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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4014

WATER RIGHT NO(S). 21-00048/21-00049/21-00050/21-00073B
21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

This is to certify that: **NORTH FREMONT CANAL SYSTEMS INC**
C/O JEFF MAROTZ
1245 N 4300 E
ASHTON ID 83240

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	
Right No. 21-00048 :			
IRRIGATION	04/15 to 10/15	34.00 CFS	
Priority: 04/01/1896			
Right No. 21-00049 :			
IRRIGATION	04/15 to 10/15	12.00 CFS	
Priority: 05/01/1904			
Right No. 21-00050 :			
IRRIGATION	04/15 to 10/15	40.00 CFS	
Priority: 05/01/1905			
Right No. 21-00073B :			
IRRIGATION	04/15 to 10/15	4.00 CFS	840.0 AF
Priority: 11/05/1895			
Right No. 21-00073D :			
IRRIGATION	04/15 to 10/15	4.00 CFS	840.0 AF
Priority: 11/05/1895			
Right No. 21-00073F :			
IRRIGATION	04/15 to 10/15	3.92 CFS	
Priority: 11/05/1895			
Right No. 21-00073J :			
IRRIGATION	04/15 to 10/15	317.66 CFS	22,120.0 AF
Priority: 11/05/1895			
Right No. 21-00075 :			
IRRIGATION	04/15 to 10/15	3.00 CFS	
Priority: 06/01/1894			

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TRANSFER NO. 4014
WATER RIGHT NO(S). 21-00048/21-00049/21-00050/21-00073B
21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 21-00114D :			
IRRIGATION	04/15 to 10/15	2.80 CFS	
Priority: 06/01/1890			
Right No. 21-00140 :			
IRRIGATION	04/15 to 10/15	100.00 CFS	21,000.0 AF
Priority: 05/01/1906			
TOTAL:		521.38 CFS	110,386.5 AF

SOURCE
FALLS RIVER

TRIBUTARY OF
HENRYS FORK

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 4, Township 08N, Range 42E
 NESE , Sec. 21, Township 08N, Range 42E
 SESE , Sec. 22, Township 08N, Range 42E
 SWNW , Sec. 13, Township 09N, Range 42E
 NWNE , Sec. 23, Township 09N, Range 42E
 NESE , Sec. 23, Township 09N, Range 42E
 NWNE , Sec. 25, Township 09N, Range 42E
 * NESE , Sec. 35, Township 09N, Range 43E
 NWNW , Sec. 35, Township 09N, Range 44E
 NWSW , Sec. 33, Township 09N, Range 45E
 FREMONT County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	42E	1	NENE 39	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 38	
			NWSW 37	SWSW 39	SESW 39	
			NESE 40	NWSE 40	SWSE 40	
			SESE 36			628
		2	NENE 31	NWNE 34	SWNE 40	
			SENE 39	NENW 13	NWNW 38	
			SWNW 15	SENW 39	NESW 39	
			NWSW 37	SWSW 40	SESW 40	
			NESE 40	NWSE 39	SWSE 40	
			SESE 38			562
		3	NENE 38	NWNE 39	SWNE 40	
			SENE 40	NENW 25	NWNW 36	
			SWNW 38	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 38	

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PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		NESE	35	NWSE	30	
		SESE	29			580
4		NENE	37	NWNE	39	
		SENE	40	SWNW	38	
		NESW	40	NWSW	40	
		SESW	40	NESE	39	
		SWSE	39	SESE	39	549
5		SWNE	25	SENE	25	
		NESW	40	SESW	30	
		NWSE	40	SWSE	40	
6		NESW	22	SWSW	13	
		NESE	38	NWSE	33	
		SESE	40			226
7		NENE	40	NWNE	40	
		NWNW	27	SWNW	40	
8		NENE	39	NWNE	39	
		SENE	40	NENW	40	
		SWNW	40	SENE	40	
		NWSE	15	SWSE	5	
9		NENE	40	NWNE	40	
		SENE	40	NENW	39	
		SWNW	40	SENE	40	
		NWSW	40	SWSW	39	
		NESE	40	NWSE	40	
		SESE	30			615
10		NENE	38	NWNE	34	
		SENE	40	NENW	30	
		SWNW	40	SENE	35	
		NWSW	10	SWSW	30	
		NESE	40	NWSE	40	
		SESE	40			577
11		NENE	40	NWNE	40	
		SENE	40	NENW	39	
		SWNW	40	SENE	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			637
12		NENE	39	NWNE	40	
		SENE	36	NENW	39	
		SWNW	40	SENE	40	
		NWSW	40	SWSW	40	
		NESE	38	NWSE	34	
		SESE	39			622
13		NENE	40	NWNE	40	
		SENE	36	NENW	40	

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21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 38	NWSE 40	SWSE 20	574
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 35	SENW 40	NESW 40	
			NWSW 35	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			630
15			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 37	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 37			634
16			SWNE 10	SENE 35	NESW 25	
			SESW 40	NESE 40	NWSE 38	
			SWSE 40	SESE 25		253
20			SENE 40	NESE 40	SESE 20	100
21			NWNE 40	SWNE 40	SENE 40	
			NENW 40	NWNW 40	SWNW 40	
			NESW 40	NWSW 40	SWSW 5	
			SESW 40	NESE 35	NWSE 40	440
22			NENE 25	NWNE 30	NENW 30	
			NWNW 30	SWNW 20	SENW 20	155
23			NENE 40	NWNE 40	SWNE 13	
			SENE 13	NENW 20	NWNW 8	134
24			NENW 10	NWNW 30	SWNW 13	53
43E	3		NENE 4	NWNE 32	SWNE 5	
			NENW 40	NWNW 40	SWNW 37	
			SENW 39	NWSW 21	SWSW 19	237
	4		NENE 38	NWNE 40	SWNE 25	
			SENE 17	NENW 40	NWNW 39	
			SWNW 40	SENW 36	NESW 30	
			NWSW 20	NWSE 35	SWSE 25	
			SESE 33			418
5			NENE 38	NWNE 38	SWNE 38	
			SENE 39	NENW 40	NWNW 40	
			SWNW 38	SENW 40	NESW 40	
			NWSW 38	SWSW 38	SESW 40	
			NESE 37	NWSE 38	SWSE 37	579
6			NENE 39	NWNE 34	SWNE 40	
			SENE 37	NENW 40	NWNW 38	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 39	SESW 40	

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WATER RIGHT NO(S). 21-00048/21-00049/21-00050/21-00073B
 21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			627
7			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 32	NWNW 36	
			SWNW 30	SENW 40	NESW 40	
			NWSW 39	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 34	
			SESE 11			582
8			NWNE 35	NENW 40	NWNW 40	
			SWNW 40	SENW 5	NWSW 15	175
9			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 35		195
10			NWNW 31	SWNW 38		69
18			NWNE 10	SWNE 28	NENW 40	
			NWNW 40	SENW 16	NESW 8	
			NWSW 10			152
09N 42E 13			SWNE 20	SWNW 35	SENW 32	
			NESW 39	NWSW 36	SWSW 40	
			SESW 40	NESE 16	NWSE 40	298
14			SENE 10	NESE 37	NWSE 4	
			SWSE 20	SESE 40		111
22			NENE 30	NWNE 30	SWNE 40	
			SENE 39	NENW 5	SENW 39	
			NESW 39	SWSW 25	SESW 40	
			NESE 37	NWSE 40	SWSE 40	
			SESE 35			439
23			NENE 38	NWNE 36	SWNE 25	
			SENE 29	NENW 7	NWNW 22	
			SWNW 40	SENW 40	NESW 40	
			NWSW 30	SWSW 20	SESW 20	
			NESE 10	NWSE 20	SWSE 40	
			SESE 25			442
24			NENE 40	NWNE 40	SWNE 38	
			SENE 40	NENW 40	NWNW 36	
			SWNW 36	SENW 40	NESW 30	
			NWSW 25	SWSW 34	NESE 16	
			NWSE 40	SESE 40		495
25			SWNE 30	SENE 10	NWNW 38	
			SWNW 26	NWSW 10	NESE 5	
			SESE 40			159
26			NENE 33	NWNE 33	SWNE 38	
			SENE 38	NENW 40	NWNW 17	
			SWNW 20	SENW 40	NESW 40	
			NWSW 17	SWSW 35	SESW 39	
			NESE 27	NWSE 38	SWSE 37	

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21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SESE 38			530
27			NENE 40	NWNE 20	SWNE 30	
			SENE 35	NENW 35	NWNW 15	
			NESW 40	NWSW 35	SWSW 35	
			SESW 39	NESE 33	NWSE 39	
			SWSE 39	SESE 37		472
28			NESE 1	SWSE 7	SESE 28	36
32			SESE 4			4
33			NENE 40	NWNE 30	SWNE 30	
			SENE 40	NESW 35	NWSW 15	
			SWSW 38	SESW 35	NESE 40	
			NWSE 36	SWSE 39	SESE 39	417
34			NENE 28	NWNE 38	SWNE 40	
			SENE 40	NENW 40	NWNW 30	
			SWNW 37	SENW 38	NESW 40	
			NWSW 37	SWSW 37	SESW 37	
			NESE 40	NWSE 40	SESE 39	561
35			NENE 28	NWNE 38	SWNE 40	
			SENE 32	NENW 40	NWNW 35	
			NESE 39	NWSE 14	SWSE 36	
			SESE 38			340
36			NENE 31	SWNE 40	SENE 40	
			SWNW 36	SENW 36	NESW 34	
			NWSW 36	SWSW 40	SESW 37	
			NESE 34	NWSE 39	SWSE 36	
			SESE 34			473
43E 13			SWNE 30	SENE 30	SENW 20	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40	NWSE 20	SWSE 20	280
14			SENW 13	NESE 16	SESE 18	47
18			NESW 3	NWSW 17	SWSW 40	60
19			NWNE 35	SWNE 27	SENE 16	
			NENW 40	NWNW 40	SWNW 39	
			SENW 40	NESW 40	NWSW 38	
			SWSW 39	SESW 39	NESE 38	
			NWSE 30	SWSE 40	SESE 40	541
20			SWNE 25	SENE 35	SWNW 20	
			SENW 25	NESW 40	NWSW 40	
			SWSW 36	SESW 40	NESE 39	
			NWSE 40	SWSE 40	SESE 40	420
21			NWNE 3	SWNE 37	SENE 21	
			NENW 2	SWNW 32	SENW 37	
			NESW 40	NWSW 39	SWSW 38	
			SESW 40	NESE 37	NWSE 40	
			SWSE 40	SESE 40		446

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21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
22		NENE 25	SWNE 39	SENE 40		
		SWNW 35	SENW 39	NESW 39		
		NWSW 35	SWSW 39	SESW 37		
		NESE 40	NWSE 40	SWSE 39		
		SESE 38				485
23		NENE 38	NWNE 38	SWNE 38		
		SENE 39	NENW 38	NWNW 38		
		SWNW 38	SENW 40	NESW 40		
		NWSW 39	SWSW 38	SESW 35		
		NESE 40	NWSE 39	SWSE 38		
		SESE 39				615
24		NENE 40	NWNE 35	SWNE 34		
		SENE 33	NENW 35	NWNW 39		
		SWNW 40	SENW 35	NESW 39		
		NWSW 40	SWSW 35	SESW 40		
		NESE 40	NWSE 40	SWSE 40		
		SESE 40				605
25		NENE 28	NWNE 40	SWNE 39		
		SENE 39	NENW 40	NWNW 35		
		SWNW 40	SENW 40	NESW 40		
		NWSW 40	SWSW 35	SESW 40		
		NESE 39	NWSE 40	SWSE 40		
		SESE 36				611
26		NENE 40	NWNE 35	SWNE 40		
		SENE 39	NENW 36	NWNW 38		
		SWNW 36	SENW 40	NESW 39		
		NWSW 38	SWSW 36	SESW 35		
		NESE 36	NWSE 40	SWSE 35		
		SESE 25				588
27		NENE 38	NWNE 39	SWNE 39		
		SENE 39	NENW 33	NWNW 39		
		SWNW 38	SENW 36	NESW 38		
		NWSW 40	SWSW 40	SESW 40		
		NESE 40	NWSE 38	SWSE 40		
		SESE 37				614
28		NENE 39	NWNE 40	SWNE 36		
		SENE 36	NENW 40	NWNW 40		
		SWNW 35	SENW 39	NESW 40		
		NWSW 40	SWSW 40	SESW 40		
		NESE 39	NWSE 40	SWSE 40		
		SESE 40				624
29		NENE 39	NWNE 40	SWNE 40		
		SENE 38	NENW 40	NWNW 40		
		SWNW 40	SENW 40	NESW 40		
		NWSW 39	SWSW 31	SESW 40		

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 WATER RIGHT NO(S). 21-00048/21-00049/21-00050/21-00073B
 21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
		NESE	39	NWSE	40	
		SESE	35			621
30		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	26	
		NESE	40	NWSE	40	
		SESE	40			622
31		NENE	35	NWNE	39	
		SENE	40	NENW	39	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	39	
		NESE	40	NWSE	40	
		SESE	40			627
32		NENE	40	NWNE	39	
		SENE	40	NENW	40	
		SWNW	39	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	36	
		SESE	36			606
33		NENE	38	NWNE	38	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	39	SWSW	34	
		NESE	38	NWSE	38	
		SESE	37			616
34		NENE	40	NWNE	38	
		SENE	38	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	36	
		NESE	20	NWSE	14	
		SESE	25			563
35		NENE	37	NWNE	36	
		SENE	40	NENW	39	
		SWNW	36	SENW	30	
		NWSW	26	SWSW	20	
		SWSE	15			417
36		NENE	38	NWNE	40	
		SENE	33	NENW	37	
		SWNW	40	SENW	38	
44E 17		SWNW	16	NESW	36	
		SWSW	39	SESW	36	
		NWSE	30	SWSE	37	
		SWNE	8	SENE	14	
18		NWSW	36	SWSW	39	
						299

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21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		NESE	34	NWSE	38	
		SESE	38			323
19		NWNE	33	SWNE	32	
		NWNW	36	SWNW	39	
		NESW	39	NWSW	39	
		SESW	35	NESE	39	
		SWSE	38	SESE	38	518
20		NENW	35	NWNW	38	
		SESW	39	NESW	40	
		SWSW	34	SESW	33	
		NWSE	35	SWSE	33	435
21		SWNE	40	SENE	38	
		SESW	38	NESW	40	
		SWSW	37	SESW	40	
		NWSE	40	SWSE	38	466
22		NWNE	40	NWNW	25	
		SESW	35	NESW	20	
		SESW	37			227
27		NENW	19	NWNW	39	
		SESW	12	NESW	22	
		SWSW	5	SESW	18	
		SWSE	21	SESE	10	241
28		NENE	32	NWNE	38	
		SENE	32	NENW	38	
		SWNW	40	SESW	39	
		NWSW	35	SWSW	40	
		NESE	36	NWSE	37	
		SESE	33			591
29		NENE	34	NWNE	39	
		SENE	40	NENW	38	
		SWNW	39	SESW	38	
		NWSW	38	SWSW	39	
		NESE	40	NWSE	40	
		SESE	34			598
30		NENE	39	NWNE	38	
		SENE	39	NENW	36	
		SWNW	39	SESW	39	
		NWSW	37	SWSW	39	
		NESE	37	NWSE	40	
		SESE	39			619
31		NENE	35	NWNE	40	
		SENE	5	NENW	39	
		SWNW	28	SESW	36	243
32		NWNW	17			17

Total number of acres irrigated: ** 31,539

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21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. The right holder shall provide the watermaster of State Water District No. 01, Snake River, with a water right distribution summary prior to each irrigation season designating the amount of water to be diverted from each point of diversion and specifying the associated water right number(s) and date of priority.
9. The right holder shall provide the watermaster of State Water District No. 01, Snake River, with an assignment of available storage water among the various points of diversion prior to the storage being delivered if the right holder does not wish the storage water to be uniformly available to all diversion points.
10. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on each diverting works in a manner that will provide the watermaster suitable control of the diversions and will allow determination of the total rate of diversion.
11. The total instantaneous diversion of water from all points of diversion under Transfer No. 4014 shall not exceed 521.38 cfs, nor total combined annual volume of 110,386.5 afa.
- * 12. Two points of diversion are located within NESE, S35, T09N, R43E.
- ** 13. Combined Right Nos. 21-00048, 21-00049, 21-00050, 21-00073B, 21-00073D, 21-00073F, 21-00073J, 21-00075, 21-00114D and 21-00140 are limited to the total combined irrigation of 31,539.0 acres in a single irrigation season.
- ** 14. Right No. 21-00073B is limited to the irrigation of 240 acres in the place of use described above in a single irrigation season.

OCT 03 1995

TRANSFER NO. 4014

WATER RIGHT NO(S). 21-00048/21-00049/21-00050/21-00073B
21-00073D/21-00073F/21-00073J/21-00075/21-00114D/21-00140

CONDITIONS/REMARKS:

- ** 15. Right No.21-00073D is limited to the irrigation of 240 acres in the place of use described above in a single irrigation season.
- ** 16. Right No.21-00073J is limited to the irrigation of 6,320 acres in the place of use described above in a single irrigation season.
- ** 17. Right No.21-00140 is limited to the irrigation of 6,000 acres in the place of use described above in a single irrigation season.

Dated this 2nd day of October, 1995.


Chief, Water Alloc. Bureau

OCT 03 1995

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Jefferson }

ss.

Louis J. Maurer, being first duly sworn, deposes and says: That his postoffice address is Ashland Idaho; That he is the owner of and using a certain water right, bearing date of priority of June 1 1892 150 inches June 1 1894 for 150 inches

~~on his first person~~ of the waters of Black Spring Creek, County of Fremont, State of Idaho, decreed to Louis J. Maurer 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 Co., et. al. vs. Teton Irrigation Canal Co., et. al. 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 Fremont, and State of Idaho, to-wit: 378 Acres of Land all in Sec 5-8-42 E R in
On 1 SW 1/4 SE 1/4 SW 1/4 SW 1/4 SE 1/4 NW 1/4 SE 1/4 S 1/2 NW 1/4 SW 1/4 NE 1/4
Lots 3 & 5

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 N E 1/4 NE 1/4 of Sec. 4, Twp. 8, Range 42 E B, and conducted to the above described lands through the Ditch 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 SE 1/4, Sec. 35, Twp. 9, Range 43, and thereafter conduct same to the above described land through the Farmers Own ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: The Expense of keeping up a flume about 1/4 of a mile long that is actually broken down by the snow & drifting over the edge of hills & a flume and breaking it down

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

Louis J. Maurer
Affiant.

Subscribed and sworn to before me this 12 day of July, 1929

Lillie M. Baudel
Notary Public for Idaho
Residing at Rigby Idaho

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.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

OCTOBER 2, 1995

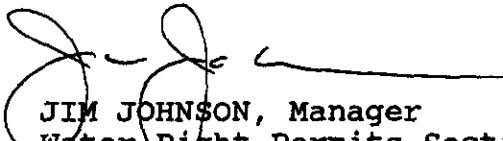
NORTH FREMONT CANAL SYSTEMS INC
C/O JEFF MAROTZ
1245 N 4300 E
ASHTON ID 83240

RE: Transfer of Water Right Nos. 21-00048/21-00049/21-00050/
21-00073B/21-00073D/21-00073F/21-00073J/21-00075/
21-00114D/21-00140

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4014). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED
OCT 03 1995

MEMORANDUM

TO: Files 21-00049/00050/00073/00075/00114/00140

FROM: Sharla

DATE: October 21, 1992

RE: Trans. #4014

See file 21-00048 for all correspondence regarding the above referenced transfer.

OCT 03 1995

January 27, 1949

Mr. Lynn Crandall, Watermaster
Water District No. 36
Box 697
Idaho Falls, Idaho

Dear Mr. Crandall:

Reference is made to letter of January 25 from Mr. H. C. Eagle returning Certificate No. 197 issued to Stanley Loosli for change of point of diversion and requesting that the priority date be changed from June 1, 1894, to June 1, 1892.

We have made this correction on Mr. Loosli's certificate which we return herewith together with the other papers attached to same.

We have made this correction on our office copy and request that you do the same with your copy of this certificate.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

T/gt
Encls.

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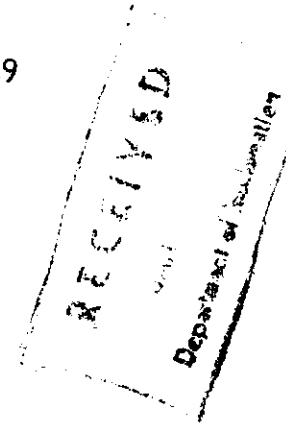
STATE of IDAHO
DEPARTMENT OF RECLAMATION
LYNN CRANDALL, WATERMASTER
IDAHO FALLS, IDAHO

WATER DISTRICT No. 36

C. A. ROBINS, GOVERNOR

MARK R. KULP, COMMISSIONER

January 25, 1949



Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mr. Kulp:

Returned herewith is certificate No. 197 issued to Mr. Stanley Loosli which should be corrected as shown in Mr. Crandall's letter of December 27.

Mr. Loosli states that it was his intention to transfer the 3.0 second-feet of priority date June 1, 1892 instead of that of June 1, 1894. If you can make this change on the corrected certificate, will you please do so.

Very truly yours,

H. C. Eagle

H. C. Eagle

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Idaho Falls, Idaho
August 18, 1928

Mr. G. Clyde Baldwin,
Special Deputy,
Idaho Falls, Idaho.

Dear Sir:

We the undersigned represent that we own and control 370 inches of water decreed in the names of A. P. Crab and L. J. Maurer from Black Springs Creek under dates of June 1, 1892 and June 1, 1894 respectively.

We further represent that because of defective irrigation structures it has been customary for a number of years past for us to irrigate a portion of our land from the Farmers Own Canal system in which we are stockholders.

At the present time we are unable to do this because of the fact that the Farmers Own decree has become invalid. In order to save our crops, therefore, we wish to change the point of diversion of our water from Black Springs Creek to the head of the Farmers Own Canal, this change to be made effective at the earliest possible date and to continue throughout the balance of the present irrigation season.

We further agree that we will use our best efforts to see that this water is delivered only to our own lands and that in the event evidence should be presented indicating that the water is being used elsewhere we will raise no objection to the immediate termination of this change. We also agree that during the time this change is effective we will divert no water whatsoever from Black Springs Creek.

Sincerely yours,

C O P Y

HAROLD JUNKER, MANAGER

CAPITAL \$1,400,000

UNITED STATES FIRE INSURANCE COMPANY OF NEW YORK
INCORPORATED 1824

PACIFIC DEPARTMENT

266 BUSH STREET

SAN FRANCISCO, CALIFORNIA

Ashton Idaho.

J u l y 11th

1 9 2 9

Mr Clyde C Baldwin
Water Commissioner
Idaho Falls Idaho.

Dear Sir:

Referring to the permanent transfer of the Black
Springs water rights of L. J. Maurer and John Swanstrum
it is agreeable that this transfer be made permanent
to THE FARMERS OWN DITCH CO LTD and that they will
accept this transfer of water.

Yours very truly,

R. W. Horner
President

John Swanstrum
Secretary.



H. C. BALDRIDGE, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEORGE N. CARTER, COMMISSIONER
G. CLYDE BALDWIN, DEPUTY

WATER DISTRICT NO. 36

IDAHO FALLS, IDAHO.

July 15, 1929

Mr. Fred Swanstrum, Secretary
Farmers Own Ditch Company, Ltd.,
Ashton, Idaho.

Dear Mr. Swanstrum:

Mr. Maurer has returned executed Affidavit for Change of Point of Diversion of the Black Springs Creek water which he has filled out to the best of his ability without having access to all the records, etc. The typewritten portion of this Affidavit has been added here in the office but I have no definite description of the Point of Diversion of the Farmers Own Canal nor am I sure as to exactly how much of the Black Springs water is controlled at the present time by Mr. Maurer. Last year John Swanstrum apparently owned a part of this water and should execute a similar Affidavit covering that portion to be sent in at the same time as Mr. Maurer's. If you can arrange to fill in the remaining blanks on this form and return same to me, together with similar form executed by Mr. John Swanstrum, I will see that both are forwarded to Boise promptly and will advise Mr. Kollenborn at St. Anthony to honor the change in Point of Diversion of the entire 370 inches provided this whole amount is covered in the two affidavits.

For your information, it might be well to state that these rights are described in the Decree Book as follows:

A. P. Crab	70 inches,	priority date	June 1, 1892.
L. J. Maurer	150 "	"	" June 1, 1892.
L. J. Maurer	150 "	"	" June 1, 1894.

It might also be well to explain that the theory upon which this Change of Place of Diversion is authorized without going through the usual requirements of advance county advertising and holding of a Hearing is that all the water so transferred is to be used upon the same land to which it was originally decreed. All diversion of water direct from Black Springs Creek under these original decrees must also cease immediately upon the Change in Point of Diversion becoming effective.

Sincerely yours,

G. Clyde Baldwin
Deputy.

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