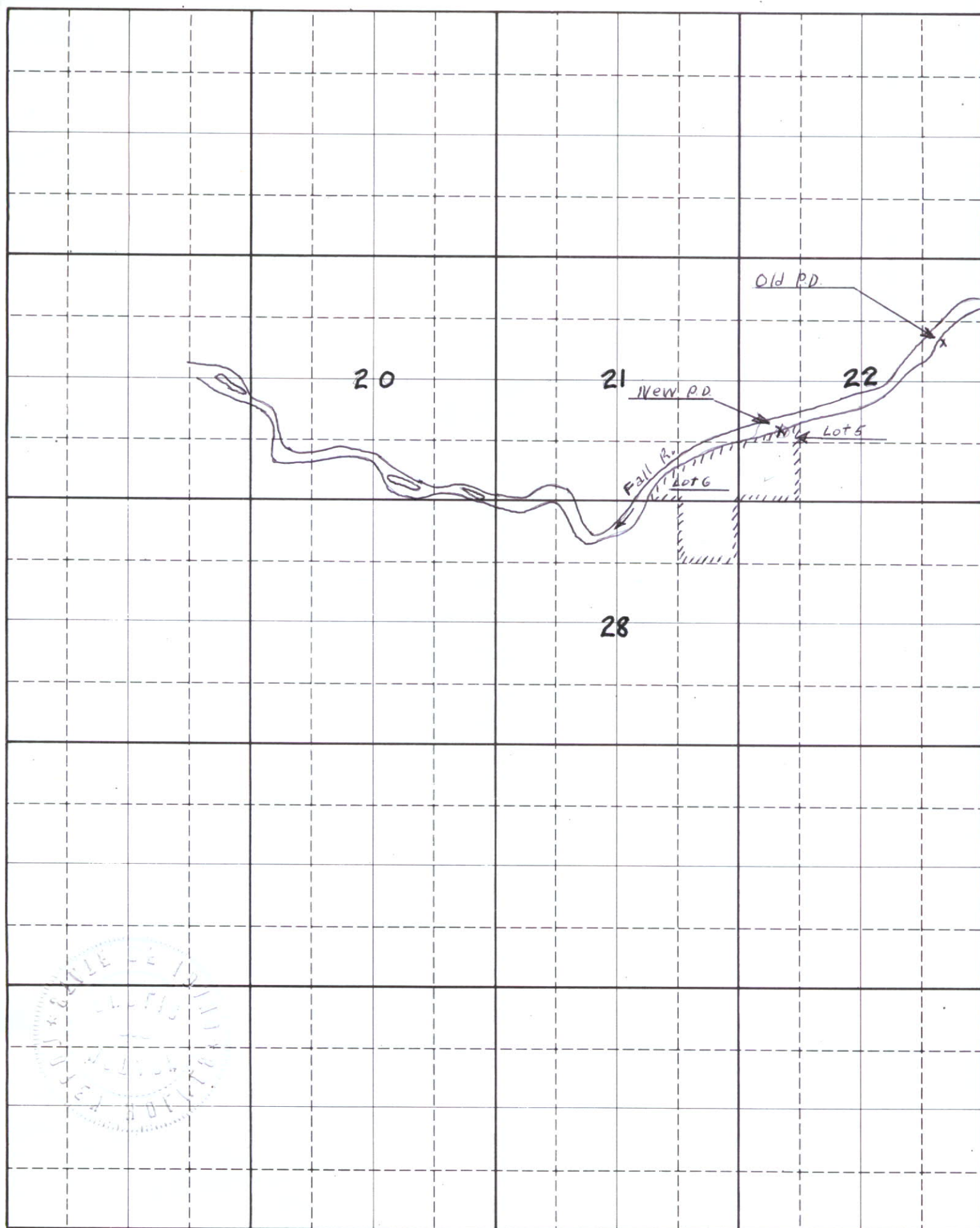


- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

**AFFIDAVIT OF
PUBLICATION**

State of Idaho
County of Fremont

ss.

Dorothy D Hunsaker

being first duly sworn, upon his
oath, deposes and says:

That he is the owner
of The Chronicle-News, a news-
paper as defined by Idaho
Codes Annotated, section 58-108,
as amended, and that said
newspaper is a weekly news-
paper printed and published at
St. Anthony, in Fremont County,
Idaho, having a general circula-
tion in said county, and that
said newspaper has been print-
ed and published as a weekly
newspaper in said county for
more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of Notice
of Proposed Change of
Water Right

And affiant further says that
said notice, advertisement or
publication, as per clipping
attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for two consecutive is-
sues thereof; first publication

having been made on the 11

day of March, 1976,

and the last publication on the

18 day of March

19 76

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Dorothy D Hunsaker
Subscribed in my presence and

sworn to before me this 26

day of March,

19 76

Notary Public for the
State of Idaho, resi-
(SEAL) dence and post office
address: St. Anthony,
Idaho.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 21-0019**

Notice is hereby given that Travis N.
Potter, Chester, Idaho, has applied to
the Department of Water Resources for a
change in the point of diversion of the
waters of fall River tributary to Henry's
Fork. The right sought to be changed is
evidenced by decree to C. J. Almy in
Case of Rexburg Irrigation Co. -vs-
Teton Irrigation Canal Co. et. al., dated
December 16, 1910 in Sixth District
Court, County of Fremont and is
recorded as follows:

AMOUNT: 3.00 cfs

PRIORITY: Sept. 24, 1900

POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 22, T. 8N, R. 42E, B.M., Fremont
County.

The water is used to irrigate 131.21
acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21,
W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28,
T. 8N, R. 42E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 8N, R. 42E,
B.M., Fremont County.

Any protest against approval of the
above proposed change of water right
must be filed with the Idaho Department
of Water Resources, 1515 Lincoln Road,
Idaho Falls, Idaho, 83401, on or before
March 29, 1976.

R. KEITH HIGGINSON
Director

Published in the Fremont County
Chronicle News, St. Anthony, Idaho, on
March 11 and March 18, 1976.

RECEIVED

APR 12 1976

Department of Water Resources
Eastern District Office

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 21-0019**

Notice is hereby given that Travis N. Potter, Chester, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of fall River tributary to Henry's Fork. The right sought to be changed is evidenced by decree to C. J. Almy in Case of Rexburg Irrigation Co. -vs- Teton Irrigation Canal Co. et. al., dated December 16, 1910 in Sixth District Court, County of Fremont and is recorded as follows:

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PRIORITY: Sept. 24, 1900
**POINT OF DIVERSION: SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 22, T. 8N, R. 42E, B.M., Fremont
County.**

The water is used to irrigate 131.21 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28, T. 8N, R. 42E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 8N, R. 42E, B.M., Fremont County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before March 29, 1976.

R. KEITH HIGGINSON
Director

Published in the Fremont County Chronicle News, St. Anthony, Idaho, on March 11 and March 18, 1976.

MICROFILMED

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	C. J. Almy	3.0	3.0	21-0019
1941	Travis N. Potter	3.00	0	21-0019

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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

APPROVED

Name of applicant Travis N. Potter

Phone 624-7110

Post office address Box 22, Chester, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to C. J. Almy (Alvary in Listing of rights by priority)
- (Name)
- in case of Rexburg Irrigation Co. vs Teton Irrigation Canal Co. et.al.
- dated 12-16-1910 in 6th District Court county of Fremont
- (Name of court)
- b. License No. issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
3. Source of water Fall River tributary to Henry's Fork
4. Date of priority 9-24-1900
5. Water is used for the following purposes:
- amount 3.00 for Irrigation purposes from Apr. 1 to Nov. 1
- amount for purposes from to
- amount for purposes from to
- (month/day – both dates inclusive)
6. Total amount of water under right: a. 3.00 cubic feet per second
- &/or
- b. acre feet per annum (Not Decreed)
7. Location of original point of diversion is SE ¼ of NE ¼ of Section 22
- Township 8N Range 42E, B.M., in Fremont County
- Additional points of diversion, if any
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	42E	21																L.6	35.76
		22										L.5	15.45	40					55.45
		28	40																40

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

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

3. Place of use:

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

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

1. Change in point of diversion

a. Amount of water to be diverted 3.00 c.f.s. &/or _____ acre feet

b. Point(s) of diversion NW ¼ SW ¼, Section 22 Township 8N
Range 42E, B.M., Fremont County
Additional points _____

c. Description of diverting works pump and pipeline

d. Describe the reasons for applying for a change in the point(s) of diversion _____
Conversion from surface to sprinkler irrigation

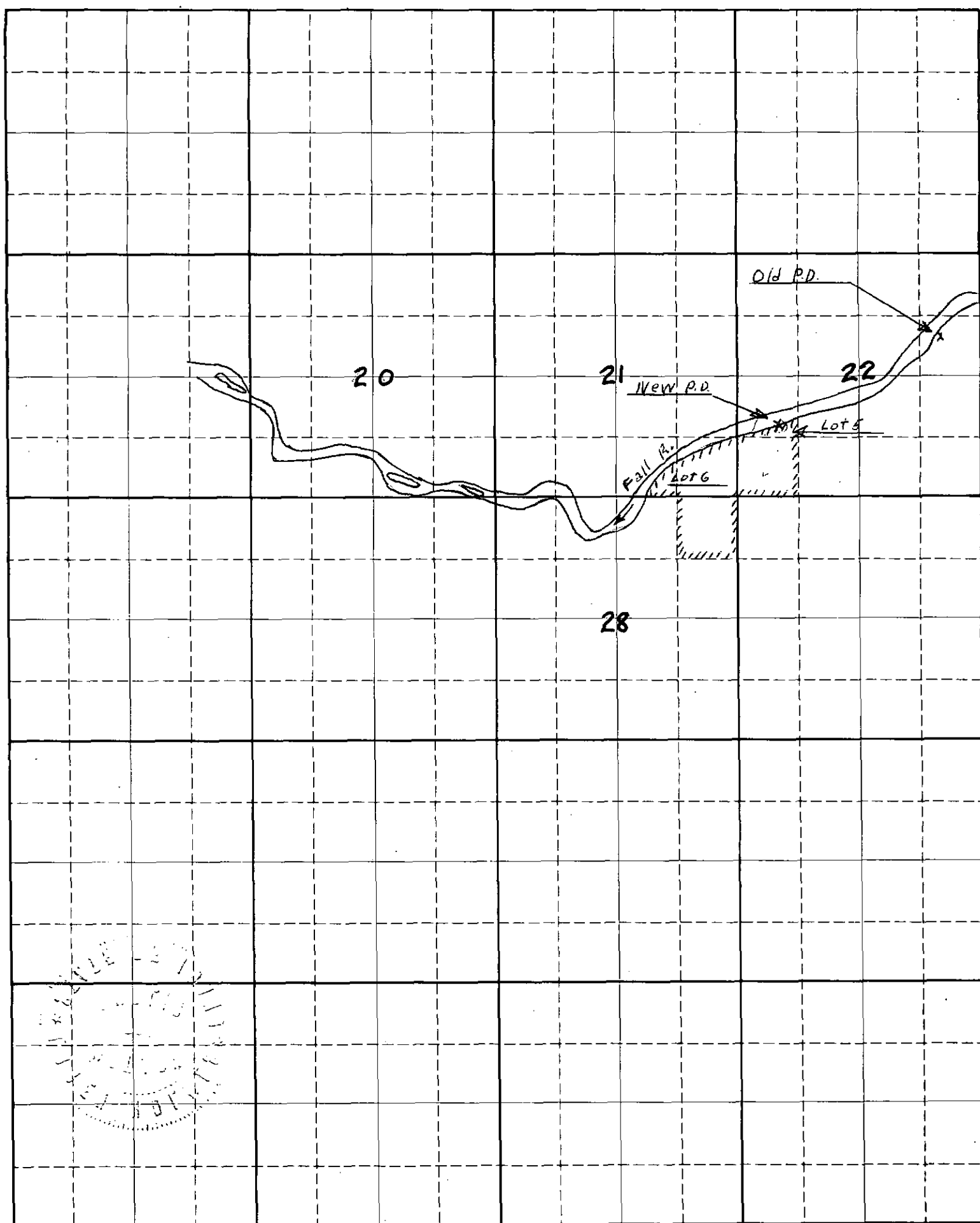
2. Change in place of use NO CHANGE

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

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

Total number of acres to be irrigated _____

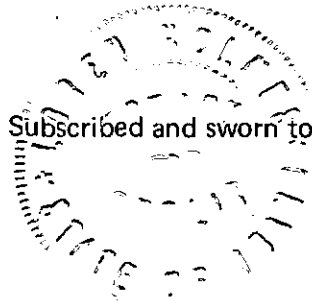
- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

3. Remarks _____

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



Loren M. Potter
(Signature of applicant)

Subscribed and sworn to before me this 2nd day of March, 19 76

Laren O. Halmer
(Notary public)

My commission expires Mar 21 1979

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 21-0019 (1941), and said application is hereby APPROVED.

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

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

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

Witness my hand this 12 day of May, 19 76

R. Keith Higginson
R. KEITH HIGGINSON, Director

FOR DEPARTMENT USE ONLY

Received by CW Date 3-02-76

Protest filed by _____

Prelim. check by LH Fee \$30.00 #15652

Receipted by CW Date 3-02-76

Published in Summit County Chronicle News

Copies of protest forwarded by _____

Pub. dates March 11 & 18, 1976

Hearing held by _____ Date _____

Watermaster recommendation requested on 3-09-76

Recommended for approval denial

_____ rec'd. 3-18-76

by DRT

51 10-24

WARRANTY DEED

For Value Received

Earl J. Potter and Margaret B. Potter, Husband and Wife, of
Chester, Fremont County, Idaho

the grantors, do hereby grant, bargain, sell and convey unto
Travis N. Potter and Marilyn A. Potter, Husband and Wife, of
Chester, Fremont County, Idaho

the grantee & the following described premises, to-wit:

NE $\frac{1}{4}$, Section 28, Township 8, Range 42

NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, Township 8, Range 42

S $\frac{1}{2}$ SW $\frac{1}{4}$; Lot 5, Section 22, Township 8 Range 42

Lot 6, Section 21, Township 8 Range 42

All located in Fremont County, Idaho.

Together with 150 inches of water in Fall River and all
water rights in Alma Ditch and all water appertaining
thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 15th day of December, 1975

Earl J. Potter

Margaret B. Potter

STATE OF IDAHO, COUNTY OF Fremont

On this 15th day of December, 1975,
before me, a notary public in and for said State, personally
appeared

Earl J. Potter and Margaret B.
Potter, Husband and Wife

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]

Notary Public
, Idaho

Residing at Ashton
Comm. Expires 4/18/78

STATE OF IDAHO, COUNTY OF Fremont

I hereby certify that this instrument was filed for record at
the request of Am. Land Title

at 10 minutes past 9:00 o'clock a.m.,
this 16th day of Dec 1975, in my office, and duly recorded in Book 341702
of Deeds at page

[Signature]
Ex-Officio Recorder

By Edna Burns Deputy.

Fees \$ 1.00
Mail to:

**AFFIDAVIT OF
PUBLICATION**

State of Idaho

County of Fremont

ss.

Dorothy D Hunsaker

being first duly sworn, upon his
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more than 78 consecutive weeks
prior to the first publication of
the attached notice, advertise-

ment or publication of Notice
of Proposed Change of
Water Right

And affiant further says that
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attached, was published in said
newspaper, in the regular and
entire issue thereof, and not in
any supplement issue thereof,

for two consecutive is-
sues thereof; first publication
having been made on the 11
day of March, 19 76,
and the last publication on the
18 day of March

19 76

And affiant further says that at
the times herein mentioned said
newspaper was made up of at
least four pages of at least five
columns each, printed from
type matter, of at least seven-
teen and three-fourths inches
deep.

Dorothy D Hunsaker
Subscribed in my presence and

sworn to before me this 26

day of March,

19 76

[Signature]
Notary Public for the
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(SEAL) dence and post office
address: St. Anthony,
Idaho.

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W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28,
T. 8N, R. 42E, B.M.

TO BE CHANGED AS FOLLOWS

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B.M., Fremont County.

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above proposed change of water right
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Idaho Falls, Idaho, 83401, on or before
March 29, 1976.

R. KEITH HIGGINSON
Director

Published in the Fremont County
Chronicle News, St. Anthony, Idaho, on
March 11 and March 18, 1976.

RECEIVED

APR 12 1976

Department of Water Resources
Eastern District Office

May 12, 1976

Re: Permit No. 21-0019

Travis N. Potter
Box 22
Chester, Idaho 83421

Dear Mr. Potter:

Enclosed is a copy of your approved Application for Transfer No. 21-0019.

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BBF:jfr

Enclosures

March 29, 1976

RE: Application for Transfer No. 21-0019 POTTER

Fremont County Chronicle News
Box 568
St. Anthony, Idaho 83445

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on March 11 and March 18, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

bc: Darlene

*Called
4-05-76
CW*

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 21-0019

MAR 18 1978

Department of Water Resources
Eastern District Office

RECOMMENDATION OF WATERMASTER

I, Arthur L. Larson, watermaster of _____,
of Water District No. 01, County of Bonneville, Fremont, etc, State of Idaho,
whose address is P.O. Box 1099, Idaho Falls
have read the attached copy of the application for transfer of water right for _____
Travis N. Potter, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: Suitable measuring device be installed
on pump line.

OR

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

Dated at Idaho Falls, Idaho, this 10th day of March 19 78.

Arthur L. Larson
(signature)

March 9, 1976

RE: Application for Transfer No. 21-0019 POTTER

Mr. Arthur Larson, Watermaster
Water District 01
Box 1099
Idaho Falls, Idaho 83401

Dear Art:

Please find enclosed a copy of the above referenced application and a watermaster recommendation form. Please review the application and complete the form, returning it to this office on or before March 29, 1976.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enclosure

March 5, 1976

RE: Application for Transfer No. 21-0019 POTTER

Fremont County Chronicle News
Box 568
St. Anthony, Idaho 83445

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 time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (1)

Bill submitted _____ by _____

Bill not certified - returned

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT,
NO. 21-0019**

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R. KEITH HIGGINSON

Director

Published in the Fremont County Chronicle News, St. Anthony, Idaho, on March 11 and March 18, 1976.

NO. 21-0019

Me-H.
The G.

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

1. Source Fall River Name Travis N. Potter

2. Right Being Transferred Right No. 21-0019

a. ☒ Decree Transfer No. 21-0019

☐ License

☐ Use

b. ☐ Priority

c. ☒ Location - Original P. D.

d. ☐ " - Original P. U.

e. ☒ " - New P.D.

f. ☒ No " - New P.U.

g. ☒ Amount

☐ All

☐ Part

3. ☒ Proof of Ownership of Right

Comment ~~No~~ Copy of Deed

4. No Expansion of Right

Comment _____

5. ☒ Map

6. ☒ Signature

7. ☒ Fee

8. Watermaster's Comments 01 - IN FILE

9. Comments _____

10. Initial Review by Dill Graham Date 3/2/76

11. Recommended Action

☒ Approve

☐ Deny

☒ Conditions MEASURING DEVICE

By RDC Date 4/16/76

Copy Made