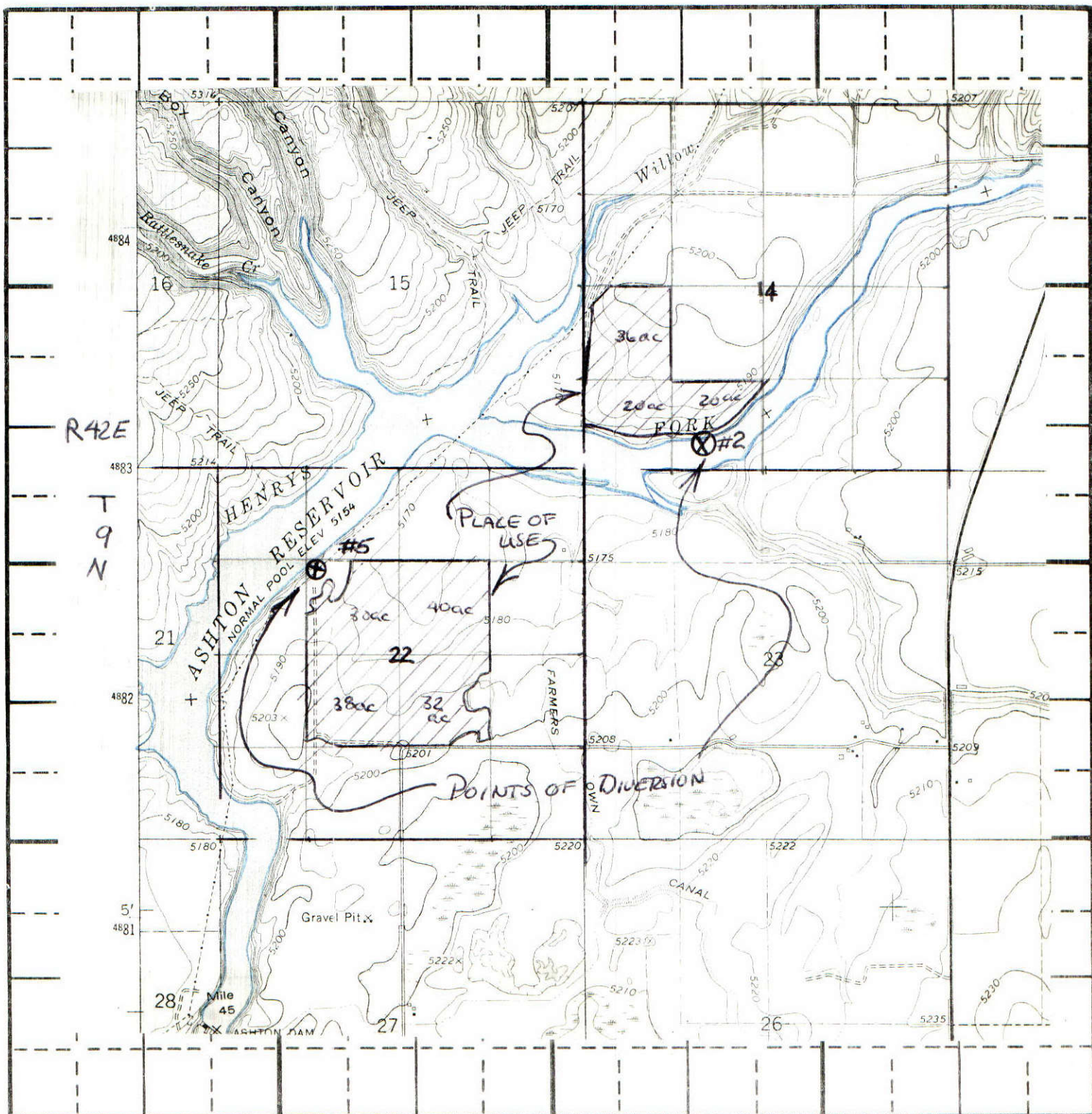


c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	42E	14										36	L-6 20	L-7 20					76
		22			40					L-6 30	38					32			140

Total number of acres to be irrigated 216

4. Describe any other water rights used for the same purpose as described above. 21-7214 / 7278 (Permits)
5. 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.

MICROFILMED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

ss.

Carol Bessey

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

That she is the editor
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of Notice of

Proposed change of
Water Right No. 21-0172

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for 2 consecutive
issues thereof; first publication

having been made on the 28th

day of February, 1985,

and the last publication on the

7th day of March

1985.

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

Carol Bessey
Subscribed in my presence and

sworn to before me this 12th

day of March

1985.

Linda Sheldon

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

MAR 20 1985

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 21-0172

Notice is hereby given that Egbert Farms,
Ashton, Idaho, has applied to the Department
of Water Resources for a change in the point
of diversion and place of use of the waters of
Henry's Fork tributary to Snake River. The
right sought to be changed is evidenced by
decree to Egbert Farms, Inc. in case of
Egbert Farms, Inc. -vs- Arthur L. Larsen
dated in 8-11-1980 in Seventh Judicial
District, County of Fremont and is recorded
as follows:

AMOUNT: 2.50 cfs, PRIORITY: 6-01-
1957, POINT OF DIVERSION: Described as
3/8 mile E and 3/8 mile W of the mouth of
Willow Creek.

The water is used to irrigate lands within
the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 6),
SE $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 7), Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 6), NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 22, T.9N, R. 42E, N.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T.
9N, R. 42E, B.M., Fremont County; and
used to irrigate 216 acres within the
NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 6), SE $\frac{1}{4}$ SW $\frac{1}{4}$
(Lot 7), Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot
6), NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 9N,
R. 42E, B.M.

Any protest against approval of the above
proposed change of water right must be filed
with the Idaho Department of Water
Resources, 150 Shoup, Suite 15, Idaho
Falls, Idaho, 83402 on or before March 18,
1985.

A. KENNETH DUNN
Director

Publ. Feb. 28 and March 7, 1985AH

MICROFILMED

Transfer No. 3118
Water Right No. 21-0172

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

Name of applicant Egbert Farms c/o Z.J. Egbert Phone 652-3689
Post Office address P.O. Box 517, Ashton, ID 83420

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. 21-0172 Decreed to Egbert Farms, Inc.
(Name)
in case of Egbert Farms, Inc. vs Arthur L. Larsen
dated in 8-11-1980 in Seventh Jud. District 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. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Henry's Fork, Snake R. tributary to Snake River

4. Date of priority June 1, 1957

5. Water is used for the following purposes:
- amount 2.5cfs for Irrigation purposes from * Not specified in decree to _____
- amount _____ for _____ purposes from _____ to _____
- amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.5 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ 1/4 of _____ 1/4 of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any P/D's described as 3/8 mile E. and 3/8 mile W.
of the mouth of Willow Creek

8. Lands irrigated or place of use:

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	
9N	42E	14										X	L-6 X	L-7 X					
		22			X					L-6 X	X					X			

MICROFILMED

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 21-7214/7278 (Permits)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

omit part B).

b. _____ acre feet per annum

2. Point of diversion _____ ¼ _____ ¼, Section _____

3. Place of use:

[illegible]

Total number of acres to be irrigated

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

1. General Information

a. Amount of water to be diverted 2.5 c.f.s. &/or acre feet

~~b. Description of diverting works Pump #2 & #5 to mainline with laterals and~~

~~sprinklers~~

c. Describe the reasons for the proposed changes To clarify decree as to location

of P/D's and specify acreage irrigated.

2. Change in point of diversion NO CHANGE

Point of diversion SE $\frac{1}{4}$ SW (pump #2) $\frac{1}{4}$ Section Township 9N

Range 42E, B.M., Fremont County
Additional points (pump #5) SE 1/4 NW 1/4, Sec. 22, T. 9N, R. 42E

3. Change in place of use NO CHANGE

a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust,

mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of

the lien, deed of trust, mortgage or contract agreeing to the proposed change.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

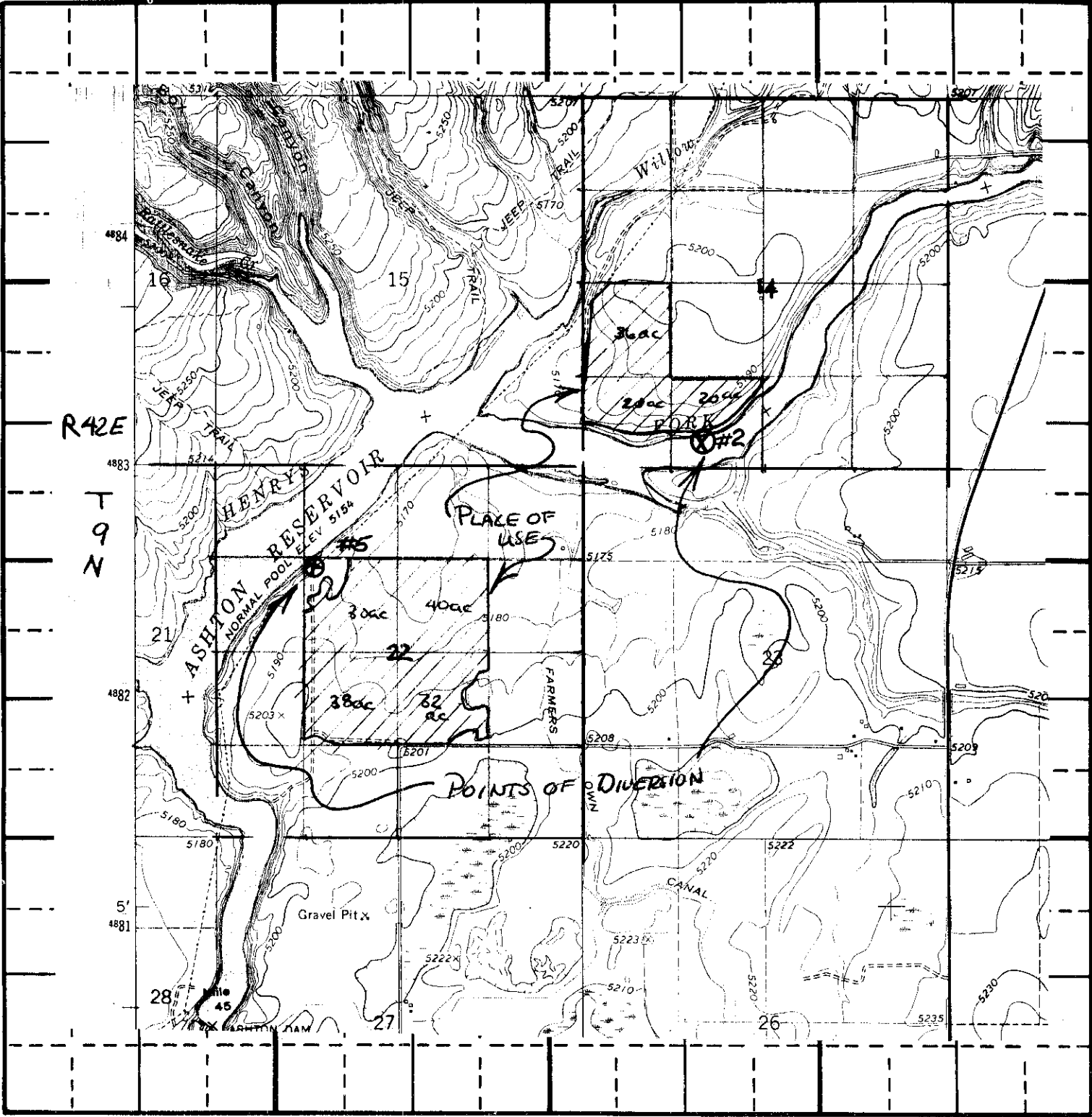
~~None - no change~~

c. Describe the land 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	
9N	42E	14										36	L-6 20	L-7 20					76
		22			40				L-6 30	38						32			140

Total number of acres to be irrigated 216

4. Describe any other water rights used for the same purpose as described above. 21-7214 / 7278 (Permits)
5. 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.

MICROFILMED

MICROFILMED

D. REMARKS

I hereby assert that no one will be injured by such change and that 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.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 18th day of February, 1985

(Signature of Applicant) *[Signature]*

(Notary Public) *[Signature]*

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 21-0172

APPROVED

and said application is hereby _____, subject to the following limitations and conditions:

1. A totalizing measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works. 2. Use of water under this right is subject to control by the watermaster of State Water District No. 01, Snake River.

Witness my hand this 13th day of August, 1985

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by *ASSTD & KCU*

Prelim. check by *ASSTD*

Received by *ASSTD*

Date 2-12-85
Fee #5000
#3305

Date 2-12-85

Published in *Denver Herald*

Pub. dates 2-28 & 3-7-85

Watermaster recommendation requested on 3-4-85

recd. 3-18-85

Recommended for *ASSTD*

approval

denial

Hearing held by _____ Date _____

Copies of protest forwarded by _____

Protest filed by _____

LEAST ONE COMMISSIONER MUST MEET AS A BOARD OF COUNTY COMMISSIONERS IN EVERY MONTH THROUGHOUT THE YEAR AND MUST ADVISE THE PUBLIC OF THE MEETING BY POSTING A NOTICE IN EACH OF THE SECTIONS OF THE COUNTY. SEE IDAHO CODE, SECTION 63-401.

ROBERT F. INGRAM
 REMONT COUNTY ASSESSOR
 ST. ANTHONY, ID 83445

THIS IS NOT A BILL

RETURN POSTAGE GUARANTEED

FIRST CLASS MAIL
 U.S. POSTAGE
 PAID 1 OZ.
 PERMIT #22

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	179.000 AC	76,981
5 DRY GRAZING	63.000 AC	945
19 WASTE	27.000 AC	

1984
TAXPAYERS
VALUATION ASSESSMENT NOTICE
 Information on Protest of Assessment
 and Claims for Tax Reduction and
 Exemption on Reverse Side

 IN CASE OF ERROR
 Notify Assessor's Office Immediately

KEEP THIS COPY FOR YOUR RECORDS

Mail To:
 EGBERT FARMS INC

TOTAL MARKET

77,926 ASHTON, ID 83420

NW4SW4; SE4SE4;
 LOTS 3-4-5-6-7-8-9
 SEC 14 TWP 9 RGE 42

PROPERTY ADDRESS
 PARCEL NO. RP 4740
 TAX CODE 19-00

MICROFILMED

the Board of County Commissioners must meet as a board of equalization at least once in every month through the assessment of real and personal property for the purpose of determining the assessment of property. See Idaho Code, Section 63-401. The Board of County Commissioners must meet as a board of equalization at least once in every month through the assessment of real and personal property for the purpose of determining the assessment of property. See Idaho Code, Section 63-401. The Board of County Commissioners must meet as a board of equalization at least once in every month through the assessment of real and personal property for the purpose of determining the assessment of property. See Idaho Code, Section 63-401.

OF F. INGRAM
REMONT COUNTY ASSESSOR
ST. ANTHONY, ID 83445

THIS IS NOT A BILL

FIRST CLASS MAIL
U.S. POSTAGE
PAID 1.02
PERMIT #22

RETURN POSTAGE GUARANTEED

1984

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	138.000 AC	50,186
5 DRY GRAZING	15.000 AC	225
19 WASTE	7.000 AC	

**TAXPAYERS
VALUATION ASSESSMENT NOTICE**

Information on Protest of Assessment
and Claims for Tax Reduction and
Exemption on Reverse Side

IN CASE OF ERROR
Notify Assessor's Office Immediately

KEEP THIS COPY FOR YOUR RECORDS

Mail To:
EGBERT FARMS INC

TOTAL MARKET

50,411 ASHTON, ID 83420

LOT 6; SW4NE4;
NW4SE4; NE4SW4
SEC 22 TWP 9 RGE 42

PROPERTY ADDRESS
PARCEL NO. RP 4772

TAX CODE 19-00

MICROFILMED

AFFIDAVIT OF
PUBLICATION

State of Idaho

County of Fremont

Carol Bessey.....

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

That she is the *editor*.....
of The Ashton Herald, a newspaper
as defined by Idaho Codes Anno-
tated, section 58-106, as amended,
and that said newspaper is a
weekly newspaper printed and
published at St. Anthony, in Fre-
mont County, Idaho, having a
general circulation in said county,
and that said newspaper has been
printed and published as a weekly
newspaper in said county for more
than 78 consecutive weeks prior to
the first publication of the attached
notice, advertisement or publica-
tion of *Notice of*.....

Proposed change of
Water Right No. 21-0172

And affiant further says that said
notice, advertisement of publica-
tion, as per clipping attached, was
published in said newspaper, in the
regular and entire issue thereof,
and not in any supplement issue
thereof, for*2*.... consecutive
issues thereof; first publication

having been made on the *28th*.....

day of *February*., 19*85*,

and the last publication on the

7th.....day of *March*.....

19*85*.

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

Carol Bessey.....
Subscribed in my presence and

sworn to before me this *12th*.....

day of *March*.....,

19*85*.

Linda Sheldon.....

Notary Public for the
[SEAL] State of Idaho, residence
and post office address:
St. Anthony, Idaho.
Ashton

RECEIVED

MAR 20 1985

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 21-0172

Notice is hereby given that Robert Farms,
Ashton, Idaho, has applied to the Department
of Water Resources for a change in the point
of diversion and place of use of the waters of
Henry's Fork tributary to Snake River. The
right sought to be changed is evidenced by
deed to Robert Farms, Inc. in case of
Robert Farms, Inc. vs. Walter L. Elliott
dated in 8-11-1980 in Seventh Judicial
District, County of Fremont and is recorded
as follows:

AMOUNT: 2.50 cfs. PRIORITY: 0-01-
1957. POINT OF DIVERSION: Described as
3/8 mile E and 3/8 mile W of the mouth of
Willow Creek.

The water is used to irrigate lands within
the NW1/4SW1/4 (Lot 6),
SE1/4SW1/4 (Lot 7), Sec. 14, T. 22N.,
R. 42E., S. 1E., NE1/4SW1/4 (Lot 6),
NE1/4SW1/4 (Lot 7), Sec. 22, T. 22N.,
R. 42E., S. 1E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the
SE1/4SW1/4, Sec. 14, SE1/4SW1/4, Sec. 22, T.
22N., R. 42E., S. 1E., Fremont County, and
used to irrigate 216 acres within the
NW1/4SW1/4, SW1/4SW1/4 (Lot 6), SE1/4SW1/4
(Lot 7), SE1/4SW1/4 (Lot 6), SE1/4SW1/4 (Lot 6),
NE1/4SW1/4, SW1/4SE1/4, Sec. 22, T. 22N.,
R. 42E., S. 1E.

Any protest against approval of the above
proposed change of water right must be filed
with the Idaho Department of Water
Resources, 700 Idaho State Capitol, Boise,
Idaho, 83725 on or before March 18,
1985.

A. KENNETH OLSEN
Director

Feb. 28 and March 7, 1985

MICROFILMED

3

RECEIVED

21-F

APR 5 1979

The Document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office, same having been filed 11-2-77 Attest 4-3 1977 Darlene M. Calonge, Clerk of the District Court of the Seventh Judicial District in and for Fremont County, Idaho, By Betty J. Smith Deputy

Department of Water Resources Eastern District Office DISTRICT COURT SEVENTH JUDICIAL DISTRICT IN AND FOR FREMONT COUNTY, IDAHO

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

EGBERT FARMS, INC.,)
)
Plaintiff,) MEMORANDUM DECISION INCLUDING
)
vs.) FINDINGS OF FACT AND
)
ARTHUR L. LARSEN,) CONCLUSIONS OF LAW
Watermaster, WATER)
DISTRICT NO. 1, State)
of Idaho,)
)
Defendants.)

This case was combined with the case of Alvin Seeley, et al v. Arthur Larson, Watermaster, for hearing.

It appeared from the evidence that Egbert Farms is a corporation existing in the State of Idaho with its principal place of business in Fremont County. The chief business of the corporation appears to be the operation of farms belonging to the corporation. Among other lands owned by the corporation are lands described as the Northwest quarter of the Southwest quarter and lots 6 and 7 of section 14; the Southwest quarter of the Northeast quarter, lot 6, the Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter of section 22, in Township 9 North, Range 42 East Boise Meridian.

In 1957 plaintiff placed two pumps in the North Fork of the Snake River in the reservoir in said river created by the Utah Power and Light dam. One pump was 3/8 of a mile east and one pump was 3/8 of a mile west of the mouth of Willow Creek. Through these pumps plaintiff diverted water from the reservoir in the North Fork of the Snake River to its farming lands and used the same for irrigation thereof.

Plaintiff claims to have had some understanding with an Uncle Johnnie, John Spratling, that their property was provided with an 1893 water right of 200 inches of water from Willow Creek. If so, plaintiff did nothing about it until he placed his pumps in

MICROFILMED

the North Fork of the Snake River in 1957. The filing of a notice of location of a water right does not create such a right. It is simply a preliminary step to be followed by construction of dams, headgates and necessary conduits and by actual diversion and use of the water. No such right was perfected by plaintiff even if the location notice did intend the creation of such a right. A water right cannot be created or maintained by communication of an agreement to create one.

By placing his pumps in the Snake River plaintiff acquired a right to the use of water from the North Fork on the Snake River at the Utah Power and Light reservoir in the amount of 125 inches with a priority of 1957.

The court finds from the foregoing memorandum:

1. Plaintiffs did place pumps in the Utah Power and Light reservoir in the North Fork of the Snake River in 1957 at points 3/8 mile east and 3/8 mile west of the mouth of Willow Creek.

2. Through the pumps thus placed plaintiff diverted approximately 125 inches of water for irrigation of his land and has continuously placed the same to a beneficial use on lands described as: NW $\frac{1}{4}$ SW $\frac{1}{4}$ and lots 6 and 7 of section 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$; lot 6; NE $\frac{1}{4}$ SW $\frac{1}{4}$; and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 22, in Twp 9, N. Range 42 B.M. since that time.

The court concludes that plaintiff has acquired a right to 125 inches of water from the Utah Power and Light reservoir in the North Fork of the Snake River with a priority date of 1957.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that plaintiff has a right to the use of 125 inches of water from the North Fork of the Snake River at points 3/8 mile east and 3/8 mile west of the mouth of Willow Creek for use on lands described as:

21- 0172

TRANS. # 3118

MICROFILMED

amended

NW $\frac{1}{4}$ SW $\frac{1}{4}$ and lots 6 and 7 of section 14, SW $\frac{1}{4}$ ^{NE}~~NW $\frac{1}{4}$~~ ; lot 6; NE $\frac{1}{4}$ SW $\frac{1}{4}$
and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 22, in Twp 9, N. Range 42 B.M. with a
priority date of 1957.

Done this 20th day of October, 1977.



WILLARD C. BURTON
District Judge

MICROFILMED

August 15, 1985

RE: Transfer of Water Right No. 21-0172

Egbert Farms
c/o Z. J. Egbert
Box 517
Ashton, ID 83420

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3118). Be sure to note the conditions of approval as listed on the final page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET
G. F. RAMSEY

INITIAL REVIEW BY: FEB 13 1985

1. Right number 21-0172 Applicant EGBERT FARMS

2. Type of right: ☒ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

☒ Other CLARIFY LOCATION OF P/D AND TO ☒
SPECIFY ACREAGE IRRIGATED

4. Check:

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:

☒ 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).

☒ Check description of point(s) of diversion.

☒ Check description of place of use.

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

☒ Check for correct signature, notarization, and fee.

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

h. ☒ Check for expansion in use of right. Comments UNABLE TO DETERMINE ☒

- NONE APPARENT

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) NO TRANSFER ☒

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 01

FINAL PROCESSING REVIEW BY: Ernest Calder

1. Watermaster recommendation requested on 3-4-85 Received on 3-18-85

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* OIE 05 (modified) 05(01, SNAKE RIVER)

change language to include totalizing measuring device
totalizing measuring device & lockable controlling works permanently installed. Provisions under this right shall be as follows:

4. By RDC Date 4/26/85 **RECEIVED** MAY 02 1985

Jim 8-8-85 USE ABOVE CONDITIONS

* All uses within Watermaster Districts require special conditions.

Department of Water Resources

APPLICATION FOR TRANSFER OF

WATER RIGHT NO. 21-0172

WATER DISTRICT 1

WATERMASTER

Ronald D Carlson

DATE:

March 11, 1985

COMMENTS:

The priority of this right
is so late in time that
Most years the applicant will
get no advantage from having
this right.

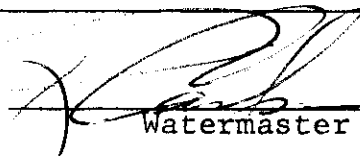
☒

I do endorse approval of this change.

☐

I do not endorse approval of this change.

I recommend the following conditions of approval:


Watermaster

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 20, 1985

The Ashton Herald
P. O. Box 258
Ashton, Idaho 83420

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before MARCH 18, 1985.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 21-0172

Notice is hereby given that Egbert Farms, Ashton, Idaho, has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of Henry's Fork tributary to Snake River. The right sought to be changed is evidenced by decree to Egbert Farms, Inc. in case of Egbert Farms, Inc. -vs- Arthur L. Larsen dated in 8-11-1980 in Seventh Judicial District, County of Fremont and is recorded as follows:

AMOUNT: 2.50 cfs

PRIORITY: 6-01-1957

POINT OF DIVERSION: Described as 3/8 mile E and 3/8 mile W of the mouth of Willow Creek.

The water is used to irrigate lands within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 6), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 7), Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 6), NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 42E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 9N, R. 42E, B.M., Fremont County; and used to irrigate 216 acres within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 6), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 7), Sec. 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 6), NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 9N, R. 42E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402 on or before March 18, 1985.

A. KENNETH DUNN

Director

Published in the Ashton Herald, Ashton, Idaho on February 28 and March 7, 1985.

MICROFILMED