

The Rexburg Standard

Rexburg, Idaho

Affidavit of Publication

STATE OF IDAHO { ss.
County of Madison

I, Albert Blackburn,
being first duly sworn depose and say,

that I am the printer of THE REXBURG STANDARD, a newspaper printed and published weekly at Rexburg, Madison County, Idaho; and I do solemnly swear that the

Notice of Proposed Change in Point of Diversion

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in

any supplement issue thereof for two consecutive issues, the first publication

having been made on Mar. 14, 1950 and the last publication having been made

on Mar. 21, 1950

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

John C. Porty
Subscribed to and sworn to before me

this 1st day of Apr. 1950

John C. Porty
Notary Public.

(SEAL)

My commission expires Nov. 16, 1954

NOTICE OF PROPOSED CHANGE IN POINT OF DIVERSION

Notice is hereby given that the Island Ward Canal Company of Rexburg, Idaho, has applied to the State Reclamation Engineer of the State of Idaho, for a certificate authorizing them to change the point of diversion, now located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, Twp. 6.N Range 40 E. to a

new point of diversion approximately 660 feet distant down the river, to a point located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, Twp. 6.N. Rge. 40.E. on Teton River. And that on the 3rd day of April, 1950 at 10 A.M. at room 107 State House, Boise, Idaho, before the State Reclamation Engineer,

or his authorized agent, the opportunity will be given all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK R. KULP
State reclamation Engineer
3-14-2t

RECEIVED
MAY 19 1954
Department of Reclamation

MICROFILMED

15

10

14

11

13

12

T 6 N R 39 E
T 6 N. R. 40 E

Island Ward Canal
Teton River
new pt. of division
old pt. of division

MICROFILMED

Delmar Hand Canal Co.

SCALE: ONE INCH TO ONE MILE

Township

Range

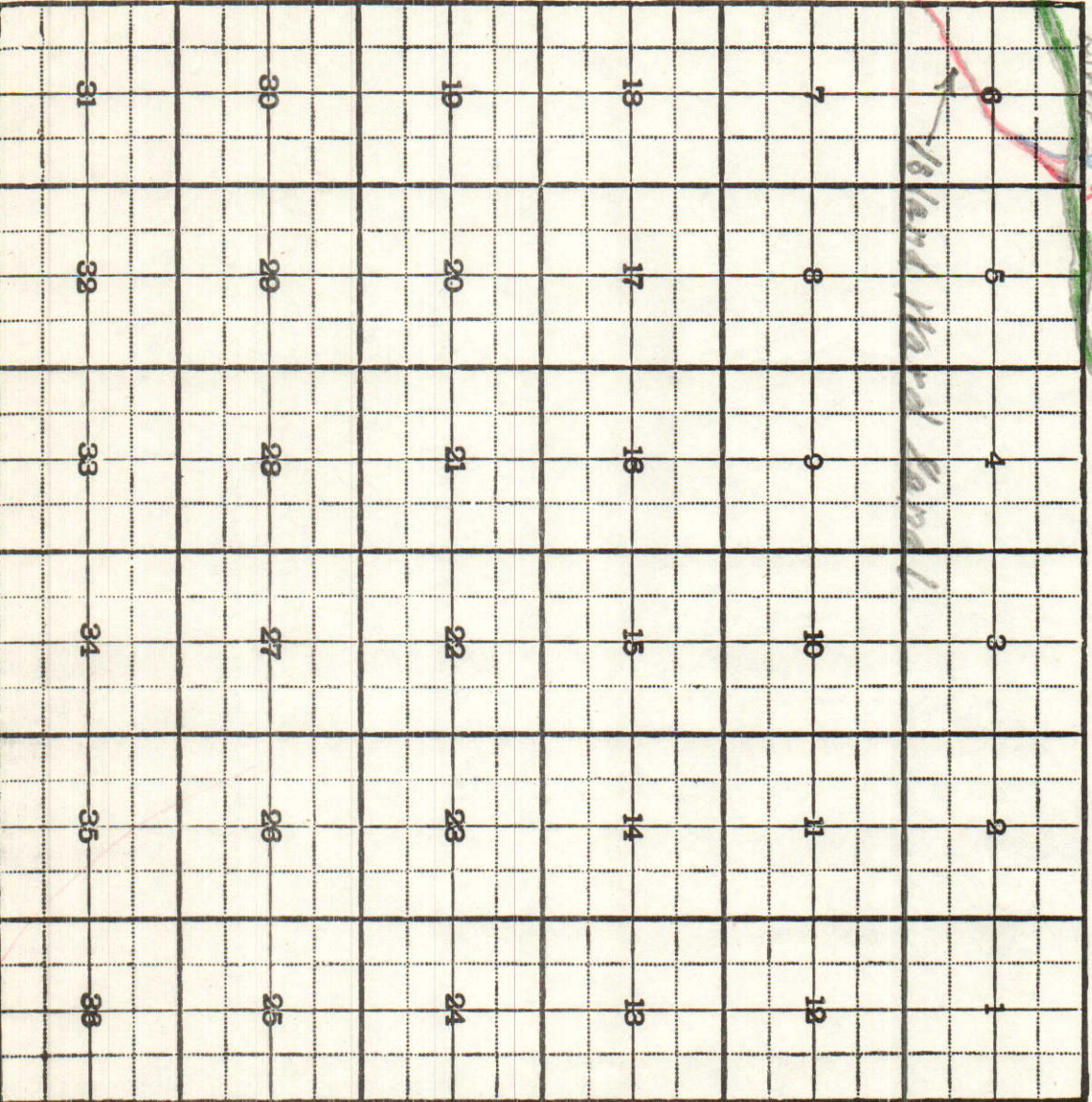
40 N

6 W

*Direct Transfer To
1/8 Acre 321 from*

Teton

*Canal Shading
Strike through down
stream approx. 1/8 mi.*



MICROFILMED

COPY

22-0605

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the matter of the Application of)
Island Ward Canal Company of)
Rexburg, Idaho) ORDER GRANTING CHANGE
OF POINT OF DIVERSION
For a Change of Point of Diversion on) No. 220
Teton River, Madison County, Idaho)

WHEREAS, ON the 3rd day of April, 1950, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, the application of Island Ward Canal Company of Rexburg, Idaho, for a change of point of diversion on Teton River, came on regularly for hearing, pursuant to published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that more economical use of the water will be obtained by such change, and that no other water user will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is hereby granted, and that a Certificate of Change of Point of Diversion 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 8th day of June, 1954.

MARK R. KULP
State Reclamation Engineer

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF CHANGE OF POINT OF DIVERSION OF DECREED WATER RIGHT

No. 220

THIS IS TO CERTIFY That Island Ward Canal Company of Rexburg, Idaho, is the owner of and using a certain water right from Teton River in the amount of 100 cubic feet per second with priority of January 23, 1901, said water right being decreed to Island Ward Canal Company by decree of Judge J. M. Stevens of the District Court of the Sixth Judicial District of the State of Idaho, in and for the county of Fremont, in the case of

Rexburg Irrigation Company,

Plaintiff,

vs.

Teton Irrigation Canal Company,

Defendant,

said decree bearing date of December 16, 1910, and the water being appurtenant to the following described lands to-wit:

Approximately 3,000 acres in Sections 9, 10, 11, 15,
16, 20, and 21
Township 6 North, Range 39 East B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, Idaho, in Volume 3 of Decrees beginning at Page 450.

And that now, upon the application of Island Ward Canal Company of Rexburg, Idaho, for Certificate of Change of Point of Diversion of 100 cubic feet per second of the waters of Teton River, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change such point of diversion is HEREBY GRANTED.

That said change of point of diversion shall not modify in effect said decreed water right, or place of use. Said water is to be limited at any given time to an amount actually and beneficial used for such purposes and shall not exceed the following amount, to-wit:

100 cubic feet per second with priority of January 23, 1901.

That said water right is appurtenant to the lands above described.

That the water right hereby described has heretofore been diverted from Teton River, through the Island Ward Canal Company ditch, with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 6 North, Range 40 East B.M.

That the water right above described will hereafter be diverted from the Teton River, through the same ditch, with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, Township 6 North, Range 40 East B.M.

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 8th day of June, 1954.

MARK R. KULP
State Reclamation Engineer

RECEIVED
JUN 10 1954
STATE RECLAMATION ENGINEER
BOISE, IDAHO

COPY

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the matter of the Application of	)	
Island Ward Canal Company of	)	ORDER GRANTING CHANGE
Rexburg, Idaho	)	OF POINT OF DIVERSION
For a Change of Point of Diversion on	)	No. 220
Teton River, Madison County, Idaho	)	

WHEREAS, ON the 3rd day of April, 1950, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, the application of Island Ward Canal Company of Rexburg, Idaho, for a change of point of diversion on Teton River, came on regularly for hearing, pursuant to published notice, in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that more economical use of the water will be obtained by such change, and that no other water user will be injured thereby;

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is hereby granted, and that a Certificate of Change of Point of Diversion 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 8th day of June, 1954.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF CHANGE OF POINT OF DIVERSION OF DECREED WATER RIGHT

No. 220

THIS IS TO CERTIFY That Island Ward Canal Company of Rexburg, Idaho, is the owner of and using a certain water right from Teton River in the amount of 100 cubic feet per second with priority of January 23, 1901, said water right being decreed to Island Ward Canal Company by decree of Judge J. M. Stevens of the District Court of the Sixth Judicial District of the State of Idaho, in and for the county of Fremont, in the case of

Rexburg Irrigation Company,

Plaintiff,

vs.

Teton Irrigation Canal Company,

Defendant,

said decree bearing date of December 16, 1910, and the water being appurtenant to the following described lands to-wit:

Approximately 3,000 acres in Sections 9, 10, 11, 15,
16, 20, and 21
Township 6 North, Range 39 East B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, Idaho, in Volume 3 of Decrees beginning at Page 450.

And that now, upon the application of Island Ward Canal Company of Rexburg, Idaho, for Certificate of Change of Point of Diversion of 100 cubic feet per second of the waters of Teton River, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to change such point of diversion is HEREBY GRANTED.

That said change of point of diversion shall not modify in effect said decreed water right, or place of use. Said water is to be limited at any given time to an amount actually and beneficial used for such purposes and shall not exceed the following amount, to-wit:

100 cubic feet per second with priority of January 23, 1901.

That said water right is appurtenant to the lands above described.

RECORDED

That the water right hereby described has heretofore been diverted from Teton River, through the Island Ward Canal Company ditch, with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 6 North, Range 40 East B.M.

That the water right above described will hereafter be diverted from the Teton River, through the same ditch, with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, Township 6 North, Range 40 East B.M.

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 8th day of June, 1954.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

RECEIVED

The Rexburg Standard

Rexburg, Idaho

Affidavit of Publication

STATE OF IDAHO }
County of Madison } ss.

I, Albert Blackburn,
being first duly sworn depose and say,

that I am the printer of THE REXBURG
STANDARD, a newspaper printed and pub-
lished weekly at Rexburg, Madison Coun-
ty, Idaho; and I do solemnly swear that the

Notice of Proposed Change in
Point of Diversion

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in

any supplement issue thereof for two
consecutive issues, the first publication

having been made on Mar. 14, 1950
and the last publication having been made

on Mar. 21, 1950

Further, that said newspaper is one of
general circulation in said county; that it
is a legal newspaper, conforming to legal
specifications under the Idaho Statutes;
that it has at least two hundred bona fide
subscribers living within the county of pub-
lication; and that it has been continuously
and uninterruptedly published in said coun-
ty during a period of seventy-eight con-
secutive weeks prior to the first publica-
tion of the said notice.

John C. Porter

Subscribed to and sworn to before me

this 1st day of Apr. 1950

John C. Porter
Notary Public.

(SEAL)

My commission expires Nov. 16, 1954

NOTICE OF PROPOSED CHANGE IN POINT OF DIVERSION

Notice is hereby given that the
Island Ward Canal Company of
Rexburg, Idaho, has applied to
the State Reclamation Engineer
of the State of Idaho, for a cer-
tificate authorizing them to change
the point of diversion now lo-
cated in the NW 1/4 Sec. 3, Twp. 6 N. Range 54 E. to a

new point of diversion approx-
imately 500 feet west of the
river, to a point located in the
SW 1/4 Sec. 3, Twp. 6 N.
R. 54 E. of Teton River. And
that on the 2nd day of April,
1950 at 10 A.M. at room 407
State House, Boise, Idaho, before
the State Reclamation Engineer,

or his authorized agent, the op-
portunity will be given all persons
to appear and present for his con-
sideration any reason or reasons
why a certificate should not be
issued authorizing such transfer.

MARK H. KILPATRICK
State Reclamation Engineer
3-14-20

RECEIVED
MAY 19 1954
Department of Reclamation

MICROFILMED

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Madison

} ss.

Island Ward Canal Company, being first duly sworn, deposes and says: That his postoffice address is Rexburg, Idaho; That he is the owner of and using a certain water right, bearing date of priority of January 23, 1901, for 100 cubic feet per second of the waters of the Teton River, County of Madison, State of Idaho, decreed to Island Ward Canal Company, by decree of Judge J. M. Stevens, of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of Rexburg Irrigation Company vs. Teton Irrigation Canal Company said decree bearing date of December 16, 1910, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 36, in the County of Madison, and State of Idaho, to-wit: Approximately 3000 acres in Sections 9, 10, 11, 15, 16, 20, and 21 all in Township 6 North, Range 39 E. B. M.

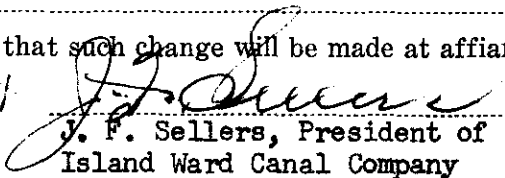
That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Decreed

That said waters are now diverted from said stream in the NW 1/4 NW 1/4 of Sec. 5, Twp. 6 N, Range 40 E, and conducted to the above described lands through the Island Ward Canal Co. ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in NE 1/4 of NE 1/4, Sec. 6, Twp. 6 N, Range 40 E, and thereafter conduct same to the above described land through the _____ ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Shorten canal approximately 1/8 of a mile. Do away with the hazard of the river washing into canal along approximately 1/8 of a mile where river and canal are now running parallel and within a few feet of each other.

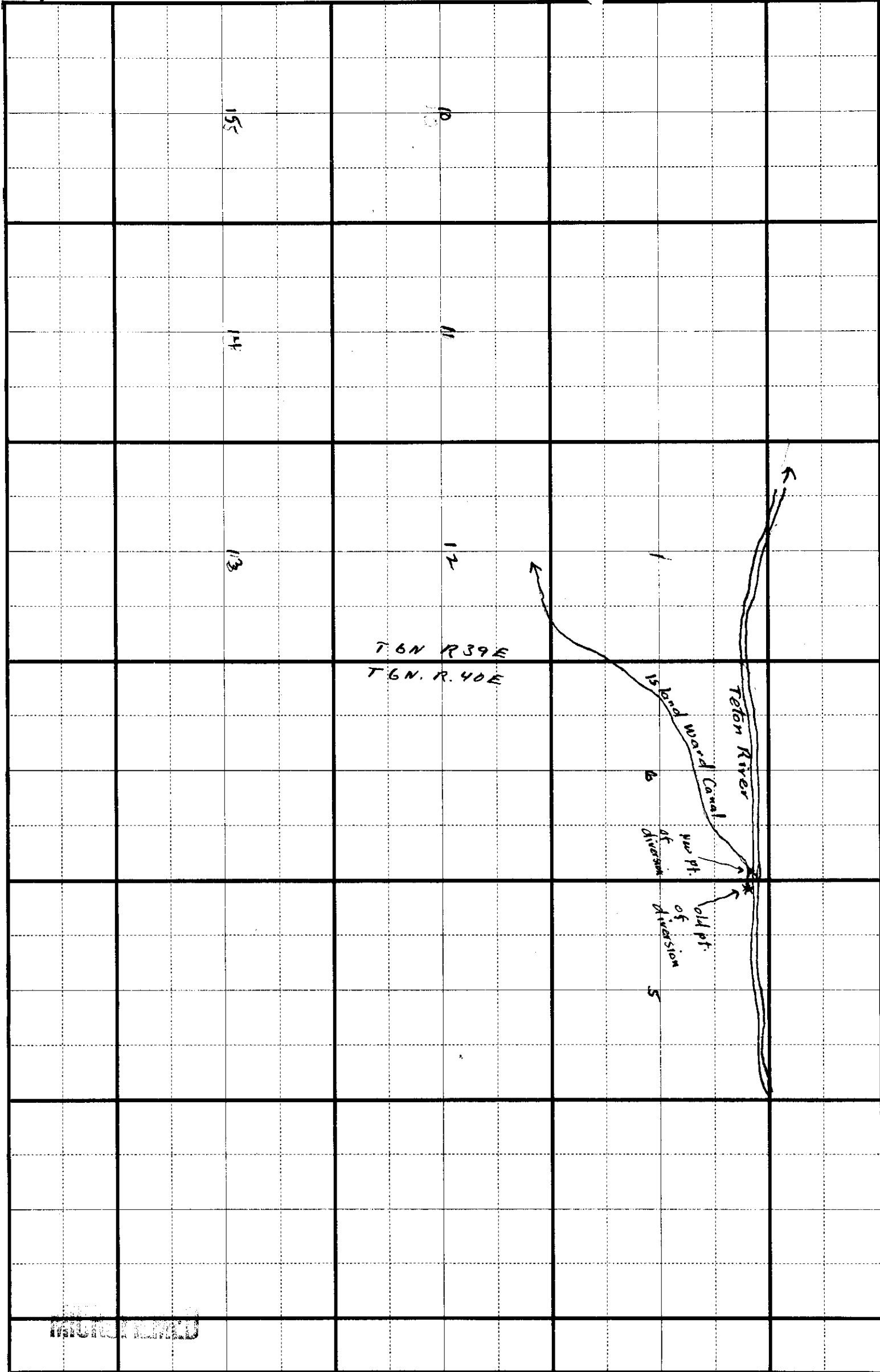
That no one will be injured by such change and that such change will be made at affiant's own risk.


J. F. Sellers, President of Affiant.
Island Ward Canal Company

Subscribed and sworn to before me this _____ day of _____, 19____.

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.

RECORDED



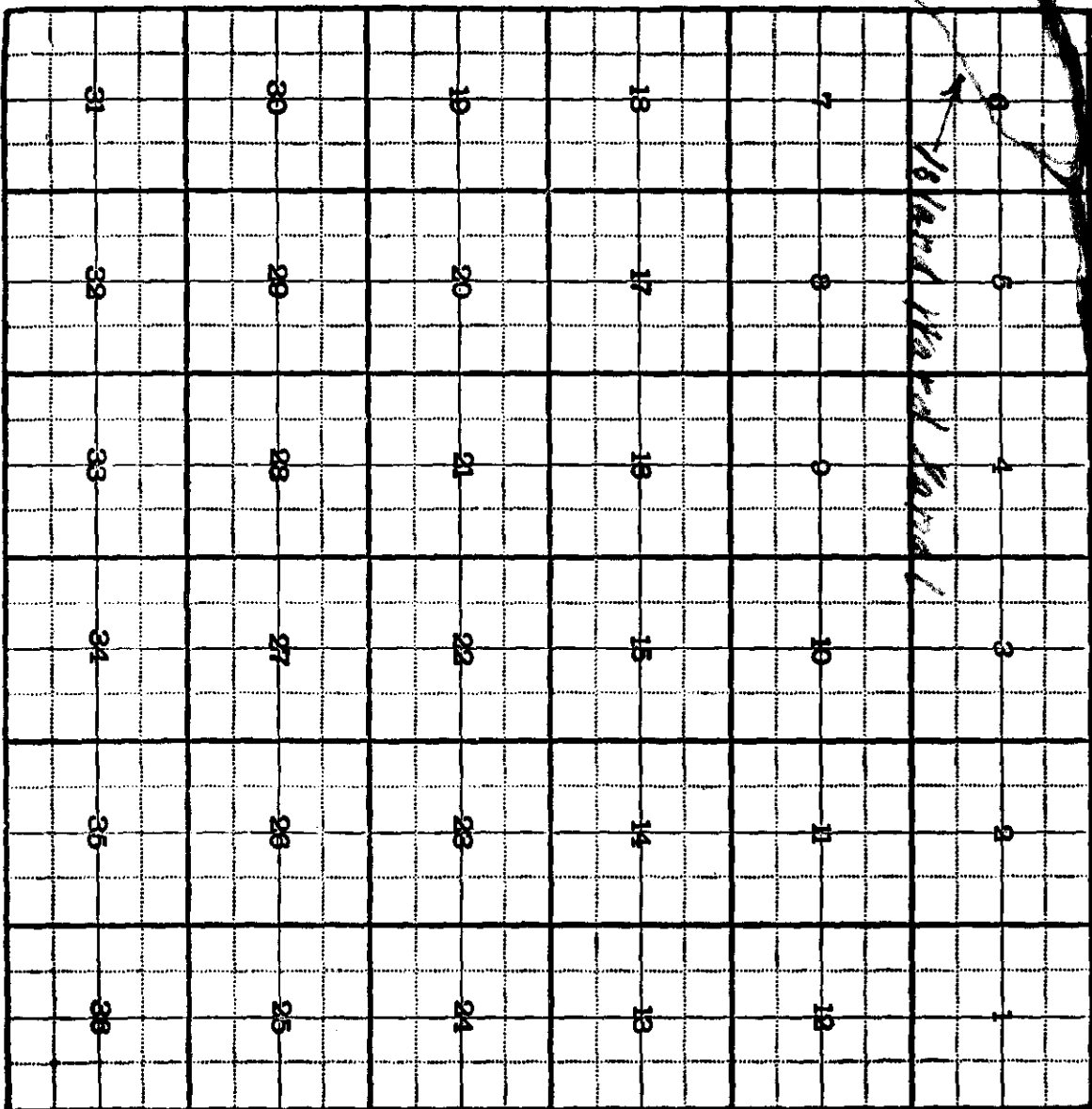
SCALE: ONE INCH TO ONE MILE

Township

6 N.

Range

4 E.



D. Transfer
220

July 13, 1954

Mr. J. F. Sellers
Rexburg
Idaho

Dear Mr. Sellers:

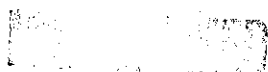
We acknowledge receipt of \$1.00 in currency and return
herewith your check for \$1.00, which was refused payment by
the bank.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.



July 12, 1954

Mr. J. F. Sellers
Rexburg
Idaho

Dear Mr. Sellers:

We have received no reply to letter addressed you on July 7 advising that your check for \$1.00, on the Idaho Bank of Commerce, had been returned and requesting that you take up same at once by solvent remittance.

Perhaps you have overlooked this matter but it is important that you give it your immediate attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

*Recd. 7/13/54
(cash)*

RECEIVED
JUL 13 1954
STATE RECLAMATION ENGINEER

July 7, 1954

Mr. J. F. Sellers
Rexburg
Idaho

Dear Mr. Sellers:

We are advised by the State Treasurer that your check for \$1.00 for recording Certificate for Change of Point of Diversion No. 220 of the Island Ward Canal Co. has been returned by the Idaho Bank of Commerce marked "No Funds".

We shall expect you to send us solvent remittance to take up this returned check ~~for \$1.00.~~ *by return mail*

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

Dean Barline	Tacoma City Light	Tacoma, Wash.
D. D. Moffat Jr.	Utah Power and Light Co.	Salt Lake City, Utah
K. H. Robinson	Washington Water Power Co.	Spokane, Wash.
J. Frank Ward	Engineering Agenda Committee	Seattle, Wash.
W. Jack Mosley	Engineering Committee	Portland, Oregon
Jack D. Stevens	Bonneville Power Administration	Portland, Oregon
J. F. Miles	British Columbia Electric Co.	Victoria, B. C.
A. A. Lambert	Consolidated Mining & Smelting Company	Trail, B. C.
Fred E. Buck	State Engineer	Helena, Montana
E. Robert de Luccia	Pacific Power and Light Co.	Portland, Oregon
C. F. Monson	Puget Sound Power & Light Co.	Seattle, Wash.
Carl F. Pflugmacher	Tacoma City Light	Tacoma, Wash.
V. B. Jones	Tacoma City Light	Tacoma, Wash.

J. F. Seller 100-

Ida Bank to 1 Risting

~~March~~ 6 -

May -

[illegible]

$\frac{7}{3}$

June 15, 1954

Mr. Lynn Crandall
Box 697
Idaho Falls, Idaho

Dear Mr. Crandall:

We enclose original and duplicate copies of Certificate of Change of Point of Diversion No. 220 in the name of Island Ward Canal Company one of which is for yourself and the other for the applicant.

We also enclose departmental receipt No. 26714 for the \$1.00 recording fee paid by Mr. Sellers.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

A:hll
Enc.

RECEIVED
MAY 28 1954
Department of Reclamation

Idaho Falls, Idaho
May 27, 1954

Mr. J. F. Sellers
Rexburg, Idaho

Dear Mr. Sellers:

Mr. Mark Kulp has sent me your affidavit for change of point of diversion of the Island Ward Canal on account of a number of errors that you made in filling out the form I gave you in 1950.

I have made out a corrected form and am enclosing same with a map attached. You will have to sign same before a Notary Public and then send to Mark Kulp, State Reclamation Engineer, State House, Boise. I am also returning your old erroneous application.

Very truly yours,

Lynn Crandall
Watermaster

cc: Mark Kulp

May 26, 1954

Mr. Lynn Grandall, Watermaster
Water District No. 36
P. O. Box 697
Idaho Falls, Idaho

Dear Lynn:

At last we have received the affidavit of publication in connection with the change of point of diversion for decreed water right in the name of the Island Ward Canal Company.

In starting to write up the Certificate of Change of Point of Diversion we have run across a few things we think are not entirely correct.

We return the affidavit to you and will request your comments or corrections before we write this Certificate.

In looking over the affidavit we assume that they are only changing their ditch heading to a short distance down stream. We think probably as long as the point of diversion is in the same 40 acre subdivision the Certificate should show approximately so many feet Below the old heading.

We also find in the decree decreed to the Island Ward Canal Co. an amount of 100 cubic feet per second with priority of January 23, 1901.

The affidavit calls for a change of heading for 10 cubic feet per second. Is this correct?

The affidavit states: By decree of Clerk F. J. Cowen-Referee. Should this not be Judge J. M. Stevens?

The affidavit also states that the water is decreed to the Rexburg Irrigation Co. Isn't this an error?

Thank you kindly for the information.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T:br

December 10, 1953

Mr. Cecil T. Clements
Secretary Island Ward Canal Co.
Rexburg, Idaho

Dear Mr. Clements:

This department received an affidavit for change of point of diversion from the Island Ward Canal Company signed by J. F. Sellers as president, sometime during March of 1950.

Notice of change of point of diversion was published in the Rexburg Standard sometime during March, 1950.

We have written Mr. Sellers on several different occasions and have received no reply, requesting him to send this office the affidavit of publication from the Rexburg Standard, which is necessary before we can furnish you a Certificate of Change in Point of Diversion.

We hold a check signed by Mr. J. F. Sellers to the amount of \$1.00 which is the statutory fee for recording.

Very truly yours,

MARSH R. KULP
State Reclamation Engineer
By

Roy M. Thompson
Supervisor Water Distribution

T/re

August 3, 1951

Mr. J. F. Sellers, President
Island Ward Canal Company
Rexburg, Idaho

Dear Mr. Sellers:

We have written you a couple of times, once on April 4, 1950, and again on January 8, 1951, advising you that there have been no protests filed in connection with your application for change of point of diversion of a water right in the Teton River, and requesting that you send us the affidavit of publication from the Rexburg Standard, in order that your application can be approved and certificate of change of point of diversion issued.

It is important that this matter be given your early attention.

Very truly yours,

MARK H. KULP
State Reclamation Engineer

By: Roy C. Thompson
Supervisor of Water Distribution

RWT:fg

cc: Lynn Grandall

RECEIVED

January 8, 1951

Mr. J. F. Sellers, President
Island Ward Canal Company
Rexburg, Idaho

Dear Mr. Sellers:

Under date of April 4, 1950, we sent you the following letter:

"There have been no protests filed in connection with your Application for Change of Point of Diversion of a Water Right in the Teton River.

Therefore, upon receipt of the Affidavit of Publication which the Rexburg Standard was instructed to send you, a Certificate of Transfer will be issued."

To date, we have had no reply to this letter, so we are again writing you, asking you to please comply with said request so that we can complete Certificate of Transfer.

Very truly yours,

MARK R. TULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bn

April 4, 1950

Mr. J. F. Sellers, President
Island Ward Canal Company
Rexburg, Idaho

Dear Mr. Sellers:

There have been no protests filed in connection with your Application for Change of Point of Diversion of a Water Right in the Teton River.

Therefore, upon receipt of the Affidavit of Publication which the Rexburg Standard was instructed to send you, a Certificate of Transfer will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy E. Thompson
Supervisor of Water Distribution

RST:bh

March 8, 1950

Mr. J. F. Sellers, President
Island Ward Canal Company
Rexburg, Idaho

Dear Mr. Sellers:

We acknowledge receipt of your letter of March 6,
enclosing Affidavit for Change of Point of Diversion of your
Decreed Water Right in the Teton River.

Notice of this application has been sent to the
Rexburg Standard with instructions to publish it once a week
for two consecutive weeks prior to April 3, 1950, which is the
date set for hearing in the event that anyone wishes to appear
and make a protest.

If no protests are made, the application will be ap-
proved and Certificate for Change of Point of Diversion issued
upon receipt from you the Affidavit of Publication which the
Rexburg Standard has been instructed to send you together with
statement of publication costs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh

RECEIVED
MARCH 10 1950

Form No. 11-A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Date March 2, 1950

Re Rexburg Standard,
Rexburg, Idaho.

Gentlemen:

Enclosed you will find notice for publication once a week for two consecutive weeks prior to April 3, 1950 the date set for the hearing, the expense of the publication to be paid by the applicant, **J.F. Sellers, Pres. Island Ward Canal Co. Rexburg, Idaho.**

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

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 **Roy.W.Thompson,**
Supervisor of Water Distribution.

RECEIVED
MAR 2 1950

NOTICE OF PROPOSED CHANGE IN POINT OF DIVERSION,

Notice is hereby given, that the Island Ward Canal Company, of Rexburg Idaho, has applied to the State Reclamation Engineer of the State Of Idaho, for a certificate authorizing them to change the point of diversion, now located in the NW¹NW¹ Section 6, Twp. 6.N. Range 40.E. to a new point of diversion approximately 660 feet distant down river, to a point located in the NW¹NW¹ Section 6, Twp. 6.N. Rge. 40.E. on Teton River. And that on the 3 rd, day of April, 1950 at 10 A.M. at room 107 State House, Boise Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given all persons to appear and present, ~~and~~ for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

MARK. R. KULE.

State Reclamation Engineer.

RECEIVED

Rexburg, Idaho
March 6, 1950

Mr. Mark R. Kulp
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

RECEIVED
MAR 8 1950
Department of Reclamation

Dear Mr. Kulp:

Enclosed is an Affidavit for Change of Point of Diversion of Decreed Water Right completed for the Island Ward Canal Company according to the directions in your letter of January 19, 1950. Mr. Lynn Crandall, Watermaster of District No. 36, has approved the affidavit. My check for \$1.00 is enclosed to cover recording fees.

Please approve the application and prepare a Notice of Publication for our use in the local newspapers.

Sincerely yours,


J. F. Sellers, President
Island Ward Canal Company

Enclosures 2

JFS:ac

RECEIVED

January 19, 1950

Mr. J. F. Sellers, President
Island Ward Canal Company
Rexburg, Idaho

Dear Mr. Sellers:

In replying to your letter of January 17, 1950, stating that you wish to be advised as to the procedure to follow in changing point of diversion of your canal heading diverting from Teton River, reference is made to Statute 41-108 and 41-218 Idaho Code Annotated.

We are enclosing herewith, a form of affidavit to be filled out for the purpose of applying to this Department for a change of point of diversion. Answer all questions and sign before a Notary Public and have the same approved by Mr. Lynn Crendell, Watermaster of your district, and mail to this office, accompanied by your check to the amount of \$1.00 to cover recording fees.

This Department will then prepare a Notice of Publication, stating the facts in the case, which must be published in one of your County papers for two weekly issues, expense of the publication to be paid by the applicant.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:bh
Enc.



Rexburg, Idaho
January 17, 1950

RECEIVED
JAN 19 1950
Department of Reclamation

Mr. Mark Kulp
State Engineer
Boise, Idaho

Dear Mr. Kulp:

The Island Ward Canal Company is desirous of diverting the canal head on the Teton River about one-fourth of a mile down stream. Kindly give us permission to do this, or advise us regarding steps to be taken in making the change.

Sincerely yours,


J. F. Sellers, President
Island Ward Canal Company

JFS:ac

RECEIVED