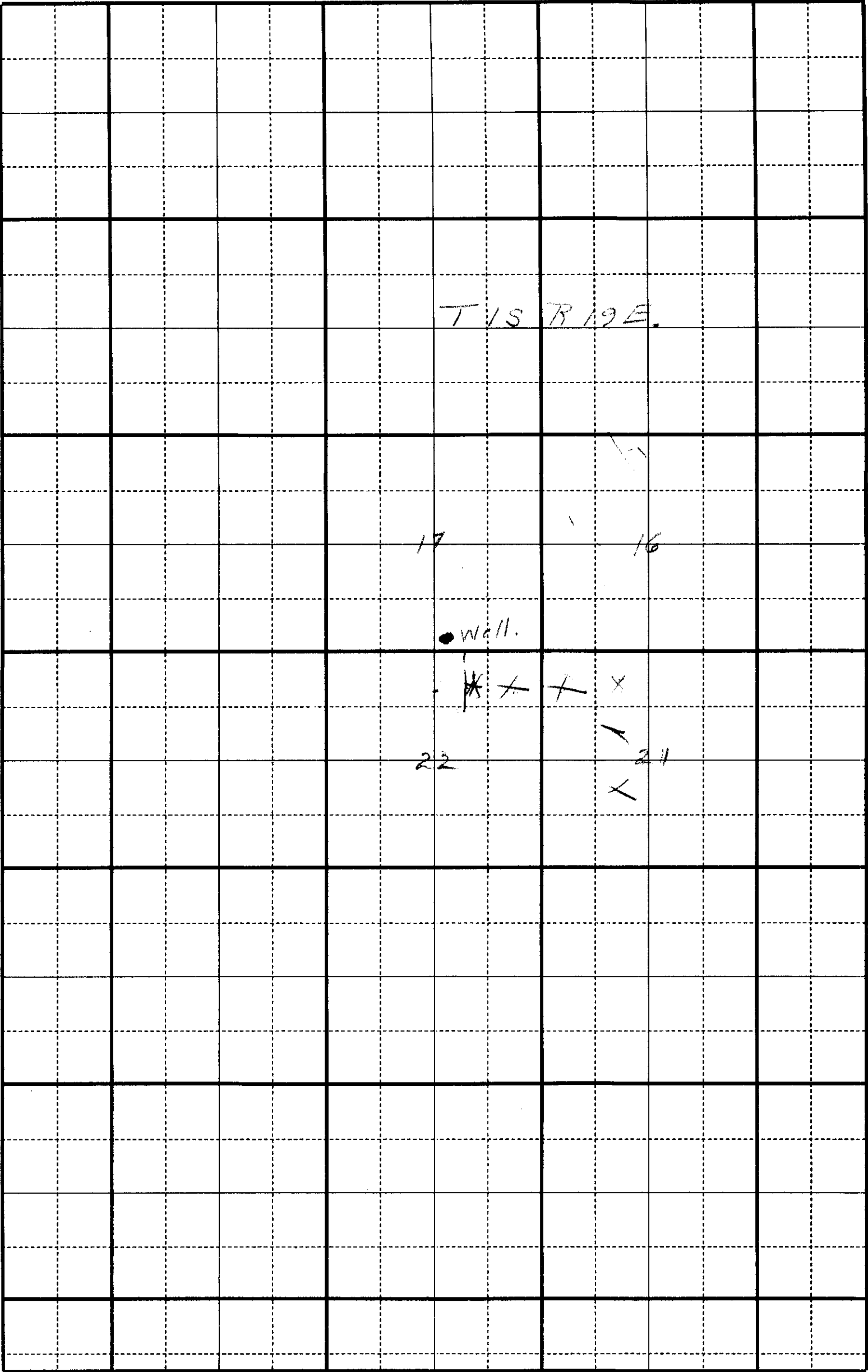
Chief Clerk

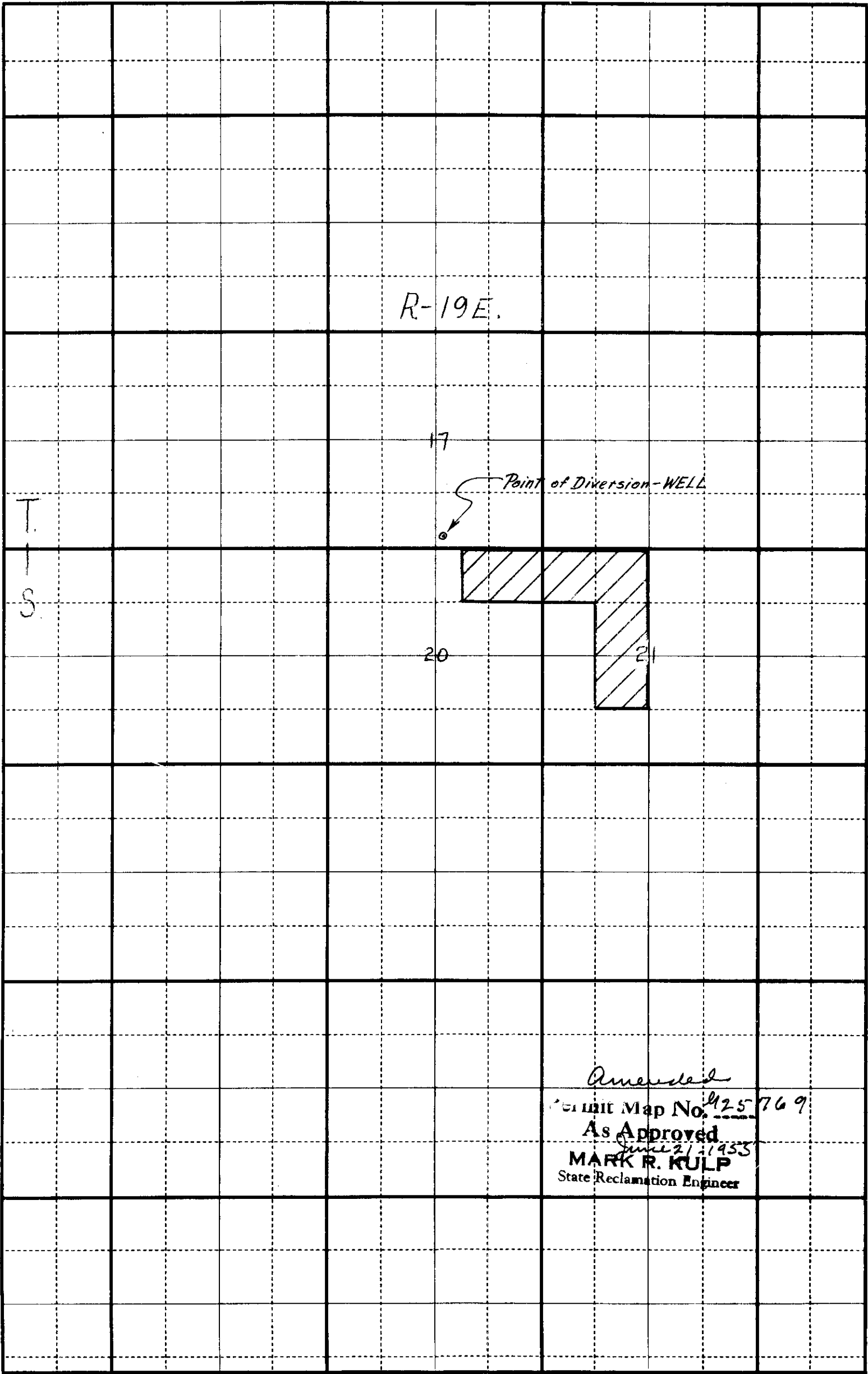
A:SU
Enc.

25769

NAME OF APPLICANT H B R Kott

Form No. 0

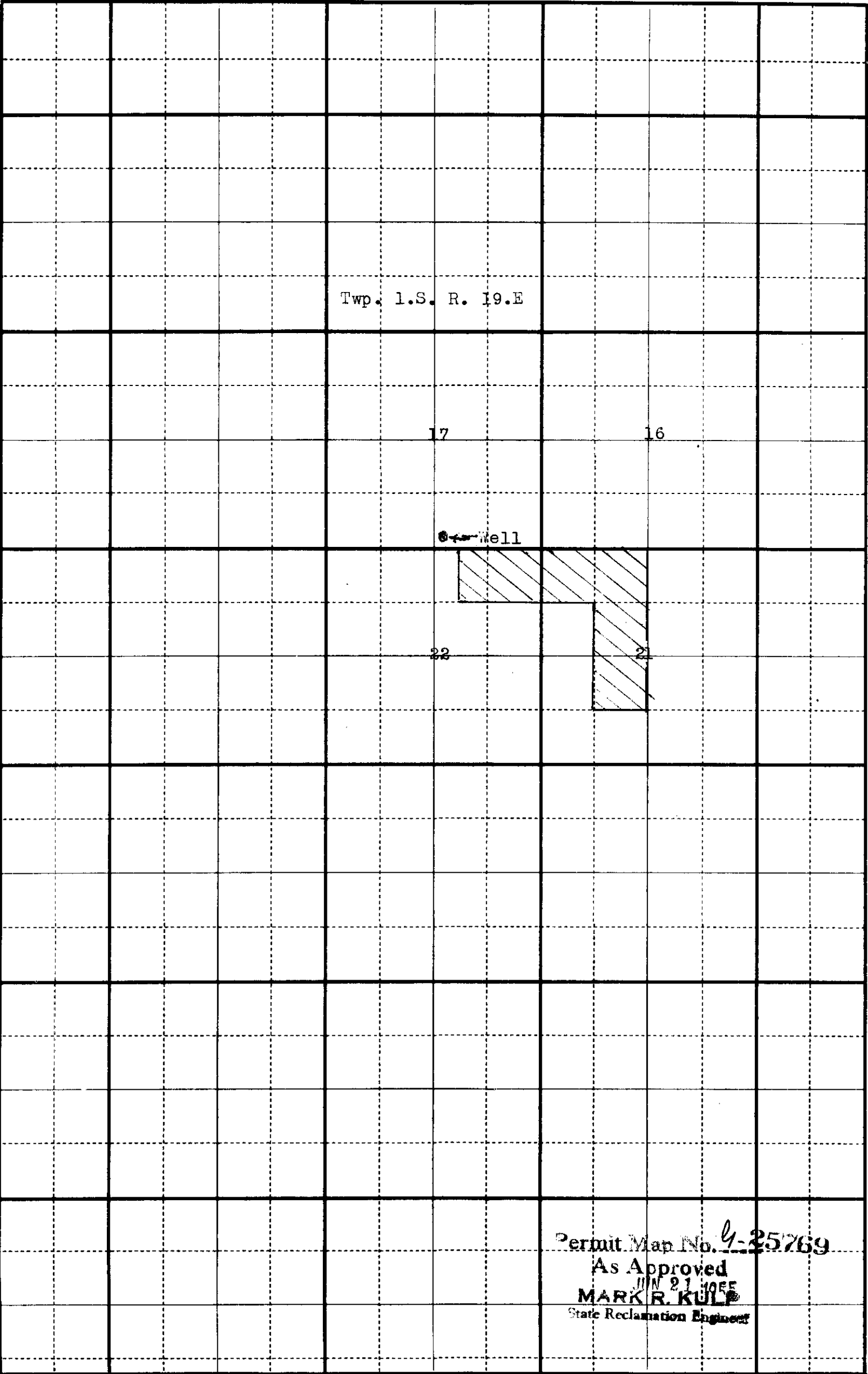




Amended
Permit Map No. 125769
As Approved
June 21, 1955
MARK R. KULP
State Reclamation Engineer

NAME OF APPLICANT H.B. Bickett,

Form No. 0



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

4-25769

June 14, 1955

Mr. H. B. Bickett
Gannett
Idaho

Dear Mr. Bickett:

In reply to your letter of June 11, we are sending you, under separate cover, three forms of application for well permit together with a pamphlet giving regulations and instructions in regard to filing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
USC

25769

Lanier Idaho
6/11/54

Idaho Reclamation Engineer
Boise Idaho.

Dear Sir

I would like to have
about 3 forms for Well Permits

Yours truly
H. B. Buckett

Lanier
Idaho.

RECEIVED
JUN 14 1955
Department of Reclamation

25769

**NOTICE OF PROGRESS
COMPLETION OF WORKS**

**APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A. M., on the 27th day of May, 1957, at Gooding, County of Gooding, State of Idaho, before Andrew James, Notary Public, proof will be submitted of the completion of works for the diversion of 1.28 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. U-2400 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are H. B. Bickett, Gannett, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.28 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 1.28 cubic feet per second.

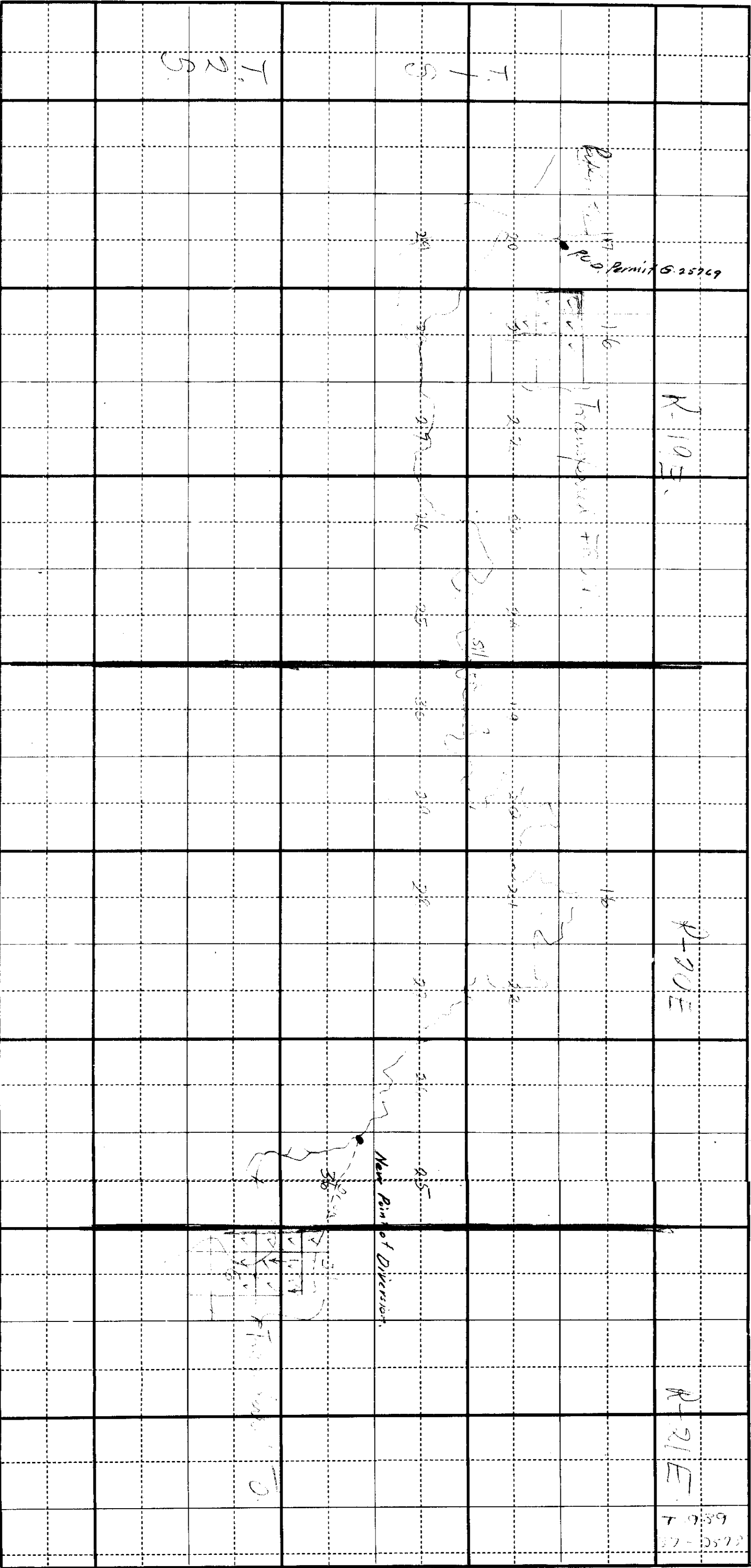
4. The point of diversion of said water is in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp. 1 S., Rge. 19 E.

5. The place where said water is used is N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21 and N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 20, Twp. 1 S., Rge. 19 E.

6. The date of priority which said user is prepared to establish is June 16, 1955.

Mark R. Kulp

State Reclamation Engineer
pub. 4/25-5/16



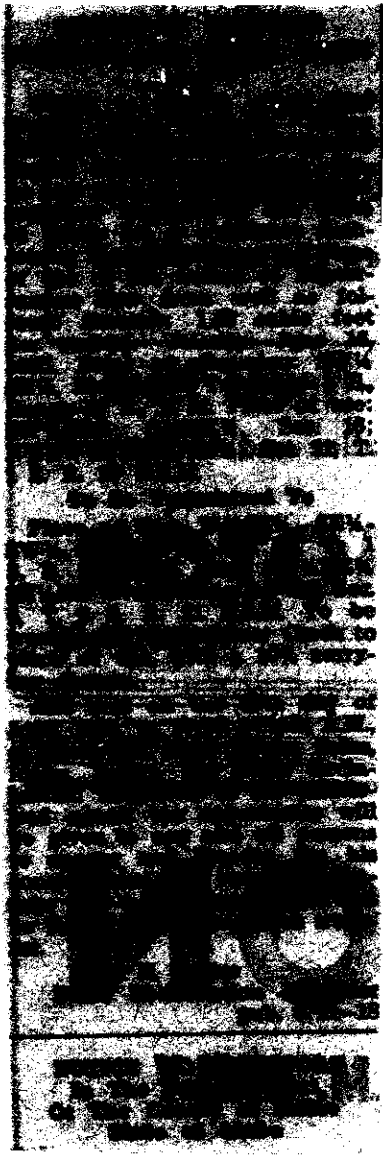
NOTICE OF
TRANSFER

Notice of Transfer
Wayne C. Baldwin
Phyllis Baldwin
who has been
lamation
of Idaho
orizing them
of use of the
ranean flow from
lows: Amount
per second
1955. Point at
SE 1/4, Section 17
Range 13
SW 1/4 SE 1/4
NW 1/4 NW 1/4
1 S. R. 13

To be
Place of use
W 1/4, SW 1/4
R. 21
E 1/4 NW 1/4
T. 2 S.
transported down
place of use, with
ing charge.

And that on the 30th day of
June, 1959, at 10:00 o'clock A.M.,
Room 107, State House,
Idaho, before the State Engi-
neering Engineer, or his autho-
rized agent, the application will
be given to any and all persons
to appear and present, for his
consideration any reason or rea-
sons why a certificate should not
be issued authorizing such trans-
fer.

Geo. N. Carter
State Reclamation Engineer
p. 13



Roy. 5-27.
----- Baldwin brought the
transfer Apple in this
morning. After a few touches
I gave it may be in shape
to set hearing and advertise.

G.M.

4-939

37-2573

Roy Wilbertus Baldwin, signed the
authorization to publish wants
a copy of this protest. I thought
he was from Eagle but
cannot make out his first
name.

Barter

T-439
37-2573

January 5, 1960

Re: Transfer of Water Right

Mr. LaVerne Baldwin,
do Eagle Realty & Insurance Agency,
Eagle, Idaho.

Dear Mr. Baldwin:

In regard to the application of Baldwin Brothers for the transfer of water right from an artesian well to other lands from which it has been made appurtenant by State License No. G-25769, we are enclosing the following:

Denial of Protest
Order and Certificate of Transfer

These documents are being sent to you upon your request for the applicants, as shown in the original application; copy of transfer proceedings is being sent to Mans H. Coffin, Watermaster of Water District No. 11-AB, Shoshone, Idaho; copy of this letter is also being sent to Mr. Coffin.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.

RWT:pmk

cc: Mans H. Coffin, Watermaster
Water District No. 11-AB
Shoshone, Idaho.

T-939

37-2579

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NO. G- 4125

Boise, Idaho, July 1, 1959

RECEIVED
FROM

Baldwin Bros. & Picard, Inc. 1.00

One and 00/100

DOLLARS

FOR

Well Driller's License Fee	-	\$	
Application for Permit No.	-	\$	
Proofs	- - - - -	\$	
Certified Copy	-	\$	
Recording Assignments	-	\$	1.00
<u>Dr. Water Right</u>	-	\$	
TOTAL	- - -	\$	1.00

Geo. W. Carter

State Reclamation Engineer

By Edna F. Rutledge

T-939
37-2523

Times News-Herald

T-939
37-2573

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of
Donnie D. Baldwin, Phyllis Baldwin,
Wayne O'Dell Baldwin, and Eileen
Baldwin, for Change in Place of Use
of License Water Rights from Sub-
terranean Flow by Well,
and
Protest of J. E. Frederickson and
Earl W. Hutchison.

DENIAL OF PROTEST

On May 7, 1959, Donnie D. Baldwin, Phyllis Baldwin, Wayne O'Dell Baldwin, and Eileen Baldwin, of Pocatello, Idaho, made application for change in place of use of 1.42 cubic feet per second of the waters from a well, License No. G-25769, dated October 8, 1957, and bearing date of June 16, 1955, and made appurtenant to the following described lands:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 16; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 21, Township 1 South, Range 19
East B.M.,

Said applicants desire to abandon the use of 1.42 cubic feet per second on the above described lands and convey via Silver Creek and use said water right on the W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 1 South, Range 21 East B. M., and SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and Lots 2, 3, 4, and 5, Section 6, Township 2 South, Range 21 East, B. M.

The application was duly advertised and protests were filed by J. E. Frederickson and Earl W. Hutchison, of Grinnett, Idaho, stating that they protest the transfer of water from artesian wells down stream to other lands via canals or stream to lands other than those to which water was originally made appurtenant; and

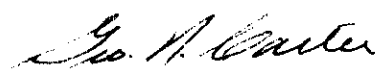
WHEREAS, Protestant Earl W. Hutchison withdrew his objection to the transfer, and protestant, J. E. Frederickson, verbally stated that while he objected to the transfer, he was not in position to introduce evidence at a formal hearing, such as is required to warrant further consideration by the Department of Reclamation; and

WHEREAS, The Watermaster of Water District No. 11-AB, in which the water right in question is situated, has endorsed his approval upon the Application for Transfer of Water Right;

The protest is, therefore, held to be of not sufficient force and effect to justify denial of the Application to Transfer, therefore, a Certificate of Transfer of Place of Use will be issued.

Anyone feeling himself aggrieved by this Denial of Protest, or the issuance of a Certificate of Transfer, may appeal to the District Court for Blaine County within sixty days as outlined by Section 42-222 of the Idaho Code.

Given under my hand and seal of the State Department of Reclamation at Boise, Idaho, this 31st day of December, 1959.


GEO. N. CARTER
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF AGRICULTURE

In the Matter of the Application of
Donnie D. Baldwin, Phyllis Baldwin,
Wayne O'Dell Baldwin, and Eileen
Baldwin, of Pocatello, Idaho, for a
Transfer of Water Right for Subter-
ranean Water in Blaine County, Idaho.

ORDER GRANTING TRANSFER

NO. 939

WHEREAS, on the 30th day of June, 1959, at the Department of Reclamation of the State of Idaho, in Boise, Idaho, this matter of an application of Donnie D. Baldwin, Phyllis Baldwin, Wayne O'Dell Baldwin, and Eileen Baldwin, of Pocatello, Idaho, for a transfer of water right, came on regularly for hearing pursuant to the published notice in due and statutory form; and

WHEREAS, protests were filed in the Department of Reclamation against the issuance of a Certificate of Transfer of Use by J. E. Fredrickson and Earl W. Hutchinson; and

WHEREAS, after due consideration of said protests, they were held to not be of sufficient weight, force and effect, to justify denial of the application to Transfer;

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 31st day of December, 1959.

GEO. N. CARTER
GEO. N. CARTER
State Reclamation Engineer

T-939

17-2572

January 5, 1960

Re: Transfer of Water Right

Mr. LaVerne Baldwin,
c/o Eagle Realty & Insurance Agency,
Eagle, Idaho.

Dear Mr. Baldwin:

In regard to the application of Baldwin Brothers for the transfer of water right from an artesian well to other lands from which it has been made appurtenant by State License No. G-25769, we are enclosing the following:

Denial of Protest
Order and Certificate of Transfer

These documents are being sent to you upon your request for the applicants, as shown in the original application; copy of transfer proceedings is being sent to Hans H. Coffin, Watermaster of Water District No. 11-AB, Shoshone, Idaho; copy of this letter is also being sent to Mr. Coffin.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.

RWT:pmk

cc: Hans H. Coffin, Watermaster
Water District No. 11-AB
Shoshone, Idaho.

T-939
37-2573

January 5, 1960

Re: Transfer of Water Right
Baldwin Brothers

Mr. J. E. Fredericksen,
Garnett, Idaho.

Dear Mr. Fredericksen:

We are enclosing a copy of the order denying the protest of yourself against the issuance of a certificate granting the right to transfer a water right filed in the name of Baldwin Brothers of Picabo, Idaho, which is self explanatory.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

Encl.
RWT:pmk

T-939
37-0573

July 7, 1959

Baldwin Brothers,
c/o Eagle Realty Co.,
Eagle, Idaho.

Gentlemen:

Enclosed herewith is Order granting continuing hearing
on the application of Transfer of Water Right in the name of
Baldwin Brothers of Pocatello, Idaho.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

Encl.

RWT/pmk

cc: Baldwin Brothers, Pocatello
J. E. Frederickson, Cammett
Earl W. Hutchinson, Cammett
Mans H. Coffin, Watermaster
Water District No. 7-AB
Shoshone, Idaho.

P.S. We request an Affidavit of Publication from the newspaper in
which the last publication of the Transfer was published.

(This postscript was added to the original letter only)

T-939

37-2513

IN RE: Application of Baldwin
Brothers to Change Point
of Diversion and Transfer
Place of Use of Licensed
Water Right G-25769)

ORDER CONTINUING HEARING

Baldwin Brothers of Pocatello, Idaho, filed in the office of the Department of Reclamation at the State House, Boise, Idaho, on May 27, 1959, an application to Change the Point of Diversion and Transfer the Place of Use of a certain water right evidenced by Permit No. G-25769.

The application was regularly advertised in the Hailey Times and time and place for hearing reasons why a certificate authorizing such change in Point of Diversion and Transfer in Place of Use should not be granted fixed at 10:00 A.M., June 30, 1959, at Room 107, the State House, Boise, Idaho.

Objections to approving the application were filed in the Department of Reclamation prior to the hearing date by Earl Hutchinson and J. E. Frederickson, both of Gannett, Idaho. The objections further requested that the hearing be continued to some later date and be held at Hailey, Idaho.

In conformity to the objections and request, the hearing will be continued at Hailey, Idaho, on some date to be mutually agreeable to the applicants, the objectors, and this office.

Counsel for applicant and objectors should agree upon some satisfactory date, arrange for a suitable place to hold the continuance of the hearing and make arrangements for a reporter, payment for his services, and cost of a transcript,

Notify this office accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department this 1st day of July, 1959.

DEPARTMENT OF RECLAMATION

GEO. N. CARTER
State Reclamation Engineer

7-1071
1959

INTER-DEPARTMENT MEMO-1

FROM *Carter*

DATE *Dec 22*

TO *Roy J.*

SUBJECT *Baldwin Transfer.*

Mr. Fredrickson came in to say he would go no farther with his protest against the Baldwin transfer. Says he doesn't like it but not prepared to make the formal showing against the transfer required by statute. Allow the transfer

*T-939
37-3573*

G.H.L.

SIGNATURE

LAVERNE BALDWIN

EAGLE REALTY AND INSURANCE AGENCY

Marvin Simpson, Agent
Phone: 4-6466

EAGLE, IDAHO

July 15, 1959

RECEIVED
JUL 16 1959
Department of Reclamation

Roy W. Thompson
Supervisor of Water Distribution
Department of Reclamation
State House
Boise, Idaho

Dear Mr. Thompson;

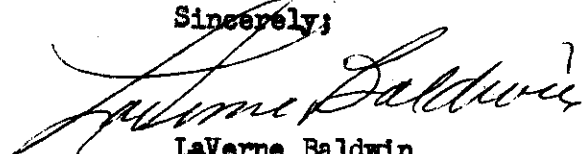
Enclosed herewith, the affidavit from the newspaper as you requested in your letter of July 7th.

Hope you can set this hearing up as far as possible because everybody is so busy at this time. When the hearing comes up we want to be in a position to give it justice on our part.

You can give me a ring at anytime on the telephone.

Thanking you very kindly,

Sincerely;


LaVerne Baldwin

ES/s
cc:
Baldwin Brothers
Manns Coffin
H.B. Bickett

July 12, 1929

Roy W. Thompson
Supervisor of Water Distribution
Department of Reclamation
State House
Boise, Idaho

Dear Mr. Thompson:

Enclosed herewith, the affidavit from the newspaper as
you requested in your letter of July 7th.

Hope you can get this hearing up as far as possible be-
cause everybody is so busy at this time. When the hearing
comes up we want to be in a position to give it justice
on our part.

You can give me a ring at anytime on the telephone.

Thanking you very kindly,

Sincerely,

Lester Baldwin

ES/a
cc:
Baldwin Brothers
Lester Baldwin
H.B. Blockett

RECEIVED
JUL 1 6 1959
Department of Reclamation

Affidavit of Publication

STATE OF IDAHO, } ss.
County of Blaine, }

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 11th day of June, 1959, and ending with the last publication thereof on the

18th day of June, 1959.

Cost of this publication is \$ 10.80

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 19th day of June, 1959.

R. N. McLaughlin
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

TRANSFER OF WATER RIGHTS

Notice is hereby given that Wayne O'Dell Baldwin, Elmer Baldwin, Donald D. Baldwin and Fayla Baldwin of Blaine, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Subterranean flow from well as follows: Amount: 1.42 cubic feet per second. Priority: June 19, 1905. Point of diversion: SW 1/4, Section 17, Township 1 S., Range 19 E., S. M. Place of use: SW 1/4, Sec. 18; NW 1/4, Sec. 21, T. 1 S. R. 19 E. M.

To Be Transferred To
Place of Use: NW 1/4, Sec. 18; SW 1/4, Sec. 21, T. 1 S. R. 19 E. M. and SW 1/4, Sec. 18; NW 1/4, Sec. 21, T. 1 S. R. 19 E. M. To be transferred down Silver Creek to place of use, with a 10% carrying charge.

And that on the 10th day of June, 1959, at 10:00 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 their considerations and reasons why such transfer should not be made.

W. N. Carter
State Reclamation Engineer
pub. 6/11-59

7-2-59

SUBJECT

TO

FROM

This is Bickett Well - Arima

*Drilled on bank of stream
emptying into Silver Creek.*

*Permit G 25769. - Examined
and licensed for 71 inches*

*Bickett drilled another well
and told Baldwin if they would
pay for it he would give them
the licensed well.*

INTER-DEPARTMENT MEMO-1

DATE

T-939
37-2573

SIGNATURE

November 13, 1959

Re: Baldwin Brothers
Proposed Transfer
of Water Right

Mr. J. E. Frederickson,
Gannett, Idaho.

Dear Mr. Frederickson:

In the matter of the proposed application of Baldwin Brothers of Gannett, Idaho for transfer of water right in Water District No. 11-AB, Blaine County.

The Department's Order mailed you under date of July 1, 1959, agreed to a continued hearing to be held at Hailey on some date mutually agreeable to the applicants, the objectors, and this office.

To date, we have not been advised from either protestants or applicants in regard to anything being done in this matter. If it is agreeable, this Department will set a hearing date around the 15th day of December, 1959, providing applicant and protestants agree to furnish representation by counsel, arrange for a place of hearing and provide a reporter to take evidence and prepare transcript and pay the cost of the transcript.

If the Department of Reclamation is not advised within the next 30 days in regard to the said hearing, it will be understood by the Department of Reclamation that you do not wish to go ahead with the hearing.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

ROY A. THOMPSON
Supervisor of Water Distribution

RWT:pak
cc: Baldwin Brothers, Pocatello
LaVerne Baldwin, Eagle
Mans H. Coffin, Watermaster
Shoshone, Idaho

T-939

37-2573

November 13, 1959

Re: Baldwin Brothers
Proposed Transfer
of Water Right

Mr. J. E. Frederickson,
Gannett, Idaho.

Dear Mr. Frederickson:

In the matter of the proposed application of Baldwin Brothers of Gannett, Idaho for transfer of water right in Water District No. 11-AR, Blaine County.

The Department's Order mailed you under date of July 1, 1959, agreed to a continued hearing to be held at Hailey on some date mutually agreeable to the applicants, the objectors, and this office.

To date, we have not been advised from either protestants or applicants in regard to anything being done in this matter. If it is agreeable, this Department will set a hearing date around the 15th day of December, 1959, providing applicant and protestants agree to furnish representation by counsel, arrange for a place of hearing and provide a reporter to take evidence and prepare transcript and pay the cost of the transcript.

If the Department of Reclamation is not advised within the next 30 days in regard to the said hearing, it will be understood by the Department of Reclamation that you do not wish to go ahead with the hearing.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

ROY W. THOMPSON
Supervisor of Water Distribution

RWT:pmk
cc: Baldwin Brothers, Pocatello
LaVerne Baldwin, Eagle
Mans H. Coffin, Watermaster
Shoshone, Idaho



Earl W. Hutchison

Stock Contractor, Rodeo Producer

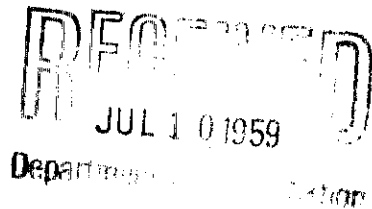
WORLD CHAMPIONSHIP RODEO
WHERE YOU REST, TO SEE THE BEST

HILLSIDE RANCH PHONE: HAILEY 035-J2

Gannett, Idaho

June 9, 1959

Mr. George N. Carter
State Reclamation Engineer
&
Mr. Roy W. Thompson
Supervisor of Water Distribution
Room 107 State House
Boise, Idaho



Dear Sirs;

Due to lack of interest and support from the other people of this Valley, I would like to withdraw my opposition in the case of Baldwin Brothers of Pica, Idaho. Changing the Point of Diversion and Transfer the Place of use of a certain water right evidenced by Permitt No. G- 25769.

Yours very truly

Earl Hutchison
Earl Hutchison

The above person executed the foregoing instrument and acknowledged to me that he executed the same freely and voluntarily for the purposes therein mentioned.

Lloyd E. Smith
Notary Public, residing at Shoshone, Idaho

Commission expires April 24, 1959.

T-939

37-9573

Rec'd May 27, 1959.
G.M.L.

Application For Transfer of Water Right

STATE OF IDAHO

County of Blaine

ss.

* Wayne O'dell Baldwin. ~~Blaine~~ Baldwin
Donnie D. Baldwin, Phyllis Baldwin /, being first duly sworn, deposes and says:

That his name is Same as above; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Picabo Idaho.

That he is the owner and using a certain water right, bearing date of priority of June 16 1955, for 1.42 cubic feet per second of the waters of Subterranean Flow,

County of Blaine, State of Idaho, decreed to

by decree of Judge _____ of the _____ Judicial District of the State of

Idaho, in and for the county of _____, in the case of _____

vs. _____, said decree bearing date of _____

(or obtained by virtue of License No. G25769, issued by the State Department of Reclamation of the State of Idaho, dated October 8, 1957, bearing date of June 16, 1955),

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. 7AB in the County of Blaine and State of Idaho, to-wit:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 16, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, Twp. 1.S

Range 19.E 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. By 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~~ ^{Well} in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 1.S, Range 19.E, B.M., and conducted to the above described lands through Private ditches, as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 1.42 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 Blaine and State of Idaho, to-wit:

W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Twp. 1.S. Range 21, E. B.M.

and SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 2-3-4-and 5, Section 6, Twp. 2.S. Range 21.E.

That reasons for desiring to make such transfer are as follows:

More economical use of Water,

T-939

37-2573

That he intends to divert and convey said 1.42 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

That he proposes to measure the water in to Silver Creek at the Nearest point from the Point of Diversion SW 1/4 SE 1/4 Section 17

and comingle the water with Silver creek water and carry it down stream a distance of about 10 Miles to a point of diversion located in The NW 1/4 NW 1/4 Section 36, Twp. 1.S. Range 20.E.

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.

AND TO ACCEPT A 10% transmission loss, i.e., 1.28 c.f.s., to be delivered at the new point of diversion

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in 1/4 of 1/4 of Section , Township , Range , and thereafter conduct same to the above described land through the ditch, as per map appended.

That his reasons for desiring to make such change are as follows:

No change in point of diversion.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Wayne Odell Baldwin Don D. Baldwin
Eileen Baldwin Phyllis Baldwin Applicant.

Subscribed and sworn to before me this 15th day of April, 1959

Wayne Baldwin
Earl Shaw Notary Public.

MY COMMISSION EXPIRES
FEBRUARY 11, 1961

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Artesian Well

Where is the diversion point located? SW 1/4 SE 1/4 Sec 17, T15R19E

Through what ditch is it now conducted?

How much land is now irrigated by the water sought to be transferred?

Give the description: SW 1/4 NW 1/4 Sec 21, T15R19E

N 1/2 NW 1/4 Sec 21, T15R19E

What is the total amount of water in inches, or second feet, dedicated to said land? 1.42

What kind of crops are being raised? Wheat

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? None

Give location of new point of diversion, if change is to be made NW 1/4 NW 1/4 Sec. 36 T. 15 R. 20 E.

Through what ditch will it be conducted after transfer? Lawson Ditch No. 24

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

3 1/2 Feet per acre

Do you claim any other water right for the land from which you seek to abandon the use of this water? No

If so, give amount, date and source

Is there any other water right for the land to which you seek to make this transfer? If so, give amount,

date and source 100' 5/31/85; 50" 5/1/89; 50" 10/25/92

Donna D Baldwin
Phyllis Baldwin by
Wayne O. Dine Baldwin
John Baldwin

Signed Baldwin Bros
Lulu Baldwin Applicant.

STATE OF IDAHO,

County of Lincoln } ss.

I, Mons. H. Coffin, Watermaster of Little Wood River

Water District No. 11-AB, County of Blaine, Lincoln, State of Idaho, whose postoffice address is Shoshone, Idaho,

have read or heard read the foregoing affidavit and petition of The Baldwin Brothers, 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 State Reclamation Engineer 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:

Watermaster, District No. 11-AB

Dated at Shoshone, Idaho, this 15th day of April, 19 59.

T-939

37-2573

June 25, 1959

Mr. J. E. Fredrickson,
Garnett, Idaho.

Dear Mr. Fredrickson:

We wish to acknowledge receipt of an Affidavit stating your protest against the transfer of Baldwin Brothers of Pocatello, Idaho.

You will be advised by this Department of a hearing either in Hailley or Boise, before any further action is taken in regard to the application for transfer.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT/pak

T-939
37-2573

A F F I D A V I T

RECEIVED
JUN 25 1959
Department of Reclamation

S T A T E O F I D A H O)
) SS:
C O U N T Y O F B L A I N E)

I J.E. Fredrickson, being first duly sworn depose and say:

That I am a resident of Blaine County for the past 40 years that during that time I have engaged in farming, and am now engaged in farming in the Silver Creek Area of Blaine County, Idaho.

That I am also the owner of an Artisian Well, that I wish to protest the transfer of water from Artisian wells down stream to other lands via canals or streams to lands other than those to which a permit was given for the original use.

I specifically object to the transfer of the waters now being advertised for transfer by Baldwin Bros. of Picabo, Idaho. From SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 17 1 S. R. 19 E.B.M. Blaine County, Idaho. Hearing on the 30th day of June 1959.

J. E. Fredrickson

Subscribed and sworn to this 23rd. day of June 1959
at Hailey, Idaho.

R. H. McCoy

R.H. McCoy, Notary Public
Residing at Hailey, Idaho.

T 939

37-2513

June 25, 1959

Mr. Earl W. Hutchison,
Gannett, Idaho.

Dear Mr. Hutchison:

We wish to acknowledge your protest against the Baldwin Brothers right to transfer 1.42 cubic feet per second from a well of subterranean source diverted into and co-mingled with the waters of Silver Creek, thence carried down channel eight or ten miles to specific point of diversion stated in the application; thence to land owned by the applicant.

Before any action is taken in the matter, you will be notified accordingly, providing the hearing is held in Hailey or Boise. In all probability, hearing will be continued to a later date than the date set in the publication notice. It will also be necessary, if a continued hearing is held, that the protestants and applicants be represented by an attorney and a reporter to take down the evidence and furnish a transcript of the hearing. The transcript of the hearing will be paid by the parties concerned.

Very truly yours,

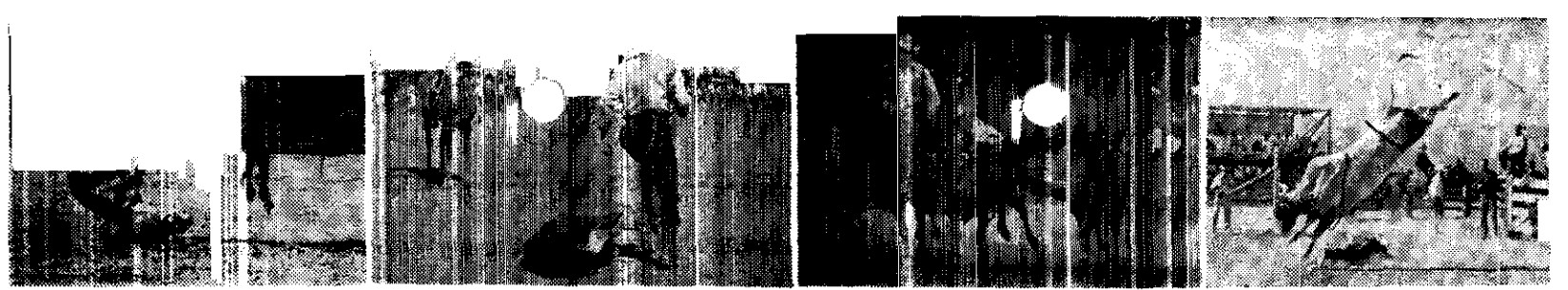
GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT/pmk

T-939

37.5573



Earl W. Hutchison

Stock Contractor, Rodeo Producer

WORLD CHAMPIONSHIP RODEO
WHERE YOU REST, TO SEE THE BEST

HILLSIDE RANCH PHONE: HAILEY 035-J2

Gannett, Idaho

June 22, 1959

Mr. George N. Carter
State Reclamation Engineer
Boise, Idaho

RECEIVED
JUN 23 1959
Department of Reclamation

Dear Mr. Carter;

For the interest and protection of all water users and tax payers of this Woodriver Valley, Blain, Co. of Idaho, and the owners and users of wells already filed on and in beneficial use in this Valley, and having 3 wells of my own, with pryor dates of beneficial use, and which are now only flowing 60% of a normal. I am definitely apposed to the transfer or any waters, pump or artisan, from this territory down river.

I would like the hearing, or case, of Wayne O'Dell, Donnie D. & La Vern Baldwin transferred to Blain Co. or Mailey, Idaho.

Yours truly,

Earl Hutchison
Earl Hutchison

State of Idaho
County of Lincoln

Subscribed and sworn to before me, a notary public, this 22nd day of June, 1959

Ralph H. Smith
Notary Public for Idaho
Residing at Shoshone, Idaho

T-439

37-0573

COPY

Garnett, Idaho

June 22, 1959

Mr. George W. Carter
State Reclamation Engineer
Boise, Idaho.

Dear Mr. Carter:

For the interest and protection of all water users and tax payers of this Woodriver Valley, Blaine Co. State of Idaho, and the owners and users of well already filed on and in beneficial use in this Valley, and having 3 wells of my own, with prior dates of beneficial use, and which are now only flowing 60% of a normal, I am definitely opposed to the transfer of any waters, pump or artesian, from this territory down river.

I would like the hearing, or case, of Wayne O'Dell, Donnie D. & LaVern Baldwin transferred to Blaine Co. or Hailey, Idaho.

Yours truly,

s/ Earl Hutchison

State of Idaho
County of Lincoln

Subscribed and sworn to before me, a notary public, this
22nd day of June, 1959.

(seal)

s/ Ralph W. Smith

Notary Public for Idaho
Residing at Shoshone, Idaho

T-939

37-2573

June 19, 1959

Mr. J. E. Frederickson,
Garnett, Idaho.

Dear Mr. Frederickson:

In answer to your letter of June 15, 1959, stating that yourself and others would like to have a hearing set on the application of the Baldwin Brothers proposed transfer of water right, transferring 1.42 cubic feet per second from a well of subterranean source, diverted into and co-mingled with the waters of Silver Creek, thence carried down channel eight or ten miles to the specific point of diversion stated in the application, thence to lands owned by the applicant.

In the first place, it will be necessary for you and the others to present to the Department of Reclamation a legal protest made out in Affidavit form, signed before a Notary. This protest should be filed with the Department on or prior to 10:00 A.M. on June 30th, as stated in the publication notice.

Providing a hearing is held in Hailey or Boise, in all probability, hearing will be continued to a later date than the date set in the publication notice. It will also be necessary, if a continued hearing is held, that the protestants and applicants be represented by an attorney and a reporter to take down the evidence and furnish a transcript of the hearing. The transcript of the hearing will be paid by the parties concerned.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT/pmk

cc: Wayne O'Dell Baldwin
Donnie D. Baldwin
LaVerne Baldwin

T-939

37-2573

RECEIVED
JUN 18 1959

Department of Reclamation

Garnett Idaho
June 15, 1959

Mr. George Carter
State Department of Reclamation
Boise, Idaho

Dear Mr. Carter:

I note from a legal advertisement now appearing in the Hailey Times, a hearing regarding the application of the Baldwin Bros. of Bricke to Transfer certain Arterian waters is scheduled to be held in your office at 10:00 A.M. on June 30th.

I and others would like to appear to protest this application but because of the fact we will probably be haying & other farm work needing to be done it will be very inconvenient to appear. Would you consider holding this hearing in Hailey at the court house? Everybody concerned are residents of this county & it would seem to me that Hailey or some other nearby town would be a better place to hold this hearing.

Very truly yours,
J. E. Fredrickson

T-939

37-2573

June 5, 1959

Mr. Laverne Baldwin,
c/o Eagle Realty Co.,
Eagle, Idaho.

Dear Mr. Baldwin:

We are enclosing a copy of a protest or letter signed by J. E. Frederickson, against the protest of application for transfer of water right signed by Baldwin Brothers of Pocatello, Idaho.

We have sent to the Hailey Times, Hailey, Idaho, requesting them to publish the intent of the transfer. We have shortened the publication considerably to the way it was published before.

Thank you for your call this morning. Sorry I was not in the office the day you were in. I not only missed seeing you but missed getting the fish, too. Mr. Carter reports they were very good.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

Encl.

RWT/pmk

T-939

37-5573

RE: Transfer of Water Right
Wayne and Donnie Baldwin

May 25, 1949

Mr. Mans H. Coffin, Watermaster,
Water District 11-AB,
Little Wood River,
Shoshone, Idaho.

Dear Mans:

Thanks for your letter of May 22nd about the proposed change of point of diversion and place of use of artesian well water owned by Wayne and Donnie Baldwin.

These people somehow got the cart before the horse, so to speak, and as near as I can tell from the files here, came in with an application partially filled out which Roy Thompson sent back for completion. The next thing we heard about it was a letter from Mr. J. E. Frederickson protesting the transfer and enclosing a copy of the the Notice of Publication.

Said Publication was unknown to us and un-authorized, and if these people wish to pursue this application, will have to be all done over. As you know, Notice of Publications of an application to transfer water are made out and authorized by this office and sent to whatever paper is to publish it.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNT/pmk

T-439

37-2573

State of Idaho
Department of Reclamation

MANS H. COFFIN, WATERMASTER

SHOSHONE

RECEIVED
MAY 25 1959
Department of Reclamation

May 22nd, 1959

Mr. Geo. N. Carter
Reclamation Engineer
State Capitol,
Boise, Idaho.

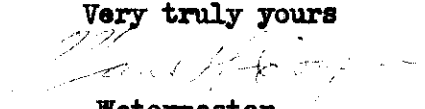
Dear Mr. Carter;

There is now pending before you an application for Change of Point of Diversion and Change of Point of Use, of the flow of a certain Artesian Well owned by Wayne and Don Baldwin; located within the boundaries of Water District 11-AB.

I understand that J. E. Fredrickson has entered a protest about granting this application. I do not know upon what grounds he bases his protest, and until I do I think it best that I keep my mouth shut.

In my capacity as Watermaster of the surface waters of Silver Creek and Little Wood River I cannot see that this transfer would affect, in anyway, the rights of the owners of decreed water along this stream.

Very truly yours


Watermaster

cc to Lavern Baldwin
Eagle, Idaho

J. E. Fredrickson
Gannett, Idaho.

T-939

77-0572

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho

June 5, 1959

**Hailey Times,
Hailey, Idaho.**

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **June 30, 1959** the date set for hearing; the expense of the publication is to be paid by **Wayne O'Dell Baldwin, Eileen Baldwin, Donnie D. Baldwin** the applicant and **Phyllis Baldwin** of **Picabo, 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 or tear-sheet of the first publication.**

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

**If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

T-41391

37-0573

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Wayne O'Dell Baldwin, Eileen Baldwin, Donnie D. Baldwin and Phyllis Baldwin of Picabo, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the ~~point of diversion and/or~~ place of use of the waters of Subterranean flow from well as follows:
Amount: 1.42 cubic feet per second. Priority: June 16, 1955
Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 1 S, Range 19 E, B. M.
Place of Use: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16; NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 21, T. 1 S. R, 19 E.B.M.

To Be Transferred To

~~Point of diversion~~ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 2 S, Range 21 E, B.M.
Place of Use: W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 1 S. R. 21 E.B.M. and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 2-3-4-5, Sec. 6, T. 2 S. R. 21 E.B.M.
To be transported down Silver Creek to place of use, with a 10% carrying charge.

And that on the 30th day of June, 1959, at 10:00 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.

GEO. N. CARTER

State Reclamation Engineer

T-439

37-2573

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

_____ of _____ published in

the county in which the works are situated.

Baldwin Bros by Thomas Baldwin

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

T-439

37-2573



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

May 13, 1959

Mr. J. E. Fredrickson,
Picabo, Idaho.

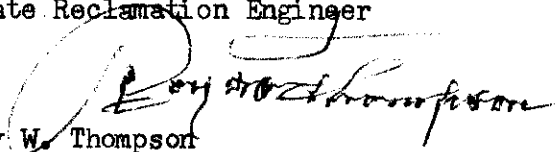
Dear Mr. Fredrickson:

The Publication Notice in the paper was published without our knowledge in regard to the Baldwin proposed transfer of water right from a well with point of diversion from the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T. 1 S., R. 19 E.

The proposed transfer was to divert the water from a well into Silver Creek and carry it down stream for a distance of around ten miles where it will be re-diverted on to lands owned by the applicant. However, the applicants have not filed the Application to date. Your protest against the transfer of this water will be filed and you will be notified to any action being taken on said transfer by the Department of Reclamation.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By


Roy W. Thompson
Supervisor Water Distribution

RWT/pmk

cc: Donnie D. & Wayne O'dell Baldwin
Picabo, Idaho.

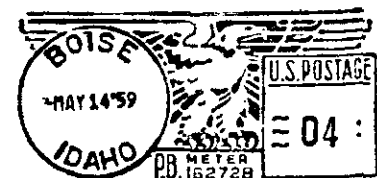
7-939

7-939

AFTER 5 DAYS, RETURN TO
DEPARTMENT OF RECLAMATION
ROOM 107, STATE HOUSE
BOISE, IDAHO



REASON CHECKED
Unclaimed ☒ Refused.....
Unknown ☒
Insufficient address.....
Moved, new address.....
No such office in state.....
Do not remain in this envelope
POSTAGE DUE 2 CENTS



Mr. J. E. Fredrickson

Picabo, Idaho

May 13, 1959

Mr. J. E. Fredrickson,
Pisabo, Idaho.

Dear Mr. Fredrickson:

The Publication Notice in the paper was published without our knowledge in regard to the Baldwin proposed transfer of water right from a well with point of diversion from the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T. 1 S., R. 19 E.

The proposed transfer was to divert the water from a well into Silver Creek and carry it down stream for a distance of around ten miles where it will be re-diverted on to lands owned by the applicant. However, the applicants have not filed the Application to date. Your protest against the transfer of this water will be filed and you will be notified to any action being taken on said transfer by the Department of Reclamation.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor Water Distribution

RWT/pak

cc: Donnie D. & Wayne O'dell Baldwin
Pisabo, Idaho.

T-939

57-55-13

May 13, 1959

Donnie D. Baldwin and
Wayne O'Dell Baldwin,
Picabo, Idaho.

Gentlemen:

In regard to your proposed transfer of water right, transferring water from a well on the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, Township 1 So., Range 19 E., to other lands about ten miles down Silver Creek in Blaine County. As I recall, the application was returned to one of you boys while in my office for additional signatures. We have no record of the Application being returned to this office.

A publication notice with a protest attached was filed by Mr. J. E. Fredrickson against the approval of the transfer. The publication notice should have been authorized and signed by Mr. Carter, State Reclamation Engineer. The procedure is that we make up the publication notice and send it to the paper for publication. It may be that it will have to be republished.

If you are still interested in this transfer, please return the application.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor Water Distribution

RWT/pak

T-939

37-2573

May 13, 1959

Mr. J. E. Fredrickson,
Picabo, Idaho.

Dear Mr. Fredrickson:

The Publication Notice in the paper was published without our knowledge in regard to the Baldwin proposed transfer of water right from a well with point of diversion from the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T. 1 S., R. 19 E.

The proposed transfer was to divert the water from a well into Silver Creek and carry it down stream for a distance of around ten miles where it will be re-diverted on to lands owned by the applicant. However, the applicants have not filed the Application to date. Your protest against the transfer of this water will be filed and you will be notified to any action being taken on said transfer by the Department of Reclamation.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor Water Distribution

RWT/pmk

cc: Donnie D. & Wayne O'dell Baldwin
Picabo, Idaho.

4-15-61

T-939

37-5573

LETTERHEADS ENVELOPES FORMS

Customer's
Order No. 1 Date 5-21 1959
Name Louise Baldwin
Address _____

All claims and returned goods MUST be accompanied by this bill.

THE HAILEY TIMES, HAILEY, IDAHO 72796

State of Idaho)
) ss.
County of Blaine)

Donnie D. Baldwin, Phyllis Baldwin, Wayne O'dell Baldwin, Eileen Baldwin, being first duly sworn, deposes and says:

That his name is Same as above; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Picabo, Idaho.

That he is the owner and using a certain water right, bearing date of priority of June 16, 1955, for 1.42 cubic feet per second of the waters of Subterranean Flow, County of Blaine, State of Idaho, decreed to (or obtained by virtue of License No. G25769, issued by the State Department of Reclamation of the State of Idaho, dated October 8, 1957, bearing date of June 16, 1955, for the purpose of irrigating the following described lands situate, lying and being in Water District No. 7AB in the County of Blaine and State of Idaho, to-wit: SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 16, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Twp. 1 S., Range 19, E. 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. By 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 Well in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 1 S., Range 19 E., B.M., and conducted to the above described lands through Private ditches, as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 1.42 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 Blaine and State of Idaho, to-wit: W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 31, Twp. 1 S., Range 21, E., B.M., and SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 2-3-4 and 5, Section 6, Twp. 2 S., Range 21 E.

That reasons for desiring to make such transfer are as follows: More economical use of water.

That he intends to divert and convey said 1.42 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

That he proposes to accept the water from the point of diversion in Section 17 and commingle the water with Silver creek water and carry it down stream a distance of about 10 Miles to a point of diversion located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Twp. 1 S., Range 20 E. And to accept a 10% transmission loss, i.e., 1.28 c.f.s., to be delivered at the new point of diversion.

CHANGE IN POINT OF DIVERSION

No change in point of diversion.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Wayne O'dell Baldwin
Eileen Baldwin
Don D. Baldwin
Phyllis Baldwin

Applicant.

Subscribed and sworn to before me this 15th day of April, 1959.

(Notary Seal)

LaVerne Baldwin
Eagle, Idaho
Notary Public
My commission expires
February 11, 1961
pub. 4/16-30

Affidavit of Publication

STATE OF IDAHO,) ss.
County of Blaine,)

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for three consecutive weeks commencing with the first publication thereof on the

16th day of April, 1959
and ending with the last publication thereof on the

30th day of April, 1959

Cost of this publication is \$ 43.18

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 1st day
of May, 1959

Betty Ulahos
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

T-939

37-2573

RECEIVED
APR 29 1959

Department of Reclamation

Gannett Idaho

April 27, 1959

Mr. George N. Carter
State Reclamation Engineer.

Dear Sir:

In regards to this application for transfer of a water right. I am opposed to the plan and ask that you deny it.

According to the notice there will be a 10% loss in transmission of this water, and I would suggest that this water be used where originally applied for, and that the applicants drill or dig a well on the property where they intend transferring this water and then all water developed can be used without any loss.

This Subterranean well is an Arterian Well and these wells are

439
7-2873

limited to a very small portion of this valley and all in existence at the present time fluctuate in amount of flow during the seasons; and some cease flowing for a space of several months every year. This I would think, indicates that there is not a too large amount of water in reserve.

If this application is approved other applications for transfer of artesian water will surely be made from both wells now drilled and others being planned which I fear could result in the depletion of this water supply and cause serious damage to all owners of these wells who use them for irrigation & domestic purposes.

T-939
37-2513

Very truly yours,
J. E. Fredrickson